

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Thursday, February 5, 1953

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

Prayer by the Rev. Mr. Robert Brackley of Hallowell.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Duties of Court Stenographers" (S. P. 104) (L. D. 318)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act relating to the Licensing of Non-resident Life Insurance Agents" (S. P. 105) (L. D. 305)

Bill "An Act relating to the Examination of Insurance Agents" (S. P. 106) (L. D. 306)

Bill "An Act to Authorize the Issuance of Deductible Fire Insurance Policies" (S. P. 107) (L. D. 307)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Resolve Regulating Fishing in Big Magalloway River in Oxford County (S. P. 108) (L. D. 308)

Resolve Regulating Fishing in Parmachenee Lake in Oxford County (S. P. 109) (L. D. 309)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Driving a Motor Vehicle While License Suspended or Revoked" (S. P. 113) (L. D. 311)

Bill "An Act relating to Pensions for Dependents of Deceased Offi-

cers of State Police" (S. P. 114) (L. D. 310)

Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (S. P. 110) (L. D. 314)

Resolve in favor of Arthur W. Kalloch of Thomaston (S. P. 111) (L. D. 312)

Resolve in favor of Frank B. Adams of Thomaston (S. P. 112) (L. D. 313)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Amending the Sales and Use Tax Law as Respects Registration and Other Matters" (S. P. 116) (L. D. 319)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Bill "An Act relating to Insurance Coverage Required Under the Financial Responsibility Law" (S. P. 117) (L. D. 316)

Bill "An Act relating to Turning Movements and Required Signals for Motor Vehicles" (S. P. 118) (L. D. 315)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

From the Senate:

Bill "An Act relating to the Advisory Council of Health and Welfare" (S. P. 119) (L. D. 317)

Resolve providing for a State Pension for Frank D. Michaud of Lewiston (S. P. 152)

Resolve providing for a State Pension for Harriet M. Labbe of Lewiston (S. P. 153)

Resolve providing for a State Pension for Marie Louise Roberge of Lewiston (S. P. 154)

Resolve providing for a State Pension for Marie Rose Gagnon of Auburn (S. P. 155)

Resolve providing for a State Pension for Willie Desrosier of Lewiston (S. P. 156)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

From the Senate:

Resolve in favor of Presque Isle Armory Project (S. P. 121) (L. D. 330)

Resolve in favor of the Maine Historical Society (S. P. 122) (L. D. 331)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act to Clarify Certain Procedures Under Maine State Retirement Law" (S. P. 123) (L. D. 332)

Bill "An Act relating to the Bangor Public Library" (S. P. 124) (L. D. 333)

Bill "An Act to Amend the Charter of Great Northern Paper Company, formerly Northern Development Company" (S. P. 125) (L. D. 334)

Bill "An Act relating to the Consolidation or Merger of Wholly Owned Subsidiaries into their Parent Corporation" (S. P. 126) (L. D. 335)

Bill "An Act relating to the Powers of the Maine Turnpike Authority" (S. P. 127) (L. D. 336)

Bill "An Act relating to Liability for Wilfully Injuring or Killing Dogs" (S. P. 128) (L. D. 337)

Bill "An Act relating to Number of Signatures on Certain Nomination Papers" (S. P. 129) (L. D. 338)

Bill "An Act relating to the Expedition of Trials in Criminal Cases" (S. P. 131) (L. D. 340)

Resolve in favor of Vera A. Gordon of West Sullivan (S. P. 130) (L. D. 339)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Entertainment in Licensed Liquor Premises" (S. P. 132) (L. D. 320)

Bill "An Act relating to Minor Violations by Liquor Licensees" (S. P. 133) (L. D. 321)

Bill "An Act relating to Certain Violations by Liquor Licensees" (S. P. 134) (L. D. 323)

Bill "An Act relating to Suspension and Revocation of Liquor Licenses" (S. P. 135) (L. D. 322)

Bill "An Act relating to Records of Sale of Malt Liquor" (S. P. 136) (L. D. 324)

Bill "An Act to Make Uniform the Legal Hours for Sale of Liquor" (S. P. 137) (L. D. 325)

Bill "An Act relating to Billboard Advertising of Liquor in Dry Municipalities" (S. P. 138) (L. D. 326)

Bill "An Act relating to Punishment of Liquor Licensees" (S. P. 139) (L. D. 327)

Bill "An Act relating to Fees for Certificates of Approval for Sale of Liquor" (S. P. 140) (L. D. 328)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act Authorizing the Construction of an Intake Structure and the Taking of Water from Craig Pond, Hancock County" (S. P. 115) (L. D. 329)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act to Clarify the Sales and Use Tax Law" (S. P. 141) (L. D. 341)

Bill "An Act Revising and Amending Provisions of Tax Exemptions on Property" (S. P. 142) (L. D. 342)

Bill "An Act to Exclude from Sale Price, Under Sales Tax Law, the Fair Market Value of Trade-ins" (S. P. 143) (L. D. 343)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Bill "An Act relating to the Salary of the Register of Deeds of Hancock County" (S. P. 144) (L. D. 344)

Bill "An Act relating to the Salary of the County Treasurer of Hancock County" (S. P. 145) (L. D. 345)

Bill "An Act relating to the Hancock County Law Library" (S. P. 146) (L. D. 346)

Bill "An Act to Increase the Salary of the Recorder of the Waterville Municipal Court" (S. P. 147) (L. D. 347)

Bill "An Act relating to Judge of Probate in Cumberland County" (S. P. 148) (L. D. 348)

Bill "An Act relating to Fees of Deputy Sheriffs" (S. P. 149) (L. D. 349)

Came from the Senate referred to the Committee on Towns and Counties.

In the House referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to Special Registration Plates for Amputee Veterans" (S. P. 151) (L. D. 350)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

Senate Report of Committee Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Additional Powers to Portland University" (S. P. 30) (L. D. 52)

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

In the House, Report was read and accepted in concurrence, the Bill read twice and assigned for third reading the next legislative day.

Non-Concurrent Matter

Joint Order relative to printed Bills for Town Clerks (H. P. 205) which was passed in the House on January 28.

Came from the Senate passed as amended by Senate Amendment "A" in non-concurrence.

In the House:

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

SENATE AMENDMENT "A" to Joint Order H. P. 205 relative to Printed Bills for Town Clerks.

Amend said Joint Order by inserting after the words "town clerk" in the 1st line thereof, the words 'or/and board of county commissioners.'

Thereupon, the House voted to recede and concur.

Mr. SENTER of Brunswick: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. SENTER: I would like to inquire, Mr. Speaker, whether we can take any action to expedite this matter. The fact that the Town Clerks do not have these copies of bills is causing some confusion in some of our towns. I simply want to inquire whether we can do anything to expedite the matter. If so, I am in favor of it.

The SPEAKER: The Chair is informed by the Clerk that it is his impression that as soon as a Town Clerk or City Clerk formally requests of the Document Clerk that these matters be sent to the various towns and cities, such will be done expeditiously.

Mr. SENTER: Thank you, Mr. Speaker.

The SPEAKER: At this time is it the pleasure of the House to receive an additional paper from the Senate not printed on the Advance Journal?

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 10, 1953, at eleven o'clock in the forenoon. (S. P. 199)

Came from the Senate, read and passed.

In the House, the order was read and passed in concurrence.

Messages and Documents

The following Communication: (H. P. 476).

STATE OF MAINE
DEPARTMENT OF HEALTH AND
WELFARE
AUGUSTA

February 4, 1953.

President of The Senate
and
Speaker of The House of Represen-
tatives
Ninety-Sixth Legislature
State House
Augusta, Maine
Gentlemen:

This is to certify that John Mitchell at an election held at Indian Island, Old Town, Maine on September 2, 1952 was elected to represent the Penobscot Tribe of Indians at the Legislature from January 1, 1953 to December 31, 1954.

Respectfully,

(Signed) DAVID H. STEVENS
Commissioner of Health
and Welfare.

Was read and placed on file and sent up for concurrence.

Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act Repealing Certain Obsolete Maine Apple Grading Laws" (H. P. 397) (Presented by Mr. Bearce of Hebron)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act relating to Maine Soldiers and Sailors in the War with Spain" (H. P. 398) (Presented by Mr. Berry of So. Portland)

(Ordered Printed)

Resolve relating to Lost Persons (H. P. 399) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees (H. P. 400) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve to Reimburse George H Morong of Portland (H. P. 401) (Presented by Mr. Stewart of Portland)

(Ordered Printed)

Resolve in favor of S. Gaudet and Son of Rockwood (H. P. 402) (Presented by Mr. Anderson of Greenville)

Resolve in favor of Sherman Brown of North Leeds (H. P. 403) (Presented by Mr. Buckley of Leeds by request)

Resolve in favor of Freeflow Crummitt of Whitefield (H. P. 404) (Presented by Mr. Chase of Whitefield)

Sent up for concurrence.

Highways

Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across Jonesport Reach from Town of Jonesport to Town of Beals (H. P. 405) (Presented by Mr. Hanson of Machiasport)

(Ordered Printed)

Resolve in favor of the Town of Waldoboro (H. P. 406) (Presented by Mr. Chase of Whitefield)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Repealing Jefferson and Whitefield Game Preserve" (H. P. 407) (Presented by Mr. Chase of Whitefield)

(Ordered Printed)

Bill "An Act relative to Closed Season on Pheasants in Penobscot County" (H. P. 408) (Presented by Mr. Gates of Millinocket)

(Ordered Printed)

Bill "An Act relating to Propagating Wild Rabbits" (H. P. 409) (Presented by Mr. Jewett of Bucksport)

(Ordered Printed)

Bill "An Act relating to Closed Season on Deer on Cranberry Isles, Hancock County" (H. P. 410) (Presented by Mr. Reynolds of Mt. Desert)

(Ordered Printed)

Resolve Opening Pleasant Pond, Oxford County, to Ice Fishing (H. P. 411) (Presented by Mr. Bearce of Hebron)

(Ordered Printed)

Resolve Regulating Fishing in the Allagash River (H. P. 412) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Resolve Regulating Fishing in Sourdnahunk Lake in Piscataquis County (H. P. 413) (Presented by Mr. Gates of Millinocket)

(Ordered Printed)

Resolve Closing Sourdnahunk Lake, Piscataquis County, to All Fishing (H. P. 414) (Presented by same gentleman)

(Ordered Printed)

Resolve Opening Bald Mountain Pond, Somerset County, to Ice Fishing (H. P. 415) (Presented by Mr. Osborne of Fairfield by request)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Penalty Provisions of the Narcotic Drug Act" (H. P. 416) (Presented by Mrs. Christie of Presque Isle)

(Ordered Printed)

Bill "An Act relating to Taxation of Personal Property Held in Trust" (H. P. 417) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Bill "An Act relating to Employees of University of Maine Receiving Social Security Benefits" (H. P. 418) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the 'Community Finance Corporation'" (H. P. 419) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Portland re Sinking Fund" (H. P. 420) (Presented by Mr. McGlauffin of Portland)

(Ordered Printed)

Bill "An Act relating to Trespass by Cattle and Other Domestic Animals" (H. P. 421) (Presented by Mr. Rogerson of Houlton)

(Ordered Printed)

Bill "An Act relating to Evidence of Intoxication" (H. P. 422) (Presented by Mr. Stewart of Portland)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution Permitting Indians to Vote (H. P. 423) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Resolve providing Retirement Pension Increase for Arthur L. Jor-

dan of Augusta (H. P. 424) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Resolve Granting a Pension to Ida M. Fuller of Mount Vernon (H. P. 425) (Presented by Mr. Riley of Livermore Falls)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Burial Expenses Under Workmen's Compensation Act" (H. P. 426) (Presented by Mr. Small of Mexico)

(Ordered Printed)

Bill "An Act relating to Compensation for Death Under Workmen's Compensation Act" (H. P. 427) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Compensation for Total Incapacity Under Workmen's Compensation Law" (H. P. 428) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Total Compensation for Total Incapacity Under Workmen's Compensation Law" (H. P. 429) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Provide a New Charter for the City of Saco" (H. P. 430) (Presented by Mr. Fitanides of Saco)

(1000 Copies Ordered Printed)

Bill "An Act to Repeal the Charter of the Lucerne-in-Maine Village Corporation" (H. P. 431) (Presented by Mr. Jewett of Bucksport)

(Ordered Printed)

Bill "An Act Creating a Board of Examiners of Psychologists" (H. P. 432) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Bill "An Act Amending the Town of Orono High School District" (H. P. 433) (Presented by Mr. Woodcock of Bangor)

(Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act Utilizing Professional Training for Chiropractors" (H. P.

434) (Presented by Mrs. Christie of Presque Isle)
 (Ordered Printed)
 Sent up for concurrence.

Public Utilities

Bill "An Act to Incorporate the Castine Water District" (H. P. 435) (Presented by Mr. Jewett of Bucksport)

(Ordered Printed)

Bill "An Act to Extend the Charter of Castine Water District" (H. P. 436) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Enlarging the Purposes of New Portland and Eustis Telephone and Telegraph Company and Changing Its Name to Somerset Telephone Company" (H. P. 437) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Bill "An Act to Incorporate the Madawaska Water District" (H. P. 438) (Presented by Mr. Wylie of Madawaska)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Clarifying the Excise Tax on Aircraft" (H. P. 439) (Presented by Mr. Hussey of Windsor)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Fees of Jurors" (H. P. 440) (Presented by Mr. Alden of Gorham)

(Ordered Printed)

Bill "An Act relating to the County Law Library of Penobscot County" (H. P. 441) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Bill "An Act relating to Fees Payable to Registers of Deeds" (H. P. 442) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Amending Law on Ferry Between Beals and Jonesport" (H. P. 443) (Presented by Mr. Hanson of Machiasport)

(Ordered Printed)

Bill "An Act relating to the Road Repair Tax Fund in the Townships of Alder Stream, Coburn Gore, Chain of Ponds, and Jim Pond"

(H. P. 444) (Presented by Mr. Harnden of Rangeley)

(Ordered Printed)

Bill "An Act relating to Rental for the South Portland Municipal Court" (H. P. 445) (Presented by Mr. Low of South Portland)

(Ordered Printed)

Bill "An Act relative to the Salary of the Judge of the Brunswick Municipal Court" (H. P. 446) (Presented by Mr. Senter of Brunswick)

(Ordered Printed)

Bill "An Act to Increase the Salary of the Recorder of the Brunswick Municipal Court" (H. P. 447) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Number of Medical Examiners in Androscoggin County" (H. P. 448) (Presented by Mr. Trafton of Auburn)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Permits to Haul Farm Products Over Certain Highways" (H. P. 449) (Presented by Mr. Albert of Augusta)

(Ordered Printed)

Bill "An Act to Increase the Fee Allowed Official Motor Vehicle Inspection Stations" (H. P. 450) (Presented by Mr. Alden of Gorham)

(Ordered Printed)

Bill "An Act to Clarify the Aviation Laws" (H. P. 451) (Presented by Mr. Hussey of Windsor)

(Ordered Printed)

Bill "An Act relating to Registration Certificates for Airmen, Aircraft and Air Carriers" (H. P. 452) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Exemptions for Non-Resident Airmen" (H. P. 453) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Exemptions for Non-Resident Aircraft" (H. P. 454) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Welfare

Resolve providing for an Increase in State Pension for Chester Simpson of Monson (H. P. 455) (Presented by Mr. Anderson of Greenville)

Resolve providing for State Pension for Ronald Williams of Newcastle (H. P. 456) (Presented by Mr. Chase of Whitefield)

Resolve providing for State Pension for Marion Peasley of Whitefield (H. P. 457) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Ethel Merry of Waldoboro (H. P. 458) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Freda Potter of North Whitefield (H. P. 459) (Presented by same gentleman)

Resolve providing for State Pension for Arthur Thibodeau of Caribou (H. P. 460) (Presented by Mr. Currier of Caribou)

Resolve providing for State Pension for Levi Bouchard of North Caribou (H. P. 461) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Thomas Bard of Fort Kent (H. P. 462) (Presented by Mr. Cyr of Fort Kent)

Resolve providing for State Pension for Lena Doucette of Fort Kent (H. P. 463) (Presented by same gentleman)

Resolve providing for State Pension for Carroll F. Crowley of Jonesport (H. P. 464) (Presented by Mr. Hanson of Machiasport)

Resolve providing for State Pension for Christie Davis of Jonesboro (H. P. 465) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Daniel McCurdy of China (H. P. 466) (Presented by Mr. Hussey of Windsor)

Resolve providing for an Increase in State Pension for Geneva Gay of Fairfield (H. P. 467) (Presented by Mr. Keay of Albion)

Resolve providing for an Increase in State Pension for Colby Harding of Albion (H. P. 468) (Presented by same gentleman)

Resolve providing for State Pension for Shepard Harmon of Augusta (H. P. 469) (Presented by Mr. Martin of Augusta)

Resolve providing for State Pension for Samuel A. Brackett of Biddeford (H. P. 470) (Presented by Mr. Nadeau of Biddeford)

Resolve providing for an Increase in State Pension for Flora E. Mosher of Smithfield (H. P. 471) (Presented by Mr. Osborne of Fairfield)

Resolve providing for State Pension for Nina Callahan of Houlton (H. P. 472) (Presented by Mr. Rogerson of Houlton)

Resolve providing for a State Pension for Arthur Giasson of Rumford (H. P. 473) (Presented by Mr. Small of Mexico)

Resolve providing for an Increase in State Pension for Alwood E. Howard of Mexico (H. P. 474) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Charles Robie of Mexico (H. P. 475) (Presented by same gentleman)

Sent up for concurrence.

On motion of Miss Lawry of Rockland, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Orders

On motion of Mr. Dennis of Litchfield, it was

ORDERED, that Rev. Gordon Buzza of Winthrop, be invited to officiate as Chaplain of the House on Wednesday, February 25, 1953.

On motion of Mr. Hand of New Limerick, it was

ORDERED, that the Clerk of the House be directed to convey to the Frontier Trust Company of Fort Fairfield, the appreciation and thanks of the members of the House of Representatives of the pictures of President Eisenhower which were made available to them.

Mr. Clements of Belfast, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be paid to John Mitchell, Representative of the Penobscot tribe of Indians, on account of compensation the sum of one hundred dollars (\$100.00) and also mileage the same as received by the Indian Representative to the 95th Legislature. (H. P. 477)

Thereupon, the Order received passage and was sent up for concurrence.

On motion of Mr. Trafton of Auburn, it was

ORDERED, that Rev. Frederick D. Hayes of Auburn, be invited to

officiate as Chaplain of the House on Thursday, February 19, 1953.

Mr. Chase of Whitefield, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the chairmen of the several Joint Standing Committees be directed to have their respective clerks prepare before 2 P. M. of each Tuesday, copies of a list of all Bills and Resolves which have been assigned for public hearings the following week; and that copies of said lists shall be mailed to each of the weekly papers of the State. (H. P. 478)

Thereupon, the Order received passage and was sent up for concurrence.

House Report of Committee

Mr. Fuller from the Committee on Judiciary on Bill "An Act relating to Liens on Logs, Lumber, Wood and Bark" (H. P. 29) (L. D. 23) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 29, L. D. 23, Bill "An Act Relating to Liens on Logs, Lumber, Wood and Bark."

Amend said bill by striking out in the eighth line thereof, the underlined word "including" and insert in place thereof the underlined words "and for"

Thereupon, Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

Order of the Day

The SPEAKER: The Chair lays before the House at this time the first tabled and today assigned matter, Bill "An Act Creating the Maine Food Law" (H. P. 344) (L. D. 351) tabled on February 4 by the gentleman from Standish, Mr. Center, pending reference.

The Chair recognizes the gentleman from Augusta, Mr. Albert.

On motion of Mr. Albert the bill was referred to the Committee on Agriculture and sent up for concurrence.

On motion of the gentleman from Portland, Mr. McGlauffin, the House voted to take from the table the second tabled and unassigned matter, House Order Requiring Attorney General to Report to House re Violation of Constitutional Rights of Francis M. Carroll, tabled by that gentleman on February 4 pending passage.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: After my talk yesterday on this order, the gentleman from Lewiston, Mr. Jalbert, criticized me for the reference I made to the punishment for incest when the man had not been convicted. I think that is a proper criticism because I will admit that there has been no conviction. I do not want to be unfair to anybody in my argument, so what I said yesterday, so far as I am concerned, you can forget if you want to, but I want you to heed what I have to say today because I have had a chance to see how vicious this bill is and I want to point it out to you.

Let me say before I start this argument, as I said yesterday, the gentleman who introduced this order is a man whom I highly respect. In the remarks that I shall make I do not want you to think for a minute that I am trying to criticize him. He has either put this bill in unthinkingly or someone else has written it for him, I do not care which.

This man Carroll was tried for murder and he was found guilty, and even the Archibald report states that from the evidence that was presented to the jury the conviction was proper. I want to say that Mr. Carroll, if he was guilty, is exceedingly fortunate to be out of jail today, and I want to say further that if he is innocent he is exceedingly fortunate to be at liberty today, and he ought to thank God that things happened so that he could get out.

This order wants to identify those persons who are responsible for the

violation of the Constitution. I know something about constitutional law myself. I have done more to defend the Constitution of Maine than any man in this Legislature, past and present, and I do not know of any constitutional right that has been violated. If some constitutional rights have been violated it is up to the proponents of this order to point them out to us so that we may know what they are.

Now let us see about this constitutionality. This man was tried by a jury of his peers, just the same as every other criminal is tried, and he was found guilty. Two persons, Judge Beliveau and Mr. Archibald, investigated that matter and said that some evidence was suppressed.

I want to point out to you that you cannot prosecute any attorney for keeping out evidence in the case that he tries. If Mr. Ingalls kept out evidence he had a right as attorney for the State to do that very thing, and if he were alive today you could not prosecute him, and you certainly are not going to prosecute him when he is dead. Why are you going to prosecute him? The jury that found this man guilty were the ones that sent him to jail. Are you going to say from the evidence in that Carroll report that the members of the jury did not do their duty? Of course not.

Then I have heard it said that the Sheriff could have given some testimony that would have helped Mr. Carroll but he did not give it. Do you think you can prosecute any man for not giving evidence in a case when he is not called upon to give that evidence?

Now let us come back to this constitutionality. The order says that it wants this Legislature to go on record as saying that the conviction of Carroll was a violation of his constitutional rights. I want to ask you men and women: How long since this Legislature became a court of justice? What right have we to pass upon the question of whether his constitutional rights have been violated or not? We are asked to allege in this Legislature that his constitutional rights have been violated when there is not one member here who knows that to be a fact.

This document asks the Attorney General, from the evidence in his possession, to find out who was responsible for this so-called miscarriage of justice. I know of no evidence that the Attorney General has in this case except what was in the report on that case, and if any one of you can find any evidence that would convict anybody of anything I would like to have you point it out to me.

Now this State has spent thousands of dollars investigating this Carroll case, trying to find out if there was not something they could do to bring this to a satisfactory end, and after spending thousands of dollars we get a report, and what does that report amount to? From my point of view, I do not see where we gained one single thing. Now with the evidence that you already have in the Archibald report, what do you think the Attorney General can report on this? It just means more expense, more time wasted, and he will come back to us and report that they could not find anybody guilty of anything. Where are we then? We will not have accomplished anything. This will not accomplish anything except do more harm. That I am going to point out later.

The next allegation in the order is that it wants the Attorney General to set forth in his report "the particular acts or failures to act, deliberate or negligent, positive or passive, of each such individual which contributed to this miscarriage of justice."

Now let me point out to you that if you pass this order you are stating that this Legislature finds that there has been a miscarriage of justice. How do you know? You have not heard the evidence. Why should we go on record before the world to say there has been a miscarriage of justice when we have not heard the evidence.

This makes me think of a case that I knew about when Ralph Ingalls was alive. He was going up to Waterboro to defend a man and I went along with him. When we arrived there, there was the Justice of the Peace sitting on the piazza of this schoolhouse where they were going to have the trial. As we drove into the yard I heard this

Justice say, "When that fellow comes in before me today I am going to soak him." He had not heard one word of the evidence, he did not know one thing about the case except what somebody had told him, and yet he was ready to convict the man. If you pass this order, that is exactly what you are doing, and you will make this State the laughing-stock of the country. And why? Because they will say that they have got a new way of discovering the guilt or innocence of a man: they pass an order in the Legislature saying that he is guilty or innocent, regardless of the evidence. Members, you cannot do that this side of the Iron Curtain where they do not give you any chance at all.

I do not want to take too much of your time, but I have got one other point. This order is full of dynamite; it is worse than nitroglycerine. I predict you will never have a Russian bomb fall on Maine that will do the harm that this order will do if you pass it. And why? Two years ago this man Carroll had the nerve to come before this Legislature and demand \$125,000 in payment for what I do not know, but that is what he wanted, and this Legislature turned it down almost unanimously.

What is going to be the effect of this order? Listen. We are going to allege here this morning, if you pass this order, that Carroll's constitutional rights have been violated. If his constitutional rights have been violated, who did it? Why, it is the State of Maine; its Legal Department, its Justice Department sent him there. You are going on record as saying that there has been a miscarriage of justice. That means that the State has allowed a miscarriage of justice.

Now get this point: if you pass this order, tomorrow somebody will come in here with a new \$125,000 bill against the State. When you admit it on the record that the State has allowed constitutional rights of some one to be passed upon and when you admit there has been a miscarriage of justice and that this State is to blame, how are you going to get out of paying whenever they put a bill before you? That is why I say this thing is full

of dynamite. Machiavelli himself could not have written up a more ingenious report for this reason: to make you think you are investigating something but to lay the foundation to get a large sum of money out of this State.

I have a motion to make, but I am not going to make it until others have had an opportunity to discuss this order. Thank you.

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

Mr. FOGG: Mr. Speaker, I do not intend to take a great deal of your time, all I want is just a few minutes. I think that this whole thing boils down to this simple fact: Whether we are going to believe the Attorney General's report or not going to believe the Attorney General's report. The Attorney General's report on Francis Carroll states that he was wrongly put in State's Prison. Anything like this doesn't just happen. Either somebody has made a very serious mistake or somebody has committed a very serious crime.

Now, the gentleman from Portland, Mr. McGlauffin, says here that Francis Carroll was tried by a jury of his peers and found guilty. Everybody admits that on the evidence as it was presented to the jury you could not criticize the jury for finding him guilty because a lot of the evidence was false, some of the evidence was withheld and some of the witnesses who could have helped Francis Carroll were withheld.

If we refer to the Attorney General's report, on page 4, I think it can be said that this false evidence which was introduced was a 17 page statement which Paul Dwyer had made and that had proven to be in existence and it was not introduced, there was a shorter statement which was used in its place. They misrepresented facts. Down further, it tells you how the prosecuting attorney took a 45 caliber automatic pistol and held it in one hand and the picture in the other hand and practically told the jury that the pistol had made the wound on Dr. Littlefield's head.

Now, I covered this thing quite thoroughly two years ago. I made

my stand known on it then and I have stuck to that stand ever since. I told this gathering two years ago how Leon Shepard, the investigator for the State Police had told the Assistant Attorney General that that pistol could not have made the wound on Dr. Littlefield's head and blood tests have proved that the pistol had nothing to do with the murder.

On that same page, you will notice that they failed to produce witnesses whose testimony they knew would help clear Carroll. Two young fellows came up from Boston to testify and then they refused to testify that they had seen Paul Dwyer and Mrs. Littlefield around Portsmouth at 10:00 o'clock one night. They were sent home without testifying at all. However, the State was charged with the cost of their appearing here.

Now, these men have sworn on oath to defend the Constitution of the United States and the Constitution of Maine. I feel that they have failed in all respects. This is the most basically evil thing that I have ever known to be done by any public officials. It is doubly evil because it was done deliberately. These men have tampered with and tried to destroy something that belongs to you and belongs to me just as much as it belongs to Francis Carroll. They have tried to destroy the right to a fair and impartial trial. If that right is ever taken away from us or destroyed, believe me, we are going to be in a lot of trouble in this country. We have fought an awful lot for that right throughout the world. We have had soldiers who suffered at Valley Forge, who fought in the Revolutionary War, to gain this right and make it secure for the people of this country. While they were fighting, they were fighting with the anticipation that future generations would preserve that right and that they would not throw it away.

In the War of 1812, we went out again, our ancestors did, and fought for this right when the British started to take our sailors from our ships and other ships and gave them the same kind of a trial that Francis Carroll was given.

World War I and World War II were fought and one of the prime

reasons why these two wars were fought was to preserve this very same right. Our boys fought all over the battlefields of Europe. The jungles are filled with our dead. We filled the green waters from Florida Island to Iwo Jima with our dead. When those boys went on those islands, they didn't look back over their shoulders and say: "What are you folks going to do with these rights once we get them for you?" They had a job to do and they went ahead and did it. I think that this Legislature has a job to do and I, for one, am going to go ahead and do it. If it happens to be embarrassing to somebody or if it happens to be embarrassing to somebody's friends, I still think the job should be done.

I believe there are two underlying reasons why anybody would ever try a thing like this: In the first place, they believe they are smart enough to pull it and get away with it. They don't think they will ever be found out and that the truth will never be known. In the second place, they believe that they are influential enough to keep from being punished if the truth is found out.

I certainly believe this order should be passed.

Mr. McGLAUF LIN: Mr. Speaker:

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

Mr. McGLAUF LIN: Mr. Speaker, I do not want to shut off any debate but if there is no further debate, I move for the indefinite postponement of this order.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that House Order Requiring Attorney General to Report to House re Violation of Constitutional Rights of Francis M. Carroll be indefinitely postponed.

The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: I have the highest regard for my good friend, in fact, an affection, for the gentleman from Portland, Mr. McGlaufflin. We have assured ourselves with practically our arms around our necks that nothing personal would be held against one or

the other in our remarks today. However, I would like to have somebody tell me why it is, when an ordinary grass root fellow like myself tries to point the finger at the legal and justice profession, why is it that, with some exceptions, the ranks close just as tightly as the Iron Curtain that my colleague mentioned. I know not; I am not a lawyer. There are some exceptions, thank Heavens.

It is a temptation to go into the details of this sordid mess but I am not going to do that. It is a temptation to repeat phrases that were used by the prosecution, "make the damn thing fit," and so forth. It is difficult for me not to go into those things but you have read it. There are not many of us here skilled in the manipulations of the law, the dodges and resources and things that are sometimes used, but every one of us can read, read quite clearly, and every one of us in this House, I am convinced, has some good, downright horse sense. Where is the doubt? Where is the doubt in the decision of the Honorable Albert Beliveau when he says "that the prosecution deliberately, purposely and intentionally violated the Fifth and the Fourteenth Amendments to the Federal Constitution", and so forth.

Where is the doubt? I don't see it. I can not believe for the life of me, because they are human too, that the legal profession and the whole mass of individuals making up our justice department are as pure as the lily and as toothsome as the honey as they used to say about some tobacco. I just can not believe that, neither did Judge Beliveau. "As a man thinketh within himself, so is he."

Now, if you are satisfied to leave this blotch on the name of the State of Maine, go along and support the motion which is before you, put this back down into the dirty hole where it has been for all these years, festering, and worrying us and shaming us. But if you want to go along as you did in the other mess and clean the slate, you will support my original motion or oppose the one before you now. There is no more expense to the thing. There is a mass of evidence

in the Attorney General's office referred to in Mr. Archibald's report and I hope we have all read it.

Now, just one more thing. No one influenced me to put that in, not by any manner of means but I have to sleep with myself every night and I like to sleep soundly and good and my conscience has got to be reasonably clear or I won't sleep, and just as long as I have a voice and can get on my feet I want to howl to clear this matter up if there is any way I can find to do it. I know not all about the legal maneuvers. I wish there were an attorney here that was — well, I guess what I mean is that he was on my side of the fence. I guess that is what I mean. Perhaps there isn't but we have all got horse sense and I am depending on you folks to use your good old State of Maine horse sense on this thing. I don't know about the money bill. I don't know Francis Carroll. I don't want to. I wouldn't know him if he walked in that door. That's not the point. That is not the point by any manner of means. His rights were taken away from him by officials of the State. Maybe there will be a money bill in here, probably there will, so what? Do you believe that the constitutional rights of a citizen have been violated?

I am going to ask the Chair to state the question now before the House very clearly so that all will be fair.

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

Mr. **LOW**: Mr. Speaker, I want to go on record as favoring the order of the gentleman from Island Falls (Mr. Crabtree). I hope that the motion to indefinitely postpone does not prevail.

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

Mr. **WINCHENPAW**: Mr. Speaker, I have been sitting here debating whether I should enter this discussion or not, but since I live in the shadow of the prison in Thomaston I may be in a little better position than some others to throw a little light on this subject.

Now I feel that if we owe anyone anything we should pay the bill.

I have felt all along that Mr. Carroll was arrested for one crime but when he came to trial he was tried for another crime, and I know that there are many people connected with the prison in Thomaston who feel the way that I do, that perhaps an injustice was created against Mr. Carroll. I also heard Mr. Shepard and I personally saw some of Mr. Shepard's movies that went along with this Carroll trial, and I feel as Mr. Crabtree does, that this motion should not prevail.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. SMALL: Mr. Speaker and Members of this Honorable House: As a representative from my class in the County of Oxford, I would like to make my position clear also upon this matter.

In my county, at about the time that this trial took place, and previous to that in fact, there were many irregularities in the conduct of our courts that were proven and can be proven today.

I like to think of our system of justice as one that will protect me as well as punish me; and I hope that our State Attorney General will not have his power clipped in any way so that he may not only prosecute us as we deserve to be prosecuted under the law but that he also will perform his duties in protecting us.

I do not agree with the learned member of the Bar (Mr. McGlauffin) that evidence should be withheld which might be in my favor if I am before a court of justice charged with a crime. It may be all right in a game, but when a man's life and liberties are at stake I feel that all evidence should be introduced, not only against him but in his favor, so that justice can be rendered fairly. I hope that the motion to table this matter permanently is voted down.

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

Mr. McGLAUFFIN: Mr. Speaker I rise to a matter of privilege.

The SPEAKER: The Chair recognizes the gentleman from Portland,

Mr. McGlauffin, on his matter of privilege.

Mr. McGLAUFFIN: The gentleman who just spoke intimated that I said or that I gave the impression that evidence should be withheld. I made no such statement. I said that the matter of whether evidence should be withheld or presented is the right of the attorney who is trying the case, and that is the law.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I am really sorry to have to enter into this as I admit that I am not of the legal profession but I did have the opportunity to listen to the hearings here in this House two years ago and I also communicated with some of the officials in the county in which the deed was done. They were not connected with the trial but they were some of the leading citizens and from that I gained a strong idea that if Francis Carroll secures his freedom—which he has now—that he is well paid. To clean up this dirty mess which we have been in I wish to second the motion of the gentleman from Portland (Mr. McGlauffin) for the reason principally that the report which we have studied and which we are basing our action upon does not amount to anything so far as I am concerned. There is nothing in that report that I can see any definite evidence whereby he should have his freedom. It is just what this one thought or advised, or what not. There was no definite evidence. We did get evidence two years ago from our hearings. Therefore, I wish to move the indefinite postponement and I also ask for a division of the House.

The SPEAKER: The Chair will state that the motion for indefinite postponement is already before the House.

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

Mr. TRAFTON: Mr. Speaker, we have had several positions taken today and, before casting a vote, I would like to take a slightly different position from any previously expressed. I believe with the gentleman from Island Falls (Mr. Crab-

tree) that there was a miscarriage of justice. I believe that is rather plainly shown in the Archibald report. I do not, however, see any value in having a further report on the particular acts or failures to act, deliberate or negligent, of the individuals involved. I think a slight reading between the lines of the report makes it quite clear without anything further being said about it.

I do not believe that the legal profession, and I am a member of that profession, will group together against anyone else to protect one of their own group in wrongdoing. I believe that it is the duty of our county attorneys and prosecuting officials to see that a man is fairly tried by all the evidence available even though that means they lose the conviction they are seeking.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Fuller.

Mr. FULLER: Mr. Speaker and Members of the House: As a member of the legal profession, I would like to state my position on this. I agree with the gentleman from Portland, Mr. McGlauffin, to the extent that I think it is proper for us to request certain information from the Attorney General. I doubt if it is proper for us to place ourselves on record as saying that certain things have been done in just the manner that this order purports to do. So far as this matter of withholding of evidence is concerned, after hearing it explained twice, I still differ with the gentleman from Portland (Mr. McGlauffin) on that point.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that House Order Requiring Attorney General to Report to House re Violation of Constitutional Rights of Francis M. Carroll be indefinitely postponed.

The gentleman from Woolwich, Mr. Bailey, has requested a division.

As many as are in favor of the indefinite postponement of this House Order will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Eighty-four having voted in the affirmative and thirty-six in the negative, the motion prevailed and the House Order was indefinitely postponed.

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

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

On motion of Mr. Dickey the House voted to take from the table the third tabled and unassigned matter, Bill "An Act Increasing Old Age Assistance and Aid to the Blind" House Paper 25, Legislative Document 13 tabled by that gentleman on February 4 pending third reading.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, I would like to address a question through the Chair, if I may. My question is: If this bill passes, will the recipients now receiving \$24 a month receive this \$5 extra?

The SPEAKER: The gentleman from Brooks, Mr. Dickey, addresses a question through the Chair to anyone in the House. If there is some member in the House, perhaps on the Welfare Committee, who feels qualified to answer the question, he may answer if he so desires.

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

Mr. CLEMENTS: Mr. Speaker, in answer to that question, the answer is "no".

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, I would like to ask a further question through the Chair. My question is: If recipients are now receiving \$34 a month, will they receive this \$5 extra?

The SPEAKER: The gentleman from Brooks, Mr. Dickey, addresses a question through the Chair. The gentleman from Belfast, Mr. Clements, may answer if he so desires.

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

Mr. CLEMENTS: Mr. Speaker, the answer to that question is also "no".

The recipients under \$50, those that were considered deserving, re-

ceived a raise in January. This does not affect anyone who is not already receiving \$50 a month.

Mr. DICKEY: Mr. Speaker —

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, I would like to add a further question if I may.

The SPEAKER: The gentleman may proceed.

Mr. DICKEY: Mr. Speaker, my question is: If recipients are now receiving \$49 a month, will they receive this \$5 raise?

The SPEAKER: The gentleman from Brooks, Mr. Dickey, asks a question through the Chair. The gentleman from Belfast, Mr. Clements, may answer if he so desires.

Mr. CLEMENTS: Mr. Speaker, I just covered that in my previous statement. It would be only those receiving \$50 at the present time.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Gates.

Mr. GATES: Mr. Speaker, perhaps I may be able to clarify this question and the answers. I am a municipal officer and am quite well acquainted. Four years ago, I was on the Welfare Committee. The allotment to an old age recipient is gauged according to his income. Now, a gentleman who is getting \$49 is much better off than a man who is getting \$50. In other words, the Commissioner or his workers have figured out what that man's income is together with what his normal costs may be. This income is deducted from what his normal costs may be and the department makes a grant of an amount not in excess of \$50 to supplement his income. So the man who is getting \$24, \$34 or \$49 is much better off than a man who is getting \$50 for the reason that he has a sufficient income when combined with the \$49 of his grant to keep him. I hope that answers the question.

Mr. JACOBS of Auburn: Mr. Speaker —

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

Mr. JACOBS: Mr. Speaker, I want to present a resolve.

The SPEAKER: The Chair will request the gentleman to kindly defer until we have finished the matter before us at this time.

Mr. JACOBS: Mr. Speaker, excuse me, I thought we had.

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

Mr. CLEMENTS: Mr. Speaker, I move the third reading of that bill.

The SPEAKER: The gentleman from Belfast, Mr. Clements, moves that the bill now be given its third reading. Is this the pleasure of the House?

The motion prevailed and Bill "An Act Increasing Old Age Assistance and Aid to the Blind", (S. P. 25) (L. D. 13) was read the third time, passed to be engrossed in concurrence.

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

Mr. JACOBS: Mr. Speaker, out of order and under suspension of the rules, I present a resolve and move its passage. I think it is on the members' desks.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, out of order and under suspension of the rules, presents a resolve and moves its passage. The Clerk will read the resolve.

The CLERK:

STATE OF MAINE

In the Year of Our Lord, Nineteen Hundred Fifty-three.

RESOLVE Appropriating Money for the Continued Study of the Maine State Liquor Monopoly Operations.

Emergency preamble. Whereas, the attorney general has been and will continue to engage in the active investigation of certain criminal actions; and

Whereas, it is of vital importance to the safety and welfare of the people of the state of Maine that these investigations be continued; and

Whereas, there are no funds available to the attorney general to pay the expenses of such investigations; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution and require the

following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Appropriation to attorney general for investigation of crime.

Resolved: That the sum of \$35,000 be, and hereby is, appropriated from the unappropriated surplus of the general fund, for the use of the attorney general to pay the expenses of such investigations of the Maine state liquor monopoly operations as he deems necessary; and the attorney general is hereby authorized to employ such assistants and to pay them such compensation and expenses as he deems necessary to further such investigations.

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Statement of Facts

There are no funds available to the attorney general for the continuance of investigations now under way in his office. It is necessary that these investigations be continued without any break in the time element.

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

Mr. JACOBS: Mr. Speaker, in the ordinary procedure, I move that this be referred to the Committee on

Appropriations and Financial Affairs and be printed.

This is in line with what we were talking about a few days ago on this same subject. I have a feeling and I think others do that this matter should be handled by the Attorney General; as we have understood, throughout the State there is a sentiment for this and, in the ordinary procedure, have this referred to the Committee on Appropriations and Financial Affairs for their handling of the affair in that department.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that this resolve be referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed.

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

If there is no further business to come before the House at this time, the Clerk will read the notices.

On motion of Mr. Tardiff of Lewiston,

Adjourned until Tuesday, February 10, at eleven o'clock in the forenoon.