

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Fourth Legislature*

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## SENATE

Thursday, March 17, 1949

The Senate was called to order by the President.

Prayer by the Reverend Robert E. Rundlette of Augusta.

Journal of yesterday read and approved.

### From the House

Bill "An Act Relating to the Banking Department." (H. P. 1969) (L. D. 1352)

Which was referred to the Committee on Banks and Banking in concurrence.

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

Bill "An Act Relating to Control of Dogs." (H. P. 1972) (L. D. 1354)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill "An Act Relating to Salary of Judge of Probate and Clerk Hire in Office of Register of Probate of Lincoln County." (H. P. 1973) (L. D. 1355)

Which was referred to the Committee on Salaries and Fees in concurrence.

Bill "An Act Relating to Inheritance Taxes." (H. P. 1974) (L. D. 1356)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Re-Establishing Prohibition." (H. P. 1975) (L. D. 1351)

Which was referred to the Committee on Temperance in concurrence.

Bill "An Act Relating to Method of Issuance of State Highway and Bridge Bonds." (H. P. 1976) (L. D. 1357)

Which was referred to the Committee on Ways and Bridges in concurrence.

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

Which was referred to the Committee on Banks and Banking in concurrence.

Bill "An Act Relating to Inheritance Tax Exemptions in Class A." (H. P. 1909) (L. D. 1270)

Which was referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to the Atlantic Sea Run Salmon Commission." (S. P. 124) (L. D. 145)

(In the Senate, on March 11, passed to be engrossed.)

Comes from the House passed to be engrossed as amended by House Amendment A in non-concurrence.

In the Senate, on motion by Mr. Larrabee of Sagadahoc, the bill was laid upon the table pending consideration.

Bill "An Act Amending the Limestone School District." (H. P. 1978)

Comes from the House, having been received by unanimous consent, under suspension of the rules, and passed to be engrossed, without reference to a committee.

In the Senate, the bill was received by unanimous consent, and under suspension of the rules was given its first reading without reference to a committee, and tomorrow assigned for second reading.

### House Committee Reports

The Committee on Judiciary on Bill "An Act to Clarify the Law Relating to Clerks of the Judicial Courts," (H. P. 1491) (L. D. 847) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to Counsel Fees in Bastardy Proceedings," (H. P. 1159) (L. D. 611) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to Registration of Voters in Towns," (H. P. 1494) (L. D. 850) reported that leave be granted to withdraw the same.

The Committee on Public Utilities on Bill "An Act Relating to Railroad Crossings," (H. P. 1660) (L. D. 931) reported leave be granted to withdraw the same.

The Committee on Taxation on Bill "An Act Relating to the Tax on Gasoline," (H. P. 140) (L. D. 45) reported that leave be granted to withdraw the same as it is covered by other legislation.

The same Committee on Bill "An Act Relating to the Gasoline Tax," (H. P. 245) (L. D. 78) reported that leave be granted to withdraw the same as it is covered by other legislation.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Disposition of Fees Received by the Insurance Department," (H. P. 1762) (L. D. 1105) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to State Aid for Municipalities Maintaining Free Public Libraries," (H. P. 1763) (L. D. 1106) reported that the same ought not to pass.

The Committee on Claims on "Resolve, in Favor of Marion Wells, of Boothbay Harbor," (H. P. 1285) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in East Pond Stream, in the Town of Smithfield, County of Somerset," (H. P. 468) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Licensing of Fur Takers," (H. P. 1291) (L. D. 674) reported that the same ought not to pass.

The same Committee on Bill "An Act Relative to Registration of Deer," (H. P. 1396) (L. D. 760) reported that the same ought not to pass.

The same Committee on Bill "An Act Relative to License to Ship Deer Skins," (H. P. 1475) (L. D. 878) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Trapping of Beaver," (H. P. 1296) (L. D. 679) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Licensing of Sellers of Bait for Trapping," (H. P. 1292)

(L. D. 675) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Effect of Bankruptcy in Financial Responsibility Law," (H. P. 1165) (L. D. 617) reported that the same ought not to pass.

The same Committee on Bill "An Act Changing the Date of Labor Day," (H. P. 178) (L. D. 54) reported that the same ought not to pass.

The same Committee on Bill "An Act to protect Bona Fide Purchasers of Real Estate in Cases Where There Has Been a Divorce Among the Owners Thereof," (H. P. 1164) (L. D. 616) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Taking of Land by Towns for Parking Facilities," (H. P. 1049) (L. D. 465) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Public Utilities on Bill "An Act to Amend the Charter of the Clinton Water District," (H. P. 1657) (L. D. 965) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Excise Tax on Tractors," (H. P. 1808) (L. D. 1132) reported that the same ought not to pass.

The same Committee on Bill "An Act to Allow Cities and Towns to Raise Money by an Admissions Tax," (H. P. 1807) (L. D. 1148) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for the Expenditures of the State Government for the Fiscal Year Ending June 30, 1949," (H. P. 1110) (L. D. 536) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Bond Issues of the City of Portland," (H. P. 1645) (L. D. 997) reported that the same ought to pass.

The Committee on Ways and Bridges on "Resolve in Favor of the Town of Trenton," (H. P. 1610) (L. D. 1343) reported that the same ought to pass.

The same Committee on "Resolve in Favor of the City of Calais," (H. P. 1708) (L. D. 1344) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolves read once, and tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act Relating to Explanation of Constitutional Amendments," (H. P. 1303) (L. D. 683) reported the same in a new draft (H. P. 1968) (L. D. 1342) under the same title, and that it ought to pass.

(Which report was read and accepted in concurrence and the bill given its first reading; on motion by Mr. Slocum of Cumberland, tabled pending assignment for second reading.)

The same Committee on Bill "An Act Relating to Retirement of Justices of the Superior and Supreme Judicial Courts," (H. P. 1496) (L. D. 852) reported the same in a new draft (H. P. 1967) (L. D. 1341) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to Qualifications of Voters in Primary Elections," (H. P. 1492) (L. D. 848) reported the same in a new draft (H. P. 1966) (L. D. 1340) under the same title, and that it ought to pass.

(On motion by Mr. Hopkins of Kennebec, tabled pending acceptance of the report.)

The same Committee on Bill "An Act Relating to Amending Complaints and Indictments in Matters of Substance," (H. P. 1160) (L. D. 612) reported the same in a new draft (H. P. 1965) (L. D. 1339) under the same title and that it ought to pass.

Which reports were severally read and accepted in concurrence, and the bills in new draft read once and

tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on "Resolve to Provide for a Fish Screen at Hot Brook Lake, in the County of Aroostook," (H. P. 1486) (L. D. 843) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Relative to Fishing Licenses," (H. P. 985) (L. D. 417) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Legal Affairs on Bill "An Act Relating to the Department of Electrical Appliances of the City of Portland," (H. P. 1699) (L. D. 1022) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which reports were severally read and accepted in concurrence, and the bills and resolves read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills as amended were tomorrow assigned for second reading.

The Committee on Legal Affairs on Bill "An Act Relating to Annual Audits for Cities, Towns, Plantations, Village Corporations, Sewer Districts, School Districts and School Activity Funds," (H. P. 1051) (L. D. 467) reported that the same ought to pass as amended by Committee Amendment "A" under a new title, Bill "An Act Relating to Annual Audits for Cities, Towns, Plantations, Village Corporations, Sewer Districts and School Districts."

Which report was read and accepted in concurrence and the bill in new draft read once; Committee Amendment A was read and adopted in concurrence, and on motion by Mr. Larrabee of Sagadahoc, the report and accompanying papers were laid upon the table pending assignment for second reading.

The Committee on Public Utilities on Bill "An Act Relating to

the Houlton Water Company," (H. P. 1070) (L. D. 476) reported that the same ought to pass.

Comes from the House passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and accepted in concurrence and the bill was given its first reading; House Amendment "A" was read and adopted in concurrence and the bill was tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Non-Resident and Alien Trapping Licenses," (H. P. 1293) (L. D. 676) reported that the same ought to pass.

Comes from the House, report read and accepted and the bill read twice, and subsequently recommit-  
ted to the Committee on Inland Fisheries and Game.

In the Senate, on motion by Mr. Ela of Somerset, the bill was re-  
committed to the Committee on Inland Fisheries and Game in con-  
currence.

Bill "An Act to Incorporate the City of Westbrook School District." (H. P. 1758) (L. D. 1030)

(In Senate on March 4th, passed to be engrossed in concurrence.)

Comes from the House, recommit-  
ted to the Committee on Legal Af-  
fairs in non-concurrence.

In the Senate, on motion by Mr. Batchelder of York, the Senate voted to reconsider its former action taken on March 4, and the bill was re-  
committed to the Committee on Legal Affairs in concurrence.

Bill "An Act to Incorporate the Town of Dexter School District." (H. P. 1052) (L. D. 468)

(In the Senate, on March 8th, passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, recom-  
mitted to the Committee on Legal Affairs, in non-concurrence.

In the Senate, on motion by Mr. Batchelder of York, the Senate voted to reconsider its former ac-

tion taken on March 8, and the bill was re-  
committed to the Committee on Legal Affairs in concurrence.

#### Referred to Committees

The following bill and resolve were received, and on recommen-  
dation by the Committee on Refer-  
ence of Bills, were referred to the  
following committees:

#### Education

Mr. McKusick of Piscataquis pre-  
sented Bill "An Act Relating to  
State Aid for Community Schools." (S. P. 626)

(On motion by Mr. McKusick of  
Piscataquis, tabled pending refer-  
ence to a committee.)

(Ordered printed.)

Sent down for concurrence.

#### Inland Fisheries and Game

Mr. Sleeper of Knox presented  
"Resolve Regulating Fishing in  
Fish Pond in the County of  
Knox." (S. P. 627)

(Ordered printed.)

Sent down for concurrence.

#### Senate Committee Reports

Mr. Cobb from the Committee on  
Maine Publicity on "Resolve in  
Favor of State of Maine Building at  
Eastern States Agricultural and  
Industrial Exposition," (S. P. 212)  
(L. D. 274) reported that the same  
ought to pass.

(On motion by Mr. Brewer of  
Aroostook, tabled pending accept-  
ance of the report.)

Mr. Crosby from the Committee  
on State Lands and Forest Preser-  
vation on Bill "An Act Relating to  
Shelters or Tents on Maine Forest-  
ry Department Public Camp Sites  
and Luncheon Grounds," (S. P. 526)  
(L. D. 1060) reported that the same  
ought to pass.

Mr. Williams from the same Com-  
mittee on Bill "An Act Relating to  
Mill Privileges, Dam Sites and  
Flowage Rights," (S. P. 527) (L. D.  
1059) reported that the same ought  
to pass.

Which reports were severally  
read and accepted, and the bills and  
resolve read once, and tomorrow as-  
signed for second reading.

Mr. Varney from the Committee on Library on Bill "An Act to Clarify the State Library Law," (S. P. 171) (L. D. 230) reported that the same ought to pass as amended by Committee Amendment "A"

Which report was read and accepted, and the bill read once; Committee Amendment "A" was read:

"Committee Amendment "A" to L. D. 230. Amend said bill by striking out the underlined figure '150' in the 10th line of that part of Section 3 of said bill designated Section 21, and inserting in place thereof the following underlined figure '50'."

Which amendment was adopted, and the bill as so amended was tomorrow assigned for second reading.

#### Passed to be Engrossed

"Resolve Closing East Pond Stream to All Fishing." (H. P. 654) (L. D. 1305)

Bill "An Act Relating to Illegal Marriage and Annulment Thereof." (H. P. 1162) (L. D. 614)

Bill "An Act to Provide Reciprocal Comity for the Collection of Taxes." (H. P. 1302) (L. D. 682)

Bill "An Act Relating to Sirens on Automobiles Operated by Fire Inspectors." (H. P. 1310) (L. D. 657)

Bill "An Act Relating to Investment of Sinking Funds." (H. P. 1363) (L. D. 716)

Bill "An Act Relating to the County Law Library of Penobscot County." (H. P. 1489) (L. D. 846)

Bill "An Act Relating to Acquisition or Loss of Pauper Settlement by Dependent Children." (H. P. 1495) (L. D. 851)

Bill "An Act Relating to Exemptions from Regulation of Motor Carriers." (H. P. 1583) (L. D. 905)

Bill "An Act to Extend the Territorial Limits of the Dover and Foxcroft Water District." (H. P. 1658) (L. D. 966)

Bill "An Act to Extend the Rights Powers and Privileges of the Penobscot Valley Water Commission." (H. P. 1661) (L. D. 969)

Bill "An Act Enlarging the Powers of the West Paris Village Corporation." (H. P. 1957) (L. D. 1332)

Bill "An Act Relating to Powers of Industrial or Morris Plan Banks." (H. P. 1958) (L. D. 1334)

"Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory." (H. P. 1959) (L. D. 1333)

Which were severally read a second time and passed to be engrossed, in concurrence.

Bill "An Act Relating to the Ashland Water and Sewer District." (H. P. 755) (L. D. 292)

Bill "An Act Relating to Inspections and Recounts in Municipal Elections." (H. P. 1493) (L. D. 849)

Which were severally read a second time and passed to be engrossed, as amended, in concurrence.

Bill "An Act Relating to Taxation of Musical Instruments." (S. P. 254) (L. D. 353)

Bill "An Act Relating to Lamoine Naval Coaling Station." (S. P. 499) (L. D. 1000)

Bill "An Act Relating to Powers of Inland Fish and Game Wardens, as Coastal Wardens." (S. P. 501) (L. D. 1002)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

"Resolve, Regulating Fishing in Hayden Lake, in the County of Somerset." (S. P. 376) (L. D. 642)

"Resolve Reimbursing Certain Towns for Losses Incurred During Forest Fires of 1947." (S. P. 569) (L. D. 1234)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

#### Enactors

Bill "An Act Relating to Registration and Excise Taxes of Volunteer Fire Departments." (H. P. 195) (L. D. 66)

Bill "An Act to Incorporate the Trustees of Franco American Oblate Fathers." (H. P. 296) (L. D. 84)

Bill "An Act Relative to Certain Implements and Devices Prohibited in Fishing." (H. P. 745) (L. D. 287)

Bill "An Act Relating to Right of Appeal in Cigarette and Tobacco Products Law." (H. P. 830) (L. D. 315)

Bill "An Act Relating to Powers of Baxter State Park Authority." (H. P. 831) (L. D. 316)

Bill "An Act Relating to Payments to Town of Masardis by Seed Potato Board." (H. P. 860) (L. D. 329)

Bill "An Act Relating to Payments from Baxter State Park to Forestry District." (H. P. 861) (L. D. 330)

Bill "An Act Relating to Appeals by Male Minors." (H. P. 919) (L. D. 371)

Bill "An Act Granting Additional Powers to the Ogunquit Village Corporation." (H. P. 1000) (L. D. 431)

Bill "An Act Relating to Compensation of State Park Commissioners." (H. P. 1004) (L. D. 435)

Bill "An Act Relating to Money Held in Trust for Cemetery Purposes." (H. P. 1154) (L. D. 554)

Bill "An Act Relating to the Care of Cemetery Lots." (H. P. 1155) (L. D. 608)

Bill "An Act Repealing the Incorporation of the Town of Orono School District." (H. P. 1167) (L. D. 594)

Bill "An Act Relating to Park and Recreation Commission of City of South Portland." (H. P. 1176) (L. D. 596)

Bill "An Act Relative to Stockholm Game Preserve." (H. P. 1289) (L. D. 655)

Bill "An Act Relating to Liquor License Fees." (H. P. 1325) (L. D. 639)

Bill "An Act Relating to Duties of the State Auditor." (H. P. 1403) (L. D. 763)

Bill "An Act Relating to the Powers of Insurance Companies." (H. P. 1405) (L. D. 752)

Bill "An Act Relating to Scope of Purchasing Authority." (H. P. 1504) (L. D. 809)

Bill "An Act Relating to Payments to Maine Forestry District in Lieu of Taxes for Lands within Indian Township." (H. P. 1585) (L. D. 907)

Bill "An Act to Clarify Certain Provisions in Motor Vehicle Law." (H. P. 1710) (L. D. 1012)

(On motion by Mr. Williams of Penobscot, tabled pending passage to be enacted.)

Bill "An Act Relating to Facsimile Signatures of Judges, Recorders and Clerks of Municipal Courts." (H. P. 1757) (L. D. 1029)

Bill "An Act Relating to Boards of Registration." (H. P. 1759) (L. D. 1031)

(On motion by Mr. Allen of Cumberland, tabled pending passage to be enacted.)

"Resolve Providing for a Fish Screen at John's Pond in Davis Plantation." (H. P. 285) (L. D. 412)

"Resolve, Regulating Fishing in Red River, in Aroostook County" (H. P. 1043) (L. D. 527)

"Resolve, Closing Chase Brook, in Township 13, Range 8, and Township 13, Range 7, in the County of Aroostook, to all Fishing" (H. P. 1142) (L. D. 602)

"Resolve Providing for the Abatement of Certain Inheritance and Estate Taxes" (H. P. 1201) (L. D. 607)

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

Bill "An Act Relative to Closed Season on Pheasant in the County of Aroostook" (S. P. 272) (L. D. 445)

Bill "An Act Relating to the Maine State Prison" (S. P. 352) (L. D. 577)

Bill "An Act Relating to Election of Presidential Electors" (S. P. 386) (L. D. 650)

Bill "An Act Relating to Compensation for Members of the Racing Commission" (S. P. 409) (L. D. 746)

(On motion by Mr. Savage of Somerset, tabled pending passage to be enacted)



Bill "An Act Relating to Agricultural Societies." (S. P. 416) (L. D. 774)

Bill "An Act Relating to Credit for Returns of Malt Liquor Bottles" (S. P. 448) (L. D. 800)

Bill "An Act Relating to Boards of Registration" (S. P. 536) (L. D. 1067)

(On motion by Mr Allen of Cumberland, tabled pending passage to be enacted)

"Resolve Authorizing the Trustees of Town of Houlton School District to Convey Certain Land to the State of Maine." (S. P. 380) (L. D. 646)

"Resolve, Closing Mantle Lake in the City of Presque Isle, Aroostook County, to all Fishing by Persons Over 17 Years of Age" (S. P. 281) (L. D. 453)

"Resolve Appropriating Money to Improve the Approach to the Fish Way of Aroostook Falls" (S. P. 348) (L. D. 574)

#### Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution to Codify the Constitution" (S. P. 48) (L. D. 30)

Which resolve being a Constitutional Amendment and having received the affirmative vote of 29 members of the Senate, and none opposed, was finally passed.

#### Orders of the Day

Mr. HASKELL of Penobscot: Mr. President, I move we take from the table, Bill, An Act to Provide for a Reserve for Operating Capital for the General Fund of the State (S. P. 96) (L. D. 102) tabled on March 3rd by Senator Boucher of Androscoggin, pending enactment.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I am really surprised at the action taken by Senator Haskell from Penobscot this morning. In all the 16 years, eight terms, I have served in this legislature I have never known up to this time that an effort would be made to take from the table something that had been tabled by some other member

of the same chamber. I even question, under the rule, whether the Senator from Penobscot, Senator Haskell, can do such a thing. I understand the proper procedure has been to put a cloture on, at least it has been done in the other branch of this legislature, to ask that the matter be assigned to a date definite.

Now, so far during this session no demand has been made to assign a bill for a date definite. So far in the session no attempt has been made to take from the table any matter tabled by another member, and I really do not understand this proceeding at this time and I will ask the Chair to rule whether it is proper procedure or not.

The PRESIDENT: The Chair will rule that under the joint rules and the Senate rules there is no rule as to members either putting matters upon the table or taking them from the table. There is no question of personal privilege involved. It is purely a matter of the Senate's own judgment in both cases, and there is no rule in point. The point of order is not well taken.

Mr. BOUCHER: Mr. President, if there is no rule there is still a rule I have always observed and which has always been observed to my knowledge in both branches of the legislature, and it is the rule of courtesy.

It seems to me as I was given the courtesy of tabling this bill I should also have the courtesy of taking it off the table, and therefore, I move this bill be assigned for next Wednesday.

The PRESIDENT: The Chair will rule the motion is out of order. The bill is still on the table and the question is on the motion of the Senator from Penobscot, Senator Haskell, that the bill be taken from the table. The question is debatable.

Mr. BOUCHER: Mr. President, I will repeat what I said as there is nothing I can add I realize your Party, the Party of the man who asks to take this bill off the table,

is in control. You have the votes to take it off if you see fit. I do not think it will make for harmony between the two parties to take such drastic action. I have never refused to cooperate. This bill to me is very very important in that it may involve discussion and the passage of other appropriations. That is the reason I have had this bill on the table two weeks and the reason I have been studying the thing and I am still studying it. If the Majority wish to make an issue as a Party measure I shall have to defend my position. I shall ask for some time definite, realizing I cannot keep it indefinitely on the table. I was waiting action by the Majority Party to find what the situation might be so I could cooperate to the fullest extent.

We have, as a Minority Party, offered to cooperate, offered to meet and talk over the situation. So far, we have not been asked by the Majority Party. We are waiting their beck and call, their demands. I am still in the same position. That is the reason this bill is still tabled. Otherwise I would have taken it off long ago to debate its merits.

I appeal to your sense of fair play to give me a chance to have this bill tabled a few days, with the understanding that I shall take it off next week for debate.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, there is no intent on my part, I am sure, to express any discourtesy to the senior member of this body. I hope the motion to take the bill from the table will prevail and if it does prevail I will move that it be tabled and especially assigned for next Wednesday.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the bill be taken from the table.

The motion prevailed.

Thereupon, on motion by Mr. Haskell of Penobscot, the bill was laid upon the table and especially

assigned for Wednesday, March 23rd.

On motion by Mr. Baker of Kennebec, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, An Act Re-Establishing Prohibition (H. P. 1975) (L. D. 1351) was referred to the Committee on Temperance in concurrence; and on further motion by the same Senator, the bill was laid upon the table pending reference to a committee.

On motion by Mr. Sleeper of Knox, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Judiciary on Bill, An Act to Establish the Vinalhaven Municipal Court (H. P. 748) (L. D. 290) tabled by that Senator on February 24th pending consideration of the report.

Mr. SLEEPER: Mr. President, I was very upset and disturbed by the "Ought Not to Pass" report of the committee because I felt there was a dire need for such a Court out on this lonely, secluded island which is nine miles off the Maine land, off the coast of Rockland. I was all ready to make a fight to substitute the bill for the report.

When I first came to Augusta too many years ago one of the best speeches I ever heard in the other body was in the overturning of a report from the same group and I remember this representative climaxed his talk, and it was a very good one, with these words, "And who is it makes this order? Ten lawyers—nine in full bloom and one in the bud." (Laughter) This was the gist of his argument that these ten lawyers would make 150 members yield to arbitrary force, would make them knuckle under and yield to their will regardless of how those other members might feel.

At great deal of time and expense to myself I hunted back for that speech, which was by George Doyle of Skowhegan, and together with several others I worked up a speech that would have lasted two hours. I intended to climax my talk the

same way. I was going to pick out the encroachments that the legal fraternity has made on the life of the average man from the beginning—you cannot practice law unless you went to law school and you cannot make a deed without going to a lawyer. I was going to show how this fungus growth in our American civilization is threatening our very existence. I was going to point out, "Who is it makes this decision—Ten lawyers—nine in full bloom and one in the bud." I read the speech to my good friend, Brooks Savage. He said, "It is a fine speech, Sleeper, but Arthur Ela is on the committee and he is not a lawyer. That blasted my speech. I now move acceptance of the "Ought Not to Pass" report of the committee.

The motion prevailed and the "Ought Not to Pass" report of the committee was accepted in concurrence.

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Mr. Boucher of Androscoggin was granted unanimous consent to address the Senate:

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I have one request to make of you this morning and it is that the bill which I have tabled and which is now tabled by the Senator from Penobscot, and which is assigned for next Wednesday morning, I ask you to very seriously consider that bill.

I did not table that bill for the pleasure of tabling it. I don't believe any of you who have been here a long time and know me, think that I do those things simply for the pleasure of tabling them. I tabled that bill because I thought it was in the best interest of the State of Maine.

Now there may be an honest difference of opinion. I am not ready to say that my opponents in this measure are absolutely wrong or are trying to do the wrong thing, but I believe that this is a two million dollar matter and the nearest I have come to finding out

what that bill is, is that it is a petty cash measure, and a petty cash of two million dollars for the State of Maine is too much cash, to my way of thinking, when we are hunting in the highways and byways for dollars and cents to carry on the business of the State of Maine.

I have read about one of our brothers here in the Senate, talking about a very common thing, savings, trying to keep the cost down, economy. There is, as you very well know, a jackpot of six million dollars left by the last administration. So far, if my reckoning is right, there are bills or resolves now introduced to the tune of twelve million dollars to grab this six million dollars.

Apparently this is the reason why we are trying to force the issue this morning. We are awfully anxious to do away with that six million dollars. The reason that I have delayed action was because I thought it possible that with six million dollars we might defer the addition of new taxes. I don't believe it is good business for a federal government, for a state government, for a municipal government, to go into reserve funds, to money set aside that somebody can tap at the proper time.

Gentlemen, I give you fair warning that that is what I will debate next Wednesday. I want you to study this bill as I have attempted to study it. I have attempted to be honest and straight about it. I have gone to several of the heads of departments of this state and none of them have agreed on why this bill was good. They have all given me a different reason. You can rest assured that the minority party won't steal that two million dollars, but you can rest assured that the minority party will try to save that two million dollars for the best interests of the State of Maine, and use it where it will do the most good in the next two years.

Mr. Haskell of Penobscot was granted unanimous consent to address the Senate.

Mr HASKELL of Penobscot: Mr. President and members of the Senate, I agree thoroughly with the minority floor leader that this particular bill should be completely debated, should have complete consideration and discussion next Wednesday. I will go a step beyond that and say that if there is any good reason for tabling it beyond that day I will be the first one to vote for that motion, but since the Senator from Androscoggin has discussed some of the legislative record there should be my general conclusions that this is an economy measure and does, in effect, take two of the six million dollars in our unappropriated surplus of the general fund and put it into a closet where the door will be locked and the key thrown away.

It takes from us—and I include both parties in using the word “us”—who have bills and resolves that would take from the closet this unappropriated surplus of the general fund. I am hesitant in going further at this time into the merits of the bill. I think the proper time for that debate is upon the motion that the bill should pass to be enacted, but I didn't want to leave unchallenged statements of the Senator from Androscoggin. In my opinion it is one of the most meritorious bills that we have in this legislature. It is one of those bills that looks for economy and not for spending.

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On motion by Mr. Boucher of Androscoggin,

Adjourned until tomorrow morning at ten o'clock.