

# 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, April 13, 1949

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

Prayer by the Rev. Fr. Rosario Ouellette, of Sanford.

The journal of the previous session was read and approved.

### Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act Relating to Sunday Hunting in Aroostook County" (S. P. 544) (L. D. 1165)

Report of same Committee reporting same on Resolve Closing Certain Waters in Somerset County to all Fishing Except Fly Fishing (S. P. 424) (L. D. 779)

Report of same Committee on Bill "An Act Relating to Stamping of Beaver Skins" (S. P. 403) (L. D. 739) reporting "Ought not to pass" as it is covered by other Legislation.

Report of the Committee on Ways and Bridges reporting "Ought not to pass" on Bill "An Act Relating to Maintenance of Bridges on State Aid and Third Class Roads" (S. P. 393) (L. D. 708)

Came from the Senate read and accepted.

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

### Ought to Pass in New Draft

Report of the Committee on State Lands and Forest Preservation on Resolve for Development of State Park Facilities (S. P. 252) (L. D. 359) reporting same in a new draft (S. P. 653) (L. D. 1450) under same title and that it "Ought to pass"

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

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

## Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Regulating Fishing in Certain Ponds in Somerset County (S. P. 516) (L. D. 1047)

Report of the Committee on Salaries and Fees reporting same on Bill "An Act to Increase the Salaries of Members of the State Police" (S. P. 75) (L. D. 51)

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

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

## Tabled

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act Relating to the Salary of the Forest Commissioner" (S. P. 215) (L. D. 277)

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

In the House:

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

Mr. MAXWELL: Mr. Speaker, if this is proper at the moment, I would like to indefinitely postpone this bill. It seems to me that now is a good time to level off on our salaries. We have a large number of unemployed in the State and the cost of living is dropping and in view of those facts, I feel this would be the wrong time to give a \$2,000 increase to one of our commissioners.

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

Mr. CAMPBELL: Mr. Speaker, I move that the motion lie upon the table.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves that Bill "An Act Relating to the Salary of the Forest Commissioner" (S. P. 215) (L. D. 277) lie upon the table pending the motion of the

gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the bill with accompanying papers was so tabled.

#### Ought to Pass (Cont'd)

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act Relating to the Salary of the Sheriff of York County" (S. P. 265) (L. D. 395)

Report of same Committee reporting same on Bill "An Act Relating to Salary of Register of Deeds and Clerks in the Office of Register of Deeds, Hancock County" (S. P. 439) (L. D. 792)

Report of same Committee reporting same on Bill "An Act Relating to the Salary of Clerk of Courts, Hancock County" (S. P. 442) (L. D. 794)

Report of same Committee reporting same on Bill "An Act Relating to the Salary of the Register of Deeds of Waldo County" (S. P. 534) (L. D. 1055)

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

In the House, Reports were read and accepted in concurrence and the Bills read twice and tomorrow assigned.

#### Ought to Pass with Committee Amendment

Report of the Committee on Motor Vehicles on Bill "An Act Relating to Trucks Transporting Pulp, Slabs and Logs" (S. P. 613) (L. D. 1303) reporting same in a new draft (S. P. 641) (L. D. 1415) 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 be engrossed as amended by Senate Amendment "A".

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

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

SENATE AMENDMENT "A" to S. P. 641, L. D. 1415, Bill "An Act Relating to Trucks Transporting Pulp, Slabs and Logs."

Amend said Bill by striking out the underlined word "reasonable" in the 6th line thereof.

Further amend said Bill by inserting after the underlined word "danger" in the 6th line thereof, the following punctuation and words: ' , reasonably to be anticipated, '

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

#### Ought to Pass with Senate Amendment

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act Relating to Branding of Potatoes" (S. P. 395) (L. D. 733)

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

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

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

SENATE AMENDMENT "A" to S. P. 395, L. D. 733, Bill "An Act Relating to Branding of Potatoes."

Amend said Bill by inserting after the enacting clause thereof, the following:

"Sec. 1. R. S., c. 27, § 225, amended. Section 225 of chapter 27 of the revised statutes is hereby amended by adding at the end thereof a new sentence, to read as follows: '**Potatoes purchased under the government support program shall be exempted from the provisions of sections 225 to 231, inclusive.**'"

Further amend said Bill by inserting before the headnote "R. S., c. 27 § 228, amended.", the following: 'Sec. 2.'

Further amend said Bill by striking out the deleted words "or ship-

per" in the 3rd line of that part designated "Sec. 228", and inserting in place thereof, the following: 'or shipper'.

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

**Ought Not to Pass  
Tabled**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of Hospital General Ste. Marie of Lewiston (S. P. 566) (L. D. 1231)

Came from the Senate committed to the Committee on Claims.

In the House:

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

Mr. GAUVIN: Mr. Speaker, I move that Item 15 be tabled pending acceptance of the report of the committee.

The SPEAKER: The gentleman from Lewiston, Mr. Gauvin, moves that Item 15 (S. P. 566) (L. D. 1231) lie upon the table pending acceptance of the report of the committee. Is this the pleasure of the House?

Mr. JALBERT (of Lewiston): Mr. Speaker—

The SPEAKER: The Chair will state that the motion to table is not debatable.

The question before the House is upon the motion of the gentleman from Lewiston, Mr. Gauvin, that Item 15 lie upon the table pending acceptance of the report of the committee. Is it the pleasure of the House that the matter lie upon the table pending the acceptance of the report of the committee in concurrence?

The motion prevailed and the Report with accompanying papers was so tabled.

**Tabled**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on

Resolve in Favor of Saint Joseph Orphanage of Lewiston (S. P. 565) (L. D. 1230)

Came from the Senate committed to the Committee on Claims.

(In the House, on motion by Mr. Gauvin of Lewiston, tabled pending acceptance of the Committee Report in concurrence.)

**Tabled**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of the Marcotte Home of Lewiston (S. P. 564) (L. D. 1229)

Came from the Senate committed to the Committee on Claims.

(In the House, on motion by Mr. Gauvin of Lewiston, tabled pending acceptance of the Committee Report in concurrence.)

**Tabled**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of Saint Louis Home and School, West Scarborough (S. P. 568) (L. D. 1233)

Came from the Senate committed to the Committee on Claims.

(In the House, on motion by Mr. Gauvin of Lewiston, tabled pending acceptance of the Committee Report in concurrence.)

**Tabled**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of Healy Asylum of Lewiston (S. P. 567) (L. D. 1232)

Came from the Senate committed to the Committee on Claims.

Was referred to the Committee on Claims in concurrence.

(In the House, on motion by Mr. Gauvin of Lewiston, tabled pending acceptance of the Committee Report in concurrence.)

**Non-Concurrent Matter  
Tabled**

Bill "An Act Relating to Weir Fishing in Certain Waters" (H. P.

1736) (L. D. 1090) which was passed to be engrossed in the House on April 7th.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. MUSKIE: Mr. Speaker, in the absence of the sponsor of this bill, I move that it lie upon the table.

The SPEAKER: The gentleman from Waterville, Mr. Muskie, moves that Item 20, Bill "An Act Relating to Weir Fishing in Certain Waters" (H. P. 1736) (L. D. 1090) lie upon the table pending further consideration. Is this the pleasure of the House?

Thereupon, the motion prevailed and the bill with accompanying papers was so tabled.

#### House Reports of Committees Leave to Withdraw

Mr. Paine from the Committee on Legal Affairs on Bill "An Act Relating to the Granting of Licenses for Certain Businesses and Purposes in the City of Portland" (H. P. 1651) (L. D. 958) reported leave to withdraw.

Mr. Lackee from the Committee on Ways and Bridges on Bill "An Act Relating to the New Portland-South Portland Bridge on Route 1" (H. P. 1945) (L. D. 1306) reported leave to withdraw as it is covered by other Legislation.

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Marble from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Revise the Charter of the City of Westbrook" (H. P. 1984) (L. D. 1365)

Report was read and accepted and sent up for concurrence.

#### Tabled

Mr. Martin from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Cre-

ating a State Lottery Commission" (H. P. 1843) (L. D. 1164)

(On motion by Mr. Jewett of Manchester, tabled pending acceptance of the Committee Report.)

Mr. Brown from the Committee on Maine Publicity reported "Ought not to pass" on Bill "An Act Relating to Permits for Outdoor Advertising" (H. P. 184) (L. D. 60)

Mr. Faas from the same Committee reported same on Bill "An Act to Amend the Charter of the Van Buren Light and Power District" (H. P. 1994) (L. D. 1370)

Mr. Carter from the Committee on Taxation on Bill "An Act Relating to the Assessment of Taxes" (H. P. 1544) (L. D. 821) reported "Ought not to pass" as it is covered by other Legislation.

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Chase from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Relating to Aid to Dependent Children and Providing Revenue Therefor" (H. P. 675) (L. D. 221)

(On motion by Mr. Campbell of Garland, tabled pending acceptance of the Committee Report.)

Mr. Chase from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Relating to Taxation of Personal Property" (H. P. 2004) (L. D. 1387) as it is covered by other Legislation.

Mr. Dow from same Committee reported same on Bill "An Act Relating to the Assessment of Taxes" (H. P. 1543) (L. D. 820)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Dow from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Relating to Taxation of Boats" (H. P. 1743) (L. D. 1096)

(On motion by Mr. Jewett of Manchester, tabled pending acceptance of the Committee Report.)

Mr. Wight from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Relating to Taxation of Personal Property" (H. P. 319) (L. D. 99)

Report was read and accepted and sent up for concurrence.

#### Tabled

Mr. Boulier from the Committee on Ways and Bridges reported "Ought not to pass" on Bill "An Act Freeing the Richmond-Dresden Bridge of Tolls" (H. P. 1014) (L. D. 441)

(On motion by Mr. Jones of Bowdoinham, tabled pending acceptance of the Committee Report.)

Mr. Spear from the Committee on Ways and Bridges reported "Ought not to pass" on Bill "An Act Relating to Use of the Town Road Improvement Fund" (H. P. 216) (L. D. 77)

Report was read and accepted and sent up for concurrence.

#### Ought to Pass in New Draft

Mr. Hayes from the Committee on Legal Affairs on Bill "An Act to Ratify and Make Valid the Incorporation of Second Congregational Society of Searsport Harbor, in Searsport, Maine" (H. P. 1993) (L. D. 1374) reported same in a new draft (H. P. 2050) (L. D. 1476) under same title and that it "Ought to pass"

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

#### Tabled

Mr. Wight from the Committee on Public Utilities on Bill "An Act Relating to the Bangor Water District" (H. P. 1989) (L. D. 1371) reported same in a new draft (H. P. 2048) (L. D. 1474) under title of "An Act to Create the Bangor Water District" and that it "Ought to pass"

(On motion by Mr. Atherton of Bangor, tabled pending acceptance of the Committee Report.)

#### Tabled

Mr. Dow from the Committee on Taxation on Bill "An Act Relating to Taxation of Organizations Holding Pari-Mutuel Racing Meets" (H. P. 1539) (L. D. 817) reported same in a new draft (H. P. 2051) (L. D. 1477) under same title and that it "Ought to pass"

(On motion by Mr. Fitch of Sebago, tabled pending acceptance of the Committee Report.)

Mr. Brown from the Committee on Ways and Bridges on Bill "An Act Relating to Installations in Public Highways" (H. P. 1891) (L. D. 1219) reported same in a new draft (H. P. 2052) (L. D. 1478) under same title and that it "Ought to pass"

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

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

#### Tabled

Mr. Lackee from the Committee on Ways and Bridges on Bill "An Act Relating to Use of Wires or Cables on State Highways" (H. P. 1754) (L. D. 1098) reported same in a second new draft (H. P. 2049) (L. D. 1475) under title of "An Act Relative to the Construction of Pole and Wire Lines Upon and Along State and State Aid Highways" and that it "Ought to pass"

(On motion by Mr. Eastman of South Paris, tabled pending acceptance of the Committee Report.)

#### Ought to Pass Printed Bills

Mr. Campbell from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to Amend the Charter of the City of Auburn to Provide for Two Councilmen at Large" (H. P. 1999) (L. D. 1382)

Mr. Bearce from the Committee on Public Utilities reported same on Bill "An Act Relating to Permits for Interstate Carriers" (H. P. 1527) (L. D. 858)

Mr. Faas from same Committee reported same on Bill "An Act to Amend the Charter of the Yarmouth Water District" (H. P. 1068) (L. D. 474)

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

#### Tabled

Mr. Chase from the Committee on Taxation reported "Ought to pass" on Bill "An Act to Repeal the Tax on Cigars and Tobacco Products" (H. P. 1077) (L. D. 456)

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, the Committee on Taxation reports this bill "Ought to pass" on the committee's opinion of the merits of the measure which would repeal the tax on cigars and tobacco.

It is obvious, however, since approximately \$660,000 a year in revenue is involved that it ought not to be passed until that revenue is replaced by another tax measure. In the passage of such other tax measure, we anticipate, of course, the earnest co-operation and support of the sponsor of this particular measure. (Laughter)

I move that the report of the committee and the bill lie upon the table.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the bill and accompanying papers lie upon the table pending the acceptance of the report of the committee. Is this the pleasure of the House?

Mr. McCLURE (of Bath): Mr. Speaker, I understand that—

The SPEAKER: The Chair will advise the gentleman that the motion to table is not debatable.

Is it the pleasure of the House that the bill and accompanying

papers lie upon the table pending the acceptance of the report of the committee?

The motion prevailed and the bill and accompanying papers were so tabled.

Mr. McCLURE: Mr. Speaker—

The SPEAKER: The gentleman may request unanimous consent to address the House.

Mr. McCLURE: Mr. Speaker, I do. I ask for unanimous consent to defend myself.

The SPEAKER: The gentleman from Bath, Mr. McClure, requests unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. McCLURE: Mr. Speaker, in answer to the gentleman from Cape Elizabeth (Mr. Chase), I might say that when it has been proved to me that we do need new taxes, I shall be one of the first to vote for them. But I have gone through the financial report of the State, and, knowing the condition of our State, as I have stated before, it hasn't been proved to me yet and as long as it hasn't I am going to defend the taxpayers of the State of Maine.

#### Ought to Pass Printed Bills (cont'd)

Mr. Spear from the Committee on Ways and Bridges reported "Ought to pass" on Bill "An Act to Dissolve Portland Bridge District and Transfer Property to State" (H. P. 1673) (L. D. 980)

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 Provide for a Council-Manager Form of Government for the City of Westbrook" (H. P. 1983) (L. D. 1364) 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" printed under Legislative Document No. 1472 was read by the Clerk as follows:

**COMMITTEE AMENDMENT "A"** to H. P. 1983, L. D. 1364, Bill "An Act to Provide for a Council-Manager Form of Government for the City of Westbrook."

Amend said Bill by striking out the last section thereof and inserting in place thereof the following:

**'Sec. 6. Referendum; effective date.** This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission for approval or rejection to the voters of the city of Westbrook qualified to vote in municipal elections, at an election to be held on the 1st Monday in December in the year, A.D. 1949, and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said city to meet in the several ward meetings in said city, there to cast their ballot concerning forms of charter for the city of Westbrook, in substantially the following form:

#### "FORM OF BALLOT"

Place an X in the square after the form of Charter which you select. Mark only 1 form or your ballot will not be counted.

#### Forms of Charter

- Plan 1. Present form of charter with mayor, and city council of 13 aldermen elected annually, with party designations, to serve for 1 year.
- Plan 2. City manager form providing for a city council of 7 members, 2 elected from the city at large without regard to ward lines and 1 from each ward, all without party designation."

Otherwise, said ballot shall be in form provided by law when a constitutional amendment is submitted to the vote of the people. The provisions of law relating to the preparation of voting lists for municipal elections shall apply to such election, and such election shall in all and other respects be conducted as municipal elections are now provided by law for the determination of the election of mayor. Due certificate of the result of such election shall be filed by the city clerk with the secretary of state.

If a plurality of the valid ballots deposited as aforesaid shall favor the adoption of Plan 2 so called on said ballot, then this act shall take effect as herein provided, and the mayor shall forthwith make proclamation of the fact. If adopted by the voters of the city, this act for the purpose of nominating and electing officers hereunder shall take effect on the date of its adoption by the voters, and for all other purposes this act shall take effect on the 1st Monday in January, 1950, except that the officers elected at the annual election in December, 1948, shall continue in office until the 1st Monday in January, 1950.'

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

Mr. Campbell from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Auburn" (H. P. 2000) (L. D. 1383) 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. 2000, L. D. 1383, Bill "An Act Amending the Charter of the City of Auburn."

Amend said Bill by striking out all of Sec. 1 thereof.

Further amend said Bill by renumbering "Sec. 2" to "Sec. 11" inclusive to be 'Sec. 1' to 'Sec. 10' inclusive.

Thereupon, 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 Repeal the Incorporation of Bridgton Centre Village Fire Corporation and Bridgton Centre Village Corporation" (H. P. 361) (L. D. 124) which was recommitted, 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. 361, L. D. 124, Bill "An Act to Repeal the Incorporation of Bridgton Centre Village Fire Corporation and Bridgton Centre Village Corporation."

Amend said Bill by striking out the figure and word "2 years" in the 1st sentence of Sec. 2 thereof and inserting in place thereof the figure and word '1 year'.

Further amend said Bill by adding after the word "Corporation" at the end of Sec. 2 thereof the following:

'but only if the total number of votes cast for and against acceptance of this act in said town meeting equals or exceeds 20% of the total vote for all candidates for governor cast in said town at the previous gubernatorial election.'

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

Mr. Wight from the Committee on Taxation on Bill "An Act Relating to Taxation of Personal Property" (H. P. 1007) (L. D. 438) 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. 1007, L. D. 438, Bill "An Act Relating to Taxation of Personal Property."

Amend said Bill by drawing a line through the words "and office" in the 14th line of that part designated "I.", and by adding after the word and punctuation "fixtures," in said 14th line, the following underlined words: '**office furniture, furnishings, fixtures and equipment, and professional libraries, apparatus, implements and supplies.**'

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

Mr. JEWETT (of Manchester): Mr. Speaker, I move that Item 25, Bill "An Act Relating to Taxation of Personal Property" (H. P. 1007) (L. D. 438) lie upon the table pending assignment for third reading.

The SPEAKER: The Chair will state that the bill has already been assigned for third reading at ten o'clock tomorrow morning.

Mr. Wright from the Committee on Public Utilities on Bill "An Act to Incorporate the Bluehill Water District" (H. P. 1885) (L. D. 1256) 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. 1885, L. D. 1256, Bill "An Act to Incorporate the Bluehill Water District."

Amend said Bill by striking out, in the 17th and 18th lines of Sec. 12 of said Bill, the following "to an amount necessary in the judgment of the trustees therefor" and in-

serting in place thereof 'not to exceed \$50,000'

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

**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Imposing a Personal Income Tax and an Additional Corporate Franchise Tax" (H. P. 1821) (L. D. 1130)

Report was signed by the following members:

Messrs. NOYES of Hancock  
— of the Senate.  
WIGHT of Bangor  
CARTER of Bethel  
DOW of Falmouth  
DUQUETTE of Biddeford  
CHASE of Cape Elizabeth  
DORSEY of Fort Fairfield  
Miss LONGSTAFF of Crystal  
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 2046) under title of Bill "An Act Imposing a Personal Income Tax" and that it "Ought to pass", together with a statement by the signers thereof.

Report was signed by the following members:

Messrs. HASKELL of Penobscot  
ALLEN of Cumberland  
— of the Senate.

The statement attached to the Minority Report was read by the Clerk as follows:

"The signers of the "Ought to pass" report signed with the assumption that the bill will be amended by including in it such appropriation measures over and above existing general fund revenue sources as the Legislature may determine."

(On motion by Mr. Chase of Cape Elizabeth, the two reports and accompanying papers were tabled pending acceptance of either report; and on further motion by the same gentleman, the new draft was ordered printed and the matter was

specially assigned for tomorrow morning, Thursday, April 14.)

**Passed to be Engrossed**

Bill "An Act Relating to an Institutional Farm Supervisor" (S. P. 219) (L. D. 339)

Bill "An Act Relating to Pasteurized Milk" (S. P. 333) (L. D. 564)

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

Bill "An Act Relating to Running Horse Racing" (H. P. 1260) (L. D. 562)

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

The SPEAKER: The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. SANDERSON: Mr. Speaker and Members of the House: I wish to move that this Bill "An Act Relating to Running Horse Racing" (H. P. 1260) (L. D. 562) be re-committed to the Committee on Legal Affairs.

The SPEAKER: The gentleman may make his motion if he cares to.

Mr. SANDERSON: Mr. Speaker, I do so move. May I state my reasons?

The SPEAKER: The gentleman may do so if he wishes.

Mr. SANDERSON: Mr. Speaker, I am not, as you all know, a member of the Bar but I have great respect for the members of the legal profession. It is a very common thing, however, for them to be in disagreement on certain matters. In fact, the most eminent of them, on occasion the members of the highest court in our land, the Supreme Court, bring in a decision by a vote of five to four and it seems to me that there may be two provisions of the Constitution of the State of Maine that might be violated by this bill.

First, Article IX, Section 8, of the Constitution of Maine provides that: "All taxes upon real and personal estate, assessed by author-

ity of this State, shall be apportioned and assessed equally according to the just value thereof." This tax seemingly is not levied equally upon the strength or weakness of one's opinion or conviction that a certain horse or horses will win. It is a tax upon the idea of freedom of opinion. One might just as well be taxed upon his conviction as to whether a Republican or a Democrat or a Socialist might be the next President of the United States.

Most taxes are based upon ownership such as the real property tax; or upon consumption such as the tobacco tax; or upon a per capita tax, such as a poll tax. This covers none of these categories of taxes. It is not an equally levied tax. Secondly, it would seem that this might violate Article IX, Section 9, of the Maine Constitution which reads: "The Legislature shall never, in any manner, suspend or surrender the power of taxation."

Here, the Legislature apparently will surrender to individuals the right to tax ten percent of the pari-mutuel pools while the State retains five percent of that tax.

It would seem to be a surrender of the power of taxation and for this reason I move to recommit this Bill, House Paper 1260, Legislative Document 562, to the Committee on Legal Affairs to consider these constitutional questions.

The SPEAKER: The gentleman from Greene, Mr. Sanderson, moves that Item 3, Bill "An Act Relating to Running Horse Racing" (H. P. 1260) (L. D. 562) be recommitted to the Committee on Legal Affairs.

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

Mr. ATHERTON: Mr. Speaker and Members of the House: Being on the Committee on Legal Affairs, I know of no reason why this particular bill should be recommitted. As far as I know, no members of the committee desire to change their vote or opinion on it—the matter of the constitutionality of the question. This is the first time that this has come to my attention. If this is

unconstitutional, there must be a good many other laws on our books now in the same category and I do not recall that there have been any questions raised regarding them. The business of the Committee on Legal Affairs has been completed. I am quite certain and sure that if this were recommitted, there would be no change in the report of the committee. Therefore, on behalf of the committee, I oppose the motion of the gentleman from Greene, Mr. Sanderson.

The SPEAKER: The question before the House is upon the motion of the gentleman from Greene, Mr. Sanderson, that Bill "An Act Relating to Running Horse Racing" (H. P. 1260) (L. D. 562) be recommitted to the Committee on Legal Affairs.

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

Thereupon, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

#### Passed to be Engrossed (cont'd)

Bill "An Act Relating to Salary of Register of Probate and Clerks in the Office of Register of Probate, Hancock County" (H. P. 1534) (L. D. 865)

Bill "An Act Relating to Transportation of Dogs from Licensed Kennels" (H. P. 1971) (L. D. 1353)

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

#### Amended Bills

Bill "An Act Regulating Industrial Homework" (S. P. 190) (L. D. 243)

Resolve in Favor of Atlantic Sea Run Salmon Commission (S. P. 322) (L. D. 939)

Bill "An Act Defining Homogenized Milk" (S. P. 334) (L. D. 565)

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

Bill "An Act Relating to School Attendance" (S. P. 647) (L. D. 1429)

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

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**Tabled**

Bill "An Act Relative to Trapping Season on Fur-Bearing Animals" (H. P. 2043) (L. D. 1468)

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

(On motion by Mr. Johnston of Jefferson, tabled pending third reading.)

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**Passed to be Enacted  
Emergency Measure**

An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Towns (H. P. 1255) (L. D. 538)

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 members elected to the House being necessary, a division was had. 130 voted in favor of same and 1 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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**Passed to be Enacted**

An Act Relating to Cost of Maintaining Patients at Hospitals for the Insane (S. P. 58) (L. D. 34)

An Act Relating to Allocation of Moneys for Governor and Council (S. P. 66) (L. D. 47)

An Act Relating to Practice of Architecture (S. P. 211) (L. D. 273)

An Act Extending the Period for Which the Board of Finance in the City of Waterville is Established (S. P. 459) (L. D. 911)

An Act Relating to County Jail Costs for Certain Violations (S. P. 500) (L. D. 1001)

An Act Relative to Closed Time on Deer (H. P. 1035) (L. D. 461)

An Act Relating to Closed Season in Certain Waters in Oxford County (H. P. 1132) (L. D. 540)

An Act Regulating Fishing in Big Magalloway River in Oxford County (H. P. 1133) (L. D. 541)

An Act Relating to the Licenses of Buildings for Dancing Purposes (H. P. 1402) (L. D. 762)

An Act Amending the Uniform Veterans' Guardianship Act (H. P. 1634) (L. D. 987)

An Act Amending the Charter of the City of Portland re Form of Ballot (H. P. 1649) (L. D. 956)

An Act Relating to Welfare Claims Against Estates (H. P. 1910) (L. D. 1273)

An Act Relating to Sirens on Motor Vehicles Used by Deputy Sheriffs (H. P. 1938) (L. D. 1312)

An Act Creating the Development Credit Corporation of Maine (H. P. 1970) (L. D. 1358)

An Act to Require Stop Lights on School Buses (H. P. 2023) (L. D. 1412)

An Act Amending the Unemployment Compensation Law as to Benefit Eligibility Conditions (H. P. 2028) (L. D. 1421)

An Act Relative to Night Hunting (H. P. 2029) (L. D. 1422)

**Finally Passed**

Resolve Regulating Fishing in Spencer Lake in Somerset County (S. P. 203) (L. D. 266)

Resolve Regulating Fishing in Mayfield Pond in the County of Somerset (H. P. 573) (L. D. 1423)

Resolve Regulating Fishing in Sand Pond in the County of Oxford (H. P. 991) (L. D. 422)

Resolve Regulating Fishing in Long Pond in the County of Franklin (H. P. 1037) (L. D. 521)

Resolve Regulating Fishing in Kemankeag Pond in the County of Franklin (H. P. 1039) (L. D. 523)

Resolve Authorizing the Sale of Hatcheries and Feeding Station Property (H. P. 1040) (L. D. 524)

Resolve Providing for a Fish Screen at Outlet of North Pond, in the Town of Woodstock, in the County of Oxford (H. P. 1041) (L. D. 525)

Resolve Regulating Fishing in Big Fish Lake, in the County of Aroostook (H. P. 1143) (L. D. 603)

Resolve Authorizing Commissioner of Inland Fisheries and Game to Sell Certain Buildings at Marshfield to Orris Bowker (H. P. 1147) (L. D. 549)

Resolve Regulating Fishing in Brassua Lake in the County of Somerset (H. P. 1148) (L. D. 605)

Resolve Regulating Fishing in Certain Somerset County Waters (H. P. 1482) (L. D. 839)

Resolve Regulating Fishing in and Closing Tributaries to Lake Maranacook and Narrows Pond, in the County of Kennebec (H. P. 1484) (L. D. 841)

Resolve Closing Lake Cobboscontee in Kennebec County to Fishing Through the Ice for Salmon and Trout (H. P. 1777) (L. D. 1116)

Resolve Relating to Stewart Pond in the Town of Belgrade, Kennebec County (H. P. 1778) (L. D. 1117)

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

#### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Welfare on Bill "An Act Relating to the Transfer of the Department of Institutional Service to Department of Health and Welfare" (H. P. 1756) (L. D. 1099) tabled on April 12th by the gentleman from Auburn, Mr. Jacobs, pending acceptance of the report.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I move to substitute the bill for the report of the committee. In doing so, I feel justified. I was a member of a group of tax-payers a few weeks ago who discussed the matters which might be brought before us at this session leading to economy and this particular bill, which I presented, was one of those articles which we discussed. And I agreed

to present such a bill, believing that it was a step in the right direction for economy.

At the hearing, in my opinion, I felt that the committee felt that this bill was aimed directly at the Commissioner at that time. It was not so. I have the highest regard for the past Commissioner, who recently resigned, not through my doings. But now that this position is empty—vacant—this appointment has to be made by the Governor, it seems to me, with all due regard to economy, even though small, this institutional service should be placed back where it was a few years ago.

Just why this was taken from the Health & Welfare Department in the first place—I will say briefly I was a member of the House at that time—but owing to the illness of the present then Commissioner, Mr. Leadbetter, some of the matters were confused in this department and it was thought that this institutional service should be taken from the Health & Welfare Department and made an institution by itself. It was so done, and it has been in use for six years.

Now, the place in vacant and I believe in all sincerity, knowing the caliber of the Commissioner of Health & Welfare at this time, he is a very capable man in his position and in that department there is a man just as capable of handling institutional services as the man who has recently resigned.

I feel as an act of economy, although it may be small, it is a step in the right direction that this Legislature should take at this time because we must practice economy. If not, I don't know where this Legislature will end.

I was elected on a strict economy basis and I came into this Legislature on a platform of no new taxes and economy as far as possible—as far as I was concerned. Now, at this time, I believe that we should practice economy by placing this institutional service back in the Health & Wealth De-

partment. These two departments are co-incident; they run side by side, and I believe that this service would be successful in this department.

Four years ago, standing here as I am standing today, the City of Lewiston wanted home rule and for years they wanted it, but the Legislatures at those times were against it because they thought that the men in power in Lewiston were not capable of handling their own affairs and I voted several times against it. And then, four years ago, I began to realize the Lewiston was the only city in the State that was governed in its police commission by the Governor of Maine and that it was not right and I thus spoke on the floor of this House four years ago in favor of home rule for Lewiston. And the members at that time took me at my word when I said: "If there be abuse of this privilege, I will come back in two years and change it."

But, they have not abused it during the past four years and the Legislature voted then 102 in favor and only 2 against. For years and years they all voted against this proposition.

Today, I believe sincerely that if this institutional service is placed back in the Health & Welfare Department from which it came, they will render good service. I say here and now that if it should fall I will ask the voters of Auburn to return me to the Legislature of 1951 and I will vote it back to institutional service myself. I hope and believe that you will understand me, that I am sincere in this matter, and I believe that if we put this back where it belongs, we will not be amiss in our judgment.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Seventh and Eighth Grades of the Parsonsfield School with Mrs. Garner in charge. On behalf of the House, we bid you welcome. (Applause)

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Lovell, Mr. McKeen.

Mr. McKEEN: Mr. Speaker and Members of the House: In the absence of Mr. Lackee, who is the House Chairman, he asked me to say for him that the committee has gone into this matter and has given it considerable time and thought. There was no evidence at the hearing to show that either department was not a full-time, one-man job and that it is his hope that the motion of the gentleman, Mr. Jacobs, does not prevail.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I want to concur with the motion of the gentleman from Auburn, Mr. Jacobs. I believe it is a step in the right direction to protect the taxpayers of the State of Maine. Never forget the fact that our people by a large majority elected our Governor and I still maintain that our Governor will work for the best interests of the people. He has already demonstrated this by starting an inquiry into our institutions and there is a report that he has saved us money already although we have had a head of both departments.

When we put men in charge of our different institutions they should be capable men and I believe that with one head we will save money and always remember that our Executive and his Council, because of their duties, will be over seeing that they are going in the right direction and in the interest of the taxpayer and, if they do not in two years, we can remove them as we can be removed if we

do not do our work in the right direction.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I know I am on the opposition but I feel this is a democracy and I feel that everyone should hear the opposition. Now, as a member of the Prison Committee, I, as one, feel—I won't speak for the whole committee—that the institutional service should be left as it is. There may be some argument for economy but there is another argument on the other hand that you can't put too big a load on the camel's back and I am led to believe this institutional service handles around \$5,000,000 of the State's money and that the Welfare Department already spends \$15,000,000 or \$20,000,000. It seems to me like giving Welfare too much of a load. I, myself, can't see how there is going to be any saving as you are going to have a man in Welfare do the work of this institutional commissioner. Of course, in the beginning, some of us felt this was aimed at Commissioner Greenleaf, but he is out of the picture now. The men down at Thomaston Prison have told me they feel they should have their own boss. Some of them have fought and bled in Europe to stop dictatorship, and they feel that this thing is putting too much power in the hands of the Welfare Department.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Randolph, Mr. Kent.

Mr. KENT: Mr. Speaker and Members of the House: I have had the pleasure of serving two terms on the State Hospital Committee and I think that through the investigations we have made in the institutions around in those two terms, I have come to the conclusion that institutional service in the

State of Maine is big business. And I do not think it would be good economy to transfer it back to the Department of Health & Welfare. There are many millions of dollars involved every year, and it seems to me that it would be good economy to leave institutional service in one branch.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. MALENFANT: Mr. Speaker, I am sorry to disagree with my good friend from Bath, Mr. McClure, and the gentleman from Auburn, (Mr. Jacobs) but I am very much opposed to this bill. If you transfer the State institutions to the Welfare Department you give too much work and too much power to one man. The Health and Welfare Commissioner will not be able to watch the operation of the institutions closely enough. The State Commissioner of Institutions should watch each one of them more closely. In the past, the State Commissioner of Institutions has visited institutions and spoken with their superintendents. They should make personal visits to these places to see what is going on.

During my seven years as alderman in the City of Lewiston we sent many patients to the different State institutions. I have visited a good many of them, and I found out it was very seldom that our Commissioner of State Institutions made a personal tour of inspection to see what was going on.

Now you all know that at the present time there is an investigation in one of our State institutions. Why? Because they did not watch the institution close enough. The only way that you can save money, as the gentleman from Auburn says, you have to starve the patients in our State institutions and starve the inmates in our State institutions.

A few years ago they had the same system that the gentleman from



Auburn (Mr. Jacobs) is asking for. They found out it was the wrong system. Now let us hope that our Governor will appoint to fill the vacancy in our Department of State Institutions a man qualified by training and ability and not because of political connections. I hope that the motion of the gentleman from Auburn (Mr. Jacobs) does not prevail.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: Any matter that will give us true economy is desirable. I would like to point out two or three things. This morning we passed to be engrossed Legislative Document 339, which provides that the commissioner appoint a farm supervisor, appropriating \$7,000 for that purpose. There is going to be a farm supervisor to coordinate activities of the superintendents of farms at these various institutions. I heard no voice raised against that.

As I understand it, the salary of the commissioner and the cost of operation of that department is about \$25,000. I submit to you the proposition that that department will have to be supervised. There will be clerical work to be done. Our Commissioner of Health & Welfare is an able man but he would have to employ an able man to supervise the institutions under his direction.

I have grave doubts about it making any savings in administrative costs. It has already been pointed out to you that the Health & Welfare Department expended almost \$11,000,000 during the last complete year. The Department of Institutions a little over \$4,500,000. Based upon our present appropriation resolve and anticipated aid from the federal government, our Department of Health & Welfare will, during the next year, spend approximately \$14,000,000 and our institutional service about \$5,000,000. I submit to you that this is a large business, requiring a full time

man at a large salary to handle smaller activities in our respective communities.

It seems to me that this department will be as much under the control and supervision of our Chief Executive if he appoints directly a commissioner to handle these institutions as it would if we tried to combine it with another department. In fact, he would have more direct control. I do not believe it wise to pass the bill.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker, I rise in support of the motion of the gentleman from Auburn, Mr. Jacobs.

This Department of Institutional Service, I think, has been under considerable fire lately. I do not propose to inquire into the merits of the controversy but probably a great deal has been said on both sides and I do not think it necessary to review that matter here.

We haven't had a great many bills that would specifically save money. It does seem to me that this matter would save some but aside from that if the Institutional Services Department does require an able executive to take immediate charge of it, I think it is conceded that Mr. Stevens is one of the ablest executives in any administrative department.

This bill carries, I believe, an emergency preamble. It is intended to take effect when signed by the Governor. If we have a good man who can take immediate charge of the department, and I think we need such a man at this time, I don't know of any better provision that could be made except to send it back to the Welfare Department.

I think Mr. Jacobs has spoken wisely when he has said we might try putting it back where it logical-

ly belongs and if that does not work, we can make a change in two years. Otherwise, we are apt to get a mere political appointee or a mere temporary fill-in, and I would rather see a very capable executive assume immediate supervision over this department rather than let it ramble along with a green man: I hope the motion of the gentleman from Auburn prevails.

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

Mr. **McGLAUFFIN**: Mr. Speaker, it has not been my purpose to speak on this bill but my brother, Mr. Woodworth, puts up the argument: That why we should make this change is because we have a very capable man at the head of the Health & Welfare Department. That, to me, is a most unsound reason for making such a change. That man is there today and he may not be there tomorrow. It seems to me that some members of this Legislature have economy bug in their heads so strongly that they do not use their best judgment on some occasions. I don't think these two institutions—these two departments—should be under any one man. I think the gentleman from Lewiston, Mr. Malenfant, put up a very good sound argument when he said: "You are putting too much power in one hand." It isn't a wise thing to do. I am against the motion of the gentleman from Auburn, Mr. Jacobs.

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

Mr. **JACOBS**: Mr. Speaker, I knew I would have opposition on this matter but opposition sometimes is good and healthy for an institution of this kind. I am informed by the Commissioner of Health & Welfare that he does not propose to look after this institutional service, himself, but he has a man in that department fully capable of doing this job.

If you keep these institutional services, the Governor will have to appoint a new man and I have faith in Mr. Stevens enough to

know and believe that he has a man capable of handling this institutional service with no extra cost to the State. As the gentleman from Portland (Mr. McGlauffin) says: "You should use good judgment." In all my life, I have tried to use good judgment. In all my dealings with mankind and in this Legislature which I have attended so many times. But I believe, Mr. Speaker, that we will make no mistake in returning this Institutional Service back to Health & Welfare when we have a man, according to the Health & Welfare Commissioner, Mr. Stevens, that he has a man capable of doing this work and I have faith in Mr. Stevens and that department.

The **SPEAKER**: The question before the House is upon the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. **ROUNDY**: Mr. Speaker and Members of the House: I have no purpose for any extended remarks but I do simply, however, want to be on record as against the bill as presented by the member from Auburn.

I do want to state that it seems to me that this matter is of such importance that it does require the very best talent in a department by itself and should go forward. I do want to say that it does occur to me that it is in line with what is occurring or has already occurred in the State of Maine when we separated these departments. Presumably with some good reason and some good judgment and that in other states the division goes in many cases, or in some cases, at least into a further development than we have carried out here in the State of Maine.

I certainly hope very much that in this very important matter we shall continue as we have been doing with separate leadership in these two departments.

The **SPEAKER**: The Chair recognizes the gentleman from Benton, Mr. Faas.

Mr. **FAAS**: Mr. Speaker, I am a member of the Hospital Committee and have worked hard at it. I have spent a great deal of time on it. I respect Mr. Jacobs and his judgment very much. I am very much opposed to the merger of these two divisions of our State government for several reasons.

One thing was brought out at a hearing not too long ago that our commissioner, who has just left, had saved several thousand dollars by the State's receiving the money from out-patients at some of our hospitals. I say as Mr. Kent has said: "We have worked hard on this thing, not only week days but Sundays and walked miles through the corridors and looked through the whole thing; we have gone over the records very carefully and this is a one-man job and the man who has it should know his job."

To go along with Mr. Roundy, there are certain states which are in legislative session this winter which have put this service back into one division where it was formerly under Health and Welfare. In connection with these hospitals, I will just bring this out: That the Division of Institutions costs about \$24,000 for administration. The administrators have been able in the last few years to collect over \$70,000 in out-patients and, personally, I hope that the motion of the gentleman from Auburn does not prevail.

The **SPEAKER**: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. **WINCHENPAW**: Mr. Speaker, I move that when the vote is taken, it be taken by division.

The **SPEAKER**: The Chair recognizes the gentleman from Lovell, Mr. McKeen.

Mr. **McKEEN**: Mr. Speaker and Members of the House: I simply want to say just a word to the gentleman who has said that the position would be held by mere political party. If the gentleman who has been mentioned is appointed as

commissioner, I believe that I am right in saying that he has ability second to none in the State of Maine to fill that position. With all due respect to Mr. Stevens of the Health and Welfare, I still think that the gentleman to whom I am referring has as much ability as he or any party in the State of Maine.

The **SPEAKER**: The Chair recognizes the gentleman from Stetson, Mr. Merrill.

Mr. **MERRILL**: Mr. Speaker and Members of the House: I have had the pleasure of serving on this Hospital Committee for two different terms. Twelve years ago, I was on the committee. Twelve years ago this was under one commissioner, that of Health & Welfare. In inspecting these hospitals, I have seen a great improvement. There is a whole lot more improvement to be made and I think those improvements could be made with just the additional revenue we have asked for. I want to go on record and I want to state that I hope the motion of the gentleman from Auburn does not prevail.

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

Mr. **McCLURE**: Mr. Speaker and Members of the House: Twenty odd years ago I was a patient in one of our State institutions, the Northern Maine Sanatorium. At that time we had good care. This year, as a member of the Committee on Sanatoriums, it has been my duty and pleasure to inspect with other members of the committee three of our State sanatoriums. They are also in excellent condition and well-managed today. I believe that thirty years ago it was under one head. Now I feel, gentlemen, that this really is a move in the right direction, Mr. Jacob's move.

As the gentleman from Fairfield (Mr. Woodworth) stated, we have an able man, and he is capable of so organizing the two departments and consolidating them that it really will be not only in the best interests and welfare of the people

who use those services but also the welfare of the people who pay for those services, the taxpayers.

I am pleased that a member of the tax and spend bloc did compliment the economy bloc, so-called, by saying that sometimes we use judgment. I think that really is a compliment.

I also want to state that these are not the only departments that we can consolidate in the best interests of the people, the taxpayers of our State. There are many others. Mr. Williams stated this morning we passed a bill to provide an institution farm manager. Many of us have felt on appropriations bills that we have let them go by. If I want to buy for some loved one a mink coat I can look in the window, but, gentlemen, unless the man wants to extend credit, I do not have the mink coat. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the House substitute the bill for the "Ought not to pass" report of the committee. Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Auburn, Mr. Jacobs, to substitute the bill for the "Ought not to pass" report of the committee will say aye; those opposed will say no.

The Chair will restate the question because of the fact that the gentleman from Friendship, Mr. Winchenpaw, did request a division.

The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, to substitute the bill for the "Ought not to pass" report of the committee.

As many as are in favor of the motion of the gentleman from Auburn, Mr. Jacobs, that the bill be substituted for the "Ought not to pass" report of the committee will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Twenty-seven having voted in the affirmative and

ninety-three having voted in the negative, the motion to substitute the bill for the report does not prevail. Is it the pleasure of the House to accept the "Ought not to pass" report of the committee?

The motion prevailed and the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Divided Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for the Establishment of a State of Maine Information Center" (H. P. 1621) (L. D. 932) Majority Report "Ought not to pass" and Minority Report "Ought to pass" tabled on April 6th by the gentleman from Kittery, Mr. Dennett, pending acceptance of either report.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I would like to ask the indulgence of the House to entertain a motion to retable this matter and specially assign it for Tuesday of next week, April 19th.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that Bill "An Act Providing for the Establishment of a State of Maine Information Center" (H. P. 1621) (L. D. 932) and accompanying papers lie on the table pending acceptance of either report of the committee and be specially assigned for Tuesday, April 19th. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled and so assigned.

On motion by Mr. Campbell of Augusta, the House voted to take from the table the 86th tabled and unassigned matter, "An Act Amending An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" (S. P. 654) (L. D. 1447) tabled by that gentleman on April 12th pending passage to be enacted.

On further motion by the same gentleman, under suspension of the

rules, the House voted to reconsider its action whereby on April 8th it passed the bill to be engrossed.

The same gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 654, L. D. 1447, Bill "An Act Amending An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities."

Amend said Bill by striking out the 10th line thereof and inserting in place thereof the following:

'meetings, and at such meetings shall vote **on to favor or oppose similar** articles in substantially the'

Further amend said Bill by inserting in the 21st line thereof, after the underlined word "time", the underlined words and punctuation ', **exclusive of refundings,**'

Further amend said Bill by inserting in the 23rd line thereof, before the word "other", the underlined word 'for'

Further amend said Bill, in the last paragraph of section 1, by striking out the underlined word "in" in the 3rd line and inserting in place thereof the underlined word 'of'; by striking out the underlined word "of" in the 4th line and inserting in place thereof the underlined word 'within'; by striking out the underlined "a" before "school district" in the last and next to last lines of said paragraph and inserting in both places the underlined word 'the'

Further amend said Bill by inserting in the 7th line of section 2, after the word "persons", the underlined words and punctuation ', **resident in such town,**'

Further amend said Bill by striking out the underlined word "may" in the 13th line of section 2 and inserting in place thereof the underlined word 'shall'

Further amend said Bill, in that part of section 4 designated "Sec. 92-D", by inserting in the 5th line thereof after the underlined word "outstanding" the underlined punc-

uation and words ', **exclusive of refundings,**'

Further amend said Bill, in that part of section 5 designated "Sec. 92-E", by inserting in the 18th line thereof before the underlined words "state valuation" the underlined words 'the last preceding'

House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion by Mr. Silsby of Aurora, the House voted to take from the table the 14th tabled and unassigned matter, House Divided Report of the Committee on Taxation on Bill "An Act Increasing the Share of the State in Pari Mutuel Pools" (H. P. 1323) (L. D. 637) Majority Report "Ought to pass in new draft" (H. P. 2006) (L. D. 1388) under title "An Act Relating to Night Harness Horse Racing", Minority Report "Ought not to pass", tabled on March 23rd by that gentleman pending acceptance of either report.

Mr. SILSBY: I further move that the Clerk read the reports at this time.

The Reports were read by the Clerk as follows:

Majority Report of the Committee on Taxation on Bill "An Act Increasing the Share of the State in Pari Mutuel Pools" (H. P. 1323) (L. D. 637) reports that the same "Ought to pass in New Draft" (H. P. 2006) (L. D. 1388) under title of "An Act Relating to Night Harness Horse Racing."

The Majority Report is signed by the following members of the Committee: The Senator from Penobscot, Senator Haskell; the Senator from Cumberland, Senator Allen; the Senator from Hancock, Senator Noyes; the gentlewoman from Crystal, Miss Longstaff; the gentleman from Bangor, Mr. Wight; the gentleman from Fort Fairfield, Mr. Dorsey; the gentleman from Biddeford, Mr. Duquette.

And the Minority Report of the same Committee upon the same Bill,

reporting that the Bill "Ought not to pass" and signed by the gentleman from Falmouth, Mr. Dow; the gentleman from Cape Elizabeth, Mr. Chase, and the gentleman from Bethel, Mr. Carter.

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

Mr. SILSBY: Mr. Speaker and Members of the House: As a proponent of this bill, I would like to take a few moments of your time to explain what this bill will mean to the citizens of the State of Maine.

Now, as you all know, pari mutuel was first enacted in our statutes in 1935, and at that time there was permitted a pool which was known as a pari mutuel pool on harness horse racing of ten per cent of all the money wagered. Now that ten per cent in 1935 was divided: 3½ per cent to the State and 6½ per cent to the track. This bill now under consideration has changed the pool from ten per cent to fifteen per cent, and the fifteen per cent is divided as follows: 5 per cent to the State of Maine, 9½ per cent to the track, and one-half of one per cent to the fairs. The purpose of that one and a half per cent is in order that the fairs may have money available to pay higher premiums for persons who bring exhibits and also to assist the fairs who happen to have fairs on the same dates that night harness racing is being held.

Now the night harness racing bill has certain requirements, and it is permissible under this bill to have night harness racing from June 15th to October 15th from 6:00 P. M. until midnight, Sundays excepted, and not over eight weeks. This bill also provides specifications in the matter of track facilities and facilities that are necessary to operate a night racing track.

In the first instance, they must have a track at least wide enough for eight horses to start and finish abreast, and I am informed that that would be at least seventy feet. They must also have and maintain a totalizer, an electric totalizer

which changes the odds of the horses every two minutes. I am sure that all of you people who have attended fairs and wagered on the races or who have been spectators have observed that sometimes the odds are not turned on the board that is written in by hand until sometimes after the horses have started, and we found that when we thought we were betting on a favorite we were betting on a fifteen to one longshot.

Also, this bill provides—and bear in mind I am speaking of night harness racing—that persons who qualify and get a license to have night harness racing, must have stables to accommodate at least four hundred horses. I believe that the required number of horses to operate night harness racing is in the category of 250 to 275 horses. Now with these stable facilities available, these horses can be permitted to be used for other purposes such as the fairs or any other meet that happens to be in progress at the same time, and they will have good stable facilities. They must have water, hot and cold, they must have lounge rooms and a paddock, and they must pay minimum purses equal to the purses in any of the other whole New England States.

Now I feel safe in stating at this time—and I think if you will examine the record you will find that my contention is correct—that harness horse racing first originated in the State of Maine, and, for some reason, our horses have been going out of the State of Maine, and I think it might be well to say at this time that possibly and probably it is by reason of the fact of the low purses.

I am informed that to maintain a race horse and driver the investment is approximately \$125 to \$150 a week, and the horse wins once a week. I believe that our purses today, under the present percentage, are in the average of \$250; and you all know, as well as I, that there are usually five winners, and the first winner has forty-five per

cent, and the second winner has twenty-five per cent, and so on to the last winner of five per cent.

Now I ask you good citizens of Maine: Do you believe that a first-class horse, with purses of that sort, can afford to stay here in the State of Maine and race? I do not believe that you think that for a moment. I therefore believe that the percentage is justified, in view of the value of the dollar today and the value of the dollar when this act was first enacted.

Now this bill does not injure anyone, because of this fact: Any person, the fairs or any other promoter of racing, has the privilege of procuring a license and racing horses for a time not exceeding two weeks in any of the period that I have mentioned, June 15th to October 15th, without building a track and furnishing the stables and the specifications that I have enumerated to you.

Now I want to say just a word on the matter of the money that would be spent in this State. If a license was procured—by whom we do not know—if a license was procured and the track was promoted from start to finish, it would mean the expenditure of approximately half a million dollars. It also means there is labor and work for our citizens to operate these tracks, and that alone, I believe, should lead us to look favorably on this bill. But there is still another reason. You have heard much, and I have, about revenue, operating expenses for the State of Maine, and I believe, from the best information that I can get, that if this bill is passed, the State will receive in addition to its \$215,000 that it received in 1947, probably \$285,000 more, and I am sure that we could use that money.

I am not going to trouble you further, because it is getting late. We had a night harness bill in the 93rd Legislature and I supported that bill. It passed both branches of this House with a two-thirds vote. I believed in that bill

and I believe in this bill. I sincerely believe that we are under a duty to exhaust all possible avenues of voluntary tax measures at this time. Nobody is obliged to pay it. I submit to you that under the circumstances that now obtain I feel this bill should have favorable consideration. I now move, Mr. Speaker, that we accept the "Ought to pass" report of the committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House accept the Majority "Ought to pass" report of the committee.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: When I tried to get the floor a moment ago it was not to talk on this bill, but I am definitely opposed to this bill for three different reasons.

In the first place, as you well know, I am definitely opposed to increasing the amount of gambling in the State by operation of law. In the second place, I am interested in the people of the City of Portland whom I represent here. There are in the neighborhood of 80,000 of them. These horse races that are going to take place are going to take place largely at Gorham, and I want to inform you, gentlemen and ladies, that the money that these horse races will take out of Portland alone would make the sales tax and the income tax look like fifty cents. You cannot afford to pass a sales tax because you have such a streak of economy that we cannot any longer do justice in this House, but you can pass a betting proposition that will take money out of the City of Portland and surrounding sections like water running over a dam. I am opposed to this thing.

I am further opposed because, as I see it, this is going to injure the fairs. We have encouraged agricultural fairs for years; we have tried to build up the industries of the State. I have no objection to horse

races as such, I have no objection to running races as such. But that is not involved here: it is the taking of money out of the people's pockets. Where do you think the money comes from that runs these gambling concerns? If you are making money on a small percentage of it coming to the State, think what the public is spending and wasting just so that somebody can have a little fun and somebody can make a dollar gambling.

Let me give you just one illustration. A few years ago a man came to me and wanted me to defend him in the municipal court at South Portland. I went over and defended him successfully. On my way back to Portland Walshes Cigar Store—my office was at 193 Middle Street and Walshes Cigar Store was at the corner of Exchange and Middle—and in my presence that man put ten nickels in a slot machine, spending fifty cents for nothing—and I have not got my pay for my services yet. That is the way they spend their money.

It is our duty, as I said here yesterday, to protect the people of Maine. I am amazed, absolutely amazed, when I look at the Register and see the men and women now here that are supposed to be Christian men and women vote for such gambling propositions; and I am amazed to find—I think I counted up fifty Masons in this House. Where in any Masonry did you ever get any idea that gambling was a sound way of raising money? I cannot understand it. This is an intelligent Legislature; I have great admiration for each of you individually. I think we are going too far in this gambling deal.

I had to tell one of my friends the other day, who is a good friend of mine and I think very highly of him, that he can vote against every legitimate tax that I would vote for and he can vote for every one that I would not vote for on a bet. I want to make it clear that, so far as I am concerned, I am against this measure.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I agree with the gentleman from Portland, Mr. McGlaflin, that much money not only will be spent but is being spent at the present time, and not only from the city I represent but also from the city that he represents. If I can believe—and I certainly can—an article in last week's paper, the Portland Evening Express, which I have found in the past have based most of their stories on truth and not on fiction—they stated that one day last week, on one race—and, gentlemen, this is a report that was published in the Portland Evening Express, and if this is one incident, how many others occurred that the paper was unable to find out about—they stated that on one race \$25,000 was lost by the pari mutuel operators in the City of Portland.

Now we know that pari mutuel is legal as far as harness racing is concerned in the State of Maine. But, that being true, and hearing the remarks of the gentleman from Portland, how could \$25,000 have been lost by men and women in the City of Portland? That can easily be checked by going through the files of last week's Portland Evening Express.

We know that any money gained through gambling is economically unsound; but should we members of this House be like the ostrich and bury our head and allow this to go on? I say the State should be the one receiving the revenue.

Now it is not a moral issue any more, because we have it in the State of Maine, both legal and illegal. We are trying to save money; we are trying to get income. Many citizens of the State of Maine spend the winter in Miami and St. Petersburg; many of them are outstanding citizens—I know, because I have been there and seen outstanding citizens buy a ticket at the dog track in St. Petersburg and perhaps attend the running races at Hialeah and Miami. They are



not citizens whom we would classify as racketeers.

Now if we want the income—these figures are this year's figures, \$892,000 was bet one day at one of the smallest tracks in New England, Lincoln Downs. Now the gentleman from Aurora (Mr. Silsby) stated that the State would receive five per cent. At the rate of five per cent, it means that of that \$892,000, had that occurred in the State of Maine, that would amount to \$41,600 for the State. Now many members of the tax and spend bloc could surely use that. If we multiply that by eight weeks, what do we have? We have \$535,700, which is no small sum.

Now, members, I would be against this measure if your State and the people here would show that they really want us to clean up this condition that is going on illegally. And, members, I will say that I will bet there are many more dollars than that bet in the State of Maine every week. I know whereof I speak, because I mingle with all classes of people. That being true, the fact that we have the pari mutuel today, and if it will clean up by using the totalizer what I think is unsound, our method of today of showing a man the odds when he places a wager on a horse, I say it is in the best interests of those who gamble. It is true, members, that we cannot legislate morality. I say that we should either clean this up as far as running races are concerned and night harness racing, or else put it out in the open and do it legally. I shall go along with the gentleman from Aurora, Mr. Silsby.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: I am going to disagree with the gentleman from Bath (Mr. McClure) and I hope he takes no offense. It is well known that the justification for the pari mutuel law in the first place was that it would help the agricultural fairs. I believe that this

bill, if passed, would injure the fairs. Let me quote from an editorial in the Portland Press Herald: ~

"Referring again to the Saturday Evening Post article, let's take an answer from George E. Brunner, a man who likes to bet himself, but also a man who has to look at the facing picture from the effect it has on Camden, because he is mayor. Says Mayor Brunner: 'I am not a reformer or a crusader. I like to go to the track and bet a horse myself. Looking at it from the civil liberties angle, I wasn't opposed to Garden State race track at first. I have found out what a boner it was. If people could control themselves, everything would be all right. The trouble is that the little guy who lives from hand to mouth can't exercise restraint and winds up in hock up to his ears. He can't pay his bills, and local merchants are left holding the bag.'"

I do not want the State of Maine to get a revenue of over five million dollars from the little guy who cannot control himself.

Let us see what does happen under this bill. Prior to 1933, we will say, I went to the track at Old Orchard, got a tip on a sure winner and bet my two dollars. To do that I had to go around behind the grandstand and hunt up the bookie, because it was illegal at that time, and the bookie was in the only place that the officers couldn't see him because the officers didn't look. I bet two dollars on a sure winner. What happened? Well, I lost two dollars. Who got it? I wouldn't know whether anybody got it but the bookie. The fellow who guessed right might have gotten some of it.

Under the present law, let us say I go to Gorham and bet two dollars on another horse. I lose that. Who gets it? The fellows who guessed right would get \$1.80, leaving out the breakage, which is a small amount; the State would get seven cents and the track would get thirteen cents.

Under this proposed bill, what would happen? I would lose my two dollars just the same; the State would get ten cents and Joe Cianchette would get 19 cents; and there is one cent more which would be divided among the agricultural fairs of the State.

Ladies and Gentlemen, I hope the motion will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: There is only one thing I want to say and that is in behalf of the agricultural fairs opposing this bill. I am wondering if they ever thought of cleaning up the obscene shows and the clip joints they allow on their grounds? I would like to have someone answer that one.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I want to go on record as opposed to this bill because of the fairs. We have a large fair and a recognized fair in Topsham, but we could not afford what is required under this bill at our fair. I do not think there are two fairs in the State that could comply with it, and therefore it would put the agricultural fairs out of commission; it would close our fair and would close nearly all the others. I therefore want to go on record as opposing this bill.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker and Members of the House: After listening to the remarks of the gentleman from Portland, Mr. McGlaufflin, I do not know just where I am going to head after I leave this world, but I have no worries. I am only a two-dollar better, and I like to bet not on the nose but in place. In trying to place a horse you have to use a little strategy. Now if anyone says he can use any strategy today where the pari mutuels are run under a

system of chalk, I cannot agree with him. I think one of the finest things in the bill is the tote-board, so a man knows from the time the horse starts just how much he is going to win and what is coming to him. Under our system today, the large better plays for four or five percent on his money and receives tips from the stable, like those at Old Orchard. But the situation is different with us poor fellows who love the sport. The only sport that I have left is to bet on the horses. Having been brought up with horses all my life, I like to see honest horse racing. I will give you an example.

I followed them from Old Orchard to Gorham, to Cumberland, to Lewiston, and I finally ended up with a vacation at Presque Isle, and the horses that I saw win in the first four places would go in 2:10 and 2:12, and when I got to Presque Isle they were running 2:22, 2:24 and 2:25, and there was hardly anybody betting.

I myself purchased a horse up there at Presque Isle. The horse did not parade; the horse did not run and the judges did not know it had been scratched. When I went to get my money I was insulted by the gentleman who runs the pari mutuels, who said I didn't know what I was doing and that he took his orders from no one but the judges; but the judges did not know for half an hour afterwards that the horse had been taken out, and the Racing Commission of the State of Maine did not even call the driver or suspend him. So I think one of the finest things in the bill is the tote-board, so the average fellow betting on a horse will know what he is going to get when the race is over.

The SPEAKER: The Chair recognizes the gentleman from Lovell, Mr. McKeen.

Mr. McKEEN: Mr. Speaker and Members of the House: I have been looking over the record of the 87th Legislature at the time pari mutuel betting was first started here in the State of Maine. Anyone who cares

to look this record over will not deny the fact that the bill would never have been passed if it had not been for the condition that the agricultural fairs were in at that time. As I remember, about 1930 or 1931, the fairs, for some reason or other, commenced to slip. I know in our own agricultural fair at Fryeburg we were unable, in 1934, I think, to pay off our premiums other than by the directors putting their names to an oath and hiring money to do so. If you care to read this record of the 87th Legislature, you will find that this was passed for the benefit of the agricultural associations.

Now I wonder what the people of this Legislature think. Is Joe Cianchette so anxious to promote the interests of the State of Maine? He is a gentleman who is pretty well known in sporting circles and in political circles. I will say for the benefit of some that he was a very patriotic sort of a chap, so much so that he preferred to stay at home and clean up a half a million dollars on a cost-plus basis while the boys were in the South Pacific eating hardtack. Now he comes out with a bill here that if it passes will enable no one to compete against him in the State of Maine. He has specified his track, that it must be wide enough so that eight horses can start abreast, with a calculator that will cost several thousand dollars to install, stables to house a certain number of horses, with hot and cold running water, lounge and so forth; everything built up to specifications and glamorized, and the horses will be brought in here from other states.

One gentleman said we had no horses here in the State of Maine. I would like to say at this time that up in Oxford County and the edge of Cumberland County there has been brought in within the last year thirty-five of the best colts that could be purchased anywhere in the United States. Those colts are being raised for future trotters. Maine has always had the name of raising good horses, some of the

best. Massachusetts used to depend on Maine horses to do their business, and I am going to say, if this thing goes along without the passage of this bill, in a few years the State of Maine will have some of the best horses raised from these colts that are being brought in, some of the best in the United States, and Massachusetts again will be down to Maine to buy trotting horses.

Now let us see what is going to happen to the fairs in the State of Maine if this bill goes through. These horses are going to be brought down here, some of them from Massachusetts, some from New York, some from other states, and they will be advertised and glamorized to such an extent that it will make the average Hollywood star look like a negro washwoman on St. Patrick's Day. People from all over the country are going to the races, especially to see those wonderful horses that sleep on innerspring mattresses, with hot and cold running water in the stable, with chamber maids and attendants and with the linen changed daily. If we held a fair while Joe Cianchette was running one of those races down there, we would have about the same attendance at our fair that a Sunday school picnic would have with Barnum and Bailey's circus in town.

Now if you want to ruin the fairs in the State of Maine, vote for this bill. If you want to keep the agricultural fairs in operation I hope you will vote against it.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: One of the proponents has brought out two supposedly different facts: One is that the building of such a track and the running races would employ some men; and, second, that it would bring in some \$285,000 to the State of Maine.

First of all, I believe, and I think anyone who stops to think will believe and know, that five million

dollars spent for food or clothing, for the common necessities of life, will employ far more than five million dollars spent for horse racing. Secondly, the employment of those people in excess, the taxes from those people, without any question would exceed the \$285,000 that we will receive from horse racing.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I represent a city also that received ten per cent above cost and many men stayed home. As a veteran, I feel that the veterans of the State of Maine realize that those who stayed at home perhaps served in their capacity in many instances as well as those who wore the uniform.

As far as the \$285,000 and the \$5,000,000 that will be spent is concerned, as I said before, it is already being spent on pari mutuel racing in the State of Maine, only at the present time it is being spent illegally.

The SPEAKER: The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House do accept the Majority "Ought to pass in New Draft" report of the Committee.

The Chair recognizes the gentleman from Farmington, Mr. Tyler.

Mr. TYLER: Mr. Speaker and Members of the House: I hesitate to rise against a bill purporting to bring new revenue into the State of Maine, but I wonder if the members of this Legislature realize what I think it would do to the agricultural fairs of the State of Maine.

The subject matter has been pretty well covered. I am opposed to the bill and I hope the bill does not pass.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: There are many interesting points or angles in connection with this bill or with any bill that proposes to increase the gambling in the State. I am

sorry that I missed the debate on the bill yesterday, but I was unavoidably detained.

It seems to me that we can consider this from many angles. One at least is that it requires, under the provisions of this bill, stables for four hundred horses, a totalizer, and other expenses that would be absolutely prohibitive to more than one or two areas in the State.

If you conduct in any given locality a long-time racing meet, the money has to come from the pockets of the people in that area or people who drive in from long distances. In that connection, it might be interesting to note the comments of Mr. Smith of Rockingham in connection with proposed meets in the bigger tracks located in three different states. Smith comments that "Suffolk Downs night racing will hurt racing at Rockingham though he is in action in the daytime." He comments that "people will run out of money sooner."

This I am reading from an editorial in the Lewiston paper. "That's something 'eight weeks' racing bill proponents in this Maine Legislature haven't taken into consideration. They ought to take note of what a 'big time' race track operator like Smith tells them. If it can happen in the heavily populated sections from which Rockingham draws, it can absorb the money in any one particular section of Maine that much quicker. Smith points out that Suffolk Downs and Rockingham draw from the same territory and they can't afford to try to cut each other out. Yet up here in Maine there are those who insult the intelligence of the public by saying eight straight weeks of racing at Gorham wouldn't hurt tracks elsewhere in the State, if fairs tried to hold race meets the same afternoon."

One speaker today mentioned the fact he followed the races at the various fairs. I have heard many others at other times say the same thing. Do you think they would follow the fairs if there was a large track operating near their homes?

The proponent of this bill, in introducing it, mentioned a possible revenue of \$285,000. In a letter sent out by the hired legislative agents, the estimate is \$500,000 the first year, and they estimated this will increase annually. I point that out particularly. It is one of those things that, once started, grows and grows.

Pari mutuel was introduced into this State for an allegedly good purpose, as all questionable activities are. It was done for the purpose of helping the fairs. We have now passed that point, and the only argument in favor of it is that there would be some tax revenue.

The gentleman from Bath, Mr. McClure, states that revenue from such a source is unsound. I agree with him. He suggested further that gambling is being done at this time, that there are bookies operating. We all know that that is true; to what extent it is difficult to determine. But, so far as I have been able to learn, legalized gambling does not eliminate bookies. With a running race meet in the State of Maine or with a long-time meet, I think you can count on the bookies operating in Aroostook County, Penobscot County, and certainly in different sections of the State, and, with these races featured in our local papers, bookie gambling would increase rather than decrease. I think you would also find that in a city as near as Portland gambling through the bookies would increase because there would be many people who could not go to those tracks and they would resort to gambling through the bookies.

I note that our local press, editorially in their lead editorial and in their sport editorial, are on record as opposed to this bill. The last time I talked with any of the members connected with our Lewiston Fair—and I have talked with many of them—they were opposed to it.

Yesterday, near the close of the debate on the other bill, I was fortunate enough to hear a few

things that went on. There was a comment in regard to the gambling in this State, and there was comment in regard to the Beano bill. If I understood correctly the gentleman, the conclusion that you might draw was that our religious organizations would be participating extensively in gambling and in Beano. I would like to state at this time that that is not the situation. The total number of Beano licenses issued during the fiscal year ending June 30th was 4,237. In that connection, you will bear in mind the fact that you must secure a new license each six days or any time that you want to run a Beano game. Now these licenses were issued to 388 different organizations. Of these various organizations, there were only forty-three that were affiliated with religious organizations, and, in that connection, I think I can say that in many parts of the State and in many religious groups they do not and have not had any licenses to run Beano games. The fact that in a few areas some people are doing it does not in my judgment warrant our tagging all of our religious organizations with the label of gambling or promoting gambling.

At the time the track opened at Suffolk Downs I was attending law school in Boston. It was my privilege to talk with men who were attending evening school. They commuted; they operated business in their home cities, and they were unanimous in condemning the operation of the track in any area because their business suffered according. If you would take the trouble to journey to the vicinity of any of these larger tracks that are operating over an extended period, you would find the merchants unanimous in stating that it was seriously affecting their business. It is obvious that that must be so.

Let us take a rather simple example of a track operating nine races in the afternoon, at which \$10,000 was bet on each race. Under

the proposed bill, \$1500 would be deducted each time. During the course of the afternoon \$15,500 would be extracted from the pockets of those who attended that particular race. Although they had only bet \$10,000 on each race, that would mean that they would have had to have about \$25,000 at the start.

Now, of the money that was returned to the people who were betting, it is safe to say that the money that was carried home would go into the pockets of a few. Therefore, the largest number would be losing, and, except for those who were in the high income brackets, the money would come out of the pockets of the local merchants. In some instances, it would be clothing off of the backs of families and food out of the mouths of families.

In view of the effect I believe this would have upon our State's economy, upon our local conditions, and upon our fairs, I hope that this bill does not pass, and when the vote is taken I ask for a roll call. I think those who are in favor of this bill should be willing to stand up and be counted, and I am sure that those who are opposed to it would be glad to be counted also.

The SPEAKER: The Chair recognizes the gentleman from Palmyra, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Members of the House: There have been many references as to the harm this would do to argicultural fairs. Now I am more or less interested in agricultural fairs, but I would like to call your attention to what the Agricultural Fairs Association has said in a letter that I have here, addressed to the Bangor Fair Association, from Raymond Finley, President of the Maine Agricultural Fairs Association. I would like to quote a couple of paragraphs in this letter for your consideration:

"After many meetings and long discussions by representatives of the several fairs in our association, it was decided to sponsor a bill in the 1949 Legislature which would

provide for increasing the pari mutuel take from 10% to 15% with the fairs receiving 10% and the State 5%. Favorable action by the Legislature would result in the fairs receiving substantial increases in revenue to help meet our ever mounting costs. It has been said that under an increased take betting might drop off, but this hasn't been the experience in other states that allow pari mutuel betting where the take is generally 15% and in some states even larger.

"Too, in connection with our bill, provisions are made for legislation providing for longer race meets and financial protection to fairs that might have to operate concurrently with long meets. The bill will also contain conditions which must be met by tracks petitioning for long race meets. The whole purpose of the proposed legislation is to provide for financial relief for the fairs and at the same time lay the ground work for better racing in Maine. As soon as the bill is ready for presentation, copies will be sent to you, and we are confident it will meet with your wholehearted approval."

Now this is part of a letter mailed to one of the members of the Maine Fair Association by its President, quoting action by that association, and it seems as if that speaks for itself as far as what it will do for the agricultural fairs.

Now we realize, most of us, that the agricultural fairs were set up more or less as educational programs in the State. They are exempt from taxes, and I understand they also receive a stipend from the State, the Department of Agriculture, to promote their agricultural educational program. They also have the pari mutuel racing, the betting, and they also have their carnivals and what not.

Now I cannot see that there is any moral issue here, and I do not think that anybody's character is at stake. No one person has any monopoly on this. The gentleman, whoever he is, who has the courage to invest the amount of money that it would take to comply with

the rules of this law, would have the privilege of operating a track subject to the approval of the Racing Commission, and I feel that this bill, as some others have stated, would put the betting on a more honorable basis; and night racing, in my opinion, is going to be one of the popular sports, like our night baseball.

The SPEAKER: The Chair recognizes the gentleman from Fort Fairfield, Mr. Dorsey.

Mr. DORSEY: Mr. Speaker and Members of the House: In regard to the remarks of the gentleman from Auburn, before the committee meeting, I remember very distinctly that the Lewiston Fair Association was very neutral because they were contemplating making the same track if it was possible.

Now I do not see why you should run a man down who wants to spend \$75,000 to build a track and who has concessions and everything to make money by it. I think the man is a pretty worthy citizen of the State of Maine. He has been President of the Maine Fair Association and he has put the Bangor fair on the map, and he has worked together with the fair associations to get your midways in here, the very best available. Further than that, he has spent a lot of money. Mr. Williams can take that back to Lewiston and find out, if he wishes, that there was a very neutral attitude before the committee.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Hill.

Mr. HILL: Mr. Speaker and Members of the House: I am a business man in some small way, and any success that I may have had in business I am led to believe was on account of the fact that I was competitive. I do not think the State of Maine is going to improve its harness racing unless they get into competition with some of these other states, and here we have a bill which will put us in a competitive position.

I come from a section where we are interested in county fairs. We

have several of them up there. I do not want to start an argument, but we have Skowhegan Fair which is probably as good as any in the State. I would have felt a whole lot better toward Skowhegan Fair had they not had a whole lot of these pressure groups running up and down the hall here and button-holing you every time you walked down through the lobby.

I have three notes here which I copied down. First of all, if we are going to be in the harness horse racing business, let us be competitive. Let us not worry about the other fellow's morals. He will take care of that himself. We cannot legislate them. Let us not worry about the other fellow's money. It is his and let him spend it as he sees fit.

I hope that the motion of the gentleman from Aurora, Mr. Silsby, prevails.

The SPEAKER: The Chair recognizes the gentleman from Stratton, Mr. Carville.

Mr. CARVILLE: Mr. Speaker, I want to go on record as certainly being in favor of this bill. I cannot feel but what the fairs as they have been represented here have been very unfair. I do not believe the fairs are represented here. From the people that I have talked with that are interested in fairs and from what we have heard from others here who have talked with members of fair associations, I think we are getting the wrong impression of where the fairs stand.

I cannot help bringing out the fact that one of the star lobbyists — I suppose he is a lobbyist — is the president of one of our fair associations, Windsor Fair. He seems very interested that the fairs carry on the pari mutuels. It just does not make sense to me the way it is operated. Now Mr. Drew, I am told, has a stable of horses. These horses he keeps in South Carolina. I heard him testify here before the committee that he did not bring one of those horses to the State of Maine last year. I think if I was the president of a

fair association I would at least bring one of the culls here and show it up at the fair.

The SPEAKER: The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House accept the majority "Ought to pass in New Draft" report of the Committee.

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

Mr. SILSBY: Mr. Speaker and Members of the House: I realize it is getting late and I hesitate to rise, and I promise you I will clear up just one matter that I feel should be cleared up.

The gentleman from Topsham, Mr. Williams, I believe, stated that the fairs could not compete with this bill. Perhaps in my choice of words in explaining this bill I failed to make it plain that under the second paragraph of Section 4 the Commission may grant to a track or tracks a license to operate night harness racing for more than two weeks in any four weeks without necessarily meeting the obligations set forth in preceding sections. In other words, they do not have to have a tote-board, they do not have to have stables, they do not have to have facilities that a person has to have to operate a night meeting for eight weeks.

Now I won't take any more of your time to answer any more questions. It has been argued pro and con, and I am sure that we all want to get home to our lunch.

The SPEAKER: The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House accept the "Ought to pass in New Draft" report of the Committee. The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker, with your permission I would like to restate the motion before the House as I see it: Does this House want to create a monopoly on pari mutuels in night harness racing?

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: I am very sorry that in the discussion today a very fine citizen of Somerset County has been referred to in terms which indicate that he is somewhat of a black sheep in the sporting fraternity.

It has been mentioned that Joe Cianchette, of Pittsfield, in my county, is the main factor behind this bill and that he is the monopoly who is expected to benefit by this bill. I will say that Somerset County is very glad to have a citizen like Joe Cianchette. He is a contractor, and he has built many miles of good roads in the State of Maine and he keeps his money in circulation. He has rebuilt the hotel in his home town, that famous old Lancey House of which you all know. He has built many other houses to overcome the housing shortage which we found after the war. He has done many other acts of public-spiritedness. He has brought to life the little newspaper in his home town, and that is a great credit to any community. He has also entered into sports. He brought the Bangor Fair back from bankruptcy, and now it is one of the leaders in the State. He has also opened up and revived the Gorham Fair, which has become the center of night racing in the State of Maine. If Joe is ready to do all these things and spend his money so that the people of Maine, the lovers of horse racing, can enjoy the best, and you say that he is a liability, I believe that every fair in Maine wants to make its patrons believe that it does furnish good racing, and here is a man who is spending many thousands of dollars that you may have just that.

Now Aroostook County for many years was the center of horse racing in Maine. We all remember the days of Single G. and other horses that came into the Grand Circuit to give Maine racing the best.

I do not believe that Joe will ever get a monopoly of that kind of racing in Maine. I think there are people, sportsmen, who will match him dollar for dollar when the



time comes. I certainly hope so, because I would hate to see anything which would make us believe that in some sections of the State the good men are all dead.

As far as night racing goes, my information is that they get a different class of patrons than the day racing. That is logical and I believe it is true. With the purses they offer they will get better horses. Those people who complain that good horses go out of the State will need to complain no longer. The main purpose, so far as the average citizen is concerned, is to get added revenue. I know I get a lot of horseshoes thrown at me in reverse because I am opposed to this and that. I do not mind it, I expect it. But you have here a bill that is conceded to be a revenue measure. It does bring in the money. I do not think it would take any out of me, but I may be wrong about that. At the same time, I do not think it ought to be made a personal matter. I think we ought to consider it in a business sense.

I hope the motion of the gentleman from Aurora (Mr. Silsby) will prevail and that one man, because he has tried to do something for the State of Maine, will not be made an object of censure.

The SPEAKER: The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House accept the Majority "Ought to pass in New Draft" report of the Committee. Is the House ready for the question?

The gentleman from Auburn, Mr. Williams, has requested that when the vote is taken that it be taken by the yeas and nays. A yea and nay vote is in order at the desire of one-fifth of the members present. The yeas and nays. A yea and nay vote will kindly rise.

Obviously more than one-fifth of the members present having arisen, the yeas and nays are ordered.

The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House accept the Majority "Ought to pass in New Draft" report of the

Committee. Those in favor of the motion will say yes when their names are called; those opposed will say no. The Clerk will call the roll.

#### ROLL CALL

YEA — Ames, Atherton, Bearce, Berry, Bird, Boulter, Brown, Unity; Bucknam, Burgess, Limestone; Burgess, Rockland; Campbell, Garland; Campbell, Guilford; Carle, Carville, Castonguay, Chaples, Chapman, Clapp, Clements, Cobb, Cole, Cyr, DeSanctis, Dorsey, Dostie, Lewiston; Dostie, Winslow; Dudley, Dufresne, Dunham, Duquette, Faas, Farley, Fay, Foley, Gauvin, Grant, Hall, Hanson, Hayes, Hayward, Hill, House, Jalbert, Jamieson, Jewett, Jones, Knapp, Lackee, Larrabee, Westbrook; Latno, Laughton, Lessard, Longstaff, Ludwig, Marsans, Martin, Frenchville; McClure, McGown, Merrill, Millett, Muskie, Nadeau, O'Connell, O'Dell, Paine, Patterson, Phillips, Pullen, Robbins, Sanborn, Sargent, Sharpe, Silsby, Spear, Spring, Stevens, St. Pierre, Thomas, Thompson, Brewer; Webber, White, Auburn; Wight, Bangor; Winchenpaw, Woodworth.

NAY—Albee, Arthur, Bates, Benn, Bennett, Boothby, Brown, Durham; Brown, Robbinston; Carter, Chase, Chute, Cook, Dennett, Dow, Eastman, Fitch, Fuller, Gates, Gauthier, Gerrish, Gray, Hobbs, Acton; Jacobs, Jennings, Johnston, Kelly, Kent, Labbe, Lacharite, Larrabee, Bath; Leavitt, Letourneau, Littlefield, Malenfant, Marble, Martin, Augusta; Maxell, Maxwell, McEnery, McGlauffin, McKeen, Merritt, Parker, Payson, Philbrick, Plummer, Ricker, Roundy, Sanderson, Stanley, Taylor, Tyler, Williams, Auburn; Williams, Topsham.

ABSENT—Brown, Baileyville; Brown, Bangor; Brown, Wayne; Bubar, Campbell, Augusta; Cormier, Hobbs, So. Berwick; Johnson, Martin, Eagle Lake; Palmer, Prince, Wormwood.

Yes 84, No 54, Absent 12.

The SPEAKER: Eighty-four having voted in the affirmative and fifty-four having voted in the negative, twelve being absent, the motion to accept the "Ought to pass in New Draft" report of the Committee prevails.

The New Draft having been printed, under suspension of the rules, the Bill was given its two several readings and tomorrow assigned for third reading.

On motion by Mr. Payson of Union, the House voted to take from the table the 73rd tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 2037) (L. D. 1455) of the Committee on Ways and Bridges on Bill "An Act Relating to Repairs of Roads in Unorganized Territory and Deorganized Towns" (H. P. 14) tabled on April 8th by that gentleman pending acceptance of the report; and on further motion by the same gentleman, the Bill and accompanying papers were recommitted to the Committee on Ways and Bridges and sent up for concurrence.

On motion by Mr. Clapp of Brooklin, the House voted to take from the table the 78th tabled and unassigned matter, Bill "An Act Relating to Automobile Travel by State Employees" (H. P. 2042) (L. D. 1465) tabled on April 11th by that gentleman pending first reading.

The same gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1071, L. D. 477, Bill "An Act Relating to Automobile Travel by State Employees."

Amend said Bill by striking out the underlined figure "6c" in the 9th line thereof and inserting in place thereof the underlined figure '5c'

House Amendment "A" was adopted and the Bill was given its two several readings and tomorrow assigned for third reading.

On motion by Mr. Clements of Belfast, the House voted to take from the table the 84th tabled and unassigned matter, House Amendment "A" to H. P. 1848, L. D. 1186, Bill "An Act Relating to the Salary of the Judge of the Waldo County Municipal Court" tabled on April 12th by that gentleman pending adoption.

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

HOUSE AMENDMENT "A" to H. P. 1848, L. D. 1186, Bill "An Act Re-

lating to the Salary of the Judge of the Waldo County Municipal Court."

Amend said Bill by striking out in the Title thereof the words "Salary of the Judge" and inserting in place thereof the words 'Salaries of the Judge and Recorder'.

House Amendment "A" was adopted, and the Bill was given its third reading and passed to be engrossed as amended.

On motion by Mr. Williams of Topsham, the House voted to take from the table the 72nd tabled and unassigned matter, Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County" (H. P. 316) (L. D. 96) tabled by that gentleman on April 8th pending consideration.

On further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action of April 1st whereby the Bill was passed to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 316, L. D. 96, Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County."

Amend said Bill by striking out the underlined figures "\$2,210" in the 7th line thereof and inserting in place thereof the underlined figures '\$2,000'

On motion by Mr. Williams, Senate Amendment "A" was indefinitely postponed.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 316, L. D. 96, Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County."

Amend said Bill by striking out in the 7th line thereof, the underlined figures "2,210" and inserting in place thereof the underlined figures '\$2,340'.

House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended in

non-concurrence and sent up for concurrence.

On motion by Mr. Gates of Millinocket, the House voted to take from the table the 32nd tabled and unassigned matter, "An Act Relating to Requisites for Old Age Assistance (H. P. 1552) (L. D. 870) tabled on March 31 by that gentleman pending passage to be enacted; and on further motion by the same gentleman the House voted to reconsider its action of March 25th whereby this Bill was passed to be engrossed.

Mr. GATES: Mr. Speaker, inasmuch as Mr. Lackee, the House Chairman of the Welfare Committee, had an amendment to present, if he is not here, I would move that this Bill be assigned for tomorrow morning.

The SPEAKER: The gentleman from Millinocket, Mr. Gates, moves that the Bill lie upon the table pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed and the Bill was tabled pending passage to be engrossed.

On motion by Mr. Malenfant of Lewiston, the House voted to take from the table the 24th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Temperance on Bill "An Act to Permit Taverns to Sell Wine and Spirits" (H. P. 1752) (L. D. 1044) tabled on March 29th by that gentleman pending acceptance of report.

Mr. MALENFANT: Mr. Speaker, I now move to substitute the bill for the "Ought not to pass" report of the committee, and that the bill lie on the table and be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves to substitute the bill for the "Ought not to pass" report of the committee and that the matter lie on the table and be specially assigned for tomorrow morning pending his motion to substitute the bill for the report of the committee.

The motion prevailed and the bill was so tabled.

On motion by Mr. Roundy of Portland, the House voted to take from the table the 77th tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Temperance on Bill "An Act Relating to Limitation of Liquor Licenses" (S. P. 495) (L. D. 945) tabled on April 11th by that gentleman pending acceptance in concurrence; and on further motion by the same gentleman, the "Ought not to pass" report of the committee was accepted in concurrence.

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

On motion by Mr. McEnery of Saco,

Adjourned until 10:00 o'clock tomorrow morning.