

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, May 2, 1949

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

Prayer by the Rev. Mr. Stairs of Gardiner.

The Members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate
Senate Reports of Committees
Ought to Pass in New Draft

Report of the Committee on Ways and Bridges on Bill "An Act Providing for the Construction, Maintenance and Improvement of Controlled Access Highways" (S. P. 588) (L. D. 1246) reporting same in a new draft (S. P. 684) (L. D. 1583) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Relating to Interstate Shipment of Shellfish" (S. P. 510) (L. D. 1008)

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

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

Senate Divided Report

Majority Report of the Committee on Salaries and Fees on Bill "An Act Relating to Salaries of State Department Heads Set by Statute" (S. P. 314) (L. D. 507) reporting same in a new draft (S. P. 665) (L. D. 1496) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. COLLINS of Aroostook
 HASKELL of Penobscot
 — of the Senate

CAMPBELL of Garland
 BROWN of Durham
 BENNETT of Raymond
 CLAPP of Brooklin
 LITTLEFIELD
 of Kennebunk

KENT of Randolph
 — of the House

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

Report was signed by the following member:

Mr. SLEEPER of Knox
 — of the Senate

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

In the House: The House voted to accept the Majority Report, "Ought to pass in New Draft", and the Bill had its two several readings and was assigned for third reading tomorrow morning.

Non-Concurrent Matter

Bill "An Act Relating to the Salary of the Judge of the Lewiston Municipal Court" (S. P. 466) (L. D. 917) which was passed to be enacted on April 26th and passed to be engrossed in the House on April 19th, as amended by Committee Amendment "A".

Came from the Senate, with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to reconsider its action of April 26th whereby the Bill was passed to be enacted.

The House then voted to reconsider its action of April 19th whereby the Bill was passed to be engrossed.

The House then voted to reconsider its former action whereby it

adopted Committee Amendment "A".

Thereupon, the House voted to indefinitely postpone Committee Amendment "A".

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

SENATE AMENDMENT "A" to S. P. 466, L. D. 917, Bill "An Act Relating to the Salary of the Judge of the Lewiston Municipal Court."

Amend said Bill by striking out the underlined figures "\$2800." in the 11th line thereof and inserting in place thereof the underlined figures '\$2700'

Thereupon, Senate Amendment "A" was adopted, and the Bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

Non-Concurrent Matter

Bill "An Act Relating to Compensation for Members of the Boxing Commission" (H. P. 756) (L. D. 293) which was passed to be engrossed in the House on April 28th as amended by Committee Amendment "A" as amended by House Amendment "A" thereto.

Came from the Senate, with House Amendment "A" to Committee Amendment "A" indefinitely postponed, and the Bill passed to be engrossed as amended by Committee Amendment "A" in non-concurrence.

In the House:

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

Mr. BURGESS: Mr. Speaker, on Friday of last week Mr. Palmer, who is the proponent of this measure under consideration, made the request of me that should the item appear on the calendar before he was able to return to this House, that a motion be made, at his request, that the House recede and concur with the Senate.

The SPEAKER: Is it the pleasure of the House to recede and concur with the Senate?

The motion prevailed.

Non-Concurrent Matter

Bill "An Act Relating to the Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court" (S. P. 467) (L. D. 916) which was passed to be enacted in the House on April 26th and passed to be engrossed on April 18th as amended by Committee Amendment "A".

Came from the Senate, with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

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

Mr. SPEAR: Mr. Speaker, I desire information regarding the printed matter on the calendar, if I might get it from you. Before we proceed too far, I notice on the Advance Journal and Calendar of the Senate, that Item 2 and Item 3, I presumed that both of those items were tabled here in the House Saturday in deference to the absence of Mr. Atherton of Bangor, but it seems as though we took some action on them and now we are calling for a Committee of Conference, but I don't remember that proceeding here when I was in the House on Saturday.

The SPEAKER: The Chair understands that the gentleman from South Portland, Mr. Spear, makes inquiry in regard to Items 2 and 3 on the Senate Journal with regard to action taken in the House the last legislative day. The Clerk will ascertain the action taken by the House on the last legislative day in regard to the matters concerning which inquiry has been made. Pending the return of the Clerk, the House may be at ease temporarily.

House at Ease

Called to order by the Speaker.

The SPEAKER: In answer to the inquiry made, the Chair will state

that the Clerk informs the Chair that on both of the items in question, on motion by the gentleman from Portland, Mr. Paine, the House did vote to insist on its former action and ask for a Committee of Conference. The Chair would inquire if that is satisfactory to the gentleman from South Portland (Mr. Spear).

Mr. SPEAR: That is satisfactory, I am sure, Mr. Speaker. I probably misunderstood it. I thought the procedure was going to be different and then it was changed.

The SPEAKER: The Chair assumes that there are no orders for presentation at this time.

House Reports of Committees Ought to Pass in New Draft

Mr. Jennings from the Committee on Military Affairs on Bill "An Act Providing for Veteran Bonus Fund for World War II Veterans and to Provide Moneys Therefor by Running Horse Races" (H. P. 1579) (L. D. 902) which was recommitted, reporting same in a new draft (H. P. 2110) (L. D. 1600) under title of "An Act Providing for the Issue of Paid-up Life Insurance to Maine Veterans of World War II" 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 and Assigned

Mr. Paine from the Committee on Military Affairs on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by a State Lottery (H. P. 664) (L. D. 216) reported same in a new draft (H. P. 2109) (L. D. 1599) under the title of Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying for the Issue of Paid-Up Life

Insurance Policies to Maine Members of the Military and Naval Forces in World War II and that it "Ought to pass".

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

Mr. BURGESS: Mr. Speaker, I have been informed, through the Speaker, that the gentleman from Lewiston, Mr. Gauvin, has a definite interest in this measure, and it was impossible that he be present at today's session, and he has requested through the Speaker, of me, that the item be tabled and be specially assigned for tomorrow, so I so move, Mr. Speaker.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that Item 2, Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying for the Issue of Paid-Up Life Insurance Policies to Maine Members of the Military and Naval Forces in World War II, with the accompanying papers, lie upon the table pending acceptance of the Report of the Committee, and that the matter be specially assigned for tomorrow morning, Tuesday, May 3rd. Is this the pleasure of the House?

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

Divided Report

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Relating to Dog Licenses" (H. P. 1268) (L. D. 669)

Report was signed by the following members:

Messrs. DENNY of Lincoln
—of the Senate

MILLETT of Palmyra
BOOTHBY of Livermore
LUDWIG of Hope
CAMPBELL of Garland
JOHNSTON of Jefferson
DORSEY of Fort Fairfield
—of the House

Minority Report of same Committee reporting same in a new

draft (H. P. 2108) under the title of Resolve in Favor of Charles Bessey of Freedom Concerning Dog Licenses and that it "Ought to pass"

Report was signed by the following members:

Messrs. GREELY of Waldo

—of the Senate

The Majority Report "Ought not to pass" was accepted and sent up for concurrence.

First Reading of a Printed Bill

Bill "An Act Relating to the Bee Industry" (H. P. 2107) (L. D. 1597)

Was read twice and tomorrow assigned.

Passed to be Engrossed Amended Bills

Bill "An Act Relating to Punishment of Violations of Public Utility Laws" (S. P. 669) (L. D. 521)

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.

Bill "An Act Relating to Bounty on Porcupines" (H. P. 352) (L. D. 148)

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

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the 1st tabled and today assigned matter, Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties (H. P. 2017) (L. D. 1404) tabled on April 27th by the gentleman from Gorham, Mr. Sanborn, pending further consideration; and the Chair recognizes that gentleman.

On motion by Mr. Sanborn, the House voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair now lays before the House the 2nd tabled and today assigned matter, Bill "An Act Relating to Automatic Signals at Railroad Crossings" (H. P. 1796) (L. D. 1138) tabled on April 27th by the gentleman from South Paris, Mr. Eastman, pending third reading; and the Chair recognizes that gentleman.

Mr. EASTMAN: Mr. Speaker and Members of the House: This is a very innocent-looking bill, however, it does carry expenditures of about \$20,000 a year if I am informed correctly, which is in addition to other expenditures for grade crossing elimination paid by the federal government. It is a program that they are engaged in continually. There is no doubt in my mind that this bill has some merits in so far as safety to the public is concerned, but it would seem to me that the railroads could bear, as they are required to do in many other states, the expense of automatic signals. I therefore move the indefinite postponement of the bill.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: This bill came about through the meeting of the minds of the Highway Commission and the railroad corporations with the approval of the Public Utilities Commission.

The law, at the present time, as the gentleman from South Paris has stated, requires that the railroad corporations furnish the automatic signals at unguarded railroad crossings at the direction of the Public Utilities Commission. This comes about usually after a hearing and usually after someone has been killed at the crossing. The law under consideration provides that the expense for these automatic signals should be borne in a proportion to be determined by the Public Utilities Commission, by the railroad corporations, and by the State Highways Department.

At the present time, the railroads install eight to twelve of these automatic signals a year. These

run in amount around \$4500 a pair. This means, for this one operation, the railroad corporations are expending an amount of \$54,000. A recent survey shows that there are in the State of Maine, today, 275 of what can be considered in the nature of unguarded railroad crossings. I like to think of these as 275 death traps, 275 death traps for the people of Maine and those people we invite into this State to enjoy a happy vacation.

We have all read with emotion lately of the little girls that have been falling down the holes and the wells, and I am sure you gentlemen and ladies of this House realize unguarded railroad crossings on a foggy night can be just as dangerous as a well. The purpose of this bill is to allow the State Highway Commission to set aside \$20,000 a year out of their appropriations. This appropriation would be in front of the Legislature and could be changed if they desired it. At the present time, as I said, there are 275 of these death traps. At the rate of twelve a year, as now done by the railroads, this means that it will take twenty-six years before these death traps can be filled up. Allowing the State Highway Commission to enter into the program with the railroad corporations, these death traps could be cleared up in a period of about twelve years.

I, therefore, trust that this House will go along with the unanimous report of the Public Utilities Committee and accept this bill, and that the motion of the gentleman from South Paris, Mr. Eastman, will not prevail.

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

Mr. FAAS: Mr. Speaker and Members of this House: We had a very lengthy hearing on this matter and there were no opponents to the measure at the hearing. The Public Utilities Commissioners approved it, also members from the State Highway Department. This is purely a safety measure, wholly. There is no maintenance on the part of the State. The railroads

will maintain the equipment once it is installed.

The word "federal" was used. One of our commissioners told us that if we received \$20,000 from the federal government, it would cost us \$35,000 to get it. This is a safety measure and one that is badly needed, especially as Mr. Martin from Augusta says, on a foggy night, and I hope that the motion of the gentleman from Paris, Mr. Eastman, does not prevail.

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

Miss LONGSTAFF: Mr. Speaker, as one who lives a few hundred feet from a railroad crossing, I can tell you that there have been many near accidents which I have seen and if you were to live near a railroad crossing in the country, I am sure you would be in favor of this bill.

For many years, this particular crossing I speak of did not have a railroad signal and we have sat on our porch many times and seen automobiles just barely get by and expecting for sure they were not quite going to make it. Somehow, the public does not realize how quickly a train can creep upon them and now that the railroads are using these Diesels it is more dangerous than ever and I can heartily approve this bill and hope for its passage.

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

Mr. BROWN: Mr. Speaker, I just want to say this one word, that if we just save one life each year it would be well worth the amount of money that this bill calls for.

The SPEAKER: The question before the House is on the motion of the gentleman from Paris, Mr. Eastman, that Bill "An Act Relating to Automatic Signals at Railroad Crossings" (H. P. 1796) (L. D. 1138) be indefinitely postponed.

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

Mr. LACKEE: Mr. Speaker, for the information of the members of the House, I would like to say that

this bill calls for an appropriation of \$20,000 and on the recommendation of the Highway Commission, that has already been set up in the budget in the Highway appropriation bill.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Paris, Mr. Eastman, being Bill "An Act Relating to Automatic Signals at Railroad Crossings" be indefinitely postponed; and the same gentleman has requested that when the vote is taken, it be taken by division.

As many as are in favor of the motion of the gentleman from Paris, Mr. Eastman, that Bill "An Act Relating to Automatic Signals at Railroad Crossings" be indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

None having voted in the affirmative and sixty-six having voted in the negative, the motion to indefinitely postpone did not prevail.

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

The **SPEAKER**: The Chair now lays before the House the 3rd tabled and today assigned matter, Resolve Granting a Pension to Erna G. Adams, of Bridgton (H. P. 2095) (L. D. 1580) tabled on April 28th by the gentleman from Bridgton, Mr. Cook, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. Cook offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 2095, L. D. 1580, Resolve Granting a Pension to Erna G. Adams of Bridgton.

Amend said Resolve by striking out the figure "2" in the 2nd line and inserting in place thereof the figure '5'

The **SPEAKER**: The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. **PATTERSON**: Mr. Speaker and Members of the House: This

Pension Committee had about one hundred percent more than they ever had before, from these statements here, this one here was one of those.

She was born in Canada in 1885 and naturalized in Maine, twenty-two years ago. Previous to teaching in Maine, she taught in Canada. The resolve asks that Erna G. Adams be given credit for ten years of teaching service in Canada so that she can be entitled to a retirement benefit under the provisions of Chapter 60 of the Revised Statutes.

Now, under the rules and regulations of the Educational Department, she would have to have two more years to come under the minimum pension. We already have advanced her two years to take care of it so that she can come under the minimum. She taught ten years in Canada. Now your State rules and regulations state that we could take anyone that had taught in some other state or states inside the United States and we could add that right onto their pension. Under this here, she taught ten years in Canada and was paid by Canada and was no advancement to our educational system in Maine. Now, if that doesn't seem sufficient for her, at the end of that two years, she can come under, if she wants to, the old age assistance. Now, the old age assistance for the first \$20, the United States pays \$15 and the State pays \$5. For \$50 a month, which would be \$600, the United States government pays \$30 and the State pays \$20. Under the economical plan that we have at the present time, which seems to be going all through this House, we figure that under our system we can save that money and not hurt this lady. We went through all this—we had the Educational Department and the Welfare Department before us on this. Therefore, I can't see any way we can possibly change that over and give a pension there. Somebody taught in Canada twenty-five years and then came down here and asks for the

minimum, and I don't see why there should be put on ten years more, and the Pension Committee unanimously decided that it wasn't fair to all the others to put on ten years. Therefore, I move the indefinite postponement of the amendment.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Clements.

Mr. CLEMENTS: Mr. Speaker, I would like to add to Mr. Patterson's statement. This lady is still teaching and apparently from her appearance she would probably be able to continue for, I should say, twenty-two years longer when she would come under it.

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

Mr. COOK: Mr. Speaker, I would say that this lady has taught here twenty-three years and her health is failing and her eyes are going back on her, and she feels that she has got to retire. She came down here and talked with Mr. McCusick about adding three years more to that and he advised me to put in this amendment which I have done. Now, if they had added these three years, she would be able to get \$600 a year. That is what we are paying on the old age assistance. She feels that she ought to get as much as that after paying in all these years for the pension. I talked with all seven of the committee of the House and four of them were in favor of adding three years more to this.

The SPEAKER: The question before the House is on the motion of the gentleman from Freeport, Mr. Patterson, that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker, I would say that we have added on two years to make it twenty-five. They ask for ten years more with that amendment, a change from twenty-three to thirty-three; also with this addition, it would make it thirty-five.

The SPEAKER: The question before the House is on the motion of the gentleman from Freeport, Mr. Patterson, that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I want to mention one word, personally, for this woman. I am not trying to upset the Pension Committee's report but it would mean only three more years, as I see the amendment. That is, you are allowing her two and the thing to do would be to cut out the two and make that figure five which would make the increase of three years, as I understand it. You will cut it two, but in changing that two to five you are allowing her five years rather than two years, and she has taught, as I understand, twenty-three years here in the State of Maine, at Locke's Mills, Bridgton, and now at Gray. I merely wanted to say a word, in the event that the House felt like considering this, for the teacher herself. She comes very highly recommended by the School Board and by her Superintendent as being deserving of every consideration. She would have to continue teaching at least another two years to make up her thirty years but, as I say, this is merely giving you some idea of the work of the teacher. I am not trying to say that we should give too much credit for outside work. We do, at the present time, allow up to ten years for teaching outside of the State. Should this amendment pass, we would be allowing her five years for what actually was ten years work, not only outside of the State but, of course, in Canada.

Mr. Patterson of Freeport was granted unanimous consent to address the House.

Mr. PATTERSON: Mr. Speaker, according to this amendment in here. It said, resolve striking out the figure "2" in the second line and inserting in place thereof the figure "5"; that would make it fifty-three years.

The SPEAKER: The question before the House is on the motion of the gentleman from Freeport, Mr. Patterson, that House Amendment "A" be indefinitely postponed.

As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Forty-three having voted in the affirmative and twenty-one having voted in the negative, the motion to indefinitely postpone House Amendment "A" prevailed.

Thereupon, the Resolve was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the 4th tabled and today assigned matter, Resolve Providing for State Pension for Elmira A. Brown, of Lewiston (H. P. 939) (L. D. 1590) tabled on April 29th by the gentleman from Auburn, Mr. Jacobs, pending the motion of the gentleman from Belfast, Mr. Clements, to indefinitely postpone.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: It would appear from the discussion of last week that after this investigation the gentleman from Auburn (Mr. Jacobs) might be agreeable to indefinite postponement of this bill or possibly a repeal of the pension itself. However, I note his absence and I would like to move at this time that it be tabled until later in today's session.

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

The SPEAKER: The Chair now lays before the House the 5th tabled and today assigned matter, Senate Amendment "A" (Filing No. 409) to Bill "An Act Relating to Wild Bees" (H. P. 1025) (L. D. 457) tabled on April 30th by the gentleman from Limestone, Mr. Burgess, pending adoption of Senate Amendment "A"; and the Chair recognizes that gentleman.

Mr. BURGESS: Mr. Speaker and Members of the House: My motion of two days ago to table this item was done purely as a courtesy to Mr. Ludwig. It is my understanding, and if I am wrong I will certainly apologize, this matter has already been tabled on two occasions for Mr. Ludwig and in his absence, I merely state that I have no further interest in it.

The SPEAKER: The question before the House is on the adoption of Senate Amendment "A" (Filing No. 409) to Bill "An Act Relating to Wild Bees (H. P. 1025) (L. D. 457).

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: This question has been amended twice anyway and I think that if we left the wild bees alone they would be better off and we could take care of the disease affecting the tame bees. I think the wild bees, we could take care of them the way it is now a great deal better than we could as it would be after this second amendment and I move the indefinite postponement of the bill.

The SPEAKER: The Chair would state that the pending question is the adoption of Senate Amendment "A"; this being an amendment. As soon as that matter has been disposed of, it would be in order to entertain the motion of the gentleman from Topsham, Mr. Williams that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Sebec, Mr. Parker.

Mr. PARKER: Mr. Speaker and Members of the House: I realize for two reasons that this is a very touchy subject to speak on. First, because of the general feeling that was in most of our minds as we recessed last Saturday in regard to things in general; secondly, because if you ever happen to be on the wrong end of a bee, you realize that was a touchy proposition.

Nevertheless, in the absence of Mr. Ludwig, I feel it is my duty to try and explain what this orig-

inal bill was supposed to do. Many of you are familiar with the fact that the new insecticides that have been developed within the last few years, especially DDT and other quick acting poisons, will kill bees as well as the other bugs they were supposed to kill. Most of our orchardists spray to control diseases in their apples, many of our potato growers, at the present time, employ this poison in the control of aphids on their potato plants and, in that way, the wild bee population of the State of Maine has deteriorated to a point where it is very dangerous, not only to those who are producing crops but to the consumer because, if they are not produced, we can't consume them. The wild bee population of the State of Maine has deteriorated to the point where many of our blossoms are not properly propagated by the bees and they are, in most cases, the only way we have of getting our blossoms in condition so they will bear seeds either in apples, clover blossoms, and other fruits. For that reason, I am taking this opportunity to tell you ladies and gentlemen that this is something that is really important.

It is, to my mind, a great error to include too many amendments. I am sorry that this has happened but one gentleman was so afraid that a swarm of bees might come in his front window and he wouldn't be able to kill them that he tabled it and put the amendment on that a person could protect himself from bees. I agree that that is perfectly all right.

This last amendment probably also is all right. It won't kill the bill; it will still allow us to give the wild bees an opportunity to live and that is fundamentally the whole purpose of this bill. I understand the motion is to kill this last amendment. I won't oppose that. I probably will vote for it but I do hope that we won't have any more tabling on this bill or any more amendments because it is really important and I certainly

hope it will get a final passage. Thank you.

The SPEAKER: The question before the House is on the adoption of Senate Amendment "A".

Mr. PARKER: Mr. Speaker, I understand the motion before the House is on the adoption of Senate Amendment "A"; I won't oppose it.

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

Mr. FAAS: Mr. Speaker, I don't know anything about bees, but I was waited upon Saturday afternoon and Sunday by some of the farmer constituents in my town and they said that they hoped we would let the wild bees alone because it helps their crops and we need them with respect to pollen and so forth. I don't know anything about bees.

There have been many, many stories told here on various subjects and I would like to take just a second to tell one. There was an Irish section man working on a section and he saw a big honey bee, a large one, and he picked it up and he put it in his hand and he stroked it and he said: 'Oh, what a pretty little birdie you are.' Then he said: "Ouch, you have a hot foot." (Laughter)

SENATE AMENDMENT "A" to H. P. 1025, L. D. 457, Bill "An Act Relating to Wild Bees."

Amend said Bill by adding at the end of the 1st underlined paragraph thereof before the period, the following underlined punctuation and words:

'except that an owner of an apiary may destroy wild bees nests within a distance of 2 miles of his apiary for the purpose of protecting his bees from disease'

Thereupon, Senate Amendment "A" was adopted in concurrence.

The SPEAKER: The question now before the House is on the motion of the gentleman from Topsham, Mr. Williams, that Bill "An Act Relating to Wild Bees" (H. P. 1025) (L. D. 457) be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I am interested somewhat in bees. I was up to see a man in Dexter and he has a lot of bees, and he says he thinks if we should let the bees alone, especially the wild bees, they could take care of the tame bees better than what they have started to do by working for the wild bees. The wild bees are practically wholly some swarms that have gotten away from tame bees, and if we pass too many laws restricting control of them, the way this law does, we are interfering with taking care of our tame bees, because we have a disease that is working on the tame bees, and, under some circumstances, with the wild bees near, we may need to take care of them or destroy them to keep the disease from affecting the tame bees. I think if we indefinitely postpone this bill the bee industry would be benefited rather than hurt.

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

The Chair recognizes the gentleman from Raymond, Mr. Bennett.

Mr. BENNETT: Mr. Speaker, there are quite a number of bee people in my area. I was absent from here a week, and I guess the bee discussion went on while I was away, and I think it was probably pretty well discussed then. But it is my opinion, from what these bee men have told me, that the only thing they do with wild bees is a help to the bees instead of a hindrance, because they take up the swarms and feed them through the winter; and, as Mr. Williams has said, most of the wild swarms are from domesticated swarms that have escaped and gone wild. I would like to agree with him and be in favor of the whole bill being indefinitely postponed.

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

Mr. MAXELL: Mr. Speaker and Members of the House: It seems to me that if we spend much more time on this argument over wild bees or whatever kind of bees it may be, we are all going to get stung on getting out of here on Saturday night; so I move the previous question.

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

As many as are in favor of the Chair entertaining the motion for the previous question will kindly rise.

Less than one-third having arisen, the motion for the previous question cannot be entertained.

The Chair recognizes the gentleman from Sebec, Mr. Parker.

Mr. PARKER: Mr. Speaker and Members of the House: I assure you I won't take up much of your time.

One thing that has not been explained in regard to this bill I think should be explained. The purpose of the bill now in question is simply that wild bees will not be destroyed when they are in bee trees by the so-called bee hunters. Now that is the purpose of this bill. It is not that anyone is afraid of these bees, it is not that they are causing damage to these large bee keepers by bringing in disease; it is simply to control these bee hunters who cut down bee trees kill the bees and take the honey. Now that is the fundamental purpose of this bill if you don't believe it, read it.

This bill says that if you cut down a bee tree you must give the bees. You can take the honey, but any honest man will give the bees enough of that honey to winter them. That is the purpose of this bill. I hope you will read it, but, if you have not had time, I am telling you honestly it is the purpose of the bill. With all of these amendments that have been tacked on it by different ones, it is still the same bill. I certainly hope that you will

not indefinitely postpone it, which I believe is the motion before the House.

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

Mr. MILLETT: Mr. Speaker and Members of the House: I rise in support of this bill. Any of us who are connected with agriculture in any way realize the importance of the bees. Now we protect a good many of our wild animals for the sake of the sport of hunting, and it seems to me that we should be reasonable enough to protect the bees for the interests of agriculture. Agriculture is one of our large industries in the State of Maine and the bee is recognized as an important factor in the spring in a good many of our agricultural commodities, in producing them.

I agree with some of the gentlemen that we are wasting quite a lot of time over this, but the Agricultural Committee was unanimous, as I remember it, in a report that this bill ought to pass. We have allowed one amendment to protect the parties that have tame bees in case there should be any question about a wild colony that had disease in them; and all you are doing in this bill is prohibiting persons from limeing these bees and destroying the colony and taking the honey in the fall of the year, and there is a lot of it done. It is a practice, of course, that many people probably enjoy, but at the same time it is harmful to agriculture.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I cannot agree with Mr. Millett, although I am on the Agricultural Committee. The report did come out unanimous, but I was not the father of it and I did not feel like signing a minority report on such a minor matter.

Here we have one bill before us, L. D. 1597, relating to the bee industry, which proposes to tax beekeepers at the rate of ten cents per

colony for inspection of the bees so that the Department of Agriculture may weed out the diseased ones. On the other hand, we have another bill, which we are discussing now, to protect the wild bees, which, as has been said, probably originated from tame swarms; and they are just as liable to carry this disease, as I see it, as those bees which are in hives. Furthermore, probably one-half to two-thirds of these bees never winter through the winter anyway. Some of the swarms do not have honey enough to carry them through the winter, and the chances are they will die anyway. If they do not get in the right kind of a tree; if there is a seam in the tree and the water reaches down in and sours the honey, then they will die. So I am in favor of the indefinite postponement of this bill.

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

The Chair recognizes the gentleman from Raymond, Mr. Bennett.

Mr. BENNETT: Mr. Speaker and Members of the House: From Mr. Parker's interpretation of this bill, it is evident I have not studied it thoroughly. I have always been under the impression that it was the law at the present time that bee swarms could not be molested, that is by taking the honey and killing the bees. But if that is the whole purpose of the bill, as he states, I will reverse my stand on it. I have no objection whatsoever to the bill being passed as it stands, where a person is privileged to take up the swarm and take it home for his own use without killing the bees.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I am pleased to see that my stand of Saturday is being vindicated by the number of people who have spoken on this bill this morning, and I can only state now that I am really

sorry that the gentleman from Cape Elizabeth, Mr. Chase, did not see fit to give us his opinion on this; and I also believe, for the benefit of the Agricultural Department, that we should not indefinitely postpone this measure.

The SPEAKER: The question before the House is on the motion of the gentleman from Topsham, Mr. Williams, that Bill "An Act Relating to Wild Bees" H. P. 1025, L. D. 457, be indefinitely postponed.

The Chair recognizes the gentleman from Buckfield, Mr. Fuller.

Mr. FULLER: Mr. Speaker, I did not expect to inject myself into this discussion because I happen to have a bill relating to tame bees. However, I do think that anything that can be done to protect either wild or tame bees is of importance to our agricultural industry. There is one point that I might mention. I have questioned several of our domestic bee-keepers in regard to this bill which we are discussing, and they have told me that, as far as disease is concerned, wild bees apparently are able to keep themselves free of disease much better than tame bees, and that point is borne out by the fact that the man of whom I rent bees each year always questions me about the presence of foul brood in tame bee colonies, and never is concerned about the presence of the wild bees in the orchard. I hope this bill may receive passage.

The SPEAKER: The question before the House is on the motion of the gentleman from Topsham, Mr. Williams, that Bill "An Act Relating to Wild Bees" be indefinitely postponed. As many as are in favor of the motion to indefinitely postpone the bill will say aye; those opposed no.

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

Thereupon, the Bill was passed to be engrossed as amended in concurrence and sent up for concurrence.

On motion by Miss Longstaff of Crystal, House Rule 25 was sus-

pending for the remainder of today's session.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, House Report "Ought to pass in New Draft" (H. P. 2106) (L. D. 1598) of the Committee on Agriculture on Bill "An Act relative to Licensing Dealers in Livestock" (H. P. 971) (L. D. 413) tabled on April 30th by the gentleman from Livermore, Mr. Boothbay, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. BOOTHBAY: Mr. Speaker and Members of the House: I would like to explain this bill a little bit. You will find it on your desks this morning, but on the 30th it was not printed.

This, I think, is a very important bill. It has been before the Legislature once or twice before and been killed, so I will take but a few minutes of your time to explain this bill.

We are attempting in this bill, by licensing the livestock dealers in the State, to stop one of the leaks in regard to the Bangs disease and T. B., which are very serious in the State, as you know. We have spent half a million dollars already to clean up the disease and have made quite a long step in that direction, but we have always had this leak where we didn't have any check on the dealers. They could buy and resell stock and we didn't have any records of it. With this bill, by licensing the dealers, in the first place we will know who the dealers in the State are, and they can keep records of their stock that they handle, if you read the bill and the regulations that they are going to have.

I have talked with quite a good many dealers in the State, and all the better dealers are in favor of it. Of course we have got some dealers in the State—I might call them fly-by-night dealers—that do not like the bill because they cannot go out and buy cows out of herds that are contaminated with Bangs disease and sell them wherever they please, which is a detri-

ment to the farmers in the State. I have known of some of those things to happen very lately.

I think this is something that we should have, and I move the passage of the bill.

The SPEAKER: The gentleman from Livermore, Mr. Boothby, moves that the House do accept the "Ought to pass in New Draft" report of the committee.

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

Mr. MAXWELL: Mr. Speaker, I do not want to hold up anything, but I feel, due to the correspondence that I have had on this bill, that I would like to table it and specially assign it for tomorrow for the purpose of a slight amendment.

The SPEAKER: The gentleman from Wilton, Mr. Maxwell, moves that Bill "An Act Relative to Licensing Dealers in Livestock", with the accompanying papers, lie upon the table and be specially assigned for tomorrow, May 3rd, pending the motion of the gentleman from Livermore, Mr. Boothby, to accept the "Ought to pass in New Draft" report of the committee. Is it the pleasure of the House that the item lie upon the table and be specially assigned for tomorrow morning, May 3rd?

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

Order Out of Order

Mr. Jewett of Manchester presented the following order out of order and moved its adoption:

ORDERED, that the Rev. Elliott Verney of Manchester, be invited to officiate as Chaplain of the House on Wednesday, May 4, 1949.

The order was read and passed.

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. SILSBY: Mr. Speaker and Members of the House: I believe I am in order to make a motion for reconsideration of our action we took Saturday.

The SPEAKER: The gentleman is in order.

Mr. SILSBY: Mr. Speaker and Members of the House: On Saturday we passed "An Act Relating to Night Harness Horse Racing" (H. P. 2006) (L. D. 1388) to be engrossed. At that time there was some attempt to amend the bill. I had not seen the amendment at that time and I did not understand its purpose, but since Saturday I have had an opportunity to see the amendment and it is wholly for the purpose of clarifying the act as it is now written. There is some question among the legal minds as to whether or not the Old Orchard one-mile track would be able to operate under this present act. I personally, and other attorneys, feel that they would because of the fact that it is an exception in the act as written, and also by reason of the words: "notwithstanding anything in this chapter to the contrary." However, it might clarify the bill and we certainly want to go along with the people who want some benefits from this bill and the State may benefit.

In view of what I have already said, I would like at this time to make a motion that we reconsider our action we took Saturday on "An Act Relating to Night Harness Horse Racing" whereby we concurred with the Senate in its amendment, in order that the gentleman from Randolph, Mr. Kent, may offer an amendment.

The SPEAKER: The gentleman from Aurora, Mr. Silsby, moves, in regard to Bill "An Act Relating to Night Harness Horse Racing" (H. P. 2006) (L. D. 1388) that the House do now reconsider its action of April 30th whereby the Bill was passed to be engrossed as amended by Senate Amendment "C" in concurrence. Is it the pleasure of the House to reconsider its action whereby the Bill was passed to be engrossed?

The motion prevailed.

On motion by Mr. Kent of Randolph, the House voted to reconsider its action whereby it adopted Senate Amendment "C".

Mr. Kent then presented House Amendment "A" to Senate Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "A" to SENATE AMENDMENT "C" to H. P. 2006, L. D. 1388, Bill "An Act Relating to Night Harness Horse Racing."

Amend said Amendment by striking out all of the 1st paragraph thereof and inserting in place thereof the following:

"Amend said Bill by striking out the 3rd and 4th sentence of that part of section 3 designated "Sec. 9" and inserting in place thereof the following sentences:

'No meeting shall be allowed for more than 6 days in any 28-day period, **except night harness racing as hereinafter defined and except day harness racing as provided in the last paragraph of section 12 and except that between the 1st day of July and the 1st Monday of August, a day meeting may be allowed for not exceeding 18 days on mile tracks. In the event such an 18-day meeting is held, no further day meetings where pari mutuel betting is permitted shall be allowed during the same calendar year.'**"

House Amendment "A" to Senate Amendment "C" was adopted, and Senate Amendment "C" as amended by House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended.

On motion by Mr. Kent, the Bill and accompanying papers were ordered sent forthwith to the Senate.

On motion by Mr. Burgess of Limestone,

Recessed until 1:00 P. M., E. S. T.

After Recess—2:00 P.M., E.S.T.

The House was called to order by the Speaker.

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

Mr. McCLURE: Mr. Speaker and

Members of the House: I wish to take from the table the first tabled and unassigned matter, Legislative Document 133, Bill "An Act Exempting Persons Sixty-two Years of Age from Poll-Tax."

During the past few years many minority groups have been aided by law. Now that the majority of our citizens are facing grave financial burdens, due to unemployment, as much as I would like to have seen this bill accepted, I withdraw my motion to substitute the bill for the report, and move that we accept the "Ought not to pass" report of the Committee on Taxation.

The SPEAKER: The gentleman from Bath, Mr. McClure, moves to take from the table the first tabled and unassigned matter, being House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Exempting Persons Sixty-two Years of Age from Poll-Tax (H. P. 373) (L. D. 133) tabled on the fourth day of February by the gentleman from Bath, Mr. McClure, pending his motion to substitute the Bill for the report. Is it the pleasure of the House that the item be now taken from the table?

The motion prevailed.

Mr. McCLURE: Mr. Speaker - -

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

Mr. McCLURE: Would you like to have me repeat what I have already said, Mr. Speaker? Is that true?

The SPEAKER: The gentleman may proceed if he cares to.

Mr. McCLURE: During the past few years many minority groups have been aided by law. Now that the majority of our citizens are facing grave financial burdens, due to unemployment, as much as I would like to have seen this bill accepted, I withdraw my motion to substitute the bill for the report, and move that we accept the "Ought not to pass" report of the Committee on Taxation.

The SPEAKER: The gentleman from Bath, Mr. McClure, withdraws his motion to substitute the Bill for

the report and now moves that the House do accept the "Ought not to pass" report of the committee. Is this 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 was accepted and sent up for concurrence.

On motion by the gentleman from Fairfield, Mr. Woodworth, the House voted to take from the table the second tabled and unassigned matter. Bill "An Act Relating to Unclassified Importer of Cigarettes and Tobacco Products" (H. P. 577) (L. D. 175) tabled on February 11th by that gentleman pending assignment for third reading; and on further motion by Mr. Woodworth, under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

On motion by Mr. Lacharite of Brunswick, the House voted to take from the table the sixty-eighth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in Favor of Brunswick Hospital (H. P. 1377) tabled on April 26th by that gentleman pending acceptance of the report; and on further motion by the same gentleman the "Ought not to pass" report was accepted and sent up for concurrence.

On motion by Mr. Lacharite of Brunswick, the House voted to take from the table the sixty-ninth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in Favor of Dr. A. L. Gould, of Freeport (H. P. 1376) tabled on April 26th by that gentleman pending acceptance of report; and on further motion by the same gentleman the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair rec-

ognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move to take from the table No. 27 on the Special Calendar, Resolve in Favor of Caswell Plantation (H. P. 541) (L. D. 1517) and I yield to the gentleman from Limestone, Mr. Burgess.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves to take from the table the 27th item upon the Special Calendar, being Resolve in Favor of Caswell Plantation (H. P. 541) (L. D. 1517) tabled on April 28th, by the gentleman from Unity, Mr. Brown, pending final passage. Is it the pleasure of the House that the item be now taken from the Special Calendar?

The motion prevailed.

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

Mr. BURGESS: Mr. Speaker and Members of the House: This item was marked by our Budget Bureau downstairs for Mr. Brown, who is House Chairman of the Committee on Appropriations, as an item which would require money from the State of Maine. Mr. Brown and I have discussed the matter with the department and he is convinced, as I knew previously, that it is an item which does not require one cent of additional funds, therefore, I move that whatever the pending motion is, that the Resolve proceed on its way.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, now moves that the Resolve, being Resolve in Favor of Caswell Plantation (H. P. 541) (L. D. 1517) be now finally passed. This Resolve having had its two several readings in the Senate and having been passed to be engrossed, and having had its two several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that the Resolve be finally passed?

The motion prevailed, and the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. CHASE: Mr. Speaker, I move to take from the table the 10th tabled and unassigned matter, House Report "Ought to pass" of the Committee on Education on Bill "An Act Relating to School Unions" (H. P. 1952) (L. D. 1325).

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves to take from the table the tenth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Education on Bill "An Act Relating to School Unions" (H. P. 1952) (L. D. 1325) tabled on the 25th of March by the gentleman from Cape Elizabeth, Mr. Chase, pending acceptance of the report of the committee. Is it now the pleasure of the House that the item be taken from the table?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CHASE: Mr. Speaker, it had been my thought that the regrouping of the towns in school unions might be handled by the State Board of Education if such a board should be created. That bill, however, is still on the table, and for the purpose of expediting procedure, I now move the acceptance of the report of the committee.

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" report of the committee?

The motion prevailed, and the "Ought to pass" report was accepted.

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

The SPEAKER: The House is proceeding under Orders of the Day.

On motion by the gentleman from Unity, Mr. Brown, Item 1 was taken from the Special Calendar, An Act Relating to Destruction of Old Records (H. P. 356) (L. D. 119) tabled on March 9th by that gentleman pending passage to be enacted.

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

Mr. BROWN: Mr. Speaker, as this act requires money from the general fund, of \$15,000 the first year and \$7,000 the second year, I now move that it be indefinitely postponed.

The SPEAKER: The gentleman from Unity, Mr. Brown, now moves that Item 1 on the Special Calendar, Bill "An Act Relating to the Destruction of Old Records" (H. P. 356) (L. D. 119) be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and the Bill was indefinitely postponed and sent up for concurrence.

On motion by the gentleman from Madison, Mr. DeSanctis, the House voted to take from the table the ninth tabled and unassigned matter, An Act Relating to Old Age Assistance and Aid to the Blind (S. P. 125) (L. D. 146) tabled by that gentleman on March 24th pending passage to be enacted.

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

Mr. DeSANCTIS: Mr. Speaker and Members of the House: Being a member of the so-called Economy Bloc, and this bill will save the State of Maine around six or seven thousand dollars a year in postage, I move the bill now be passed to be enacted.

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

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

The motion prevailed and the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion by the gentleman from Fairfield, Mr. Woodworth, the House voted to take from the table the 21st tabled and unassigned matter, Bill "An Act Relating to State Scholarships for Normal School and Teachers' College Students" (H. P. 481) (L. D. 944) tabled on April 5th by that gentleman pending assignment for third reading; and on further motion by the same gentleman the Bill was assigned for third reading tomorrow morning.

On motion by the gentleman from Fairfield, Mr. Woodworth, the House voted to take from the table the twenty-sixth tabled and unassigned matter, Bill "An Act Relating to Reimbursement to Towns for Special Teaching Positions" (H. P. 1950) (L. D. 1323) tabled on April 6th by that gentleman, pending passage to be engrossed.

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

Mr. WOODWORTH: Mr. Speaker, I move that this bill be passed to be engrossed. I understand that the appropriation called for by this article is coming out of the regular appropriation for school purposes.

The SPEAKER: Is it the pleasure of the House that the Bill now pass to be engrossed?

The motion prevailed and the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. BROWN: Mr. Speaker, I request to take Item 3 from the Special Calendar.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 3 on the Special Calendar, being Resolve for the Development and Improvement of Baxter State Park (H. P. 840) (L. D. 322) which was tabled on March 29th by the gentleman from Unity, Mr. Brown, pending final passage.

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

Mr. BROWN: Mr. Speaker, that resolve was introduced by the gentleman from Millinocket, Mr. Cates. The money comes from unappropriated surplus, \$12,000 the first year and \$13,000 the second year.

The SPEAKER: The question before the House is on the final passage of this Resolve. This Resolve having had its two several readings in the Senate and having been passed to be engrossed and having had its two several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that the Resolve be finally passed?

The motion prevailed and the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I move we take up for consideration Item No. 4 on the Special Calendar, Resolve in Favor of the University of Maine for Buildings (H. P. 1027) (L. D. 459). It calls for \$135,000 from the unappropriated surplus.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 4 from the Special Calendar, Resolve in Favor of the University of Maine for Buildings (H. P. 1027) (L. D. 459) tabled on March 29th by that gentleman pending final passage.

The Chair recognizes the gentleman from Sebec, Mr. Parker.

Mr. PARKER: Mr. Speaker and Members of the House: To my mind, this is the third most important resolve that will come before us at this session. When I say "third most important matter" I am referring to our Welfare Department and our Educational Department. Perhaps I should also say "Old Age" should come before this. I know of no bill, outside of those I have mentioned, no resolve, that means more to the State of Maine than this resolve we have before us at this time.

The poultry industry of the State of Maine represents upwards of \$28,000,000 a year, the livestock interests well upwards of \$36,000,000 a year. The total of the two more than \$60,000,000 a year. No industry in the State of Maine is of more importance than our livestock and poultry industry. Without the proper diagnostic and research facilities at our University, we cannot cope with the disease problems that are constantly facing these industries.

At the present time our present laboratory at the University of Maine is a building that was constructed fifty-eight years ago; it is built under the old idea of wood construction; it has an outside of boards and clapboards; the inside is finished with plaster, leaving a space which the rats have appropriated. It is impossible, in a building where it is necessary to keep diseased birds and other animals, for diagnostic work, to dispose of the vermin infestation that is between the walls. What would kill those in the way of a spray or a dust or a fumigation would also kill the birds; it is impossible to get rid of them. They are doing the best job they can with a totally inadequate building. It is not large enough, it is not of the right construction; it cannot be kept sanitary.

It was brought to my mind forcibly last fall, in the latter part of October, or the first of November, on a trip made by the livestock and poultry interests of the State, of

which I was honored by being a member, to some of our neighboring states to find what they were doing in regard to diagnostic and research work in their laboratories for the poultry and livestock industry, and we found that the State of Connecticut, with the livestock and poultry industry slightly larger than ours, had practically four times as large a building; they had five veterinarians; we have one; they had over 8,000 feet of floor space; we have 2,000; their buildings are well constructed and are constructed so that they are able to handle their work in a very efficient manner; ours is constructed so that it is almost impossible for our veterinary and his assistants to do their work as it should be done.

What brought this to a head, probably more than anything else, was the poultry disease that came into our State within the last six months. It is something that they are trying to cope with at the University at the present time; they are doing the best they can, but they have not the facilities to do a real job. In our livestock industry, for instance, the State of Connecticut is testing for mastitis more than 80,000 samples a year. The State of Maine is testing 4,000 samples a year. Other things pertaining to poultry and livestock are on a comparative basis.

With Newcastle disease in the State of Maine, the one I have just mentioned to you, of such tremendous importance to our poultry industry, the only way we can compete with our adjoining states is to have a reasonable amount of facilities furnished us in regard to our poultry and livestock diseases; otherwise we are handicapped because many of our products are shipped outside the State in direct competition with those that are produced in our neighboring states, and unless we have facilities to cope with disease in our flocks and herds in the State of Maine, somewhere in comparison with those outside, how can we expect the poultry and livestock industry of our State to be on a reasonably

paying basis so that our breeders in our State will be interested to continue rather than go to one of our adjoining states where they have these facilities?

I know of no better way to advertise the State of Maine than to try and keep some of the industries that we have and not let them be destroyed by disease from our herds and flocks.

Just in conclusion, allow me to say this: This resolve is headed "Resolve in Favor of the University of Maine for Buildings". It should read, in my way of thinking, a "Resolve in Favor of the Poultry and Livestock Interests of the State of Maine." The only reason for the heading such as it is is because this building is to be located at the University of Maine. For no other reason is the University of Maine mentioned except that we are allowing the University a class room in this building, and for that reason they are going to give us service on the other parts that it is necessary to have in conducting this laboratory. We are very glad to cooperate with the University. They have endorsed our efforts in going after this. My interest in the matter, and the reason that I presented this resolve, is the fact that the poultry and livestock interests of the State came to the Federal Agricultural Associations and asked them to use their efforts in obtaining the necessary funds to construct and equip this very necessary building, and suggested that it be situated at the University of Maine.

I do not want to tire you ladies and gentlemen with any further talk on this matter unless someone brings up some objections to it, but I do want to say that I believe this is something that is very worthy of your consideration. I think it can do a lot for the State of Maine, and I certainly hope that this resolve may receive final passage and allow the poultry and livestock interests of the State of Maine to have, what I believe, is no more than their share of the disease control pro-

gram in the State of Maine. Thank you.

The SPEAKER: The question before the House is on the final passage of the resolve.

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

Mr. ROUNDY: Mr. Speaker and Members of the House: As a member of the Committee on the University of Maine, and in connection with our visit a few weeks ago, we came to realize that the building for plant pathology was nearing completion and nearing readiness for use, and I am rising merely to say that as it seems to be perfectly in line with what has already been done by this Legislature in providing a building for plant pathology, that we should equally carry forward the principle in this matter so important for our poultry and livestock.

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

Mr. WOODWORTH: Mr. Speaker, I would like to say that there is no bill that has attracted the interest of the farmers in my locality more than the one now before the House. The money to erect this building comes out of the unappropriated surplus, and I believe that the construction of such a laboratory as this is of vital importance to the dairy farmers of the State. I hope it may receive its final passage at this time.

The SPEAKER: The question before the House is on the final passage of the Resolve, being Resolve in Favor of the University of Maine for Buildings, H. P. 1027, L. D. 459. This Resolve, having had its two several readings in the Senate and having been passed to be engrossed, and having had its two several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that the Resolve be finally passed?

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I request that we consider Item No. 5 on the Special Calendar, Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 1497) (L. D. 853). It calls for \$12,000 from the general fund. I now move indefinite postponement of the Resolve.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves, in regard to Item No. 5, on the Special Calendar, Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 1497) (L. D. 853) that the Resolve be indefinitely postponed.

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: I hope that I am not indicating anything that would appear to be a selfish motivation when I say that this resolve concerns a matter which is of vital interest to attorneys. Rather than taking issue with it at this time, I should like to suggest that the matter be tabled and specially assigned for tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that Item 5, Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 1497) (L. D. 853) lie upon the table and be specially assigned for tomorrow, May 3rd, pending the motion of the gentleman from Unity, Mr. Brown, that the resolve be indefinitely postponed. Is it the pleasure of the House that the item lie upon the table and be specially assigned for tomorrow, May 3rd?

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

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. BROWN: Mr. Speaker, I move we take up Item No. 6 on the Special Calendar, Resolve in Favor of State Military Defense Commission (H. P. 812) (L. D. 309). This resolve calls for \$200,000 from the unappropriated surplus. \$100,000 of it is to be matched by the city of Waterville with a \$100,000 to buy certain lands and buildings of Colby College; \$100,000 to be matched by the town of Fort Fairfield. These sums will be used to build armories in Waterville and Fort Fairfield. I move the final passage.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 6 on the Special Calendar, Resolve in Favor of State Military Defense Commission (H. P. 812) (L. D. 309), tabled by that gentleman on March 31st, pending final passage. This Resolve, having had its two several readings in the Senate and having been passed to be engrossed, and having had its two several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that the resolve be finally passed?

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I move we take up No. 7 on the Special Calendar, Resolve to Create an Educational Surplus Property Pool (H. P. 1953) (L. D. 1326). It calls for an appropriation of \$2,000 from the general fund, and I move its indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 7 on the Special Calendar, Resolve to Create an Educational Surplus Property Pool (H. P. 1953) (L. D. 1326) tabled by that gentleman on April 4th pending final passage. The gentleman moves that the Resolve be indefinitely postponed.

The Chair recognizes the gentleman from Turner, Mr. Ricker.

Mr. RICKER: Mr. Speaker, this is a matter of \$2,000 which is a pool whereby the Department of Education is enabled to take advantage of the military surplus products that are usable in the schools. Two years ago we appropriated \$50,000 for that purpose, and that amount was used, and has all been returned to the Treasury, according to the way the law was written at that time.

Now the \$50,000 was far in excess of what they found was necessary, and in order that we may take advantage of further supplies which are of use to the schools, that this \$2,000 will be made available as a pool, and when military supplies which can be used for school purposes cease to be available, the money will be returned back into the State Treasury. I might state further that in the last two years there has been about a million and a half dollar's worth of property that has been acquired and given out to the schools without any cost to the State over and above the use of their money.

The Speaker: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Resolve to Create an Educational Surplus Property Pool (H. P. 1953) (L. D. 1326) be indefinitely postponed. As many as are in favor of the indefinite postponement of the Resolve will say aye; those opposed no.

A viva voce being doubted,

A division of the House was had.

Thirty-two having voted in the affirmative and thirty-nine having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I request we consider Item No. 8 on the

Special Calendar, An Act Relating to the Salary of the Commissioner of Labor and Industry, House Paper 600, Legislative Document 183, which calls for an increase in salary of \$1,000 per year. I move indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration, Item No. 8, An Act Relating to the Salary of the Commissioner of Labor and Industry, being H. P. 600, L. D. 183, and the gentleman moves that the Bill be indefinitely postponed.

A viva voce vote was taken and the Bill was indefinitely postponed and sent up for concurrence.

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

Mr. BROWN: Mr. Speaker, I request that we take up No. 9 for consideration, Resolve Providing for Certain Repairs and Construction at the Bangor State Hospital. This resolve calls for \$200,000 from the unappropriated surplus. I move its final passage.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item 9 from the Special Calendar being Resolve Providing for Certain Repairs and Construction at the Bangor State Hospital, H. P. 630, L. D. 1443, and moves that the Resolve be given final passage. This Resolve, having had its two several readings in the Senate and having been passed to be engrossed and having had its two several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that the Resolve be finally passed?

The motion prevailed and the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day.

The Chair, at this time, will call the attention of the members of the House that the unofficial tabulation

made by the Speaker hurriedly covering matters specially assigned, unassigned and on the special calendar indicates that there are some ninety-nine matters remaining for disposition.

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

Mr. CHASE: Mr. Speaker, I want to make a parliamentary inquiry to ask if this motion would be in order. That every tabled matter remaining unassigned on the regular house calendar be assigned for Wednesday next in the order in which these items now appear unless earlier disposed of.

The SPEAKER: The Chair will state that if the gentleman from Cape Elizabeth, Mr. Chase, would care to reduce his proposal to writing in the nature of an order that it may lie upon the table and be reproduced, it would be in order for it to be taken up tomorrow for consideration.

On motion by Mr. Williams of Auburn, the House voted to take from the table the 6th tabled and unassigned matter, Senate Divided Report of the Committee on Judiciary on Bill "An Act Relating to Privilege of Newspaper and Press Association Employees from Disclosing News Sources" (S. P. 57) (L. D. 33), Majority Report "Ought to pass in New Draft" (same title) (S. P. 592) (L. D. 1249), Minority Report "Ought to pass", tabled by that gentleman on March 17th pending the motion of Mr. Burgess of Rockland to accept the Minority Report in concurrence.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: If you will refer to this bill you will see that it proposes to give to a newspaper reporter some protection in connection with the matter of disclosing information, rather the source of his information, that is used in

the newspaper articles. I think you all know that most of the reporters, in fact I think I could say all of them, treat matters which we disclose to them as confidential if it is so requested; that regardless of whether or not we have this law, they would not disclose the fact that you or I gave to them that information unless we gave them permission to quote us.

In some states and some areas, reporters have been brought into court and have been sentenced for contempt for failure to disclose information or their source of information, rather, their belief being that the same sources were open to prosecuting officers and that they should discover the information or the source for themselves.

I think it would undoubtedly hamper a reporter in securing information if there were any law on the books under which he could be compelled to disclose his source. I do not want you to infer from that statement that this law or any law contemplates doing that. But this merely makes clear that the reporter or press representative cannot be compelled to disclose his source of information.

Now, you might say and logically that this would not be proper or in the public interest because at times he might secure information that would be very valuable, that would be vital in connection with some case and decidedly in the public interest to have the source disclosed. In that connection, I would like to refer you to the second section, Section 37, on page 2 of the bill which provides that "in any case where a reporter claims the privilege conferred by (the preceding section) section 36, the body, officer, person or party seeking the information may apply to the superior court, or any justice thereof in vacation, for an order divesting the reporter of the privilege granted therein." If we reduce that and the remainder of the paragraph to a simple statement, it merely means this: That if the report in the

paper is of such a nature that the court is convinced the reporter has information and the disclosure of the source would really be in the public interest, the court can then order the reporter to give the source of his information.

It seems to me that it is a reasonable and fair proposition. I don't think either you or I would feel very comfortable perhaps if sometimes in talking informally with a reporter we thought he could be compelled to disclose all the information or disclose the fact that we were the source of his information and I am, therefore, opposed to the motion of the gentleman from Rockland, Mr. Burgess, that the minority report be accepted. I believe that it would be wise to vote "no" on his motion and then to accept the majority report which I believe was signed by six members of your Judiciary Committee.

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

Mr. McGLAUFFIN: Mr. Speaker, all that you need to do to condemn this measure is to look at it. Listen to what this says: "No reporter shall be compelled to disclose in any legal proceeding, trial or prosecution in any court of this state, or before any official thereof, whether such court be a court of record or not of record, or before any grand jury or traverse jury of any court, or before any medical examiner, or before the presiding officer of any tribunal, or before any committee of the legislature or any commission created thereby, or before any state, county or municipal inquisitional body, department or commission, or elsewhere, the source of any information procured or obtained by him and published in the newspaper or disseminated by the press association on which he is engaged, employed or with which he is connected." Only God Almighty has got the privileges that are set forth in that proposition. It does not apply to the lawyer, or a minister or a priest or a lecturer or anybody who talks in public except the reporters. They

can report anything they have heard at any time and the insinuations may come out and injure somebody tremendously and what right has he got?

Listen: He can apply to the superior court and try to get redress. But notice this: The order, now this is a court order, "shall be granted only when the court after hearing the parties shall find the disclosure is essential to the protection of the public interest." You can injure a man beyond repair in private matters and you haven't got any redress at all. The only outstanding feature of this bill is its utter absurdity.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Burgess, that the House do accept the minority "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: Maine furnished one of the first martyrs in the newspaper field, Elihu Lovejoy, who gave up his life for a free press. I have faith in the Maine press and I shall vote to protect the newsmen of Maine in honor of the memory of that noble gentleman, Mr. Lovejoy.

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

Mr. SILSBY: Mr. Speaker and Members of the House: I wonder if this bill isn't misleading just a little bit and I would just like to take issue with my good friend and colleague, Mr. McGlauffin. If you will read this bill carefully, and I will not repeat what he has already said, but it protects the newspaper man to the point that he is not responsible in disclosing the informant from whom he receives it and if you will read down in the bottom part of the act, we have a little word "and" and "elsewhere the source is secured or obtained by him and published in a newspaper."

Now, we have a great deal of faith in our reporters, and a great

many times I admire them for their courage, and I feel by all means they should be protected especially on matters which might be of a criminal nature. Please don't misunderstand me in this particular that if a newspaper reporter makes any libelous statement about you or me or anyone else, this does not protect him, he becomes liable civilly, but on the criminal side of this matter, a newspaper man might well go out here and find some illegal work being done or someone promoting some illegal practice and it might be such a conspiracy that he would be in jeopardy if the parties promoting this knew that he had any information. Now, surely, you don't believe any newspaper man should come in if summoned before a grand jury and be made to tell the people where he got that information. Now this is the purpose of this act; it's merely a step in the right direction to protect the newspaper man and to protect the public and to protect society from any underhanded deal which might be printed like some lottery or something of that sort; he might get a copy of one of the tickets, print it in the paper which is illegal and if he printed it, then he could be summoned before the grand jury and if he wouldn't tell the grand jury where he received his information, he could be brought into court for contempt. Now, we don't want that situation. The people of the State of Maine don't want it at all. I firmly believe that this is a good bill and it's for the protection of society, for the protection of the news reporter and I don't think we ought to mix it in any way with a civil liability case. I hope the motion to accept the "Ought not to pass" report, I believe that's what it is, does not prevail.

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

Mr. WOODWORTH: Mr. Speaker, I rise in support of the motion of the gentleman from Rockland, Mr. Burgess, that we accept the "Ought not to pass" report in concurrence.

I believe the standards of American journalism are the highest in the world. I believe that they have arrived at that eminence because of the character and ability of the men in the field of journalism. I believe that it is for the best interests of the public that that high standard be maintained. To me, it seems that a good journalist does not require the protection of such a statute as this would give. Conversely, I believe that American journalism does not need and should not seek the type of person who would require the protection of such a law as this. For this reason, I hope the motion of the gentleman from Rockland (Mr. Burgess) may prevail.

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

Mr. BURGESS: Mr. Speaker, I don't like the idea of immunity for anything unless it be for a contagious disease and this bill is not that. And I don't like the idea of special privilege for anybody and this bill is not that. Now, this bill was advertised in eight of our major newspapers in this State and of all the newspapers printed and there are hundreds daily and weekly, only one man showed up for its support and his argument was this.

That four years ago, in the town of Newburgh, New York, two newspaper reporters had been arrested for failure to testify. Now, I don't know what the case was about; it wasn't said; but I would be willing to guess that those newspaper reporters "sassed" the judge. Therefore, they were thrown into the jug. Now, obviously, we have no such condition in the State of Maine; we have no public clamor for this bill and if we go to work and grant immunity in this instance, what are you going to say to deputy sheriffs who actually investigate and prosecute this criminal matter? What about your State police? I say if we make a start on this proposition, there just won't be any end to it.

Two weeks ago, Wednesday night, a member of the Supreme Court of this State put himself out to find me. He asked me about this bill and he said: "Stuart, suppose you had a murder in Rockland tomorrow morning and the only witness there was a member of the newspaper association, just how would you prosecute the case?" I ask you that, ladies and gentlemen?

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: There are a few points that I would like to comment on. First, this privilege extends merely to the source of the information. If, as in the example just given, the reporter were a witness, he would have no greater privilege than you or I, who witnessed the crime. He is only protected in the disclosing of the source of his information. If he has knowledge that would qualify him to be a competent witness in court, he could still be compelled to testify even as you and I.

This bill merely provides that he cannot be compelled to tell the court that he got his information from John Doe or from Richard Roe. If he had knowledge of actual facts, he could and would be amenable to the same laws as the rest of us.

And in connection with any libelous statements that are published, I want to emphasize the fact that not only the individual reporter but the newspaper, itself, would be responsible for any libelous item that is published. This has no reference whatsoever to any matter of libel.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Burgess, that the House do accept the minority "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Durham, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I hesitate to rush in among all this legal tal-

ent. I only want to bring out two things.

First, perhaps the newspaper man or the newspaper fraternity as a whole do as much or more for the protection of the public and as an aid to the enforcement of the law than any other individuals. A newspaper man learns early in his career that a confidence once violated can never be regained. I think perhaps that has as much to do with their not willingly desiring to disclose the source of information as well as anything else, and I think that this bill merely expresses that the public as a whole wants that same protection, that a confidence once violated can never be regained and that if the newspaper man had scoures of information which they all do, that the layman does not have and they dig out facts that are for the benefit of the public that some law enforcement agencies do not dig out, I think they should be protected.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Burgess, that the House do accept the minority "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from South Portland, Mr. Spear.

Mr. SPEAR: Mr. Speaker and Members of the House: It has probably caused me some difficulty too, to debate this question, but I think of it from my own experience. In the early days of our colonists, it was up to the individual to protect his own home and the home of his neighbor. But the individual then found that because he had to work twelve hours a day and seven days a week, it was impossible for him to go out in the night watch and protect the home of his neighbor and himself, so watchmen were hired to take his place. Afterwards, the people were assessed so that we had the watch and ward and from that developed the police department. But the responsibility still

stays with the individual and if he has knowledge of a crime and conceals that knowledge, he becomes an accessory before or after the fact and can be punished by law.

This is an immunity which you cannot grant to yourself and, as Mr. Burgess has said, how foolish it would be to grant this immunity to a police officer so that he could use his own judgment as to whether he should help prevent crime or just keep it to himself and let nothing be done about it. I realize that newspaper reporters perform an important function in our existence, but I have known many good newspaper reporters and I have known a few bad newspaper reporters. If a newspaper reporter has knowledge of a crime, which is to be committed or has been committed, it is his duty as a citizen to go to the courts and secure a complaint and warrant and have that warrant properly served. It is not his duty to exploit the public with the news that he has and the public at times is exploited with criminal information that is in the hands of the newspaper reporters. They are responsible to the people the same as you and I. You cannot grant that immunity to yourselves; there are very few people who do have this immunity now; they are in the diplomatic service or in our legislative branches in the State or federally as you know. But this immunity should not be granted promiscuously and, as I said, if you can't have it yourself, it is your duty as you know by statute to take the proper steps if you have knowledge of a crime and I believe a newspaper reporter as a citizen should be obligated to do this same thing and I hope that the motion of the gentleman from Rockland, Mr. Burgess, to accept the Minority report does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Burgess, that the House do accept the Minority "Ought not to pass" report of the committee.

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

Mr. SILSBY: Mr. Speaker and Members of the House: I probably failed to make one point clear in my discourse here a few moments ago but I want to say to you and I hope you will bear this in mind that if the newspaper man has some information similar to what we have under consideration and he isn't protected, there isn't any law to make him print it and therefore we would know nothing about it. Now, wouldn't it be better to have him be in a position where he could print this information which was told to him in order that our officials might have knowledge and proceed to investigate? Now, I think that that's reasonable. There isn't any immunity, none whatever. He is absolutely liable for anything he knows of his own knowledge but he would not be liable to disclose a source of information, whereby someone else might feel that he was an object for them to eliminate.

I hope we don't misunderstand the question when we vote because it is certainly more protection to the public and the newspaper man is entitled to some consideration. I think they have been very fair in their reports of all matters and I think we ought to have confidence in them and give them one bill that they ask for.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Burgess, that the House do accept the Minority "Ought not to pass" report of the committee.

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

Mr. BURGESS: Mr. Speaker, I simply ask for a division when the vote is taken.

The SPEAKER: And the gentleman from Rockland has requested that when the vote is taken, it be taken by division.

Thereupon, a division of the House was had.

Fifty-eight having voted in the affirmative and twenty-nine having

having voted in the negative, the motion prevailed, and the "Ought not to pass" report of the committee was accepted in concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I present an order out of order and move its passage and ask consent that it be assigned as the first item of business tomorrow morning after the reading of the journal.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, presents an order out of order and moves that by unanimous consent it be made the Special Order of the Day, tomorrow morning. The Clerk will read the order.

The CLERK (reading):

ORDERED, that on Wednesday of this week, all matters tabled and unassigned shall be taken up under Orders of the Day in the order in which they appear on the calendar, and laid before the House by the Speaker, after matters of Unfinished Business and Specially Assigned Matters have been considered.

AND BE IT FURTHER ORDERED, that all matters which shall be laid on the table shall be assigned for consideration not later than the next legislative day.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, requests that by unanimous consent the order be made a special order for tomorrow morning, May 3rd. Is this the pleasure of the House?

(Cry of "No")

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

Mr. McCLURE: Mr. Speaker, I am not opposing the order other than for this reason. I believe every member here wants to get out of here as soon as he can. Many of these bills although it has been much time that they have been on our books, I still feel in some cases it might be a hardship were each one taken one after another. Some man might have something that he

wanted to study further. Some men have more than one bill; that is the only reason I am opposing it. I believe that the thoughts of my good friend, the gentleman from Cape Elizabeth, Mr. Chase, are right. We should all try to remove our bills but we shouldn't be forced to by an order.

Mr. BURGESS (of Limestone): Mr. Speaker—

The SPEAKER: Before recognizing the gentleman, the Chair will state for the benefit of information of the House that the question of final passage of the order is not now under consideration, it being an amendment to the rules that can not be taken up until tomorrow morning at the earliest.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I have less to say since the Speaker has made it very clear that the matter of voting upon the order will come tomorrow. I would like to briefly call the attention of the House to the fact that it has always been, as far as I know, a possibility and a common courtesy granted to any member of the House to retable but for a shorter time, after this order, which is a customary order in every session, has been put into effect. I am sure that this House with all the fairness that it has displayed throughout the session would still continue to grant to my friend, Mr. McClure, or any other member for a legitimate reason, a right to retable for a short time. The order, itself, is one that is customary in every session.

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

Mr. McCLURE: Mr. Speaker, I have tried to be courteous at all times, I believe much more so than some of our members at the present session when they supported the vote on a certain measure they didn't understand, I think, at the time. I would like to go along with the gentleman from Cape Elizabeth, Mr. Chase, or anyone, to retable the measure if a man wants it. I

want to do nothing at all to hurt the members' bills or expedite the matters before the House.

The SPEAKER: The Chair hesitates to make further statements but for the information of the members, the question of unanimous consent should be confined merely to the fact as to whether this particular order shall be made a special order of business for tomorrow morning, at which time it is in perfect order to consider the merits or demerits of the order as introduced. But, at this time the only consideration is whether or not by unanimous consent, this order may be made a special order for consideration tomorrow morning. That is the question before the House.

Mr. McCLURE: Mr. Speaker, I will withdraw my motion.

The SPEAKER: The question before the House being whether the order just read shall be made a special order of business for tomorrow morning, May 3rd, it requires unanimous consent. Is there objection on the part of the members of the House to this order being made a special order of business for tomorrow morning, May 3rd?

The Chair hears no objection and the order has been designated as a special order of business for tomorrow morning.

On motion by Mr. Paine of Portland, the House voted to take from the table the 52nd tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Inheritance Taxes" (H. P. 1974) (L. D. 1356) tabled on April 19th by that gentleman pending acceptance of report.

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

Mr. PAINE: Mr. Speaker, I yield to my colleague from Portland, Mr. Chapman.

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

Mr. CHAPMAN: Mr. Speaker, in view of the fact that this is one of

my own bills, I should like to make my preliminary contribution by clearing the table by moving the acceptance of the "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves with regard to the 52nd unassigned matter, Bill "An Act Relating to Inheritance Taxes" (H. P. 1974) (L. D. 1356) that the House do accept the "Ought not to pass" report of the committee. 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.

On motion by Mr. Paine of Portland, the House voted to take from the table the 39th tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 2061) (L. D. 1490) of the Committee on Judiciary on Bill "An Act Relating to Inheritance Tax Exemptions in Class "A" (H. P. 1909) (L. D. 1270) tabled by that gentleman on April 14th pending acceptance of report.

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

Mr. PAINE: Mr. Speaker, I again yield to my colleague from Portland, Mr. Chapman.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Chapman, in his own right.

Mr. CHAPMAN: Mr. Speaker and Members of the House: This is almost like a pitching battery. In view of the fact that the 39th unassigned matter is another one of my alleged abortions, I should again like to move the acceptance of the committee report.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the House do accept the "Ought to pass in New Draft" report of the committee, on Bill "An Act Relating to Inheritance Tax Exemptions in Class 'A'" (H. P.

1909) (L. D. 1270) the New Draft being H. P. 2061, L. D. 1490. Is it the pleasure of the House to accept the "Ought to pass in New Draft" report of the committee?

The motion prevailed and the "Ought to pass in New Draft" report of the committee was accepted.

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.

The SPEAKER: The House is proceeding under Orders of the Day.

The Chair wishes to state at this time that there is no intention whatever to speed up the work of the members taking matters from the table. However, for the benefit of the new members of the House, the Chair does feel entitled to say this: Since there has been some speculation as to whether or not final adjournment could be reached this week, that it will be several days after these matters are taken from the table before it will be possible to finally adjourn this Legislature. The Chair does not wish to have any member of the House think that we can go into Friday of this week with matters still on the table and be home Saturday night.

The Chair at this time lays before the House "Resolve Providing for State Pension for Elmira A. Brown, of Lewiston" (H. P. 939) (L. D. 1590) tabled earlier in today's session by the gentleman from Auburn, Mr. Williams, pending the motion of the gentleman from Belfast, Mr. Clements, that the Resolve be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: The gentleman from Auburn, Mr. Jacobs, is not present. However, I talked with him during the noon recess and he advises me that he has talked with Elmira A. Brown

and with the head of the Welfare Department and that he is now agreeable to the bill being indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Belfast, Mr. Clements, that Resolve Providing for State Pension for Elmira A. Brown of Lewiston, H. P. 939, L. D. 1590, be indefinitely postponed. Is it the pleasure of the House that the Resolve be indefinitely postponed?

The motion prevailed, and the Resolve was indefinitely postponed and sent up for concurrence.

On motion by Mr. Jewett of Manchester, the House voted to take from the table the 54th tabled and unassigned matter, House Divided Report of the Committee on Military Affairs on Bill "An Act Appropriating Money to Transport War Trophies into the State" (H. P. 1927) (L. D. 1287), Majority Report "Ought not to pass" and Minority Report "Ought to pass", tabled on April 20th by that gentleman pending motion of Mr. Jennings of Strong to accept the Majority Report.

The Chair recognizes the gentleman from Manchester, Mr. Jewett.

Mr. JEWETT: Mr. Speaker, I now yield to the gentleman from Bath, Mr. McClure.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure, in his own right.

Mr. McCLURE: Mr. Speaker and Members of the House: I will try to expedite the bills that I have on the table. This bill happens to be a bill I presented. It had an "Ought not to pass" report from the committee.

Back at the outbreak of the war, many patriotic organizations throughout our State in small towns gave to a scrap metal drive their war trophies. The federal government promised that if we in the State of Maine would pay the amount of \$10,000, the cost of transportation, that they would be replaced. I presented another bill

that would have, by an amendment I was to try to put on here in the House, raised the money to take care of the expense of this. I do not feel that the State is in any position at the present time, as I stated before, to take it out of the general fund, and I certainly do not want to take it out of the unexpended surplus; so I will agree with the motion of the gentleman from Strong, Mr. Jennings, that we accept the "Ought not to pass" report of the committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Strong, Mr. Jennings, that the House accept the Majority Report, being "Ought not to pass" of the Committee on Military Affairs. Is it the pleasure of the House to accept the "Ought not to pass" report of the committee?

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

The SPEAKER: The House is proceeding under Orders of the Day.

On motion by Mr. Campbell of Garland, the House voted to take from the table the 67th tabled and unassigned matter, Senate Divided Report of the Committee on Salaries and Fees on Resolve Appropriating Moneys to Continue the Cost of Living Increases of State Employees (S. P. 382) (L. D. 647) Majority Report "Ought to pass in New Draft 'A'" under new title "An Act to appropriate Moneys to Continue the Cost of Living Increases of State Employees" (S. P. 674) (L. D. 1546) Minority Report "Ought to pass in New Draft 'B'" under new title "An Act to appropriate Moneys to Continue the Cost of Living Increases of State Employees" (S. P. 675) (L. D. 1547) tabled on April 26th by that gentleman pending acceptance of either report.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: It

would seem to me that if we are going to follow our course of economy that we should accept the minority report. As I understand it, in either case, if I am not wrong, either one of these drafts would have to be amended, because these two bills, the Draft "A" continues along for the next two years the present \$7.00 cost of living increase plus the 3-4-5 which the Governor and Council granted the State employees last October. The Draft "B" continues the \$7.00 increase along for two years and the 3-4-5 until a year from next June—that would be June 30, 1950.

As I understand it, there is no money in the Appropriations Bill for the 3-4-5 for either of the two years. But if we are going to follow our past course of economy here in the House, I would recommend that we should accept the Minority Report, New Draft "B".

The SPEAKER: The question before the House is on the motion of the gentleman from Garland, Mr. Campbell, that the House do accept the Minority "Ought to pass in New Draft 'B'" Report of the committee under new title "An Act to appropriate Moneys to Continue the Cost of Living Increases of State Employees" S. P. 675, L. D. 1547.

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

Mr. BURGESS: Mr. Speaker, I rise for the purpose of asking a question through the Chair and direct it to the gentleman from Unity, Mr. Brown.

The SPEAKER: The gentleman may ask his question if he cares to.

Mr. BURGESS: Mr. Speaker, I would like to ask if there is any fund at all available with which to pay for either draft under consideration?

The SPEAKER: The gentleman from Limestone, Mr. Burgess, asks a question. The gentleman from Unity, Mr. Brown, may answer if he cares to.

Mr. BROWN: Mr. Speaker and Members of the House: If I understand the minority report correctly,

the New Draft "B", that appropriates \$7.00 for the cost of living increase against the \$7.20 we have had previously. I will answer it this way: There is a \$7.20 cost of living increase set up in the budget. Does that answer your question, Mr. Burgess?

Mr. BURGESS: It does. Now may I ask whether or not, this bill in either form should receive passage, or whether the \$7.20 is already cared for in your regular appropriation bill? Does it need any legislation?

Mr. BROWN: It does not need any legislation for the \$7.20. It is already in the appropriations bill.

Mr. BURGESS: Then am I correct in understanding that this bill should be indefinitely postponed?

Mr. BROWN: I would think so.

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

Mr. CAMPBELL: Mr. Speaker, I would like to state that unless one of these bills passes — it could be amended—but unless it passes in some form, that the \$7.00 increase would not carry on beyond June 30th. The only difference between the two drafts—they both carry \$7.00 instead of \$7.20 — that was changed to \$7.00 — and the New Draft "A" carries the \$7.00 plus the 3-4-5. I do not know that you members understand that. Last October the Governor and Council granted State employees a temporary increase of three dollars a week up to forty-eight dollars, and from forty-eight to, I think it was seventy dollars, four dollars a week, and beyond that it was five dollars a week increase. Now this New Draft "A" continues that for two years and the New Draft "B" continues it for one year; but if there is no money set up in the appropriations bill for the 3-4-5, either one of these drafts would have to be amended. I may be wrong, but the way I understand it is that if one of these bills in some form does not pass, even the seven dollars won't continue.

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

Mr. BURGESS: Mr. Speaker, I move that this item be tabled and specially assigned for tomorrow morning.

The SPEAKER: Before placing that motion, the Chair would inquire of the gentleman from Limestone whether or not when he was on his feet just previously he actually moved the indefinite postponement or asked whether it should be moved?

Mr. BURGESS: Mr. Speaker, I did not. I was seeking information as to whether or not indefinite postponement would accomplish what we are trying to accomplish. It seems there is some confusion, Mr. Speaker, and, for the purposes of clarification I now make the motion to table and assign it for tomorrow.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the Bill and accompanying papers lie upon the table and be specially assigned for Tuesday, May 3rd, pending the motion of the gentleman from Garland, Mr. Campbell, that the House do accept the Minority "Ought to pass" report. Is it the pleasure of the House that the matter lie upon the table and be specially assigned for tomorrow morning?

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

On motion by Mr. McClure of Bath, the House voted to take from the table the 55th tabled and unassigned matter, House Divided Report of the Committee on Military Affairs on Bill "An Act Relating to Taxation of Amusement and Musical Devises, to Provide Funds for Payments to Veterans" (H. P. 2005) (L. D. 1392) Majority Report "Ought to pass" with Committee Amendment "A" and Minority Report "Ought not to pass" tabled on April 20th by the gentleman from Bath, Mr. McClure.

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

Mr. McCLURE: Mr. Speaker and Members of the House: L. D. 1392 was the bill in its original form and it was heard before the Military Affairs Committee. As I stated before, it was an act relating to taxation of amusement and musical devices to provide funds for payments to veterans. We have heard veterans spoken of so much and so little lately, that perhaps some of us, especially the veterans at home, thought perhaps we had forgotten them altogether. I know that many of us have not forgotten them.

The veteran comes into his own three times during a lifetime: When we need him to defend our country; when the politicians need him to gain votes; then again when he goes to his reward to meet his Maker. I can state for him now, after finding the report that I received on this bill, that about the only reward that he will ever receive is for work well done on this earth when he does meet his Maker.

I might explain that I was going to offer an amendment. My amendment would have read as follows: "Each licensee shall be given credit for any license fee on such device paid to any town in the calendar year preceding the issuance of the State license. In no event shall such credit exceed the State license fee." I am not, gentlemen, now going to offer that amendment, as the majority report from the committee came out "Ought not to pass", that the bill should not pass in any form. We have a minority report, however, that states that it should pass with Committee Amendment "A". What is Committee Amendment "A"? In case you have not got it handy, let me read it to you. "Amend said Bill by striking out in the title the following: 'to provide funds for veterans.'" So, as far as I am concerned, the veterans are not going to benefit from the bill. In other words it is just another patchwork tax, and the Lord knows we have enough of them in Maine at the present time. We need new taxes. We do not want a revision. If we

had wanted a revision we would have gone to work on it the first of this session and not in the final week. It says: "Further amend said Bill by striking out in the third line thereof the figure 'five' and inserting in its place the figure 'four'".

In other words, ladies and gentlemen, when you want to get rid of a bill entirely, just offer enough amendments on it and you certainly will kill it. I hope when you vote on this measure you will accept the Majority Report "Ought not to pass."

The SPEAKER: In order that there may be no confusion in the minds of the members, the Chair calls attention to the fact that on the calendar as printed it says that the Majority Report of the committee is "Ought not to pass," Minority Report "Ought to pass with Committee Amendment 'A'" and recites that the pending motion is the motion of the gentleman from Paris, Mr. Eastman, to accept the Majority Report, being "Ought not to pass." There is an error in the printing. The Majority Report is "Ought to pass with Committee Amendment 'A'", the Minority Report is "Ought not to pass." The pending motion is that of the gentleman from Paris, Mr. Eastman, that the House do accept the Majority "Ought to pass with Committee Amendment 'A'" report of the committee. That is the question before the House.

The Chair recognizes the gentleman from Paris, Mr. Eastman.

Mr. EASTMAN: Mr. Speaker and Members of the House: This is Mr. McClure's bill and I made the motion because of his absence at the time it came up. I now wish to withdraw my motion to accept the Majority "Ought to pass" report of the committee.

The SPEAKER: The Chair understands the gentleman from Paris, Mr. Eastman, withdraws his motion to accept the Majority "Ought to pass with Committee Amendment 'A'" report of the committee.

The motion has been withdrawn, and the Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker and Members of the House: I accept the mistake as the Speaker noted, but, in any event, it does not provide for the veteran. I move the indefinite postponement, rather than my first motion.

The SPEAKER: The gentleman from Bath, Mr. McClure, now moves with regard to Bill "An Act Relating to Taxation of Amusement and Musical Devices, to Provide Funds for Payments to Veterans" H. P. 2005, L. D. 1392, that the Bill be indefinitely postponed.

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

Mr. FARLEY: Mr. Speaker and Members of the House: I just don't know now whether I was on the "Ought to pass" or "Ought not to pass," but as a member of that committee I would like to give my views. I think I was on the "Ought not to pass" report after it had been stripped completely.

Now it is true that my colleague from Bath is vitally interested in the veterans, there is no argument about that; but in the community where I reside in a great part of the county we have a great many of our own organizations that have these juke boxes, as you call them, and pin-ball machines. And the consensus of opinion of those people was that if we were going to take from the veterans' organizations something to pay a bonus it would not be of much advantage. A great many of the younger element of World War II, veterans who own little stores in the town I live in have these juke boxes, and they are not much interested in a bonus if it is going to be secured by that, because they have to pay the city tax plus the federal tax, and that is one of my reasons. I think, for signing along with a few others on the "Ought not to pass" report.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Mc-

Clure, that the Bill be indefinitely postponed.

As many as are in favor of the motion will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed and the Bill was indefinitely postponed.

On motion by Mr. Grant of South Portland, the House voted to take from the table the 11th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in Favor of Portland Junior College (H. P. 1766) (L. D. 1108) tabled on March 29th by that gentleman pending acceptance of report; and on further motion by the same gentleman, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

On motion by Mr. Brown of Unity, Item 26 was taken from the Special Calendar, Resolve in Favor of Edward D. McKeon of Kennebunk (H. P. 1463) (L. D. 1516) tabled by that gentleman on April 27, 1949, pending final passage.

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

Mr. BROWN: Mr. Speaker, this resolve calls for an appropriation of \$417 from the general fund to be paid to Edward D. McKeon of Kennebunk, for the cost of an artificial arm and hand. The statement of facts says that Mr. McKeon was a member of the State Guard, and, while on maneuvers, a defective hand grenade exploded while in his hand, causing the loss of an arm.

I move that the resolve receive passage.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the fact that it is almost four o'clock, and wishes to place before the House for its consideration whether it would prefer now to re-

cess and return this evening for further work.

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

Mr. ROUNDY: Mr. Speaker, I move we recess.

The SPEAKER: Again, in order to make the matter perfectly clear to the members of the House, the Chair will state that if we do recess and return this evening there will be no items of business which can be taken up except items which are on the calendar at the present time. Therefore, it would not seem practical for the members to return this evening unless they are prepared to take items from the calendar.

The gentleman from Portland, Mr. Roundy, has moved that the House do recess and return this evening. Would the gentleman care to state a time to which the House would recess?

Mr. ROUNDY: Seven o'clock, Standard Time.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Roundy, that the House do recess until 7:00 P. M. Standard Time this evening.

The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I was just wondering whether there would be any possibility of having some indication from the members present as to how many might be prepared to take matters from the table. If no other ones would be prepared, it is rather foolish for us

to come back at this time. If by some means or other, possibly by a show of hands, we can have an indication that there is a sufficient number of members to take items from the table this evening, I think it might be well for us to know it. If we are going to adjourn until sometime this evening, however, and not have anything taken from the table, I, for one, would like to have the use of this evening, because we have a rehearsal in the hall of the House, and I had rather work on the rehearsal than sit around waiting for items to be taken off which we might do now in the next half hour or hour tonight.

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

Mr. BURGESS: Mr. Speaker, if it is now in order, I move the House adjourn until the usual time tomorrow morning.

The SPEAKER: The gentleman from Limestone has made the motion that the House do now adjourn.

Previous to the Chair putting the motion, the Clerk will read the notices.

Notices read by the Clerk.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the House adjourn until 9:00 A. M., E. S. T. tomorrow morning. Is it the pleasure of the House to so adjourn?

The motion prevailed and the House so adjourned.