

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

# Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

**HOUSE**

Wednesday, January 1, 1941.

In convention of the members-elect of the Ninetieth Legislature.

This day being the day designated by the Constitution of the State for the meeting of the Ninetieth Legislature, the members-elect of the House of Representatives assembled in the hall of the House of Representatives at ten o'clock A. M. and were called to order by Harvey R. Pease, Clerk of the House of 1939.

Prayer was offered by the Rev. Dr. McWhorter of Augusta.

A communication was received from the Secretary of State transmitting a certified roll of the Representatives-elect of the Ninetieth Legislature.

On motion by Mr. Payson of Portland, the communication was ordered placed on file.

A certified roll of Representatives-elect was then called by the Clerk of the Eighty-ninth Legislature. The elected membership of the House being 151, Representative-elect MacNichol of Eastport, having resigned, 142 members-elect having answered to their names, a quorum was found to be present.

Those who were absent were:

Messrs. Boyd of Winn, Brown of Bangor, Brown of Eagle Lake, Miss Clough of Bangor, Messrs. Cowan of Portland, Dorsey of Fort Fairfield, Michaud of Van Buren and Smith of Thomaston.

On motion by Mr. Murchie of Calais, that gentleman and Messrs. Farwell of Unity, Pratt of Turner, Bowers of Sherman Mills, Payson of Portland, Donahue of Biddeford, and Leveque of Lewiston, were appointed a committee to wait upon the Governor and inform him that a quorum of the members-elect of the House of Representatives had assembled in the hall of the House and to request his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Mr. Murchie subsequently reported that the committee had discharged the duty assigned it, and that the Governor was pleased to say that he would forthwith attend upon the Representatives-elect for

the purpose of administering to them the oaths required by the Constitution.

The report of the committee was accepted.

Thereupon, the Governor, attended by his Council, entered the hall amid applause, and administered to the members-elect, and they subscribed, the oaths required by the Constitution to qualify them to discharge their official duties.

Governor Barrows then addressed the House as follows:

**GOVERNOR BARROWS:** Members of the House: Inasmuch as I terminate my efforts for the State of Maine today and you are about to begin your session, it may not be inappropriate to apprise you of the healthy financial condition of the State at the close of the present administration.

To that end I requested of the Controller and the Auditor that they file a condensed statement which would reflect some of the features of our present condition, and I would respectfully ask the clerk to supply each member of this body with a copy of the report which they have submitted to me.

In conclusion, may I not wish the incoming administration and the Ninetieth Legislature every possible success in the solution of the varied problems that may be presented to you. (Applause)

Governor Barrows, attended by the Council, then retired, amid the applause of the House, the members rising.

On motion by Mr. Richardson of Strong, that gentleman and Messrs. Robie of Auburn, Good of Monticello, Hall of Wilton, Lambert of Lewiston, and Pelletier of Sanford, were appointed a committee to receive, sort and count votes for Speaker of the House.

One hundred and thirty-eight ballots were cast; necessary for a choice, 70; George D. Varney received 120; Warren E. Belanger received 18; and George D. Varney was declared duly elected Speaker of the House of Representatives of the Ninetieth Legislature.

The Sergeant-at-Arms thereupon escorted Speaker Varney to the Chair, amid the applause of the House, the members rising.

Speaker Varney then addressed the House as follows:

The SPEAKER: Members of the House of Representatives of the Ninetieth Legislature: I intend to show my sincere appreciation for this honor by presiding over you fairly and impartially to the best of my ability. Very soon now we will adopt a set of rules to govern us during our deliberations. Those rules are designed to give and do give to each and every member full opportunity for them to express their own individual views on all matters. I recommend to all of you that you study those rules and become familiar with them and in that way be able to take your full share in our deliberations. I shall consider it my duty as presiding officer to insist upon a substantial compliance with these rules at all times. It is my hope that each one of you will take a real active part in our deliberations. As your presiding officer, I shall never tire of presiding over you while you are debating, no matter how long or how often, because I believe it is for the interests of the people of the State of Maine that you should fully discuss all matters here on the floor of the House, and I believe that no bad legislation can possibly pass this House unless it should do so unnoticed.

And now may I invite each of you to feel free to come to the Speaker's office at all times for help on matters of procedure, at the same time warning you against expecting me to take any sides in your controversies. I thank you. (Applause)

The SPEAKER: The Chair awaits the pleasure of the House.

On motion by Mr. Walker of Littleton, that gentleman and Messrs. Winter of Kingfield, Holman of Dixfield, Otto of Dexter, Poulin of Waterville, and Mrs. Grady of Whitefield, were appointed a committee to receive, sort and count votes for Clerk of the House.

Mr. BELANGER of Winslow: Mr. Speaker, the minority party, placing confidence in the ability and integrity of Harvey R. Pease, do not place at this time one of our members as a candidate for Clerk of the House. I want at this time to make the motion that the committee cast

one ballot for Harvey R. Pease as Clerk of the House. (Applause)

The motion prevailed and the Chairman of the Committee cast one ballot for Harvey R. Pease of Wiscasset, as Clerk of the House, and he was declared duly elected Clerk of the House of the Ninetieth Legislature.

On motion by Mr. Worth of Stockton Springs, that gentleman and Messrs. Fenlason of North Anson, Buker of Bath, Preble of Millinocket, Brown of Eagle Lake, and Smith of Thomaston, were appointed a committee to receive, sort and count votes for Assistant Clerk of the House.

Mr. BELANGER of Winslow: Mr. Speaker, for the same reason that I expressed in the choice of a Clerk, as leader of the minority party at this time I wish to move that the committee cast one ballot for Earl L. Wing as Assistant Clerk of the House.

The motion prevailed and the Chairman of the Committee cast one ballot for Earl L. Wing of Kingfield, as Assistant Clerk of the House, and he was declared duly elected Assistant Clerk of the House of the Ninetieth Legislature.

On motion by Mr. Farwell of Unity, that gentleman and Messrs. Slosberg of Gardiner, Crockett of North Haven, Brown of Corinna, Seeger of Kittery, Dorrance of Richmond, and Labbe of Fort Kent, were appointed a committee to notify the Governor of the organization of the House by the election of Honorable George D. Varney as Speaker, Harvey R. Pease as Clerk, and Earl L. Wing as Assistant Clerk.

Mr. Farwell subsequently reported that the committee had discharged the duty assigned it.

The same information was conveyed to the Senate by Mr. Payson of Portland.

At this time a message was received from the Senate, through Senator Dow of Oxford, informing the House that the Senate had been duly organized by the election of Honorable Nathaniel Tompkins of Houlton, as President, Royden V. Brown as Secretary, and Chester T. Winslow as Assistant Secretary.

On motion by Mr. Shesong of Portland, that gentleman conducted the Clerk and the Assistant Clerk to the Governor to take and subscribe the oaths necessary to qualify them to enter upon the discharge of their official duties, and Mr. Sheesong subsequently reported that he had discharged the duty assigned him and that the Clerk and Assistant Clerk had taken the subscribed oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Thereupon, Harvey R. Pease, Clerk, and Earl L. Wing, Assistant Clerk, appeared and entered upon the discharge of their official duties.

On motion by Mr. Belanger of Winslow, it was

ORDERED, that Frank H. Treworgy of East Surry, be Sergeant-at-Arms; Daniel H. Foley of Winterport, be Assistant Sergeant-at-Arms; James E. Harvey of Readfield, be Document Clerk; Harlen E. Gilman of Winthrop, be Doorkeeper; and that Leland P. King of Jefferson, be First Page, and Everett M. Stoddard of Readfield, be Second Page.

The following communication:

**State of Maine**

**Office of the Secretary of State**

Augusta, Maine, January 1, 1941.

To the Speaker of the House of Representatives:

In compliance with the constitution and laws of the State of Maine I have the honor to herewith transmit the returns of the votes cast for Representatives to the Legislature in the several cities, towns and plantations in the State of Maine at the general election held on September 9, A. D., 1940.

Respectfully,

(Signed) Frederick Robie  
Secretary of State.

The communication with accompanying papers was received out of order, and on motion by Mr. Payson of Portland, tabled pending reference to a committee.

The following Communication:

**STATE OF MAINE  
OFFICE OF THE SECRETARY  
OF STATE**

Augusta, Maine, January 1, 1941.

To the Speaker of the House of Representatives:

In compliance with the constitution and laws of the State of Maine I have the honor to herewith transmit the returns of the votes cast for Representative to the Legislature in the class towns of Dover-Foxcroft and Sangerville at a special election held December 10, 1940, to fill the vacancy caused by resignation of Richard P. Hill of Sanger-ville.

Respectfully,

(Signed) Frederick Robie,  
Secretary of State.

The communication with accompanying papers was received out of order, and on motion by Mr. Payson of Portland, tabled pending reference to a committee.

The following communication:

**STATE OF MAINE**

**OFFICE OF THE SECRETARY  
OF STATE**

To Harvey R. Pease, Clerk of the House of Representatives of the Ninetieth Legislature:

In compliance with section 36 of Chapter 2 of the Revised Statutes, I beg to report that a vacancy exists in the representation from the City of Eastport, caused by the resignation of Alexander A. MacNichol dated December 27, 1940.

Respectfully,

(Signed) Frederick Robie,  
Secretary of State.

The communication was received out of order, and on motion by Mr. Payson of Portland, read and ordered placed on file.

Mr. LaFLEUR of Portland: Mr. Speaker, may the record indicate that Representative Alexander A. MacNichol has been called in the Service of the United States and therefore his resignation as Representative has been filed.

The SPEAKER: The Chair hears the announcement.

The following notice of Carroll S. Burgess of Sangerville, of intent to contest the election of Ralph N. Harvey of Sangerville:

To RALPH N. HARVEY, of Sangerville, County of Piscataquis, and State of Maine:

Notice is hereby given that I, CARROLL S. BURGESS, of said Sangerville, intend to contest your claim that you have been elected to the House of Representatives of the State of Maine to serve in the 90th Legislature; and my reasons for so contesting the right so claimed by you are as follows:

(1) That you were not lawfully nominated as the Republican Party candidate for office of member of the House of Representatives to be voted upon at special election held on December 10, 1940, to fill a vacancy in said office; and more particularly that you received less than a majority of the votes cast at the meeting of the Republican town committees of said Sangerville and said Dover-Foxcroft for the purpose of supplying vacancy in the nomination for said office;

(2) That said election of December 10, 1940, at which you claimed to have been elected a member of the House of Representatives was void and of no effect as an election in that the Secretary of State did not supply to either of the Town Clerks of said Sangerville and said Dover-Foxcroft any "official absent voting or physical incapacity voting ballots" as required by the statutes of Maine.

Notice is also given that I, the undersigned, will present this petition to said House of Representatives.

December 27, 1940.

(Signed) Carroll S. Burgess.

#### STATE OF MAINE

Piscataquis, SS. December 27, 1940

I certify that on this date I delivered in hand to the within-named Ralph N. Harvey a true copy of the foregoing petition attested by me.

(Signed) James D. Cunningham  
Deputy Sheriff

which was filed with the Clerk of the House on December 28, 1940.

The notice was read, and on motion by Mr. Payson of Portland, was tabled pending reference to a committee.

On motion by Mr. Payson of Portland, it was

ORDERED, that Ruel C. Hanks of Augusta, be the Official Reporter of the House for the present session.

On motion by Mr. McNamara of Winthrop, it was

ORDERED, that the Bureau of Purchase be directed to furnish on requisition of the Clerk of the House, such stationery, office supplies and equipment as may be needed to carry on the business of the House.

On motion by Mr. Grua of Livermore Falls, it was

ORDERED, that the Clerk of the House be directed to maintain in his office an alphabetical index of all matters before the Legislature, and a legislative docket showing all action taken on all matters before the Legislature; the necessary additional clerical assistance to be employed by the Clerk with the approval of the Speaker.

On motion by Mr. Pratt of Turner, it was

ORDERED, that each member and officer of the House be furnished with one copy each of two daily newspapers published in the State to be selected by them.

On motion by Mr. McGillicuddy of Houlton, it was

ORDERED, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal of the House, said copy to be on the desk of each member at the opening of each daily session.

On motion by Mr. LaFleur of Portland, it was

ORDERED, that the Secretary of State be authorized and directed to furnish the Clerk of the House with three copies of the Revised Statutes of 1930, and three copies of the Public Laws of the regular and special sessions subsequent thereto.

On motion by Mr. Williams of Bethel, it was

ORDERED, that the Official Reporter of the House be authorized to procure the services of a typist and proof-reader during the present session for the preparation and completion of the Legislative Record.

On motion by Mr. Payson of Portland, it was

ORDERED, that the rules of the House of Representatives of the 88th Legislature be adopted for the government of this House until otherwise ordered.

Mr. PAYSON of Portland: Mr. Speaker, in order to expedite the business of the remainder of the session, I ask unanimous consent that the order of business as provided in the rules just adopted be dispensed with and that the House proceed under Orders of the Day.

The SPEAKER: The gentleman from Portland, Mr. Payson, asks that by unanimous consent the order of business as provided by the rules just adopted be dispensed with and that the House proceed under Orders of the Day. The Chair hears no objection and unanimous consent is granted.

On motion by Mr. Pratt of Turner, out of order, it was

ORDERED, that each adjournment of the House be until 10 o'clock of the following morning unless otherwise ordered.

On motion by Mr. Hinckley of South Portland, out of order, it was ORDERED, that the Clerk of the House be directed to secure uniforms for the subordinate officers of the House.

On motion by Mr. Good of Monticello, out of order, it was

ORDERED, that the Clerk of the House be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as chaplains of the House during the present session.

At this point a communication was received from the Senate, through its Secretary, proposing a Joint Convention of the two branches of the Legislature, to be held forthwith in the hall of the House, for the purpose of electing a Secretary of State, Treasurer of State, Commissioner of Agriculture, Attorney General, State Auditor and seven Executive Councilors.

On motion by Mr. Shesong of Portland, out of order, it was

ORDERED, that the Secretary of State be and hereby is authorized

and directed to furnish to each member of the House of Representatives who was not a member of the 85th, 86th, 87th, 88th or 89th Legislature one copy of the Revised Statutes.

On motion by Mr. Pratt of Turner, out of order, it was

ORDERED, that the Clerk of the House be directed to invite Rev. Joseph O. Purdue of Augusta, to officiate as Chaplain of the House on Thursday, January 2nd, 1941.

#### House at Ease

Called to order by the Speaker.

Mr. PAYSON of Portland: Mr. Speaker, I move that the House do not concur in the proposal of the Senate for a Joint Convention to be held forthwith, but that the House propose a Joint Convention with the Senate to be held at two o'clock this afternoon for the same purposes.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House do not concur with the proposal of the Senate for a Joint Convention to be held forthwith, but that the House propose a Joint Convention to be held in the hall of the House at two o'clock this afternoon for the purpose of electing a Secretary of State, State Treasurer, Attorney General, Commissioner of Agriculture, State Auditor and seven Executive Councilors. Is this the pleasure of the House?

Thereupon, the motion prevailed and the Clerk of the House was delegated to the Speaker to convey the message to the Senate, and he subsequently reported that he had discharged the duty assigned him.

The SPEAKER: Rule No. 6 of the House Rules provides that one monitor shall be appointed by the Speaker for each division of the House, whose duty shall be to see to the observance of the Rules of the House and, on demand of the Speaker, to return the number of votes and members in his division. At this time the Chair will appoint as Monitors of the House the gentleman from Rockland, Mr. Sleeper, for the first division; the gentleman from Winthrop, Mr. McNamara, for the second division; the gentleman from Sherman Mills, Mr.

Bowers, for the third division; and the gentleman from North Haven, Mr. Crockett, for the fourth division.

On motion by Mr. Payson of Portland, out of order, it was

ORDERED, that the members of the House proceed with the drawing of seats; that the usual monitors' seats be assigned to the monitors appointed by the Speaker; that a choice of seats be granted to Floor Leaders and Assistant Floor Leaders of the majority and minority parties; that a choice of seats be granted to the lady members of the House and other members with physical disabilities.

At this point a communication was received from the Senate, through its Secretary, whereby the Senate joined in the proposition of the House for a Joint Convention to be held at two o'clock in the afternoon of this day for the purpose of electing an Attorney General, Secretary of State, Treasurer of State, Commissioner of Agriculture, State Auditor and seven Executive Councilors.

The SPEAKER: At this time the Chair desires to call to the attention of all the members, and especially to the attention of the new members of this House, House Rule No. 25: "Smoking is prohibited in the hall of the House of Representatives while the House is in session." I trust the members will all take due notice of that Rule.

On motion by Mr. Payson of Portland,

Recessed until two o'clock this afternoon.

#### Afternoon Session—2 P. M.

The House was called to order by the Speaker.

The following papers from the Senate were taken up out of order and under suspension of the rules:

The following Orders:

ORDERED, the House concurring, that the Joint Rules of the Eighty-ninth Legislature to be the Joint Rules of this Legislature (S. P. 1)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House jointly prepare the Senate and House Register, and that 5,000 copies be printed for the use of the Legislature (S. P. 2)

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of fifty calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified to by the Secretary of State or his Deputy; the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates (S. P. 3)

ORDERED, the House concurring, that the Governor's desk and chair be presented to him as a gift from the 90th Legislature (S. P. 20)

ORDERED, the House concurring, that all matters pertaining to advertising, committee record binders, paper supplies and rubber stamps be referred to the Superintendent of Public Printing, who shall direct the handling of such matters (S. P. 4)

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House (S. P. 5)

ORDERED, the House concurring, that the Secretary of State be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House not exceeding \$5.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State (S. P. 6)

ORDERED, the House concurring, that no Bill for private or special legislation be received by this legislature after four o'clock in the afternoon of Thursday, January 30, 1941, except by unanimous consent in the body in which it is introduced, and further

That any bill for private or special legislation which shall be received in either body of this legis-



lature by unanimous consent after four o'clock in the afternoon on Thursday, January 30, 1941, shall be referred to the Ninety-first Legislature, if unanimous consent for its reception is not given in the other body in concurrence, and further

That the Secretary of the Senate cause a copy of the above orders to be published in all the daily and weekly papers of the State, commencing January 8, 1941, and continuing up to and including January 30, 1941. (S. P. 8)

**ORDERED**, the House concurring, that the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years of 1941 and 1942 be referred to a joint select committee of seven on the part of the Senate with such as the House may join (S. P. 8)

These Orders came from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

At this time the Senate then entered the hall of the House and a Joint Convention was formed.

#### IN CONVENTION

The President of the Senate, Hon. Nathaniel Tompkins, in the Chair.

On motion by Senator Sanborn of Cumberland, it was voted to appoint a committee to receive, sort and count votes for Secretary of State.

The Chairman of the Convention thereupon appointed as members of such committee Senators Sanborn of Cumberland, Harvey of York, Dorr of Oxford, and Representatives LaFleur of Portland, Eddy of Bangor, Welch of Chapman, Jacobs of Auburn, Patterson of Freeport, and Babin of Frenchville.

The committee, having attended to its duty, Senator Sanborn, for the committee, reported as follows:

Whole number of votes cast, 161; necessary for a choice, 81; Honorable Frederick Robie had 148 and Honorable Phidelem Demers had 13.

The report was accepted and Honorable Frederick Robie, having received a majority of the votes cast, was declared elected Secretary of State for the political years 1941-1942.

On motion by Senator Chamberlain of Penobscot, it was voted to appoint a committee to receive, sort

and count votes for Treasurer of State.

Thereupon, the Chairman of the Convention appointed as members of that committee Senators Chamberlain of Penobscot, Dow of Franklin, Morse of Waldo, and Representatives LaFleur of Portland, Bowers of Sherman Mills, Dorrance of Richmond, Mills of Farmington, Fuller of China and Bolduc of Biddeford.

The committee, having attended to its duty. Senator Chamberlain, for the committee, reported as follows:

Whole number of votes cast, 160; necessary for a choice, 81; Honorable Belmont A. Smith had 136 and Dr. Robert J. Wiseman had 24.

The report was accepted and Honorable Belmont A. Smith, having received a majority of the votes cast, was declared elected Treasurer of State for the political years 1941-1942.

On motion by Senator Laughlin of Cumberland, it was voted to appoint a committee to receive, sort and count votes for Attorney General.

The Chairman of the Convention thereupon appointed as members of such committee Senators Laughlin of Cumberland, Bate of Kennebec, Dow of Oxford, and Representatives Grua of Livermore Falls, Sylvia of Danforth, Arzonico of Yarmouth, Phair of Caswell Plantation, Starrett of Warren and Porell of Westbrook.

The committee, having attended to its duty, Senator Laughlin, for the committee, reported as follows:

Whole number of votes cast, 162; necessary for a choice, 82; Honorable Frank I. Cowan had 141 and Honorable F. Harold Dubord had 21.

The report was accepted and Honorable Frank I. Cowan, having received a majority of the votes cast, was declared elected Attorney General for the political years 1941-1942.

On motion by Senator Hinman of Somerset, it was voted to appoint a committee to receive, sort and count votes for State Auditor.

The Chairman of the Convention thereupon appointed as members of such committee Senators Hinman of Somerset, Bridges of Washington, Harvey of York, and Representatives Dorsey of Fort Fairfield, McNamara

of Winthrop, LaFleur of Portland, Seeger of Kittery, Gould of Milo, and Wallace of Sanford.

The committee, having attended to its duty, Senator Hinman, for the committee, reported as follows:

Whole number of votes cast, 160; necessary for a choice, 81; Honorable William D. Hayes had 141 and Honorable Edward C. Moran had 19.

The report was accepted and Honorable William D. Hayes, having received a majority of the votes cast, was declared elected State Auditor for the political years 1941-1942.

On motion by Senator Dow of Franklin, it was voted to appoint a committee to receive, sort and count votes for Commissioner of Agriculture.

The Chairman of the Convention thereupon appointed as members of such committee Senators Dow of Franklin, Finden of Aroostook, Bishop of Sagadahoc, and Representatives McLaughlin of Portland, Bubar of Weston, Keller of Hallowell, Newcomb of Carmel, Ayer of Cornish and Belanger of Biddeford.

The committee, having attended to its duty, Senator Dow, for the committee, reported as follows:

Whole number of votes cast, 159; necessary for a choice, 80; Carl R. Smith had 143 and George F. Labbe had 16.

The report was accepted and Carl R. Smith, having received a majority of the votes cast, was declared elected Commissioner of Agriculture for the political years 1941-1942.

On motion by Senator Chase of Washington, it was voted to appoint a committee to receive, sort and count votes for seven Executive Councilors.

The Chairman of the Convention thereupon appointed as members of such committee Senators Chase of Washington, Boothby of York, Townsend of Penobscot, and Representatives Arzonico of Yarmouth, McGillicuddy of Houlton, Southard of Augusta, Clapp of Brooklyn, Sayward of Kennebunk and Stevens of Jonesport.

The committee, having attended to its duty, Senator Chase, for the committee, reported as follows:

Whole number of votes cast, 170; necessary for a choice, 86. The nominees, George J. Wentworth, Arthur G. Spear, Louis E. Flanders, G. Cony Weston, Thomas R. McPhail,

Frank A. Thatcher, and Edgar W. Russ each had 153 and the nominees, Wilfred Landry, Joseph Sylvester, Arthur Jolicœur, Ernest L. McLean, Fulton J. Redman, Thomas J. Curran, and Albert C. Madore, had 17 votes each.

The report was accepted and Messrs. George J. Wentworth, Arthur G. Spear, Louis E. Flanders, G. Cony Weston, Thomas R. McPhail, Frank A. Thatcher, and Edgar W. Russ, having received a majority of all the votes cast, were declared duly elected members of the Executive Council for the political years 1941-1942.

On motion by Senator Elliot of Knox, it was

ORDERED, that the Secretary be directed to notify the Hon. Frederick Robie of his election as Secretary of State, Hon. Belmont A. Smith of his election as Treasurer of State, Hon. Frank I. Cowan of his election as Attorney General, Honorable William D. Hayes of his election as State Auditor, Hon. Carl R. Smith of his election as Commissioner of Agriculture, and the Honorables George J. Wentworth, Arthur G. Spear, Louis E. Flanders, G. Cony Weston, Thomas R. McPhail, Frank A. Thatcher and Edgar W. Russ of their elections as Executive Councilors for the years 1941 and 1942.

Subsequently the Secretary reported that he had notified the officers as directed.

On motion by Senator Sanborn of Cumberland, it was

ORDERED, that a message be sent to the Governor informing him of the selection of the Hon. Frederick Robie as Secretary of State, Hon. Belmont A. Smith as Treasurer of State, Hon. Frank I. Cowan as Attorney General, Hon. William D. Hayes as State Auditor, Hon. Carl R. Smith as Commissioner of Agriculture and the Honorables George J. Wentworth, Arthur C. Spear, Louis E. Flanders, G. Cony Weston, Thomas R. McPhail, Frank A. Thatcher and Edgar W. Russ as Executive Councilors for the years 1941 and 1942.

The Chairman of the Convention appointed the Senator from Cumberland, Senator Sanborn, to convey the message.

Subsequently the same Senator reported that he had delivered the message with which he was charged.

The purposes for which the Joint Convention was formed having been accomplished, the chairman declared the same dissolved, and the Senate retired to its chamber amid the applause of the House, the members rising.

### In the House

Called to order by the Speaker.

The SPEAKER: The Chair is informed that the following members were not present to receive the oath this morning: The member from Bangor, Miss Clough, the gentleman from Winn, Mr. Boyd, and the gentleman from Eagle Lake, Mr. Brown. The Chair would inquire if there are any other members who did not receive the oath this morning and who are now present in the House.

On motion by Mr. Dwinal of Camden, it was voted that the members above named be conducted to the Governor to take the oath of office.

The Chair thereupon appointed the gentleman from Camden, Mr. Dwinal, to escort the members to the Governor for the purpose of receiving and subscribing to the oath of office.

Mr. Dwinal subsequently reported that he had discharged the duty with which he was charged.

The SPEAKER: At this time the Chair will announce the names of the members appointed to the Joint Select Committee on gubernatorial Vote on the part of the House:

The gentleman from Warren, Mr. Starrett, the gentleman from Dixfield, Mr. Holman, the gentleman from Leeds, Mr. Buckley, the gentleman from Gorham, Mr. Gould, the gentleman from Long Island Plantation, Mr. Teel, and the member from Bath, Miss Deering.

### Papers from the Senate

(Out of order)

From the Senate: The following Orders:

ORDERED, the House concurring, that the Bureau of Purchases be directed to furnish to the Superintendent of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to Legislative expense. (S. P. 9)

ORDERED, the House concurring,

that three hundred and fifty copies of the Legislative Record for the session of 1941 to be printed and bound, one copy each for the members of the Senate, House of Representatives, and the Secretary of the Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and library use; and be it further

ORDERED, that three hundred and fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the departments, under the direction of the Document Clerk, and be it further

ORDERED, that a suitable index be prepared for such Legislative Record under the direction of the Secretary of the Senate and Clerk of the House, at an expense not exceeding five hundred dollars (\$500.00). (S. P. 10)

ORDERED, the House concurring, that the members and officers of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding five dollars (\$5.00) for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library Department, and the unexpended balance at the close of the year 1941 shall be available for use in 1943 (S. P. 11)

These Orders came from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: The following Order, out of order:

ORDERED, the House concurring, that the joint rules be amended by adding thereto the following rule:

22. A copy of each joint order requiring action by any department, bureau, commission, board or agency of the state which is passed by both branches of the Legislature shall be forwarded to such department, bureau, commission, board or agency by the secretary of the Senate immediately after the adjournment for the legislative day in which the order was passed by the concurring branch of the Legislature. Another copy of all such orders shall be sent to the Revisor of Statutes, and shall be published in

the official volume of the public laws: (S. P. 12)

Came from the Senate, read and passed.

In the House, on motion by Mr. Payson of Portland, tabled pending further consideration.

From the Senate: The following Orders, out of order:

ORDERED, the House concurring, that no bill or resolve be received by this Legislature after four o'clock on the afternoon of Thursday, February 6, 1941, except by unanimous consent in the body in which it is introduced, and further

ORDERED, that any bill or resolve which shall be received in either body of this Legislature by unanimous consent after four o'clock in the afternoon on Thursday, February 6, 1941, shall be referred to the Ninety-first Legislature if unanimous consent for its reception is not given in the other body in concurrence. These orders shall not apply to bills reported by any joint standing or joint select committee, in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the Ninetieth Legislature; and be it further

ORDERED, that the Secretary of the Senate cause a copy of the above orders to be published in all the daily and weekly papers of the State, commencing January 8, 1941, and continuing up to and including February 6, 1941 (S. P. 13)

ORDERED, the House concurring, that the Superintendent of Public Buildings is hereby given charge of all assignments of rooms for hearings in the Capitol Building, and that all applications for rooms for hearings must be made to him in writing, forty-eight hours previous to the time when said rooms are to be used for that purpose (S. P. 14).

ORDERED, the House concurring, that A. G. Robinson be State House Investigator during the present session of the Legislature at the same rate of compensation paid Mr. Robinson during the last session (S. P. 15).

ORDERED, the House concurring, that a joint select committee to be designated "Committee on the University of Maine" be appointed, consisting of three on the part of the Senate, and seven on the part of the House (S. P. 16).

These Orders came from the Senate, read and passed.

In the House, read and passed in concurrence.

The SPEAKER: At this time the Chair will appoint the members of the committee on the part of the House, on Senate Paper 16, as follows: The gentleman from Bethel, Mr. Williams, the gentleman from Winthrop, Mr. McNamara, the gentleman from Standish, Mr. Hanold, the gentleman from Richmond, Mr. Dorrance, the gentleman from Saco, Mr. Jordan, the gentleman from Lincoln, Mr. Lane, and the gentleman from Rockland, Mr. Jones.

From the Senate: The following Orders, out of order:

ORDERED, the House concurring, that there be paid to the officers of the Senate and House of Representatives as advances on account of compensation amounts included in fortnightly lists, certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively, and that the final pay rolls at the end of the Session of such officers bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (S. P. 17)

ORDERED, the House concurring, that there be paid to the officers of the Senate and House of Representatives for mileage, the amounts included in lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively (S. P. 18)

These Orders came from the Senate, read and passed.

In the House, read and passed in concurrence.

The following communication from the Senate, out of order: (S. P. 19)

STATE OF MAINE  
DEPARTMENT OF STATE  
AUGUSTA

January 1, 1941

To the President of the Senate and to the Speaker of the House of Representatives of the Ninetieth Legislature of the State of Maine:

In compliance with the Constitution and Laws of the State of Maine, I have the honor to here-

with transmit the returns of the votes cast for Governor in the several cities, towns and plantations in the State of Maine at the general election held on September 9, 1940.

Respectfully,

(Signed) Frederick Robie,  
Secretary of State.

Came from the Senate, referred to the Committee on Gubernatorial Vote and sent down for concurrence.

In the House, the communication and accompanying papers, referred to the Committee on Gubernatorial Vote in concurrence.

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The SPEAKER: The Chair would

like to call to the attention of the members at this time the information blanks which were on all the desks this morning. Members who do not find one there can get one from the Clerk. The Chair would like to urge upon the members the necessity of filling out these slips at once and filing them with the Clerk of the House as soon as possible, so that the mileage may be certified by him and the other information obtained for the making out of the Register.

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On motion by Mr. McGlaufflin of Portland,

The House adjourned until tomorrow morning at ten o'clock.