

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***Ninety-Fifth Legislature***

**OF THE**

**STATE OF MAINE**

**1951**

**DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**SENATE**

Tuesday, March 13, 1951.

The Senate was called to order by the President.

Prayer by the Rev. Hazen F. Rigby of Gardiner.

Journal of Friday, March 9, 1951, read and approved.

**From the House**

Bill "An Act Relating to Licensing of Cats." (H. P. 1508) (L. D. 1103)

(In Senate on March 8th, indefinitely postponed, in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was referred to the Committee on Agriculture, and now asks for a Committee of Conference.

In the Senate, on motion by Mr. Barnes of Aroostook, that Body voted to adhere to its former action whereby the bill was indefinitely postponed.

The Committee on Inland Fisheries and Game on "Resolve, Regulating Fishing in Horne Pond in the Town of Limington, in the County of York," (H. P. 734) (L. D. 423) reported that the same ought to pass as amended by Committee Amendment "A".

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

In the Senate, the report of the committee was accepted in concurrence and the resolve read once; House Amendment A to Committee Amendment A was read and adopted in concurrence; Committee Amendment A as amended by House Amendment A was read and adopted in concurrence, and the bill as amended by Committee Amendment A as amended by House Amendment A thereto was tomorrow assigned for second reading.

Joint Order (H. P. 1630) re recalling from Engrossing Department (H. P. 95) (L. D. 40) Bill "An Act Relating to Motor Vehicles Parking in Dangerous Places."

Comes from the House read and passed.

In the Senate, on motion by Mr. Allen of Cumberland, the Joint Order was read and passed in concurrence.

The Committee on Legal Affairs on Bill "An Act Amending the Charter of Congregational - Christian Conference of Maine," (H. P. 648) (L. D. 388) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Towns and Counties on Bill "An Act Relating to Tax Lien Fees," (H. P. 1213) (L. D. 770) 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 tomorrow assigned for second reading.

Bill "An Act Relating to Conversion Rights." (H. P. 1626) (L. D. 1170)

Which was referred to the Committee on Business Legislation in concurrence.

"Resolve Designating Bridge at Burnham as Burnham Memorial Bridge." (H. P. 1611) (L. D. 1171)

Which was referred to the Committee on Highways in concurrence.

"Resolve Closing All Tributaries to Lake Moxie, Somerset County, to All Fishing." (H. P. 1612) (L. D. 1172)

"Resolve Closing All of Moosehead Lake to Ice Fishing." (H. P. 1613) (L. D. 1173)

"Resolve Closing Three Mile Pond to Ice Fishing." (H. P. 1614) (L. D. 1174)

"Resolve Regulating the Taking of Togue in Cold Stream Pond, Penobscot County." (H. P. 1615) (L. D. 1175)

"Resolve Relating to Catching of White Perch in Pushaw Lakes, Penobscot County." (H. P. 1616) (L. D. 1176)

"Resolve Regulating Fishing in Round Pond and Fry Pan Pond, Somerset County." (H. P. 1617) (L. D. 1177)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Relating to Penalty for Operating Motor Vehicle While Under the Influence of Intoxicating Liquor or Drug." (H. P. 1618) (L. D. 1178)

Bill "An Act Relating to Liens for Payment of Assessments on Real Estate." (H. P. 1619) (L. D. 1179)

"Resolve in Favor of Harry Lutterman, of Waterville." (H. P. 1621) (L. D. 1180)

"Resolve Permitting Harry Lutterman, of Waterville, to Sue State of Maine." (H. P. 1622) (L. D. 1181)

"Resolve Increasing Retirement Allowance of Albert F. Barnes, of Belfast." (H. P. 1623) (L. D. 1182)

"Resolve in Favor of Alice Knight Spinney, of Eliot." (H. P. 1624) (L. D. 1183)

"Resolve in Favor of Florence Goodwin, of Clinton." (H. P. 1625) (L. D. 1184)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Automobile Junk Yards." (H. P. 1620) (L. D. 1185)

Which was referred to the Committee on Legal Affairs in concurrence.

"Resolve Authorizing Forest Commissioner to Sell Lot 12, St. Agatha, 17, R. 4, Aroostook County." (H. P. 1627) (L. D. 1186)

Which was referred to the Committee on Natural Resources in concurrence.

Bill "An Act Relating to Maintaining Roads to Shores of Lakes." (H. P. 1628) (L. D. 1187)

Which was referred to the Committee on Towns and Counties in concurrence.

### Communication

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

March 9, 1951

Honorable Chester T. Winslow  
Secretary of the Senate  
State House  
Augusta, Maine

Sir:

The Speaker today appointed Mr. Woodcock of Bangor to serve on the Commission on Interstate Cooperation to fill the vacancy caused by the resignation of Mr. Grover of Brewer as a member of the House of Representatives.

Respectfully,

HARVEY R. PEASE,  
Clerk of the House

Which was read and ordered placed on file.

### Referred to Committees

The following bill and resolve were received, and on recommendation by the Committee on Reference of Bills, were referred to the following committees:

#### Judiciary

Mr. Noyes of Hancock presented "Resolve Proposing an Amendment to the Constitution to Amend the Referendum Provision." (S. P. 492)

(Ordered printed.)

Sent down for concurrence.

#### Labor

Mr. Leavitt of Cumberland presented Bill "An Act Relating to Employment of Older Workers." (S. P. 493)

(Ordered printed.)

Sent down for concurrence.

#### Orders

On motion by Mr. Crosby of Franklin, it was

ORDERED, the House concurring, that House Paper 541 Legislative Document 326, bill, An Act to Repeal the Act Creating the Rumford Falls Village Corporation, and Senate Paper 50, Legislative Document 60, bill, An Act to Incorporate the Town of York School District be recalled from the Governor to the Senate.

On motion by Mr. McKusick of Piscataquis, it was

**ORDERED**, the House concurring, that there be paid to Indian Representative John S. Nelson, the sum of fifty dollars which is the balance due on account of compensation for attendance at the 95th Maine State Legislature.

#### Senate Committee Reports

Mr. Leavitt from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Corinna Union Academy for Construction of Fireproof Room," (S. P. 141) (L. D. 263) reported that the same ought not to pass.

(On motion by Mr. Wight of Penobscot, tabled pending acceptance of the committee report.)

The same Senator from the same Committee on "Resolve in Favor of Corinna Union Academy for Construction of an Agricultural Workshop," (S. P. 140) (L. D. 264) reported that the same ought not to pass.

(On motion by Mr. Wight of Penobscot, tabled pending acceptance of the committee report.)

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Ballots," (S. P. 165) (L. D. 336) reported that the same ought not to pass.

Mr. Marshall from the Committee on Labor on Bill "An Act Relating to Compensation for Specified Injuries Under the Workmen's Compensation Law," (S. P. 127) (L. D. 236) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Brewer from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to the State Liquor Stock," (S. P. 219) (L. D. 494) reported that the same ought to pass.

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

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Examination of Criminal Character of Prisoners," (S. P. 104) (L. D. 153) reported that the same ought to pass.

Mr. Ela from the Committee on Legal Affairs on Bill "An Act Re-

lating to Gambling," (S. P. 324) (L. D. 723) reported that the same ought to pass.

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

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company," (S. P. 337) (L. D. 753) 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 adopted without reading, and the bill as amended was tomorrow assigned for second reading.

#### Passed to be Engrossed

Bill "An Act Relating to Public Burying-Grounds in Unincorporated Places," (H. P. 1240) (L. D. 792)

(On motion by Mr. Ela of Somerset, tabled pending passage to be engrossed.)

Bill "An Act Relating to Investment of Trust Funds by Towns," (H. P. 1242) (L. D. 794)

"Resolve, Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory," (H. P. 1503) (L. D. 1060)

Bill "An Act Relating to Transporter Registration for Motor Vehicles," (H. P. 1599) (L. D. 1140)

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

Bill "An Act Relating to Penalties for Violations of Liquor Laws by Unlicensed Persons," (S. P. 381) (L. D. 907)

Which was read a second time and on motion by Mr. Dennett of York, was laid upon the table pending passage to be engrossed.

Bill "An Act to Clarify Certain Provisions of the Institutional Service Law," (S. P. 133) (L. D. 238)

Bill "An Act Relating to Eligibility for Liquor Licenses," (S. P. 325) (L. D. 724)

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

Sent down for concurrence.

### Orders of the Day

Mr. Brewer of Aroostook was granted unanimous consent to address the Senate.

Mr. BREWER: Mr. President and members of the Senate, on your desks this morning lies the report of your Appropriations committee. We apparently missed the boat in filing this as a report only. We seem to have no vehicle whereby the parliamentary procedure could be handled in the legislature. Therefore, I will ask to present a Senate report, move its acceptance and ask that it lie on the table during printing, which in the meantime will give you a chance to look over and digest this report. And at a later date I will try to explain to you exactly what the committee has done in the way of recommendations. I now offer a Senate report and move its acceptance.

The PRESIDENT: The Senator from Aroostook, Senator Brewer, presents a report of the Committee on Appropriations and Financial Affairs, out of order. The Secretary will read the report.

The Secretary read the report: "Mr. Brewer from the Committee on Appropriations and Financial Affairs, to which was referred 'Bill, an Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30th, 1952 and June 30th, 1953,' Senate Paper 45, Legislative Document 55, reports that they have had the same under consideration and ask leave to report the same in a new draft under the same title, Senate Paper 495, and that it ought to pass."

Mr. HASKELL of Penobscot: Mr. President, I rise to support the motion, but in making that support known, I would like to comment to the Committee on Appropriations that in addition to the report placed upon our desks there would seem to me to be great value in submitting a second form showing the differences between the contents presumably in the new appropriations bill and the sums noted in the budget document presented by the Governor.

I offer that not in a spirit of criticism but rather to point out that they are imposing on each

member of the legislature a rather difficult task in going through the budget document and comparing it with the new draft and noting where increases or decreases have been made. It is obvious that decreases to the tune of three millions of dollars have been made. I think it would be very helpful if this informal document could be re-assembled showing those decreases. Again, may I state, I rise to support the motion.

Mr. BARNES of Aroostook: Mr. President, I was about to rise to express the same hope as has been expressed by Senator Haskell, and if it would not be too bulky and too involved, I think we should have three columns; the expenditures of the last biennium, and expenditures proposed by the Governor's Budget Committee and the recommendations of the Appropriations Committee. I also express the hope that Senator Brewer's motion will pass and that we might have a third column on the report.

Mr. BREWER of Aroostook: Mr. President, I would like to say that I think that is a good suggestion. The only thought that we on the Appropriations Committee have, is that the more figures we put out, of course, the more confusion will result. Up until the latter part of the week, it was our intention to submit two budgets, but upon suggestion from some of the floor leaders and the officers, they felt that it would only add confusion in that we had in our report, cut as far back as we felt was possible and we had better expend our efforts on that one report.

Nevertheless the members of the Appropriations Committee and the budget Bureau are very anxious to do what we can to help the most. I do feel that the suggestion that we have the budget recommendations is a good one. Nevertheless, if enough people want it, we will ask that what we spent in the previous session be substituted, but I do want to call to your attention that what we spent previously in the regular session also was supplemented in the special session. So when you add those figures, it might involve complications. If we can settle on the two, I would rather, but if enough feel that it is

advantageous to have the three columns, we will be happy to supply the members with it.

Mr. SAVAGE of Somerset: Mr. President, I ask permission to ask a question through the Chair, of the Senator from Aroostook, Senator Brewer.

The PRESIDENT: The Senator may ask his question, and the Senator from Aroostook may answer if he so desires.

Mr. SAVAGE: Mr. President, is this a unanimous report of the Committee on Appropriations and Financial Affairs?

Mr. BREWER of Aroostook: Yes, it is, Mr. President, in that we have cut as far as we dare.

Mr. LEAVITT of Cumberland: Mr. President, I would like to add to the remarks of the Senator in answer to this being a unanimous report. This is a unanimous report of the committee stating that as far as we are able to agree, this is the lowest we can possibly cut. There are at least one or two on the committee who do not agree that these cuts should be made, and a little later on, I received permission from the committee to at least present my views as to why I think some of these cuts are too low and that the state should not cut the amounts as much as the Appropriations Committee has suggested in this report.

Mr. BARNES of Aroostook: Mr. President, I would like to inquire of the Senator from Cumberland, Senator Leavitt, through the Chair, if it is true then that this appears to be a unanimous report, but in fact, it is not?

The PRESIDENT: The Senator may answer if he sees fit.

Thereupon, the motion prevailed, the "Ought to Pass in New Draft" report of the Committee was accepted and the bill was laid upon the table for printing under the joint rules.

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

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I want to thank you all very sincerely for the expression of sentiment which you sent to me during my illness. It was very

much appreciated and helped me to recover.

The PRESIDENT: The Chair speaks for the Senate when he says that we are very glad to have you back with us.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Judiciary on bill, An Act Relating to Limitations for Injuries by Defect in Highways and Notice thereof, (S. P. 130) (L. D. 240) tabled by that Senator on March 1 pending acceptance of the report; and on further motion by the same Senator, the report was accepted.

Sent down for concurrence.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table bill, An Act Relating to Public Burying Grounds in Unincorporated Places (H. P. 1240) (L. D. 792) tabled by that Senator earlier in today's session pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

On motion by Mr. Crosby of Franklin, the Senate voted to take from the table Bill, An Act Relating to the Sales of Liquor to Minors (H. P. 848) (L. D. 487) tabled by that Senator on March 8th pending second reading.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, this bill is an old chestnut with a fine sounding name, An Act Relating to Sales of Liquor to Minors. It relates to one portion of the Maine Liquor laws only, the sale of bottled beer to take out. Under our present law bottled beer may be purchased by anyone 18 years of age or over. This bill would change that law so that no one under the age of 21 could buy a bottle of beer to take home. The minors - the little boys and little girls we are talking about, are young men and women from the ages of 18 to 21. It is an old chestnut but for some reason there is a hot fire under it this time.

Since I made known the fact that I would oppose the passage of this bill I have been gagged by the Senate, but I don't have to go into

that; and more recently I have been accused of accepting graft, yes, graft to kill this bill. The reason I want to debate this bill today is because I want to bring out some facts before a vote is taken.

Time and again those who would like to see the State of Maine get out of the liquor business have tried to get their foot in the door by the kind of bill we are discussing today. I want to say to them right here and now that we are in the liquor business and I believe we are going to stay in the liquor business. Maine people do not want prohibition. They decided that several years ago. It is not the issue here today. That should be clear from the start. We, in Maine do want temperance. I have served on a committee of this legislature for that purpose for the past 14 years. I believe I know the objective of our succeeding legislatures. It has been, and should be today the proper, reasonable control of the use of liquor. This bill before us today does not hit that target. I sincerely feel, Mr. President and members of the Senate that the result will be to the contrary. Changing the age limit now will do harm, not good. It may be that the age should have been set at 21 in the first place. The fact is, it was not set at 21; it was set at 18.

The law now on the books was passed in 1933. Every two years local option referenda have been held. Now, this is significant: The majority in favor of package stores has gone up every time. Those stores sell to persons 18 years of age and over and the people knew it when they voted. We have had this law 18 years. How has it worked out I tell you, and the record is there if you want to look at it, that our young men and young women from the ages of 18 to 21 have not formed the problem group in our liquor business. They have not abused the privilege. They do not deserve to have the privilege removed from them. Now, to place this restriction on our young people at the time we are calling upon them to make the greatest sacrifice of any group in our society is to me wrong, all wrong.

I am not in the liquor business or the beer business. I am a con-

tractor, and also a family man. I say to you that the thinking behind this bill is all wrong. It is another in a long series of attempts to shift family responsibility from the home to the legislature. You have heard me say many times, "We cannot legislate morals". This bill is an attempt to legislate morals and an attempt to tell 18 year olds "You cannot buy beer legally." I want to emphasize that word, "legally". Don't kid yourselves, the young men and young women who have had beer and want it are going to get it. If your package stores will not sell it to them your bootleggers will. There is not one of you who doesn't remember the speakeasy and the bootlegger. That was prohibition. This bill means prohibition for those between the ages of 18 and 21.

To pass this bill is to challenge our youth to try to get beer. Youth is quick to pick up a challenge. I see nothing but harm to come from the passage of this measure, serious harm. This is not a bill to allow 18 year olds to buy bottled beer. It is a bill to take that privilege away from them. Let's make no mistake about that. If young men and young women are to avoid beer they must be taught that in their homes. There is the first responsibility, in the home. This bill gives the father and mother who want to shirk their responsibility another chance to hide behind a law book. The second responsibility is with the church. If the church cannot teach these young people to avoid beer this law won't stop them from drinking it. The third responsibility lies with the school. If the school cannot educate the young people to leave beer alone this law will not force them to become "Dry's".

I have raised a family of eight. One of my sons and two of my daughters have passed the age of 18. One of my daughters is just starting her 18th year. Not one of them drinks beer. My son was in the service of our country for 18 months and he still doesn't drink beer. Now the law on the books didn't persuade my children to drink beer and it didn't sell them the idea of not drinking beer. The training they got at home and in the church produced results, for



which I am thankful. That is where the training belongs, and that is where it can get results.

Again, I repeat, we cannot legislate morals. The law on the books has been there since 1933. The record shows that our young people between the ages of 18 to 21 have not abused the privilege. They do not form a problem group in our handling of liquor in Maine. They do not deserve to be penalized at this time. Slapping them in the face now, in view of their own good record, would be inexcusable.

Mr. President, I now move the indefinite postponement of this bill.

Mr. DENNETT of York: Mr. President and members of the Senate, I rise in opposition to the motion of the Senator from Androscoggin, Senator Boucher, for the indefinite postponement of this bill. After hearing the good Senator from Androscoggin I cannot help but question the logic of his thinking on this matter, particularly when he states that morals begin in the home and that because the learning of moral principles begins in the home there should be no need for laws. If we followed along that line of thought there wouldn't be any need of legislators because there wouldn't be a need of any laws since the children could be taught in the home. Unfortunately, however, that is not the truth. We do need laws and while we do teach what is good in the homes — there is no question about it — yet many children and young people are prone to forget the teachings of the home and when they get outside with a gang of other fellows they are apt to do things which under ordinary circumstances they would not do.

Now, to get back to this law to change the age of the old law, the present law is not consistent when it provides that a youth under the age of twenty-one cannot go into a taproom or a restaurant and sit down and drink a glass of beer yet this same youth can go across the street to a store where beer is sold and buy a quart or two of beer and take it out behind the building and drink it. There is no law against that today. They do it. It is also done in cars by young people on wild rides and it doesn't tend to

make a very good situation. Yet it does exist today. We all know it.

Referring to local option, the Senator from Androscoggin states that the people voted for the present law, that they voted for it so they could have malt beverages to take out from stores that have their premises licensed and they wanted it that way. I insist that the people did not vote on 18 to 21, they merely voted on the right to buy beer to take out. It doesn't seem reasonable that a grown man who wants beer to take out would stop and think it out as to whether the law referred to those over 21 or under 21, as the permissible age to buy beer. He merely knows he wants beer to take out and I assure you the average person was not interested in who was going to buy it, they merely wanted to buy it themselves and the question of youths 18 years or less buying it wasn't on the ballot and wasn't considered.

Another thing—and this with all due respect to the good Senator from Androscoggin—the matter of military service and saying that a boy old enough to fight is old enough to drink. They said, "If the boy is old enough to fight, he is old enough to buy beer." That also is an old chestnut. I say that he is also old enough, if that is true, to buy whiskey. But you deny him that right. I don't believe a boy eighteen years old is old enough to fight, but that is not the question at the present time.

Senator Boucher states he has a son in the military service of the United States and that he doesn't drink. I put in two years in the army and I saw drinking. I saw drinking amongst the younger men, men who were eighteen and nineteen years old, and I assure you it was not good. I saw boys come into the army who evidently come from good homes and who had received good teaching, and as many of us know, military service to a certain degree, especially in training camps, is a free and easy life. They come into the service from all walks of life, some good, some bad. As a result, the good and the bad become mixed and boys who had never before tasted beer, who had never had it served in the home,

become drinkers. They started with beer. Beer is a drink of moderation but very soon they were drinking whiskey because whiskey contains more alcohol than beer and while you can get exceedingly drunk on beer, you can get drunk quicker on whiskey. As a result many of them went out of the army with a taste for liquor and they continued to drink.

One thing I would like to bring before the Senate this morning is a statement in a Boston paper made by the Roman Catholic Arch Bishop of Boston, the Most Reverend Richard J. Cushing, wherein he stated his opposition to 18-year-olds being drafted into the army, because, as he said, "Many will come out immoral, dishonest, irreligious, heavy drinkers, gamblers and plain 'no good'." And he goes on to state his opposition. He said, "Temptations that come to a more mature man are great enough, but what these temptations accomplish among the immature is horrifying."

This same condition exists in the state of Maine. As the law now stands you allow those under the age of 21 to buy beer to take out to drink. If the 18 year old boys in the army are subjected to horrifying conditions, the conditions that are put before them in the state of Maine at the present time where they are permitted to buy beer are none the less horrifying, and I sincerely hope that while I realize we cannot in every instance stop the sale of beer to 18 years olds, we still can make it difficult for them to obtain it and the state of Maine will not go on record as condoning bad habits among the youth of this state. When the vote is taken, I ask for a division.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, I too rise in opposition to this motion. I am sorry that I cannot agree with our good Senator, Senator Boucher, but is not that the privilege of our great Democracy, that each one of us may express our own opinion freely and without reservation? God grant that it may be always that way.

I have no prepared speech today but I feel that this bill we are trying to pass is a wonderful thing for our youth of today. Why should a

young man or a young woman not be permitted to go into a hotel or restaurant and buy a glass of beer because it is against their morals and bad for their constitution and yet be permitted to go to a grocery store and buy a quart of beer, or a case of beer, take it out to a car and bring it to a camp? It does not lead to any good. I have heard of many cases that I would be ashamed to report here in this assembly. The law as it is now is being changed because we have found it is necessary to change the age limit from eighteen to twenty-one due to what we have learned of its results in the past few years.

During the past week-end I made it a practice to talk to about twenty people, asking their opinions of this twenty-one year old law, as it is called. Out of the twenty people I questioned, eighteen told me they thought it was a wonderful thing. These people were in all walks of life and of different ages. One man told me that his father sold liquor but he said he believed it was one of the finest things we could do to prohibit the sale of beer to people under twenty-one years of age. They are in their formative years and they are not ready to learn how to drink.

There is another point we have to consider. It is very difficult to tell how old a boy or girl is between the ages of fifteen and eighteen but it would not be so difficult to tell whether a boy or girl were twenty-one years of age. Someone was telling me recently of taking her son who is sixteen, a very fine looking young man, and another young man out to dinner at a hotel and the waitress came in and asked, "What will you folks have to drink today?" She didn't know that that boy was only sixteen years of age. If the law had been twenty-one years of age she would have known whether or not he was twenty-one. I am sure of that.

Last Friday afternoon there was a young man in my office. He was, I should say, about in his early thirties. He came in on some business and in leaving he said, "I see you have a bill up there in the legislature prohibiting the sale of beer to twenty-one years of age." He said, "You know, I think that is one of the finest things that could

happen." He said, "Young people do not have to drink enough beer to get drunk; let them get a couple of glasses of beer and they are a different person altogether." And he told me about a young girl whom he knows who he said was the most precise and proper person he knows but, he said, "Let her drink a couple of glasses of beer and the sky is the limit." That came from a young man, and I think when we have people telling us such things as that it is time we sat up and took notice and that today we should put this bill through.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, in rebuttal to the argument offered by the two opponents I want to point out that although the law doesn't state when a referendum is taken, that it applies to the 18 year old, I believe that ignorance of the law is not an excuse. I am not a lawyer but I have understood that ignorance of the law is no excuse. The law says "18 years old".

I have official figures from the Liquor Commission, giving the exact votes by counties on the different liquor questions. On Question 4 every single county but one voted in favor of that question. That does not hold true for drinking on the premises although the age limit is 21. A lot of people object to that, even at the 21 age. A lot of towns throughout this State object to it and I have gone over this report very thoroughly and find that the package store is the one that meets with the greatest approval by the number of votes returned at the last referendum in September.

Now, it is possible that some of the voters who voted in September didn't know that 18 year olds could buy beer in a package store, but I am satisfied that in those towns where the vote was very close, within a few votes of being dry or wet, they knew that 18 year olds could buy.

Now, you can go further than that, Mr. President and members of the Senate, I will predict that if this bill goes through you will have a lot more wet towns two years hence than you have now. I

say a lot of dry towns will become wet at the next election and the "Drys" may fool their own attempt to try to take the State of Maine back to prohibition.

In 1933, members of the Senate, let me remind you that the age limit of 18 was across the board, straight across. A person 18 years of age could buy anything at all, anywhere. Little by little, and I have been on the committee since 1925, the "Drys" in every single session of the legislature have attempted to bring us back to prohibition. I won't say they are dishonest. There are a few honest ones among them. I heard a minister who came to the last hearing say, "I am for prohibition. I want prohibition back. It is what I want." Members of the Senate, I admired him. I admired the man for being honest and having the force of character to come up and state what he wants. It is not true of all those who have been before our committee. No, they don't want to go back to prohibition. They want to do it little by little, chop it off a little at a time.

If you go back to 1933 you will find that the legal limit was 18 for everybody. Then they made 21 the age for the State liquor stores, if my recollection is right. Then they came back a little later and wanted the age for young ladies changed from 21 to 18. They were given a little piece of pie or half a loaf of bread because they were screeching so hard. At the time there was a war on, and they could not get the change made for the boys but they put the age limit for girls up to 21. They kept the boys at 18 because the boys could get beer in the camps and it would be hard to refuse it to them when they came back home with their uniforms on, and so forth and so on. Immediately after that, 1947, if I remember right, we made the age for drinking on the premises 21 for girls and boys.

Now they are back again. They were back two years ago with the same bill. They wanted the package store age limit to go up to 21. They got defeated. If they are defeated this year they will be back next year with a bill for the age of 25 or 30. They will never be satis-

fied until they drive the State of Maine back to prohibition.

I have seen prohibition, thank God, and I don't want to see it again. I do want liquor control. I want serious control and I want to point out to you again before you take this vote that this is not a question of putting on a new law, but it is a question of taking away privileges from a certain group in the State of Maine and giving them prohibition.

Some of the Senators who preceded me told about breaking the law. Liquor laws are not the only ones broken; I know that. A lot of the laws of the State of Maine have been broken and probably will be from now on. I admit the law is broken now. I have records. I would like to point out to you how bad these young people are. These are official records from the Liquor Commission. A broad statement has been made here of the bad conditions that exist in this State, by the young people between the ages of 18 and 21 buying beer in package stores and getting drunk on our highways. I will not tell you what I think. I will give you official figures from the Commission. In the years 1947, 1948, 1949 and 1950; that is four years, the total number of malt retail license hearings on some kind of misdemeanor against the law was 74 on the package store—74. The number of those hearings involving persons 18 years of age or under was 16. 16 in four years, and that is the crime situation that my opponents have talked about in the State at this time. You have had 16 persons under the age of 18 mixed into these hearings, involving minors, on the sale of beer in package stores. I believe, members of the Senate, that this record is very good. I do not believe you will find any other law where young people could not get more involved and more seriously in breaking the law than in this case.

I again repeat to you that the people of Maine knew last September when they voted for package stores in the different towns and cities what they were doing. They cannot come here today and say they didn't know they were voting for beer to be sold to 18 year olds.

If they didn't, they should have known. Ignorance of the law is, I repeat, not an excuse. I certainly feel in most of the towns where the vote was very close that they did know. It may possibly be the reason those towns went dry. If you would look at the records you might get the surprise of your life. You will find towns where the vote was absolutely even, vote for vote on dry or wet. You will find towns where they were a very few votes apart.

I again repeat that possibly the "Drys" are making a great mistake by forcing this issue because they may get a lot more wet towns than they have now, if it is the real issue, the sale between the ages of 18 to 21. If once the law is passed the towns will say that we have made the age 21 and those formerly opposed may say "We might as well have the package store."

I will point out that the package store is the manner for dispensing liquor in this State that the people have voted for the most. The law may be violated, but we will admit there are lawbreakers of not only this law but every other law. Our law provides that the beer can be bought and must be taken home. It is not to be drunk upon the premises, behind the door or in automobiles, as they have stated. There are laws prohibiting that. The package store sells this beer legally to persons over 18 to take home for drinking. That is the law, and it is the law they are attempting today to change.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be indefinitely postponed; and the Senator from York, Senator Dennett has asked for a division.

A division of the Senate was had.

Two having voted in the affirmative and twenty-seven opposed, the motion did not prevail.

Thereupon, the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Boucher of Androscoggin,

Adjourned until tomorrow morning at ten o'clock.