

# 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**

Friday, April 15, 1949

The Senate was called to order by the President.

Prayer by the Reverend Robert E. Rundlett of Augusta.

Journal of yesterday read and approved.

**Order  
(Out of Order)**

On motion of Mr. Haskell of Penobscot, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 18, 1949 at 4:30 o'clock in the afternoon. (S. P. 666)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

**From the House**

Bill "An Act Relating to Qualification for Liquor Licenses." (S. P. 450) (L. D. 798)

(In the Senate on March 8, 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. Boucher of Androscoggin, the rules were suspended and the Senate voted to recede from its former action whereby the bill was passed to be engrossed; and on further motion by the same Senator, House Amendment A was adopted in concurrence, and the bill was so amended was passed to be engrossed in concurrence.

**House Committee Reports**

The Committee on Judiciary on Bill "An Act Relating to Attachment of Wages," (H. P. 1719) (L. D. 1076) reported that leave be granted to withdraw the same.

Comes from the House, recommended to the Committee on Judiciary.

In the Senate, on motion by Mr. Barnes of Aroostook, the bill was recommitted to the Committee on Judiciary in concurrence.

The Committee on Federal Relations on Bill "An Act Amending the Unemployment Compensation Law as to Payment of Benefits," (H. P. 1389) (L. D. 722) reported that the same ought to pass in a new draft (H. P. 2031) (L. D. 1438) and under the same title.

Comes from the House, the bill in new draft 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; on motion by Mr. Batchelder of York, House Amendment A was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on State Lands and Forest Preservation on Bill "An Act Relating to Primary Wood-Using Portable Sawmills, Spark Arrestors and Timber Reports," (H. P. 1739) (L. D. 1093) reported that the same ought to pass.

(signed)

Senators:

WILLIAMS of Penobscot  
CROSBY of Franklin  
COBB of Oxford

Representatives:

LEAVITT of Parsonfield  
HAYWARD of Machias  
BROWN of Wayne  
BENN of Smyrna  
WEBBER of Bangor

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed)

Representatives:

WILLIAMS of Topsham  
SHARPE of Anson

Comes from the House, recommended to the Committee on State Lands and Forest Preservation.

In the Senate, on motion by Mr. Williams of Penobscot, the bill and accompanying papers were recommended to the Committee on State Lands and Forest Preservation in concurrence.

The Committee on Claims on "Resolve in Favor of Charles Nowak of Berlin, N. H." (H. P. 1453) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Creating the Department of Public Safety," (H. P. 481) (L. D. 156) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Legal Affairs on Bill "An Act Relating to Board of Police of the City of Waterville," (H. P. 1640) (L. D. 993) reported that leave be granted to withdraw.

The same Committee on Bill "An Act to Increase the Borrowing Capacity of the Town of Norridgewock School District," (H. P. 1934) (L. D. 1309) reported that the same ought not to pass.

The Committee on Public Health on Bill "An Act Relating to Barbering, Hairdressing and Beauty Culture," (H. P. 1525) (L. D. 876) reported that the same ought not to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to Expense of Uniforms of Deputy Sheriffs," (H. P. 1735) (L. D. 1089) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Fees and Expenses of State Humane Agents," (H. P. 1532) (L. D. 863) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Salaries of Judge and Recorder of the Rumford Falls Municipal Court," (H. P. 1705) (L. D. 1025) reported that leave be granted to withdraw.

The same Committee on Bill "An Act Increasing the Salary of the Judge of the Norway Municipal Court," (H. P. 1005) (L. D. 436) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to the Salary of the Sheriff of Somerset County," (H. P. 139) (L. D. 44) reported that leave be granted to withdraw as it is covered by other legislation.

The Committee on Sea and Shore Fisheries on Bill "An Act Relating to Fishing Menhaden by Seine," (H. P. 1851) (L. D. 1189) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Protection of Weirs," (H. P. 1915) (L. D. 1277) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on Bill "An Act Relating to Taking Clams in Town of Friendship," (H. P. 1669) (L. D. 931) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Temperance on Bill "An Act Prohibiting the Procuring of Liquor for Certain Persons," (H. P. 1423) (L. D. 756) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Entertainment in Licensed Premises," (H. P. 1548) (L. D. 825) reported that the same ought not to pass.

The same Committee on Bill "An Act to Permit Taverns to Sell Wine and Spirits," (H. P. 1752) (L. D. 1044) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

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

The Committee on Ways and Bridges on Bill "An Act Relating to Installations in Public Highways," (H. P. 1891) (L. D. 1219) reported the same in a new draft (H. P. 2052) (L. D. 1478) under the

same title and that it ought to pass.

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

The Committee on Legal Affairs on Bill "An Act to Amend the Charter of the City of Auburn to Provide for Two Councilmen at Large," (H. P. 1999) (L. D. 1382) reported that the same ought to pass.

The Committee on Public Utilities on Bill "An Act to Amend the Charter of the Yarmouth Water District," (H. P. 1068) (L. D. 474) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Permits for Interstate Carriers," (H. P. 1527) (L. D. 858) reported that the same ought to pass.

The Committee on Ways and Bridges on Bill "An Act to Dissolve Portland Bridge District and Transfer Property to State," (H. P. 1673) (L. D. 980) reported that the same ought to pass.

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

The Committee on Legal Affairs to which was recommitted Bill "An Act to Repeal the Incorporation of Bridgton Centre Village Fire Corporation and Bridgton Center Village Corporation," (H. P. 361) (L. D. 124) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Public Utilities on Bill "An Act to Incorporate the Bluehill Water District," (H. P. 1885) (L. D. 1256) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted in concurrence and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence and the bills as amended were to-

morrow assigned for second reading.

**Order**  
**(Out of Order)**

On motion by Mr. Noyes of Hancock, it was

ORDERED, that a message be sent to the House of Representatives proposing a convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of extending to his Excellency, Governor Frederick G. Payne, an invitation to attend the Convention and make such communication as pleases him.

The Secretary delivered the message and subsequently reported that he had performed the duty assigned to him.

Mr. Slocum of Cumberland was granted unanimous consent to address the Senate.

Mr. SLOCUM of Cumberland: Mr. President and members of the Senate, in 1927, 1929 and 1931, I served in this Body with Senator Merle J. Harriman of Readfield. He recently passed away. I learned of his death on the morning of the funeral through the Master of State Grange Carroll Beane.

I went to the funeral and yesterday received this note of appreciation, which I will read:

"My family as well as myself appreciate very much the effort you had to make to attend the funeral services of my late husband Merle J. Harriman. I had no way of knowing just who was there although they say there was a very large crowd. If there were other Senators or Representatives that attended I wish you would express to them the appreciation of our whole family.

Helen Harriman  
Theo

Howard and family  
Walter and family  
Edwin and family."

Mr. SLOCUM: I will state that the church was so crowded that I don't know whether other members of the 94th Legislature were

there but I do want to extend these appreciations from the Harriman family.

A message was received from the House by Mr. Pease, its Clerk, concurring in the proposition for a joint convention for the purpose of extending an invitation to his Excellency, Governor Frederick G. Payne, to attend the Convention and make such communication as pleases him.

The Senate retired to the Hall of the House of Representatives where a joint convention was formed.

(For proceedings of joint convention, see House Report.)

#### In the Senate

The Senate was called to order by the President.

#### House Committee Report

The Majority of the Committee on Taxation on Bill "An Act Increasing the Share of the State in Pari-Mutuel Pools," (H. P. 1323) (L. D. 637) reported the same in a new draft (H. P. 2006) (L. D. 1388) under a new title, Bill "An Act Relating to Night Harness Horse Racing," and that it ought to pass.

(signed)

Senators: HASKELL of Penobscot  
ALLEN of Cumberland  
NOYES of Hancock

Representatives:

LONGSTAFF of Crystal  
WIGHT of Bangor  
DORSEY of Fort Fairfield  
DUQUETTE of Biddeford

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed)

Representatives:

DOW of Falmouth  
CHASE of Cape Elizabeth  
CARTER of Bethel

Comes from the House, the Majority Report accepted, and the bill passed to be engrossed.

In the Senate:

Mr. HASKELL of Penobscot: Mr. President, I move the acceptance of

the majority "Ought to Pass" report of the committee and in support of that motion I would state very briefly my reasons for signing that majority report.

I was not too impressed with the long and technical arguments for the bill nor was I too thoroughly impressed with the arguments that apparently convinced three members of the committee that the bill ought not to pass. My reasons for signing the ought to pass report were the same reasons with which I rationalized the same problem two years ago and that rationalization is this, that during the last ten or fifteen years we have seen the development of night sporting events throughout this country; we have seen baseball, for instance, offer advantages to the working men who could not attend, because of their work responsibilities, the afternoon baseball games, and in that development we have seen attendance at those baseball games multiplied by two, three and four times.

It is my honest conviction that any daytime sports if offered to the public as nighttime events will afford these people more pleasure and greater opportunity to do the things they would like to do. So in my consideration, night harness racing is a worth-while change in our concept, and as carried on under this bill I believe it will be an opportunity to thousands and thousands of our citizens and offer it to them in such a way that they will enjoy the sport and more generously contribute to the night harness racing income.

Mr. COBB of Oxford: Mr. President and members of the Senate, I think the Senate is very well aware of the position that I would take on this bill. I was grateful to hear our floor leader express some reservation as to any great enthusiasm one way or the other and I am particularly grateful to the Senator from Knox for the education which he has given me in my first session. I have given up the idea of reading any editorials this morning. I shall be very careful that any similarity

to persons living or dead be purely accidental in my speech and I probably will receive further education after I resume my seat.

I am concerned about this bill probably more than the last one. As I mentioned yesterday, I represent the Fryeburg Fair and it has been suggested that perhaps I had particular reasons why I would get up and speak for the fair associations. I would like to inform the Senate of something of which they are probably now already considerably aware; I put in many hours of time in an organization incorporated for no profit. I don't get one nickel out of it. I get nothing except the satisfaction of helping with a community enterprise which was doing, in my opinion and I think the opinion of the older fair people, a worth-while work.

The Fryeburg Fair took in approximately \$33,000. They paid out approximately \$34,000. The pari mutuel racing and betting as it was run in our fair lost money. Our loss from the fair was somewhere in about the proportion that we failed to break even in the pari mutuel betting because of our desire to at least handle our fair with the tradition that had always gone with the fairs. How true that is of other fairs in the state, other spokesmen will have to give statistics. I think it was generally a reasonable picture when I met members of the fair associations and they were unanimously against a bill of this sort.

I object to this bill secondly because, as I said yesterday, it is an insidious infiltration of a type of thing that I think does our State of Maine no good. Here is a perfect example of what I mean by infiltration. I suspect every member of this Senate received, some time after he was elected to office and knew he was going to serve in this legislature, a free ticket suggesting that he might go down and leave a little of his money at one of the race tracks certainly is not an agricultural fair. I don't know this gentleman. I have met him and

from all I am told, he is a sincere, honest, capable citizen who has worked hard for the citizens of Maine. I can't blame anyone for sponsoring a bill of this sort when they are going to make a personal profit out of it. I simply object, first because it is a continuation of this gambling infiltration into the state, and secondly, because it is practically a one man enterprise. If you understand the situation as I think I do, we are subsidizing one citizen of the State of Maine on a personal project in which there cannot be, at least for a time and perhaps never, any competition.

Now I note in looking at the bill the nice little gesture of one-half of one percent of a subsidy back to the fairs to make up for something which those gentlemen recognize. The race track where I assume this probably would develop is located not far from our area. We have never struggled in our fair to get our people to come in and support it. They have done rather well. Running in competition with the fairs in our section with harness racing, it is my opinion that the revenue would drop to a point where our fair would be in serious financial difficulties.

I support the major premise in my thinking of a fine agricultural opportunity for a 60% agricultural state in which there should be no encroachment of this sort on it, particularly when it is more or less a one man enterprise and one person can control it.

I don't see how we can fail to take into consideration the experience of other states in the racing business. I think all of you are aware of the report of the mayor of Camden in which he shows without question that the racing in their area was detrimental to their city. I think you have probably informed yourselves of the investigation of eleven states by the New Jersey Chamber of Commerce in which there was no doubt but what this type of revenue producing or pleasure producing or whatever you want to call it enterprise was not

good for those states, not fundamentally sound.

I think you are aware of the record which we have from Providence, Rhode Island in which during the racing season, the retail merchants saw a falling off of about 40% of the business that they had hoped for.

I don't see how the cities and towns in the area of this enterprise can fairly support it if they are willing to look back on the record and see what happened in other places when this came in. I will admit that a somewhat active and undoubtedly well paid lobby has been working through the session to convince you and to convince me that this is a wise bill for the state. I know one of the gentlemen very well and he is a sincere and honest gentleman and I respect his point of view. I simply cannot go along with the belief that this is good business for the state which I love.

I further object to the emergency clause tacked on to this bill. I fail to see any emergency, and pressure of great need to subsidize an individual citizen for what may result in a million or more, probably a lot more, to him in the end. The only emergency I would see would be in the mind of the person who simply cannot wait in this process of infiltration, to get started and make his first investment and get going, and I object to it. When I finish I would like to request a Yea and Nay vote and I sincerely hope that the Majority Report will not be accepted.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the Senate accept the Majority Report "Ought to Pass". The Senator from Franklin, Senator Crosby has requested the Yeas and Nays. To order the Yeas and Nays requires the affirmative vote of 1/5 the members present.

A division of the Senate was had Obviously more than 1/5 having risen, the Yeas and Nays were ordered.

Mr. BREWER of Aroostook: Mr. President, due to the fact that I am directly involved in this particular bill, I would ask to be excused from voting at this time.

The PRESIDENT: The Chair would inquire of the Senator, if he is personally and financially involved?

Mr. BREWER: I would say no, Mr. President.

The PRESIDENT: The Chair, therefor, cannot excuse the Senator from voting.

The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the Senate accept the Majority Report "Ought to Pass", and the Yeas and Nays have been ordered. A vote of Yea is a vote to accept the report; a vote of Nay is a vote against acceptance of the report. Is the Senate ready for the question?

The Secretary call the roll:

YEA: Allen, Baker, Barnes, Batchelder, Boucher, Bowker, Brewer, Brown, Collins, Goodwin, Greeley, Haskell, Leavitt, Noyes, Savage, Sleeper, Slocum, Smart, Turgeon, Varney, Ward—21.

NAY: Boutin, Cobb, Crosby, Denny, Edwards, Hopkins, Knights, Larrabee, McKusick, Williams—10.

ABSENT: Ela—1.

Twenty-one having voted in the affirmative and ten opposed, the Majority Report "Ought to Pass" was accepted in concurrence, the bill was given its first reading and tomorrow assigned for second reading.

#### First Reading of Printed Bills

Bill "An Act Pertaining to the Definition of a Contract Carrier." (S. P. 659) (L. D. 1479)

Bill "An Act Relating to Road Equipment on Private Ways." (S. P. 660) (L. D. 1480)

Which were severally read once and tomorrow assigned for second reading.

#### Senate Committee Reports

Mr. Denny from the Committee on Agriculture on Bill "An Act Relating to Investigation of Cases of



Cruelty to Animals," (S. P. 375) (L. D. 641) reported that the same ought not to pass.

(On motion by Mr. Goodwin of York, tabled pending consideration of the report.)

Mr. Williams from the Committee on State Lands and Forest Preservation to which was recommitteed "Resolve Authorizing the State Tax Assessor to Convey Certain Land to Eunice Winslow of Rockland," (S. P. 622) (L. D. 1338) reported the same in a new draft (S. P. 667) under a new title, "Resolve Authorizing the Deer-Isle Sedgwick Bridge District to Release Certain Rights to Eunice Winslow of Rockland," and that it ought to pass.

Which report was read and accepted, and the resolve in new draft and under new title, laid upon the table for printing under the joint rules.

Mr. Greeley from the Committee on Agriculture on Bill "An Act Relating to the Sales and Marketing of Eggs," (S. P. 374) (L. D. 640) 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. 640. Amend said bill by striking out all of Section 5 thereof."

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

The Majority of the Committee on Temperance on Bill "An Act Relating to Hours of Sale of Liquor," (S. P. 529) (L. D. 1062) reported that the same ought to pass.

(Signed)

Senators:

BAKER of Kennebec  
SMART of Hancock

Representatives:

ATHERTON of Bangor  
DeSANCTIS of Madison  
BIRD of Rockland  
JALBERT of Lewiston

The Minority of the same Com-

mittee on the same subject matter reported that the same ought not to pass.

(Signed)

Senator:

BOUCHER of Androscoggin  
Representatives:

BROWN of Robbinston  
MAXELL of Orient

Which reports were read.

Mr. SLEEPER of Knox: Mr. President, in deference to one of the signers of this report who might wish to change his attitude on the bill, I would like to lay this bill and both reports on the table and I promise you that we will take them up at the earliest opportunity in the coming week.

The motion prevailed and the bill and accompanying papers were laid upon the table pending consideration of either report.

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

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

Mr. WILLIAMS: Mr. President, for the purpose of preparing an amendment, I move that this be laid upon the table and especially assigned for next Tuesday.

The motion prevailed and the bill was laid upon the table pending passage to be engrossed, and especially assigned for Tuesday next.

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

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

Bill "An Act Relating to the Salary of the Judge of the Waldo County Municipal Court." (H. P. 1848) (L. D. 1186)

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

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

Bill "An Act Relating to Clerk Hire in County Offices in Somerset County." (S. P. 317) (L. D. 510)

Bill "An Act Relating to Pensions for Officers and Employees of Domestic Insurance Companies." (S. P. 582) (L. D. 1250)

Bill "An Act Providing for Runoff Primary Elections." (S. P. 623) (L. D. 1359)

Bill "An Act Amending the Atlantic States Marine Fisheries Compact." (S. P. 634) (L. D. 1391)

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

Sent down for concurrence.

Bill "An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey." (S. P. 235) (L. D. 349)

Bill "An Act Relating to the Salary of the Judge of Western Somerset Municipal Court." (S. P. 316) (L. D. 509)

Bill "An Act Relative to Investments of Savings Banks in Certain Mortgages." (S. P. 398) (L. D. 736)

Bill "An Act Relating to the Salary of the Judge of the Lewiston Municipal Court." (S. P. 466) (L. D. 917)

Bill "An Act Relating to the Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court." (S. P. 467) (L. D. 916)

Bill "An Act Eliminating Special Primary Elections in Certain Cases." (S. P. 539) (L. D. 1102)

Bill "An Act Relating to Fire Escapes on Buildings." (S. P. 578) (L. D. 1241)

Bill "An Act to Create the Water-ville Sewerage District." (S. P. 584) (L. D. 1258)

Bill "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Bridge Repairs." (S. P. 640) (L. D. 1411)

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

Sent down for concurrence.

### Enactors

Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classification." (H. P. 1391) (L. D. 724)

Bill "An Act Relating to the Definition of Tavern in Liquor Law." (H. P. 1746) (L. D. 1038)

Mr. HOPKINS of Kennebec: Mr. President, I move that this bill be indefinitely postponed.

Thereupon, on motion by Mr. Haskell of Penobscot the bill was laid upon the table pending motion by the Senator from Kennebec, Senator Hopkins, that the bill be indefinitely postponed.

Bill "An Act Regulating Trapping of Fisher." (H. P. 2030) (L. D. 1437)

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

Bill "An Act Relating to Powers and Duties of Liquor Inspectors." (S. P. 643) (L. D. 1418)

Bill "An Act Relating to Ballots." (S. P. 644) (L. D. 1420)

Bill "An Act Relating to the Aeronautical Fund." (S. P. 645) (L. D. 1419)

Which bills were severally passed to be enacted.

### Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution to Set Forth the Duty of the State and the Towns Towards Education." (H. P. 1572) (L. D. 886)

On motion by Mr. Ward of Penobscot, the Resolve was laid upon the table pending final passage.

### Orders of the Day

Mr. Noyes of Hancock was granted unanimous consent to address the Senate.

Mr. NOYES of Hancock: Mr. President and members of the Senate, I have in my hand a bill which I wish to introduce, and on my desk I have a letter which explains the bill far better than I can. With your permission, I will read it, and then make the motion to receive the bill by unanimous consent.

April 13, 1949

"To the 94th Legislature:

Brewer Water District has a charter granted at a previous session. Under it, they are taking the Brewer water plant of Penobscot County Water Company whom we represent.

"The District has made commitments and would be embarrassed if the charter failed and the District had to go to next Legislature two years hence.

"There appear to be some technical defects in the charter. The District is asking unanimous consent to introduce at this session a bill to correct these technical defects. Only recently did they appear.

"It would require a disservice to the people of Brewer and harmful to the public interest to require the District to delay two years. So, Penobscot County Water Company feels that in ordinary decency, it should not object to the bill now being introduced to correct these technical defects. In fact, Penobscot County Water Company should join in requesting the Legislature to receive the bill and allow its prompt passage.

"This bill need not delay the Legislature in any way. It doesn't seem necessary to refer it to a committee.

"Penobscot County Water Company heartily joins in the request of Brewer Water District that this bill be received and passed.

"Respectfully,  
**PENOBSCOT COUNTY WATER COMPANY**  
 By Herbert E. Locke  
 Its Attorney"

That explains the purpose for which the bill is written, to correct the defect in the charter, and I ask unanimous consent that it be introduced at this time and receive its first reading without reference to a committee, and subsequently be printed.

Thereupon, the bill was received by unanimous consent.

On further motion by Mr. Noyes of Hancock, the rules were suspended and the bill was given its

first reading without reference to a committee, and tomorrow assigned for second reading.

(Ordered printed.)

Mr. SLEEPER of Knox: Mr. President, I rise to a point of personal privilege and wish to state my point.

The PRESIDENT: The Senator may state his point.

Mr. SLEEPER: I would like to object, Mr. President—and before I say any more, I would like to have a message sent out to the Press. I see there is no representative of the press here.

The PRESIDENT: The Chair will ask the Senator if this off the record.

Mr. SLEEPER: No, Mr. President, it is on the record.

The PRESIDENT: The Senator from Knox, Senator Sleeper, moves that members of the Press be requested to attend the Senate at this time. Is this the pleasure of the Senate?

The motion prevailed, and the President ordered the Sergeant-at-Arms to contact members of the Press and request them to attend the Senate.

The PRESIDENT: The Senate will be at ease.

The Sergeant-at-Arms retired, and subsequently returned accompanied by representatives of the press.

Mr. SLEEPER: Mr. President and members of the Senate, my personal point of privilege for which I asked the courtesy of your listening is that in my mind in this state of our exists a very serious situation. We are combatting a one-way system of reporting the actions of this Legislature to the people at large. I consider that I and the few friends that I have who have supported me have been insulted by a certain individual whom I do not need to mention.

We have been subjected to a constant barrage of editorials, not emanating from the paper but from the mind of one individual. The reason that I know this is that writers of that same paper called me last

night and notified me about this editorial emanating from the big master mind. That man has a right to his opinion, very much of a right, but what I object to is the fact that what I say can not be taken to the people.

I made certain statements here yesterday — and they were true — which were not repeated. Great columns were given to the other side, but not one word in defense of me or of the people who voted my way. Are 83 members of the other body all felons? Are 19 members of this body not privileged to have their reasons shown to the public? And must we be subjected to this barrage of editorials on account of the arrogance of one charlatan?

I could talk here for an hour and tell you why that man has no right to tell us what to do in a moral issue, but I do not intend to do it. I do not intend to cover myself with libel suits and all of that sort of thing. I know the way these things operate, and I say that it is time we had a different system in this state. We ought to have a different newspaper coverage.

The Associated Press that is supposed to be free did not dare to repeat what I said here yesterday for fear that this one man might turn them down in his journals. I don't ordinarily get upset, but I feel that I have a right to be upset in this. There is nothing personal in the matter. It is just the question of one man's arrogance. The same thing applies in all lines of endeavor.

Several years ago, we had another paper in Portland, the Portland Evening News. Prominent advertisers in Portland who placed ads in the Portland Evening News were relegated to the 42nd and 43rd pages of the papers to which I have reference. Upon complaint, they were told to make up their own minds which paper they wanted to advertise in. Soon, the Portland Evening News shriveled and died away. This is not freedom of the Press.

I defy these gentlemen of the Press to print what I am saying. I

doubt very much if it goes beyond these doors, but it should go beyond these doors. That is why I am shouting so loud, because perhaps they will hear it out beyond the doors.

The same individual put through a series of editorials at the first of the session, or in a subsequent session, in favor of a sales tax. When certain large advertisers in Portland got together and approached him in a group and objected to his editorials, he said, "What can you do about it? There is no other paper to advertise in. Take it and lump it."

I object very much to this one-man dictatorial attitude on public information. I don't mean it personally. I am not a headline hunter or a headline seeker, certainly not in a case like this, but I think that 19 members of the Senate and 83 members of the House are entitled to have the public know the reason they voted the way they did and not be pointed out as objects of ridicule by editorials emanating from one man and not from the paper.

That is all I wish to say, and I hope that some of these things are taken to the public. I have heard this thing so much, I have heard it for years, that the press situation of this state was in a deplorable condition, and this only proves it.

**The PRESIDENT:** The Senate is proceeding under Orders of the Day.

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Agriculture on bill, An Act Relating to the Price of Milk to the State and Certain Institutions (H. P. 1362) (L. D. 715) tabled by that Senator on April 13 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted in concurrence.

On motion by Mr. Varney of Washington, the Senate voted to

take from the table Senate Report "Ought Not to Pass" from the Committee on State Lands and Forest Preservation on Resolve Authorizing the State Tax Assessor to Convey Certain Land in Washington County to A. G. Durgin, of Forest City (S. P. 411) (L. D. 748) tabled by that Senator on March 30 pending consideration of the report.

Mr. VARNEY of Washington: Mr. President, I would like to make my point clear in tabling this matter. This has to do with a resolve authorizing the State Tax Assessor to convey certain lands in Washington County to A. G. Durgin of Forest City. I notified Mr. Durgin of the date of the hearing and asked him if he was not able to appear, to write us his story concerning this particular resolve, both of which he failed to do and therefore the committee had no intelligent information on which to act other than by sending in an "Ought Not to Pass" report and when the bill reached in the Senate, I had the bill tabled. Again I notified Mr. Durgin of the report of the committee, asking him to send in the information in order that we might have the bill recommitted to the committee, and that they might have something on which to base their report. Since he has failed to comply with my request I now move that we accept the "Ought Not to Pass" report.

The motion prevailed and the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Larrabee of Sagadahoc, the Senate voted to take from the table Senate Report "Ought to Pass" from 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) tabled by that Senator on April 8 pending consideration of the report; and on further motion by same Senator,

the bill was recommitted to the Committee on Ways and Bridges.

Sent down for concurrence.

On motion by Mr. Turgeon of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Salaries and Fees on bill, An Act Relating to Clerk Hire in Office of Clerk of Courts, Androscoggin County (S. P. 508) (L. D. 1037) tabled by that Senator on April 11 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Turgeon of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Salaries and Fees on bill, An Act Relating to the Salary of the Register of Probate and Clerk Hire in Office of Register of Probate in Androscoggin County (S. P. 554) (L. D. 1177) tabled by that Senator on April 11 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Varney of Washington, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Sea and Shore Fisheries on bill, An Act Relating to the Fee for Commercial Shellfish License (S. P. 491) (L. D. 951) tabled by that Senator on April 5 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Denny of Lincoln, the Senate voted to take from the table bill, An Act Providing for a Standard of Electrical Installation (S. P. 652) (L. D. 1451) tabled by that Senator on April 11 pending

assignment for second reading; and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve to Establish Working Capital for Institutional Farms (S. P. 477) (L. D. 941) tabled by that Senator on April 4 pending consideration.

Thereupon, on motion by Mr. Denny of Lincoln, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on further motion by the same Senator, House Amendment A was read and adopted in concurrence.

Mr. Denny of Lincoln presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 941. Amend said resolve by striking out in the 2nd line thereof the figures '\$25,000' and inserting in place thereof the figures '\$50,000'."

Mr. DENNY of Lincoln: Mr. President, in explanation of this, you will notice that the House Amendment took away from the institutional farms the balances which had accumulated by the end of June. Assuring that those balances would be available for the institutional farms to start off with on their own, there was appropriated from the unappropriated surplus, the amount of \$25,000. With this House amendment which takes that accumulated surplus from them the Department of Accounts feel they should have more money to start operating independently. This has also been approved by the members of the Appropriations Committee and this additional \$25,000 also comes from the unappropriated surplus and is to be used for working capital only and not as an expense.

Thereupon, Senate Amendment A was adopted, and the bill as amended by House Amendment A and Senate Amendment A was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Ward of Penobscot, the Senate voted to take from the table bill, An Act Relating to the Right of Eminent Domain for Municipalities for Recreational Purposes (H. P. 1510) (L. D. 808) tabled by that Senator on April 7 pending passage to be enacted.

Mr. WARD of Penobscot: Mr. President, I move that we reconsider our action whereby this bill was passed to be engrossed, and if the Senate sees fit to do this, I will move to reconsider the adoption of Committee Amendment A and further move its indefinite postponement. I will then offer Senate Amendment A. I will say that this is a measure which came from the Legal Affairs Committee and I have taken this up with the Senate Chairman of that Committee, and he has seen the amendment and agrees with it.

The motion prevailed, and under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby Committee Amendment A was adopted; Committee Amendment A was indefinitely postponed and the same Senator presented Senate Amendment A and moved its adoption:

Senate Amendment "A" to H. P. 1510, L. D. 808, Bill "An Act Relating to the Right of Eminent Domain for Municipalities for Recreational Purposes."

"Amend said Bill by adding after the words "Recreational Purposes" in the Title thereof, the words 'and Parking Facilities'.

"Further amend said Bill by striking out after the enacting clause and before the headline "Sec. 1".

"Further amend said Bill by inserting in the 10th line thereof, after the word "squares", the underlined words '**for parking facilities for motor vehicles or other vehicles**'.

"Further amend said Bill by adding at the end thereof the following underlined sentence: '**The right of eminent domain shall not extend**

**to the taking of land for parking facilities for motor vehicles or other vehicles or for recreational purposes as provided in section 109-A of chapter 80, unless expressly authorized by subsequent act of the legislature.'**

"Further amend said Bill by striking out all of section 2 thereof."

Which amendment was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Thereupon, on motion by Mr. Slocum of Cumberland, the Senate voted to reconsider its action just taken, whereby the bill was passed to be engrossed; and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Crosby of Franklin, the Senate voted to take from the table Senate Report from the Committee on Appropriations and Financial Affairs—Majority Report "Ought Not to Pass", Minority Report "Ought to Pass" on Resolve Providing for a Classroom and Library Buildings at Farmington State Teachers' College (S. P. 603) (L. D. 1294) tabled by that Senator on April 7 pending acceptance of either report.

Mr. CROSBY of Franklin: Mr. President and Members of the Senate, this bill calls for the construction of a library and class rooms at the Farmington State Teachers' College. Now, the first of this week, we passed a bill through this Body authorizing the state to aid the towns in the construction of school buildings, and it seems to me that if we are going to expand our educational system, in order to provide the necessary teachers, we have to expand our training system to train those teachers.

In this particular case, they can not expand their home economics classes, unless they have facilities, and that seems to be where there is a large shortage in teachers. I realize that this bill, and probably numerous others, can not be enacted until such time as the financial situation clarifies itself, and

then not unless we have the funds to do it with.

But I would at this time move the adoption of the minority ought to pass report.

Mr. SAVAGE of Somerset: Mr. President, in representing the Financial Affairs Committee, I see that this bill came out of Committee ought not to pass nine to one. We here again appreciated that there was a need and we were in sympathy with it. This bill called for \$970,000 coming out of unappropriated surplus, although now we have only three million there.

I say again if this Senate wants to keep this bill alive, we will see whether or not we are going to have a lot of money to spend at the end of the session. It is entirely up to the Senate. We do not feel that we bring out of the Appropriations and Financial Affairs Committee anything which is not merited. We try to give you a realistic picture of what we think you should do. It is entirely up to the Senate as to what you should do with this.

Mr. LEAVITT of Cumberland: Mr. President and Members of the Senate, for the last good number of years—it has probably been for thirty years—there hasn't been a building built for any of our state normal schools. The teachers, or we will say students, graduate from high school, and they have stayed away from our normal schools because of the fact that after going down to them and seeing their equipment, they have felt that they could not get adequate education.

They have gone to college, and most of our teachers have been recruited from college graduates rather than from our state normal schools. The idea of state normal schools is that we will have institutions where we can train people, students from high schools, as cheaply as possible to become teachers in our primary schools and high schools.

Maine, as I have stated in a previous speech, is at a crossroads on education. We have got to do something, not only to build schools for the many students which will

be coming to the schools because of the increased birth rate, but if we build these schools, we must have teachers for them.

This building at Farmington is a necessary part of the equipment for the state to carry out this program. Our friend from Skowhegan, or from Somerset County, I think, gave the wrong figure on the cost of this building. It is \$470,000, not nine hundred and some odd thousand.

There has been put on our desks this morning a paper showing the ought not to pass reports, or the divided reports, including the one million dollars for the school construction which was Senator Noyes' bill. We have already defeated that bill. So, taking that million dollars out, if these bills pass, instead of showing a deficit of four hundred forty-seven thousand, there will still be money in the coffers of five hundred and some odd thousand.

Therefore, it would seem to me that the state has enough money in the undistributed surplus to pass this bill. In fact, I believe there is enough in here, so that when I speak on another building which I think we should build, there is still enough money for that. And I do hope that we will keep this bill alive until at least we know the financial situation even better than we know it at the present time.

Mr. NOYES of Hancock: I am not speaking for or against this particular bill. I rise wondering when this bill which the good Senator just referred to was defeated. My best information is that this bill is still on the table, and under my name, and it has a minority ought to pass report. I wonder if any error has been made in the printing, or if I am wrong in my thinking.

Mr. LEAVITT of Cumberland: I wish to apologize to the gentleman from Hancock. I guess my memory is not working very well. I thought we had disposed of that bill, and I am sorry that I did not recognize it was on the table.

Mr. HASKELL of Penobscot: This is an interesting debate, but possibly we ought to get back to a question of policy. This bill, being a Senate paper, unless we do support the motion of the Senator, Senator Crosby, the House will not have consideration of the bill.

Regretfully, I predict that again the Senate will have the unpleasant task of performing the final and major surgery on these bills, and just as a matter of principle, I think that we ought to let these bills stay alive. We ought to take them off the table. We ought to let them have the consideration of the other body, but I predict again that it will be our unpleasant duty to do the sad job on some of my bills, and some of the bills of the others, come Bastille Day.

So, just as a matter of policy in the Senate, particularly with reference to Senate bills which have not yet been over to the House, I support the motion of Senator Crosby.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, as a signer of the minority report, I suppose I should say why, and I rise this morning not to say that this bill should be kept alive, but to say that this bill should be enacted into law. I can tell you why I feel that way about it. During the last three sessions of the Legislature, we have been dividing unappropriated surplus for different capital improvements within the state, and we have gone on that same basis here. This pamphlet here, and this sheet which the Appropriations and Financial Affairs Committee has made available to you shows that it is pretty widely distributed, even in this session, over the institutions and business of the state. If you were to look at our budget book over the last three sessions you would find that the University of Maine and practically every educational institution within the state has received a good slice of our money. It has been spent, and I have been in favor of every one of those spending bills, I guess, and I



believe you will see we have done quite a comprehensive job distributing this money.

Now, our normal schools, as has been brought out, have not had any of these funds. I did not sign a minority report on some others, because I feel that maybe four hundred seventy thousand was as far as we could go out of unappropriated surplus at this session on teachers' colleges. If you wish to read the statement of facts you will see that this particular bill is for the real heart of any educational institution, that is the library, classrooms and other important services. So for that reason I hope the motion of the Senator from Franklin, Senator Crosby prevails, not only now, but in the final disposition of these bills.

Thereupon, the minority report ought to pass was accepted, the resolve was given its first reading and tomorrow assigned for second reading.

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On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table Senate Report "ought not to pass" from Committee on Appropriations and Financial Affairs on Resolve Providing for a Men's Dormitory at Gorham State Teachers' College (S. P. 602) (L. D. 1293) tabled on April 7, 1949, by that Senator pending consideration of report.

Mr. LEAVITT of Cumberland: Mr. President, I believe that most of the things that have been said relative to the item for the Farmington Normal School can be said for this bill calling for a men's dormitory at Gorham State Normal School. There are one or two other facts which I would like to bring to your attention. There are at Gorham already enough students to fill this dormitory. The dormitory, if it is once constructed, will receive enough fees to maintain it. It will not cause any money to be appropriated to maintain the building. The rents of the rooms will take care of it. The only way that normal college life can be given

these hundred boys is to let them live on the campus in this building.

At the present time, they are living three or four in a room around the neighborhood of Gorham, and about fifty per cent of them are living at home in Portland and commuting every day. It is, I believe, a very necessary part of their normal education to allow these hope for the reasons that I have given here, plus all of the reasons that have been given to keep the bill alive for the Farmington building, that this bill is given favorable consideration. I therefore move that we substitute the bill for the report, the ought not to pass report.

Mr. SAVAGE of Somerset: Mr. President, this bill came out of Committee with a unanimous ought not to pass report. If the Senate is still in the spending mood this morning, why I certainly will not stick my one hand up in objection to it, but I do sincerely hope that the motion of the Senator from Cumberland does not prevail.

Mr. WILLIAMS of Penobscot: I hate to oppose anything to spend money, but I feel if I do not, that I am just saying that I was on the Appropriations Committee, and I had no thought, rhyme or reason of what I did. I will tell you that it was a hard choice to make between Gorham and Farmington. I have no personal interest one way or the other for either school, but in dividing up this money, as you see in this particular pamphlet there is a limit. In fact, I admit that I got behind the eight ball here dividing it up, because a lot of other committees took a good amount of this unappropriated surplus, and I am now in a red figure. I felt that we went about as far as we could in providing for these institutions. The boys from Gorham presented a wonderful case before us for a dormitory. The boys attending that dormitory are nearly all in the manual arts department and some of the members of the committee wonder how long that will continue. The construction at Farmington, if approved will pro-

vide, as I said before, for the heart of their institution, a library and classroom.

For that reason, after discussing it with the Commissioner of Education, and arriving at all the information I could, and I will assure you that I put in a great deal of time in studying these two propositions, because I wish to use them both fairly, I made my choice for Farmington. So, I hope that the motion of the gentleman from Cumberland will not prevail.

Mr. LEAVITT of Cumberland: Mr. President, I also hate to oppose anything of this nature, but I do feel that in justice, I should say one thing in favor of this dormitory. This dormitory is going to make it possible, if it were built, so that certain boys do not have to travel early in the morning to get to the school and then spend most of their time getting home at night travelling fifteen or twenty miles.

I realize the need of a building to house books, but the books do not have to travel. They can be stored in rooms, and people can go to different rooms at the school and see them. It does not mean that human beings have to be put to inconvenience and have to travel.

This dormitory is for human needs, not for the storage of something that is inanimate, and I believe that we should take care of animate objects and of the human relations of our states before we start storing books.

Mr. ALLEN of Cumberland: Mr. President and members of the Senate, it just so happens that I was present at the Appropriations Committee the day they were discussing these two bills. However, I certainly wouldn't have risen on this occasion in normal procedure, except for the fact that several individuals, including the Senator from Penobscot, rose and said he felt it was advisable to keep these things alive. It seems to me that the Senate would be certainly backtracking on this bill from their previous action on the other.

This construction at Gorham is definitely as necessary to our edu-

cational picture as is the library at Farmington, and whether or not in final passage you wish to vote for it, I think it would be a tragedy to kill it at this time. And I certainly hope that the Senate will be consistent this morning on a measure which I understand will cost about two hundred fifty thousand dollars. Certainly, the Gorham Teachers' College in Gorham is in need and badly in need of this construction, and I say that it certainly is as necessary as is the library at Farmington. In all fairness, I think that we certainly should do the same for this bill as you have been so eager to do for the others.

Mr. CROSBY of Franklin: Mr. President, I was at the hearing when, fortunately, both of these bills came up, and at that time they had some twelve boys from Gorham Normal School at that hearing, and they did a very fine job of presenting their case. Some of them said that they had to travel from one to two hours each way to and coming from school.

There are just not facilities in the Town of Gorham to house these boys and girls, and I think there is no doubt but what they do need their dormitory. They all seemed to be real pleased with their school, but the one thing they didn't like was their living conditions. I think in several instances there were three and four living in one small room, and one boy, as I recall, said that he had left and was staying at Portland, because he didn't like to live with so many in the same room.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Leavitt that the bill be substituted for the "Ought not to Pass" report of the committee.

A viva voce vote being had.

The bill was substituted for the report and given its first reading and tomorrow assigned for second reading.

On motion by Mr. Slocum of Cumberland the Senate voted to take from the table bill, An Act Re-

lating to the Right of Eminent Domain for Municipalities for Recreational Purposes (H. P. 1510) (L. D. 808) tabled by that Senator earlier in today's session pending passage to be engrossed as amended by Senate Amendment A in non-concurrence.

Mr. SLOCUM of Cumberland: We accepted Senate Amendment A, and in this amendment it struck out Section 2. I find that section 2 is covered by other legislation. Therefore, Mr. President, I move this bill pass to be engrossed as amended by Senate Amendment A.

Thereupon, the bill was passed to be engrossed as amended by Senate Amendment A in non-concurrence.

Sent down for concurrence.

Mr. SLEEPER of Knox: Mr. President, I again rise to a point of personal privilege.

The PRESIDENT: The Senator may state his point of privilege.

Mr. SLEEPER: Mr. President and members of the Senate, I now realize the value of a prepared speech. In my rather heated tirade this morning, from which I do not detract hardly anything, I find that in one statement I did over-extend myself, for which I wish to offer sincere apology to the Associated Press.

It was brought to my attention that in my talk—and note that I am humble enough so that when I am wrong, I am willing to admit it—that in my talk I said they did not dare print certain statements I had made.

As everyone well knows, the Associated Press dares to print anything they want to print. I am very sorry that I might have tried to give out the idea that they did not dare print it because they dare to print anything they want to, and I offer sincere apologies to that organization for the impression that I tried to make.

I am very happy that the Senate listened to what I had to say because I was very sincere about it. I object, as I said before, to the one-sided coverage which we are

getting from certain sources. For that reason I am very thankful again to you for listening to me and while I am here I will say it was further brought to my attention that the Associated Press did cover that speech because it was in the paper this morning in an Associated Press article in which they covered the talk I gave quite well.

So I was rather hasty in that one remark and I wish to apologize for it and rescind it, but I do not wish to take back any other remarks.

On motion by Mr. Larrabee of Sagadahoc, the Senate voted to take from the table Senate Report "ought not to pass" from Committee on Appropriations and Financial Affairs on Resolve, Providing for the Construction of an Employees Dormitory at the Augusta State Hospital (S. P. 158) (L. D. 226) tabled on April 6, 1949 by the Senator from Sagadahoc, Senator Larrabee, pending consideration of report; and that Senator yielded to the Senator from Penobscot, Senator Haskell.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I think that consistency requires that we support a motion to substitute the resolve for the report on this Senate Paper, and in doing that, we will give it to the other Body if it continues to the engrossment stage in the Senate, and give it the same treatment that we have given these others.

I would again comment on the fact that I will be among the first to support and speak for indefinite postponement of some of these. It is perfectly obvious that the unappropriated surplus of the General Fund will not support all of these spending measures. But the bills have been introduced, and they do represent need to a degree.

In complete fairness, I think we ought to clean this table of these things, let the other house consider them, and again be reconciled to the fact that we will have to do the final job over here, probably. So, I hope that the motion to substi-

tute the resolve for the report prevails.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the resolve be substituted for the ought not to pass report of the committee. Is the Senate ready for the question?

Thereupon, the resolve was substituted for the report, was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Senate Report from the Committee on Appropriations and Financial Affairs on Resolve Providing for certain improvement in the Property of the Maine Port Authority, Majority Report "Ought Not to Pass", Minority Report "Ought to Pass" (S. P. 79) (L. D. 68), tabled by that Senator on April 6, pending acceptance of either report; and on further motion by the same Senator the Minority Report was accepted, the resolve was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table Senate Report from the Committee on Appropriations and Financial Affairs on Resolve for School Construction Assistance (S. P. 665) (L. D. 1296), Majority Report "Ought not to Pass", Minority Report "Ought to Pass", tabled by that Senator on April 7 pending acceptance of either report.

Mr. NOYES of Hancock: I didn't intend to take this bill from the table at this state of the proceedings. However, I am a little bit disturbed about this unappropriated surplus from which I hope to get the very modest sum of a million dollars for school construction for all of the municipalities in the State of Maine that need schools.

I think that in view of the action that has already been taken, I should now make an effort to move this bill along with the others, that no bill may receive any preference

over this school construction bill. I would move that the Senate accept the minority ought not to pass report on this bill.

Mr. SAVAGE of Somerset: Mr. President and members of the Senate, I certainly want to express my regret for the time that I spent in the Appropriations Committee of this Legislature. I think you have made us a laughing stock. The Senate has certainly not paid any attention to anything we are doing. We have gone on a spending orgy here.

Of course, we know these things won't pass, but in moving these along to the House, I think we are showing to the House that we are willing to go along with anything that they are liable to do and let them use their own judgment. I think you have let this Committee down, and I am sorry.

Mr. WILLIAMS of Penobscot: I now move that all bills given ought not to pass reports from the Appropriations Committee be recalled and passed and sent forthwith to the House.

The PRESIDENT: The Chair would inform the Senator that his motion is out of order at the time.

Mr. BARNES of Aroostook: Mr. President, it has been some concern, to me at least, to listen to the Chairman of the Appropriations Committee when he says he thinks we have let him and his Committee down. I think they have done an excellent job. They came in here this year with money at a low ebb with no assurance whatever that there would be any major tax proposal, and they have studied these things carefully and given us their report which I think was a courageous report, and a good report on these bills. These ought not to pass reports were probably fully justified in the light of the financial picture of the state as it existed, and that is the only thing they could count on.

I would go along with this bill at this stage in the acceptance of the minority ought to pass report, with the same thought in mind as

the Senator from Penobscot, Senator Haskell, that if at the proper time we find that the money is not available for these worthy propositions, that we will just have to perform surgery, and that is all there is to it.

I, personally, can assure the Chairman of Appropriations and the other two committee members in the Senate that I think they have done a swell job. We will just have to kill these things if the money isn't available, but we don't know yet whether it is going to be available. They have done a good job this year, and I think these things ought to be kept alive at this stage, until we find out what the financial picture is going to be.

Mr. BOWKER of Cumberland: Mr. President and members of the Senate, the Appropriations Committee has worked quite hard, I think, going over these bills, and if you look at the sheet that was presented to you this morning, you will see that we started in with a surplus of \$6,171,000. The bills have already been signed by the Governor taking \$2,790,000 of that surplus, leaving a balance of \$3,381,000.

We have had our differences, of course, in the Committee on what is the most important for bills of construction nature, for hospitals, institutions, normal schools, and so forth. And there is only so much money.

Now, on this bill, I am sorry to say that I think we are just passing the buck when we pass this over to the other branch of the Legislature. It calls for a million dollars, and the money isn't there. I feel that we should accept the ought not to pass report of the Committee right now and get it out of the way. I hope the Senate will vote that way, because I just feel with all the other bills calling for money amounting to \$1,958,000 that haven't been signed, and that are broken down for all of the different needs that we feel are essential, that we haven't money for these coming out of Committee on ought not to pass reports.

We might just as well take the bull by the horns right here and now and start killing off some of these bills.

Mr. NOYES of Hancock: Mr. President, I am willing to start to kill off some of these bills, but I am not willing to kill this one. I think that we should take first things first. Now, if my good friend, the Senator from Cumberland wishes to reconsider the action that we have just taken previous to this by which we have taken some four hundred thousand dollars from the unappropriated surplus for the Port of Portland, I would be willing that this bill would still stay on the table and await the action on the other school construction bills.

I introduced this bill in conjunction with the million dollar construction bill which calls for an annual appropriation to assist the towns in building those buildings, and it is my thought, and the thought of a good many others, that the state if they had an additional million dollars to begin with, in view of the fact that the school construction bill is retroactive to January 1st, 1946, the passage of this measure we have under consideration would enable the state to reimburse those towns at an earlier date than they would be able to do it under the original million dollar bill.

So, I would simply say that if this motion is defeated, I will make some motions to reconsider all of the debate.

Mr. BOWKER of Cumberland: Mr. President and members of the Senate, I did sign the minority report for the Portland bill. I thought it was good business for the state. However, the report was signed eight to two. As a signer of the minority report, I am perfectly willing to see it killed right here and now. I don't believe that the majority members of the Appropriations Committee feel it was good business, but I am perfectly willing if we have got to start killing some of the bills, as I don't think it will

pass in the House we might as well kill it here as any time.

Mr. HASKELL of Penobscot: I accept the responsibility, and that responsibility with complete justification. I have not pleased the Committee on Appropriations and Financial Affairs. I think they have done a remarkable job under difficult circumstances, and I believe the middle ground is the better policy for us to follow. I don't believe that today is the day to kill the bills. I am perfectly willing, in view of the feeling expressed by the Senator from Somerset, the good, hard-working, efficient, sensible, realistic Chairman of the Appropriations Committee, to put these back on the table.

I will first speak against the motion of the Senator from Hancock and hope that it does not prevail and hope that he re-tables, and I promise you that I will follow it and correct those things that I have done this morning.

Mr. BOWKER of Cumberland: Mr. President and members of the Senate, it just came to my attention, and I would like to point out that I can not find the four hundred thousand dollars on this report on the Port of Portland. That is supposed to come out of surplus, and if that bill follows on there, that would make a deficit out of surplus of \$847,000 and not \$447,000 if these bills passed, but apparently somebody slipped up. That four hundred thousand dollars isn't on this sheet. I would just like to bring that to the attention of the Senate.

Mr. LEAVITT of Cumberland: I have, as you know, been to the Legislature now for five terms, and I have watched with interest the working of the Appropriations Committee. I know they have a hard job. But since my very first night here in talking with the Chairman of the Appropriations Committee, I have been impressed with the fact that when they get down there in that little room in the basement of this State House, there is just one thing that gets into their minds, and that is the

dollar sign, how much is this going to cost; how much is that going to cost. I don't know how many times I have seen them for the sake of dollars and cents deny what, at least from my point of view, are human values.

This particular bill here which calls for huge construction, and is an adjunct to a bill which I have introduced in the Legislature, calls for the expenditure by every man, woman and child in the State of Maine of about one dollar. It may be that this money shouldn't come from the undistributed surplus. It may be it should come from an additional appropriation which will have to come from additional taxation. I have talked with members of the Appropriations Committee, and they say to me, and perfectly frankly,—where are you going to get the money. We would do this, we would do that if there were the money.

The State of Maine is known to be provincial by a great many people because of the fact that we are so far behind in many of the advantages which people get in other states. People say, where are we going to get the money. At the present time in the entire State of Maine, on our colleges, our high schools, our academies, our primary schools, we are spending in the State of Maine at the present time two million dollars less than we are spending for liquor. We are spending two million dollars less in the State of Maine right now for the most worthwhile cause, something which will make our state great in the future, the education of our children, the greatest heritage we have, than we are spending for a complete and absolute luxury which we could get along without spending one cent. Yet, we hear our Appropriations Committee say, where are we going to get the money. Gentlemen, if we have got enough money to spend twenty million dollars on liquor, we have got enough money in this state to spend forty million dollars on education. If we can't spend twice as much to preserve the heritage of

this country and this state and to educate our children as we can spend on a luxury which we know has absolutely no value to anybody, then something is wrong with somebody's thinking. And then we have another luxury which people have come to believe is an absolute necessity. We are slowly learning not to walk. Every one of us have cars. We are spending at the present time twice as much on gasoline to run those cars as we are spending on education. How many more times this amount we are spending for the buying of those cars and the repair of those cars, I don't know. But the people of the State of Maine, if we can't do anything else, if we are so poor we can't educate our children, we ought to be willing to walk. Because it certainly is more important that we educate our children than that we have the luxury of riding around in palatial cars we have money enough to buy.

Gentlemen, we have enough money for these things. We have enough money for education. And when we stand here and seriously try to say that we would like to educate our children, but we haven't got the money, we are just begging the question. We have got the money for education, and we should educate our children. Let's stop telling people how poor we are when we can buy these luxuries which we are paying much more for than we are for education. I hope that the motion of our friend the Senator from Hancock will prevail, and I do hope that the Appropriations Committee will not think we are spitting in their face in doing it.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, I had no intention at all of speaking in this debate, but after hearing the Senator from Cumberland, I felt that I must rise and say that he has enunciated and emphasized one of the greatest fallacies of our time; namely, that there is no relation between money and human effort. There is nothing in the world quite so far astray as the failure on the part of leadership, or

the Government, to realize that money is the medium of preferred value, and that that value is created by human effort, and that human effort is a major factor in the creation of values as they exist today.

I think that one fundamental is something which we ought to meet here and recognize at all times. He says there is plenty of money, and of course there is plenty of money if he means by money pieces of paper with figures marked on them, and certain scrolls and beautiful ink. That is not what money is at all as I see it. It is not a piece of paper or scroll issued by the Federal Government which we use in any way we see fit. It is not that at all. So, I think the Senator has laid an emphasis where I can not go along with him.

I am interested in the procedure here this morning. I think all of us are thinking about what we are doing. I am heartily in sympathy with the Chairman of the Appropriations Committee who points out to us that it appears as though we have disregarded the work of a very capable and conscientious committee. I think I can assure him that we have not. I wish that these gentlemen who took these measures off the table this morning had left them on the table. We are in the process of resolving our financial problems here, and those bills might well lie on the table until we get a little further along in the process of taxation in the light of the leadership that has been given here this morning. I have no particular opinion. I suppose in order to be consistent with the action we have already taken, we should go along with Senator Noyes. I don't like to do it. I think the leadership has been wrong. I think we ought to face the problem, but I think we have got to support him in order to be consistent in our actions.

I want these measures to eventually be presented and debated on their merits. I would like to know more about the Farmington and Gorham Normal school. I understand there is a great shortage of

people, apparently, for teachers coming out of these normal schools. I assume that we need additions to these institutions. I want to see that demonstrated. These bills such as the bill that Senator Noyes has to raise a million dollars for school construction, and the bill which I have on the table with an amendment, on which I shall try to get you to express yourselves early next week taking a million dollars a year from the general fund, I think we ought to pass those measures one at a time. We ought to take them up, not in hurried action, but one at a time and with careful consideration.

I shall support the motion of the Senator from Hancock, although I wish the motion had not been made.

Mr. NOYES of Hancock: Mr. President, in view of the discussion the taking of the resolve from the table has precipitated and in view of the fact that I think the whole thing doesn't make sense the way we are approaching our problem I am going to move that this resolve be retabled. It was my intention that this school construction bill be retained on the table here in the Senate until such time as we had disposed of the bill to which the Senator from Kennebec has referred. I felt at the same time that these other bills calling for money from the unappropriated surplus should receive similar treatment after we have disposed of the school construction bills and then we could take these bills from the table that require money from the unappropriated surplus, treat them on their merits and pass the most meritorious measures first.

I will move, Mr. President, that this bill be retabled, and in making that motion I hope that the Senators who have taken these other bills from the table will retable those bills.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Noyes, that the resolve be laid

upon the table pending his motion to accept the minority report of the committee "Ought to Pass."

Thereupon the resolve was laid upon the table pending the motion of the Senator from Hancock, Senator Noyes, that the minority report of the committee "Ought to pass" be accepted.

On motion by Mr. Haskell of Penobscot the Senate voted to reconsider its action taken earlier in today's session whereby Resolve Providing for Certain Improvement in the Property of the Maine Port Authority (S. P. 78) (L. D. 68) was tomorrow assigned for second reading; and on further motion by the same Senator the resolve was laid upon the table pending assignment for second reading.

Mr. CROSBY of Franklin: Mr. President, I did not realize what a discussion I was precipitating here in taking off that bill this morning from the table and I am inclined to agree with my good friend from Hancock that these bills should be debated on their merits. I did want the other Body to have an opportunity to act on the bill but at the present time I would move that Legislative Document 1294 be tabled pending assignment for second reading.

Thereupon the Senate voted to reconsider its action taken earlier in today's session whereby Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College (S. P. 603) (L. D. 1294) was tomorrow assigned for second reading; and on further motion by the same Senator the bill was laid upon the table pending assignment for second reading.

On motion by Mr. Haskell of Penobscot the Senate voted to reconsider its action taken earlier in today's session whereby Resolve Providing for the Construction of an Employee's Dormitory at the Augusta State Hospital (S. P. 158) (L. D. 226) was tomorrow assigned for second reading; and on further mo-



tion by the same Senator the resolve was laid upon the table pending assignment for second reading.

Mr. LEAVITT of Cumberland: Mr. President, although I do not see the sense in what we are doing, in order to act in conformity with my brother Senators I will move that we reconsider our action whereby Legislative Document 1293 was assigned for second reading.

Thereupon, on motion by Mr. Leavitt of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby Resolve Providing for a Men's Dormitory at Gorham State Teachers' College (S. P. 602) (L. D. 1293) was tomorrow assigned for second reading; and on further motion by the same Senator the resolve was laid upon the table pending assignment for second reading.

Mr. Leavitt of Cumberland was granted unanimous consent to address the Senate.

Mr. LEAVITT of Cumberland: Mr. President and members of the Senate, I am still at a loss to know where the debate which we had here a little while ago disintegrated to and I would like to ask our colleague from Kennebec who disagrees thoroughly with the statements I made, if as he says money is not money what it is they use

to pay for the liquor and automobiles.

The PRESIDENT: The Senator from Kennebec, Senator Hopkins, hears the question and may answer if he desires.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, of course there would be nothing gained by entering upon a debate on money. I think the Senator from Cumberland knows more about money than I do. It seemed to me that in his remarks he enunciated one of the great fallacies common today. To me, money in itself means nothing. It is the value behind it that counts, the preferred value, and if the preferred value is not there the money has no meaning. Many nations of the world have learned that and I am sorry to say I think we are in the process of learning it the hard way in this country too. I don't think I can answer the question of the Senator at this time to his satisfaction except to say that I may have misunderstood him and probably in a private conversation we might find a meeting of the minds.

On motion by Mr. Haskell of Penobscot

Adjourned until Monday afternoon, April 18th, at four-thirty o'clock.