

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Ninetieth Legislature

OF THE

# State of Maine

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SPECIAL SESSION

JANUARY 12, 1942

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AUGUSTA, MAINE

## HOUSE

Wednesday, January 21, 1942.

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

Prayer by the Rev. Mr. Staples of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: The Chair notes the flowers on the desk of the gentleman from Milo, Mr. Gould, on the occasion of his seventy-sixth birthday, and takes this opportunity to extend to him the best wishes of the members of the House. (Applause)

Mr. GOULD: Mr. Speaker, I thank everybody. (Applause)

The SPEAKER: The Chair also notes the presence in the House of the gentleman from Auburn, Mr. Robie, and extends to him the best wishes of the House, and is glad to see that he has been able to return and will direct the Clerk to note his presence on the record. (Applause)

### Papers from the Senate

From the Senate: Memorial to the Honorable Senate and House of Representatives of the United States of America assembled petitioning for the adoption of legislation permitting Canadian born men to serve in the armed forces of the United States of America (S. P. 619)

Came from the Senate, received by unanimous consent and referred to the Committee on Federal Relations.

In the House:

The SPEAKER: Under the terms of the Joint Order passed earlier in the session, this Memorial requires for its reception the unanimous consent of the Members of this House. Failing unanimous consent, the Memorial will be referred to the next Legislature. Is there objection to the reception of this Memorial? The Chair hears no objection, and the Memorial is received.

Thereupon, the Memorial was referred to the Committee on Federal Relations in concurrence.

From the Senate: Bill "An Act Amending the Unemployment Compensation Act to further conform with the United States Law" (S. P. 617) (L. D. 1259)

Came from the Senate, received by unanimous consent and referred to the Committee on Federal Relations.

In the House:

The SPEAKER: Under the terms of the Joint Order, this Bill requires the unanimous consent of the Members of this House for its reception at this time. Is there objection to the reception of this Bill? The Chair hears no objection, and the Bill is received.

Thereupon, the Bill was referred to the Committee on Federal Relations in concurrence.

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Elective County Officials in the Federal Service" (S. P. 589) (L. D. 1202)

Report of same Committee reporting same on Bill "An Act relating to the Filing of Reports by Drivers Involved in Motor Vehicle Accidents" (S. P. 604) (L. D. 1235)

Report of same Committee reporting same on Bill "An Act relating to Fingerprinting" (S. P. 601) (L. D. 1239) as it is covered by other legislation.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

### Refer to 91st Legislature

Report of the Committee on Judiciary on Bill "An Act amending the Financial Responsibility Law" (S. P. 588) (L. D. 1201) reporting that same be referred to the 91st Legislature.

Report of same Committee reporting same on Bill "An Act amending Administration of the Financial Responsibility Law" (S. P. 605) (L. D. 1235)

Report of same Committee reporting same on Bill "An Act relating to Financial Responsibility for Automobile Accidents" (S. P. 603) (L. D. 1237)

Report of the Committee on Legal Affairs reporting same on Bill "An Act to Increase the Salary of the Police Patrolmen and Inspectors in the city of Lewiston" (S. P. 606) (L. D. 1230)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

**Ought to Pass in New Draft**

Report of the Committee on Judiciary on Bill "An Act to Create the Maine Civilian Defense Corps and Provide for the Safety of the State in Time of War (S. P. 590) (L. D. 1203) reporting same in a new draft (S. P. 618) (L. D. 1260) under same title and that it "Ought to pass"

Report of the Committee was read and accepted in concurrence.

Thereupon, on motion by Mr. Payson of Portland, the Bill had its two several readings; and on motion by Mr. Belanger of Winslow, under suspension of the rules, was given its third reading and was passed to be engrossed in concurrence.

**Senate Bills in First Reading**

Bill "An Act relating to the State Animal Husbandry Specialist" (S. P. 599) (L. D. 1240)

Bill "An Act providing for Temporary Court Stenographers during the War Emergency" (S. P. 579) (L. D. 1197)

Bill "An Act relating to Corporations for Establishing and Maintaining Hospitals" (S. P. 592) (L. D. 1207)

Bill "An Act relating to the Improvement of the Military Laws" (S. P. 609) (L. D. 1233)

Bills were read twice and assigned for third reading this afternoon at four o'clock.

**Senate Divided Report**

Majority Report of the Committee on Legal Affairs on Bill "An Act relating to Appointment of Police Commission for city of Lewiston" (S. P. 608) (L. D. 1232) reporting that it be referred to the 91st Legislature.

Report was signed by the following members:

Messrs. SANBORN of Cumberland  
MORSE of Waldo  
DOW of Oxford

—of the Senate.

SLOSBERG of Gardiner  
SHESONG of Portland  
SOUTHARD of Augusta  
SYLVIA of Danforth  
BELANGER of Winslow  
DWINAL of Camden

—of the House.

Minority Report of same Committee on same Bill reporting that it "Ought to pass" as amended by

Committee Amendment "A" submitted therewith.

Report was signed by the following member:

Mr. DONAHUE of Biddeford  
—of the House.

Came from the Senate with the Majority Report accepted.

In the House, on motion by Mr. Belanger of Winslow, the Majority Report, reporting that the Bill be referred to the 91st Legislature, was accepted in concurrence.

The following Communication:  
(H. P. 2007)

STATE OF MAINE  
DEPARTMENT OF THE  
ATTORNEY GENERAL  
AUGUSTA

January 19, 1942

To the Honorable Senate and House of Representatives:

I have your request for information in regard to the alleged shortage in the office of the Adjutant General, as reported by the State Auditor under date of August, 1941.

The first I knew of this matter was when I read it in the Auditor's report. I immediately called for details which were given to me as follows:

1. Sometime during the year 1940, prior to my taking office and prior to the taking of office of the present Adjutant General, two members of the State National Guard used a State truck which was assigned to the Guard, without authority and damaged it. The damage was estimated at \$700.00. No suit was ever brought to determine liability or the amount of damage, and prior to the time the matter was brought to my attention, the soldiers involved were inducted into the Federal service. Under Federal law, no action can be brought against them while they are in the service of the United States, so any action to determine whether or not they were liable and, if so, the amount of liability, must be held in abeyance until the men are discharged from the service.

2. The Auditor's report showed that in the years 1932 and 1933, a Captain in the National Guard had apparently failed to file a voucher in connection with his traveling expense accounts, so that there was a balance of \$51.35 unaccounted for. This Officer is also now in the Federal service and under the Federal

law, no action can be brought against him. But prior to the time when the case was referred to my office, contact had been made with him by the State Auditor or the State Treasurer and the Auditor's report to me is that the officer, while not agreeing with the figures, has promised to repay the State rather than have any question of his integrity. If the officer does not make repayment, of course, action will be started against him as soon as it can be under the Federal law to recover the amount.

The Auditor's report also developed that between the dates of March 3, 1934 and July 7, 1939, there had accumulated in the traveling expense accounts of another National Guard officer, an unvouchered balance due the State of \$157.45. This amount was repaid by the officer as soon as it was brought to his attention.

In connection with the traveling expense accounts of another National Guard officer, from October 15, 1932 to September 30, 1939, there had accumulated a lack of vouchers so that there was an apparent balance due from the officer to the State of Maine of \$152.21. This was promptly paid by the officer as soon as it was called to his attention, although he stated that, in his opinion, the State of Maine owed him considerably more than he owed the State.

The last item in the Auditor's report involved the operation of the gas tanks at the Augusta airport. A National Guard official took charge on December 17, 1940 and continued in charge until May 6, 1941. An apparent shortage of 602 gallons of aviation gas with a net value of \$123.41 was found. There was also a matter of \$26.51 from the sale of oil and gas which was not properly accounted for, making a total in this officer's account of \$149.92. I have had two conferences with this officer. He is of the opinion that there was an error in the original billing of the gas to the State, which would account for a part at least of the 602 gallons. He is now endeavoring to uncover evidence to show that error. To whatever extent he can develop it, the State will obtain a refund from the company selling the gas and oil. Any balance the officer has promised to pay immediately.

It is my intention to have this

account taken care of one way or the other during the current week, so that the alleged shortage in the Adjutant General's Department will be reduced to the unliquidated charge for \$700 for damage to a truck, which may or may not be a proper charge against the Department, and the amount of \$51.35 not immediately collectible because of the Federal statute.

Respectfully submitted,  
(Signed) FRANK I. COWAN  
Attorney General.

On motion by Mr. Leveque of Lewiston, the communication was read, ordered placed on file and sent up for concurrence.

### Orders

On motion by Mr. McGlaulin of Portland, it was

ORDERED, that Mr. Worth of Stockton Springs, be excused for the remainder of the Special Session because of illness; and that Mr. Southard of Augusta, be excused for the remainder of the session because of military duties.

### House Reports of Committees Leave to Withdraw

Mr. Brewer from the Committee on Salaries and Fees on Bill "An Act relating to the Salary of the Register of Probate of Sagadahoc County" (H. P. 1996) (L. D. 1254) reported leave to withdraw.

Report was read and accepted and sent up for concurrence.

### Inexpedient

Mr. Brewer from the Committee on Salaries and Fees on Bill "An Act relating to Salary of the Judge of the Municipal Court of Portland" (H. P. 1958) (L. D. 1208) reported that legislation thereon is inexpedient.

Mr. Cousins from same Committee reported same on Bill "An Act Relating to Clerk Hire in Knox County" (H. P. 1945) (L. D. 1186)

Mr. Roberts from same Committee reported same on Bill "An Act to Increase the Salary of the County Attorney of Sagadahoc County" (H. P. 1994) (L. D. 1225)

Mr. Williams from same Committee reported same on Bill "An Act relating to the Salary of the Recorder of the Portland Municipal Court" (H. P. 1959) (L. D. 1209)

Mr. McGillicuddy from same Committee reported same on Bill "An Act relating to Salary of Clerk of Courts in Knox County" (H. P. 1944) (L. D. 1185)

Reports were read and accepted and sent up for concurrence.

#### Refer to 91st Legislature

Mr. Winter from the Committee on Inland Fisheries and Game on Bill "An Act relating to the Open Season on Mink in Sagadahoc County" (H. P. 1976) (L. D. 1215) reported that it be referred to the 91st Legislature.

Mr. Brewer from the Committee on Salaries and Fees reported same on Bill "An Act relating to the South Portland Municipal Court" (H. P. 1961) (L. D. 1211)

Mr. Downs from same Committee reported same on Bill "An Act relating to the Amount to be paid for Clerk Hire in the office of the Recorder of the Municipal Court of the city of Portland" (H. P. 1960) (L. D. 1210)

Mr. Forhan from the Committee on Sea and Shore Fisheries reported same on Resolve relating to Digging Clams on Certain Islands in Hancock County (H. P. 1962) (L. D. 1244)

Reports were read and accepted and sent up for concurrence.

#### Report Tabled

Mr. Dutton from the Committee on State Lands and Forest Preservation on Resolve authorizing the Forest Commissioner to Convey certain Land to Danforth S. Hersey of Portland (H. P. 1997) (L. D. 1255) reported that it be referred to the 91st Legislature.

(On motion by Mr. Cross from Augusta, the Report, with accompanying papers, was tabled pending acceptance and specially assigned for tomorrow morning)

#### Ought Not to Pass

Mr. Boyd from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Creating the Mayflower Hill Game Sanctuary" (H. P. 1977) (L. D. 1216)

Mr. Williams from the Committee on Salaries and Fees reported same on Bill "An Act relating to Salaries of County Officials" (H. P. 1995) (L. D. 1256)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass in New Draft

Mr. Mills from the Committee on Judiciary on Bill "An Act relating to the Transportation of Loaded Firearms by Police Officers" (H. P. 1983) (L. D. 1250) reported same in new draft (H. P. 2010) under same title and that it "Ought to pass"

Mr. Sayward from the Committee on Sea and Shore Fisheries on Bill "An Act Regulating the Legal Length of Lobsters" (H. P. 1947) (L. D. 1188) reported same in a new draft (H. P. 2008) under same title and that it "Ought to pass"

Mr. Teel from same Committee on Bill "An Act to Prohibit Non-Residents from taking Certain Fish for Commercial Purposes" (H. P. 1948) (L. D. 1178) reported same in a new draft (H. P. 2009) under same title and that it "Ought to Pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

#### Ought to Pass

Mr. Smith from the Committee on Sea and Shore Fisheries reported "Ought to pass" on Bill "An Act to Regulate the Sale and Packing of Sardines during the Present Emergency" (H. P. 1946) (L. D. 1187)

Mr. Preble from the Committee on State Lands and Forest Preservation reported same on Resolve authorizing the Forest Commissioner to Convey certain Interest of the State in Lands in Hancock County to Orman B. Fernandez, Old Town, Maine (H. P. 1998) (L. D. 1226)

Mr. Rollins from same Committee reported same on Resolve authorizing the Forest Commissioner to Convey certain Interest of the State in Land in Aroostook County to John Parent of Hamlin Plantation (H. P. 1963) (L. D. 1245)

Reports were read and accepted.

#### First Reading of Printed Bills

Bill "An Act Authorizing the Facsimile of the Signature of the Governor to be used on Bonds Issued by the State" (H. P. 1951) (L. D. 1190)

Bill "An Act relating to Fingerprinting and Identification of the Civilian Population" (H. P. 1984) (L. D. 1251)

Bill "An Act relating to Ordina-

nances of Towns relative to Trailers and Trailer Camps" (H. P. 1990) (L. D. 1221)

Bill "An Act providing for Better Protection of the Portsmouth-Kittery Bridge" (H. P. 1991) (L. D. 1222)

Bill "An Act to Incorporate the Eliot Water District" (H. P. 2006) (L. D. 1261)

Bills were read twice and assigned for third reading at four o'clock this afternoon.

#### First Reading of Printed Bill with Committee Amendment

Bill "An Act Amending the Law relating to the Maine Nautical School to provide for War Emergency" (H. P. 1938) (L. D. 1179)

Bill had its two several readings.

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

Committee Amendment "A" to H. P. 1938, L. D. 1179, Bill "An Act Amending the Law Relating to the Maine Nautical School to Provide for War Emergency."

Amend said bill by inserting after section 2 thereof the following section to be numbered "Sec. 3" and to read as follows:

**"Sec. 3. P. & S. L., 1941, c. 37 sec. 3, amended.** Section 3 of chapter 37 of the private and special laws of 1941 is hereby amended to read as follows:

**'Sec. 3. Collection and disposition of income.** The trustees shall have the power to receive and fix tuition fees, and other charges, including charges for board and lodging of the students while attending the school or any of its activities. The trustees may receive in behalf of the school grants from any federal government agency and/or from any of the several states and/or from any other source. They shall invest such monies as in the opinion of the majority of said trustees shall be for the best interest of said school, unless any such money is given for any particular purpose. The said trustees shall render an account annually to the state controller of all money received and spent during the current year by the trustees, a summary of which report shall be included in the reports published by the state of Maine.'

Further amend said bill by changing the number of "Sec. 3" therein to 'Sec. 4', and further

amend said bill by drawing a line through the last sentence in the second paragraph of former "Sec. 3" which is herein re-numbered 'Sec. 4'.

Further amend said bill by adding at the end thereof before the emergency clause the following:

**'Sec. 5. P. & S. L., 1941, c 37, additional.** Chapter 37 of the private and special laws of 1941 is hereby amended by adding thereto a new section to be numbered section 6 and to read as follows:

**'Sec. 6. Audit of expenditures provided for.** The department of audit shall perform a post audit of all accounts and other financial records of transactions performed under the provisions of this act and shall report annually on this audit and at such other times as the legislature may require.'

Committee Amendment "A" was then adopted, and the Bill was assigned for third reading at four o'clock this afternoon.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker, in view of this calendar's length, and in the light of what may happen this afternoon, I move that Rule 25 be suspended for the remainder of today's session.

The SPEAKER: The gentlewoman from Bangor, Miss Clough, moves that Rule 25 be suspended for the remainder of today's session. Is this the pleasure of the House?

The motion prevailed, and Rule 25 was suspended for the remainder of today's session.

#### First Reading of Printed Bill with Committee Amendment Bill Tabled

Bill "An Act to Provide a Jointly-Contributory Retirement System for State Employees Except Teachers" (H. P. 1956) (L. D. 1194)

The Bill had its two several readings.

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

Committee Amendment "A" to H. P. 1956, L. D. 1194 Bill "An Act to Provide a Jointly-Contributory Retirement System for State Employees Except Teachers."

Amend said bill in the paragraph designated as Sec. 227-A (4) by striking out the following words: 'any person who is covered or eli-

gible to be covered by the pension benefits as provided in sections 219 to 227 inclusive, of chapter 19 of the revised statutes, or by the benefits of the Maine Teachers' Retirement System as provided in sections 228 to 248, inclusive, of chapter 19 of the revised statutes, or'

Further amend said bill by striking out all of the paragraph designated in said bill as 227-L (3) and inserting in lieu thereof the following:

'(3) The treasurer of state shall be the custodian of the several funds of the retirement system. Upon receipt of vouchers signed by two persons designated by the board of trustees, the state controller shall draw a warrant on the treasurer of state for the amounts so authorized. A duly attested copy of the resolution of the board of trustees designating such persons and bearing on its face specimen signatures of such persons shall be filed with the state controller as his authority for making payments upon such vouchers. No voucher shall be drawn unless it has previously been authorized by resolution by the board of trustees.'

Thereupon, Committee Amendment "A" was adopted.

On motion by Mr. Good of Monticello, the Bill with accompanying papers, was tabled pending assignment for third reading and was specially assigned for tomorrow morning.

#### First Reading of Printed Bill With Committee Amendment

Bill "An Act permitting Savings Banks to Assist in House Building during the Present Emergency" (H. P. 1966) (L. D. 1212)

Bill was given its two several readings.

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

Committee Amendment "A" to Bill "An Act Permitting Savings Banks to Assist in House Building During the Present Emergency," H. P. 1966, L. D. 1212.

Amend said bill by inserting after the word "invest" in the fourth line of said bill the following underlined words: 'Not exceeding' and by inserting after the figures "25%" the following underlined words 'of said deposits'.

Thereupon, Committee Amendment "A" was adopted, and the Bill

was assigned for third reading at four o'clock this afternoon.

#### Passed to be Engrossed

Bill "An Act to Authorize the Secretary of State to Validate the Use of Motor Vehicle Registration of Plates Valid Beyond a Calendar Year" (S. P. 610) (L. D. 1234)

Bill "An Act relating to Telephone Service to the Civilian Defense Corps during the Emergencies" (S. P. 612) (L. D. 1228)

Bill "An Act relating to Preliminary Medical Examinations in Emergencies" (H. P. 1953) (L. D. 1191)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

#### Amended Bills

Bill "An Act Regulating Hunting and Fishing Licenses of Soldiers and Sailors" (S. P. 578) (L. D. 1196)

Bill "An Act providing for Transfer of Certain State Property to the Maine Nautical Training School" (H. P. 1939) (L. D. 1180)

Bill "An Act relating to Gambling" (H. P. 1936) (L. D. 1219)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent to the Senate.

#### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Report Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act relating to the Necessaries of Life" (H. P. 1979) (L. D. 1246) tabled on January 20th by the gentleman from Rumford, Mr. Mercier, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Mercier, the "Ought not to pass" report was accepted and sent up for concurrence.

#### House at Ease

Called to order by the Speaker.

#### House Reports of Committees Ought to Pass

The following Reports were taken up out of order under suspension of the rules:

Mr. Hall from the Committee on Ways and Bridges reported "Ought to pass" on Resolve in favor of the town of Durham (H. P. 1964)



Mr. Lackee from same Committee reported same on Resolve in favor of the town of Boothbay (H. P. 2002)

Reports were read and accepted and the Resolves ordered printed under the Joint Rules.

**Passed to be Enacted  
Emergency Measure**

An Act to Create the Maine Civilian Defense Corps and Provide for the Safety of the State in Time of War (S. P. 618) (L. D. 1230)

The SPEAKER: This Bill, having had its three several readings in the House and having been passed to be engrossed, having had its two several readings in the Senate, and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it now pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the Monitors have made and returned the count.

A division of the House was had.

One hundred and nineteen having voted in the affirmative and none in the negative, 119 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day. If there are no further matters to come before the House under Orders of the Day, the Clerk will read the notices.

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

Mr. PAYSON: Mr. Speaker, I am informed that the mechanics of the Legislature will not have any work ready for you before four o'clock, so I move that the House now recess until four o'clock this afternoon.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House recess until four o'clock this afternoon. Is this the pleasure of the House?

The motion prevailed, and the House so recessed.

**After Recess - 4 P. M.**

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

**Senate Reports of Committees  
Ought to Pass**

From the Senate: Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act permitting Acceptance of Federal Grants by the State" (S. P. 602) (L. D. 1238)

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

In the House, Report was read and accepted in concurrence and the Bill was read twice and tomorrow assigned.

**Ought to Pass with Committee  
Amendments**

From the Senate: Report of the Committee on Legal Affairs on Bill "An Act amending the Charter of the city of Lewiston" (S. P. 607) (L. D. 1231) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate, Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report read and accepted in concurrence, and the Bill had its two several readings.

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

Committee Amendment "A" to S. P. 607, L. D. 1231, Bill "An Act Amending the Charter of the City of Lewiston."

Amend said bill by deleting all of sections 1 and 3 thereof.

Further amend said bill by deleting all of section 2 thereof and inserting in lieu thereof the following: "Sec. 1, P. & S. L., 1939, c. 8, Art. XI, sec. 14, amended. Section 14 of article XI of chapter 8 of the private and special laws of 1939 is hereby amended to read as follows:

'Sec. 14. Salary and vacation of chief. The salary of the chief of police shall be ~~\$2,300~~ \$3,000 per annum, payable in equal weekly installments by the city treasurer. He shall be entitled to 2 weeks' vacation each calendar year with pay, to be taken when and as he may

desire. While upon vacation, or when incapacitated through illness, or absent from his office on the business of the department, the duties of his position shall be assumed by the senior captain."

Further amend said bill adding thereto a new section to be numbered 2 and to read as follows:

**"Sec. 2. P. & S. L., 1939, c. 8, Art. XI, sec. 17, amended.** Section 17 of article XI of chapter 8 of the private and special laws of 1939 is hereby amended to read as follows:

**"Sec. 17. Certain fees to be accounted for.** All fees paid to the chief of police, captains, inspectors, police matron or any patrolman in their said capacities, from cases in the Lewiston municipal court, and all fees received for serving subpoenas in cases involving criminal procedure in the superior court held in the county of Androscoggin, shall be accounted for by such officers, and turned into the treasury of the city of Lewiston when received by them.'"

Committee Amendment "A" was then adopted in concurrence, and the Bill was assigned for third reading tomorrow morning.

From the Senate: Report of the Committee on Sea and Shore Fisheries on Bill "An Act providing that the State of Maine may become a Party to the Atlantic States Marine Fisheries Compact" (S. P. 598) (L. D. 1241) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate, Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report read and accepted in concurrence, and the Bill had its two several readings.

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

Committee Amendment "A" to S. P. 598, L. D. 1241 Bill "An Act Providing that the State of Maine may become a Party to the Atlantic States Marine Fisheries Compact"

Amend said bill by striking out the word "controller" wherever it appears in the second paragraph of section 5, and inserting in place thereof the word 'auditor'.

Thereupon, Committee Amend-

ment "A" was adopted in concurrence, and the Bill was assigned for third reading tomorrow morning.

#### Bill Requiring Reference

From the Senate: Bill "An Act Validating Acts of Notaries Public who Become Police Officers" (S. P. 621) (L. D. 1263)

Came from the Senate, received by unanimous consent and referred to the Committee on Judiciary.

In the House:

The SPEAKER: Under the terms of the Joint Order adopted previously by this session, this Bill requires unanimous consent of this body before it is received.

The Chair recognizes the gentleman from Hampden, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Hampden, Mr. Briggs, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. BRIGGS: Mr. Speaker, I would like to make a brief explanation of the purpose of this Bill. Since the advent of War, it has become necessary and desirable for a great many additional deputy sheriffs to be appointed. There happens to be already in existence in our law a provision whereby a Notary Public or a Justice of the Peace, if he is appointed a Deputy Sheriff, loses his right to act as a Notary Public or Justice of the Peace. Being unfamiliar with that law, a good many Notaries or Justices of the Peace, having been already appointed Deputy Sheriffs, have continued to take acknowledgments on instruments which have already been recorded in our Registers of Deeds. That, of course, is an erroneous record, and would invalidate title to the land in the future. It is to cure that, that this Bill is introduced.

The SPEAKER: The question before the House is, shall this Bill be received by unanimous consent? Is there objection to the receiving of this Bill by the House? The Chair hears no objection and the Bill is received.

Thereupon, the Bill was referred to the Committee on Judiciary in concurrence.

### First Reading of Printed Bills and Resolves

(Out of Order)

Bill "An Act Regulating the Legal Length of Lobsters" (H. P. 2008) (L. D. 1264)

Bill "An Act to Prohibit Non-Residents from taking certain Fish for Commercial Purposes" (H. P. 2009) (L. D. 1265)

Bill "An Act relating to the Transportation of Firearms by Police Officers" (H. P. 2010) (L. D. 1266)

Resolve in favor of the town of Durham (H. P. 1964) (L. D. 1267)

Resolve in favor of the town of Boothbay (H. P. 2002) (L. D. 1268)

Bill "An Act to Regulate the Sale and Packing of Sardines during the Present Emergency" (H. P. 1946) (L. D. 1187)

Resolve authorizing the Forest Commissioner to Convey certain Interest of the State in Land in Aroostook County to John Parent of Hamlin Plantation (H. P. 1963) (L. D. 1245)

Resolve authorizing the Forest Commissioner to Convey certain Interest of the State in Lands in Hancock County to Orman B. Fernandez, Old Town, Maine (H. P. 1998) (L. D. 1226)

Bills were read twice, Resolves read once, and tomorrow assigned.

### Passed to be Engrossed

(Out of Order)

Bill "An Act providing for Temporary Court Stenographers during the War Emergency" (S. P. 579) (L. D. 1197)

Bill "An Act relating to Corporations for Establishing and Maintaining Hospitals" (S. P. 592) (L. D. 1207)

Bill "An Act relating to the State Animal Husbandry Specialist" (S. P. 599) (L. D. 1240)

Bill "An Act relating to the Improvement of Military Laws" (S. P. 609) (L. D. 1233)

Bill "An Act authorizing the Facsimile of the Signature of the Governor to be used on Bonds Issued by the State" (H. P. 1951) (L. D. 1190)

Bill "An Act relating to Fingerprinting and Identification of the Civilian Population" (H. P. 1984) (L. D. 1251)

Bill "An Act relating to Ordinances of Towns relative to Trailers and Trailer Camps" (H. P. 1990) (L. D. 1221)

Bill "An Act providing for Better Protection of the Portsmouth-Kittery Bridge" (H. P. 1991) (L. D. 1222)

Bill "An Act to Incorporate the Eliot Water District" (H. P. 2006) (L. D. 1261)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

### Amended Bills

Bill "An Act amending the Law relating to the Maine Nautical School to provide for War Emergency" (H. P. 1938) (L. D. 1179)

Bill "An Act permitting Savings Banks to Assist in House Building during the Present Emergency" (H. P. 1966) (L. D. 1212)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent to the Senate.

### House Reports of Committees

(Out of Order)

#### Ought Not to Pass

Mr. Sleeper from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Appropriating Moneys for Civilian Defense and Military Purposes" (H. P. 1965) (L. D. 1243)

Report was read and accepted and sent up for concurrence.

#### Ought to Pass with Committee Amendment

##### Report Tabled

Miss Clough from the Committee on Labor on Bill "An Act Regulating Hours of Employment of Females" (H. P. 1989) (L. D. 1220) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. Pierce of Bucksport, the Report, with accompanying papers, was tabled pending acceptance of the Report.)

#### Refer to 91st Legislature

Mr. Good from the Committee on Temperance on Bill "An Act relating to the Regulation of the Sale of Malt Liquors to Minors" (H. P. 1999) (L. D. 1257) reported that it be referred to the 91st Legislature.

Report was read and accepted and sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Temperance on Bill "An Act

to Improve the Efficiency of the Administration of the Liquor Laws and to Safeguard State Revenues during the Present Emergency" (H. P. 2000) (L. D. 1258) reporting that it be referred to the 91st Legislature.

Report was signed by the following members:

Messrs. BATE of Kennebec  
 TOWNSEND of Penobscot  
                     of the Senate.  
 GOOD of Monticello  
 ESTABROOK of Stacyville  
 BUBAR of Weston  
 DAVIS of Montville  
                     of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. BOUCHER of Androscoggin  
                     of the Senate.  
 SLOSBERG of Gardiner  
 MILLS of Farmington  
                     of the House.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move that the House accept the Majority Report.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the House accept the Majority Report that the Bill be referred to the 91st Legislature.

The Chair recognizes the gentleman from Gardiner, Mr. Slosberg.

Mr. SLOSBERG: Mr. Speaker, as one of the two House members who signed the Minority Report, I feel that I should say a few words in defense of that report.

I do not want to go into any moral questions concerning whether we should or should not have liquor; I do not feel that this Bill before us is that sort of a Bill. I feel that the question involved in this Bill is one of administration. Due to the fact that we are having military camps established within the State of Maine, it is a problem that should be faced now and not pushed over to the next Legislature.

There is one section of this Bill which is very important to my mind, and that is Section 1. We have a situation that exists in the State of Maine which is quite unique, it seems to me. We have military camps located upon land which is exclusively owned by the

United States government. On that territory no legislature of the State of Maine can pass any law governing the jurisdiction of that territory; and in those military camps which are located upon land within the exclusive jurisdiction of the United States, beer is sold. Then, on the other hand, we have camps located in the State of Maine which are on land which has been leased by the State of Maine to the Federal government. On that territory the State of Maine has ceded no rights; we still have the right to rule and regulate that territory. Because of that fact, because of the fact that there are boys in the Army who happen to be located in one of those sections of our State, they can not have beer, whereas boys located in another section can. For that reason, I feel that the law should be uniform concerning all the boys in our Army who are located in the State of Maine. If the Federal government feels that the boys in military camps should have beer, I feel we should do all we can to see that is brought about.

There is another question of administration. Boys who are located on the territory which is under the jurisdiction of the State of Maine and who cannot get beer, we of the minority feel that it is better to have the control and supervision of those boys within the camps themselves, let them have the beer in the camps and let the commanding officers control that situation rather than have the boys go off somewhere else and buy and drink their beer outside of their military reservation.

As far as the rest of the sections of the Bill are concerned, I feel that the same thing holds true. The opponents of this Bill at the hearing admitted that the Liquor Commission is doing a good job. It may be true or may not be true. I am not interested in that particular. But if the opponents admit that the Liquor Commission is doing a good job and the Liquor Commission wants further bills to help in the administration of our liquor laws, I feel we should give them to them. I hope, Mr. Speaker, that the motion of the gentleman from Greenville (Mr. Rollins) will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House accept the

Majority Report, reporting that the Bill be referred to the 91st Legislature.

The Chair recognizes the gentleman from Monticello, Mr. Good.

Mr. GOOD: Mr. Speaker, being a member of the House who signed the Majority Report, I feel I ought to make a few explanations.

We listened carefully yesterday for two hours to the proponents of this Bill—or it seemed nearly two hours. I will agree that there were some parts of that Bill that had some merit. After they discussed it carefully, I remember that Col. Barnum, I think it was, said that it was for the convenience of the boys, and then after a while he said that it was the revenue that they derived from it. Whether it is for the convenience of the boys or whether it is for the revenue, of course I do not know. I am opposed to several sections of this Bill, and, after reading it, I signed the Majority Report. I felt that this was an emergency session and only emergency measures were coming in here. That was the reason we voted as we did on this Bill, to let the Legislature think it over a year from now. We have not had time to study this Bill. I do not believe half of the members are fully aware of what is in this measure. That is another reason why we felt it should be carried over, in order that the next Legislature may have a chance to study it.

Speaking about territories or reservations that the Federal government owns or leases being unable to sell beer to the boys, we have the case of Houlton. The town voted in local option to go dry so far as beer was concerned. They did not think it necessary. They did not think they should have it in the town. The Air Port is within a mile of the city or town. Now the proponents of this Bill are asking us as citizens of the State of Maine to go contrary to the local option law and grant in this reservation permission for the Federal government to sell beer to the boys.

I never have been in favor of putting temptation before young boys. I feel that the further we can keep them away from temptation, the better the boys are going to be. There are boys inducted into the service who probably never have taken a drink of beer in their life, and probably never would if it had

not been put before them where they could get it. I therefore object to this Bill on that ground.

Another ground of objection is that in Section 2, Subsection 9, they want to legalize liquor up until twelve o'clock all through the week and every day. They have not got time enough to get the liquor up to eight o'clock Saturday night and want to legalize it until twelve o'clock, so that they won't have so many bootleggers. We were told when they repealed the Eighteenth Amendment there would not be any more bootleggers in the State. Now they come in and admit the bootleggers are getting serious. I object to the Bill on that ground.

I object to putting the age down to eighteen. I ask you members if you are ready to go on record to give boys eighteen years of age a chance to buy beer and make it legal for boys to get drunk on beer? I am not in favor of it.

We are facing a crisis; there is no question about it. The State of Maine without doubt is going into the liquor business. When I was a boy, the cheapest man in the world was the rum-seller, and today we are in the liquor business in the State of Maine. We are facing one of the greatest situations probably that we have ever faced in the history of the world, without a doubt. Probably things have happened that never would have happened if liquor were not at the bottom of it. We do not know where we are going now. I have never seen anybody profit from liquor unless it was the man that sold it. Yet we boast to ourselves about the great revenue that we have got from liquor; we talk about the millions we receive in revenue; but we never think to look at the Health and Welfare Department to see that we have doubled and trebled the cost of taking care of the people of the State of Maine. We should realize that, members of this 90th Legislature. I do not believe we want to go on record as doing something to our boys that is going to penalize them for life. Maybe some of you members do not know what it means, but I know what it means at the age of eighteen to be intoxicated. I know if the influences had been presented to me at that age I would have been a drunkard. I am opposed to it and I will do anything under the canopy of God's eternal sky to prevent any man or

woman from being damned by this contemptible course we have in the State of Maine. Therefore, I want to go on record as opposing this Bill. If there is merit in it, we will refer it to the 91st Legislature for their consideration. Thank you.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House accept the Majority Report of the Committee, referring the Bill to the 91st Legislature.

The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. **MILLS**: Mr. Speaker, I have tried, in my consideration of this Bill, to keep it to questions of administration and to assist the Liquor Commission in carrying out the purpose which Mr. Smith of the Christian Civic League of the State of Maine, says to be the highest. Mr. Smith told our committee that the Commission is doing its utmost and doing a fine job in the enforcement of the liquor laws of this State. The Commission has come in here with a Bill which obviously, from the hearing which we had yesterday afternoon—a hearing which lasted not two hours, as the gentleman from Monticello, Mr. Good, has stated, but three, practically all the time being spent on this Bill—and it was apparent to us that there are very serious administrative problems that need to be ironed out. The Liquor Commission says this Bill would do it for them and assist them a good deal in their administration.

I do not say that because Mr. Smith endorsed them and spoke highly of their efforts and spoke otherwise in their favor, that that is particularly an argument for the Bill, but I think it is an argument for their good faith and for their honesty of purpose in trying to get our assistance in giving them a chance to do a good job.

Now it was said that some of the committee members felt that we had not had time enough to study the Bill; but I have been on the Temperance Committee in two regular sessions, and in those sessions we would hear quite a number of Bills in an afternoon and our consideration would be much more hurried than it was on this Bill. We devoted the entire afternoon yesterday to the consideration of this Bill and I believe that at any regular session of the Legislature

it would not have gotten any more consideration.

The gentleman from Gardiner, Mr. Slosberg, has mentioned some of the things in regard to this Bill, and I want to repeat a few of them and speak of others.

It seems to me manifestly unfair to say to the soldiers in the State of Maine that if you are at Fort Williams, which is owned by the Federal government, land over which the State of Maine has no sovereignty at all, when they are on that island or any other places, such as the land owned by the Federal government at Togus, that there you may have what the Federal government says you may have under the War Department regulations, and you are under their complete supervision; but if the situation happens to be as it is in other places in the State, where the Federal government has possessory rights but is operating under a sixty-six year lease, then we won't let the liquor go across the line, although the government to all intents and purposes has complete charge of the men on those premises.

It has been mentioned that by allowing the sale at these places, allowing the government to conduct the sale, that it would be opening it up entirely. That is not true at all. The sale is absolutely prohibited by the War Department to civilians. If the War Department allowed civilians from nearby towns to go and trade at the army post, the stores would have to go out of business in that area. I do not mean liquor stores particularly, but other stores. So whatever is sold at the army post is for the army and is absolutely under the control of the army officials.

Yesterday afternoon we had a Major from the Judge Advocate's Department of the First Corps Area, and we had a Colonel before us. Both of them spoke quite frankly to us about this Bill, and they told us that it was the position of the War Department that it was better, if you have men in the Army—and you do have them—who want beer and will get beer, it is better for the Army to handle that situation than to say to that group of men: "You have got to travel eight or ten miles," because the Army loses complete control of them while they are away and the consequences are

much more serious to the morale of the armed forces of the United States when that situation prevails. That is exactly what we have in quite a number of areas of this State. The War Department feels they can better control it when they have it at their post and can supervise the men. Now that is in regard to Section 1.

There is another provision in Section 1 which has not been mentioned, and that is a provision which would allow the Commission to authorize religious bodies to import sacramental wines. I think that is consistent, and it is inconsistent to deny that religious privilege. In compliance with our Constitution we give full religious liberty, and I feel a religious group, whether it be our own or someone else's, that uses sacramental wines, should be able to import them for that purpose.

Also in the Bill is Section 2, and this particular provision has caused some controversy to date and does create an emergency surely. There are certain prices which the Liquor Commission have to charge for liquors coming into the State. The law as it now reads charges a man a certain per cent based upon carload lots at Augusta, f. o. b. Augusta. Now the warehouse is not in Augusta, it is in Portland, resulting in a sizeable saving to the State, but the man in paying for liquor for a hotel has to pay f. o. b. Augusta. Well, suppose the hotel is in Aroostook County and suppose a man has to pay for his liquor and gets delivery of it at Portland, he has to pay carload rates to Augusta and then has to pay the common carrier or contract carrier to truck it to him all the way from Portland to Aroostook, so he pays double freightage from Portland to Augusta.

Now quite a lot was said by the gentleman from Monticello, Mr. Good, in regard to the sale to minors. Well, the situation today is that if a boy between the ages of eighteen and twenty-one goes into a liquor establishment he can order beer and he will be refused—that is if the man is complying with the law. But he can say, "How is your Scotch and rye today?" and he can drink as much of that as he wants to. I think it is a ridiculous situation. I do not think you can say to them: "You can't have beer but

you can have all the hard stuff you want." This Bill would clear that up.

I think I have talked too long, but I do feel that this Bill is an important measure, and I think that we should do all we can to assist the Liquor Commission in carrying out their purposes and in enforcing the laws of the State and properly administering them.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, the title of this measure is that it is "An Act to Improve the Efficiency of the Administration of the Liquor Laws and to Safeguard State Revenues during the Present Emergency." I think the two points of this measure are just there. At least they seemed so to me and others yesterday afternoon. In other words, I think the Liquor Commission laid too much stress on this point—on these two things, that is to say, the efficiency or the ease of the administration. Of course, I think that amounts to something. There might be something to be said about making our administration easier.

It seemed to me, however, during the time that I heard that discussion yesterday, that the whole stress was laid upon the matter of ease of administration. That may have some importance but there are other matters that it seems to me have greater importance.

It has been said that the Liquor Commission has been complimented by Mr. Smith and others, and I join in that. I think that the present Liquor Commission has been doing a very good piece of work up to the present time, but that does not mean that we should follow the Liquor Commission in everything that it proposes to us. I feel with the majority of the Committee on Temperance that it would be better to give this further consideration and that it be extended to next year.

Nearly a year ago, the Secretary of War, Mr. Stimson, made a very strong statement to the effect that the Army was not—that the Government was not—going to allow liquor to be sold in the cantonments or near them. Lately we have not heard from Mr. Stimson about that but it is quite generally assumed that Mr. Stimson has not changed his mind but that he has

been overruled by a higher power.

It has been suggested that just as much liquor will be consumed, perhaps more, if soldiers are compelled to get it outside of the cantonments. As for that, I am not able to speak with exactness but I must say that I am inclined to think differently, because of a statement that was made some time ago by the brewery interests of this country. They were very strongly in favor of the sale of beer in the cantonments and in the canteens, and also very strongly in favor of the Army putting the beer upon the tables of soldiers. I understand that this is done in some places and in others it is not done.

Now, I think the brewery people are very wise in their day and generation, and know what is good for themselves. They say jubilantly, "Here is the finest opportunity we have ever had in the whole history of the country to instill the love of beer into the minds and appetites of the young men of our country." I think they knew exactly what they were saying; and I certainly do agree with them about that.

Now, it has been assumed by some people that because the beer concerns the Army, and of course is in their sphere and in their sphere only, they have a very great authority and power in their own sphere,—that therefore there is not very much the State of Maine can do about it.

Now that is not the assumption of the Liquor Commission. In Section 4, there is something to this effect: "Notwithstanding the majority of votes cast in the negative in respect to questions (3) or (4) of the local option laws, so-called, in any city or town in this state within which is situated any area owned or leased by the United States of America and which area is occupied and used by the military or naval forces of the United States, the state liquor commission, in its discretion after request therefor by the commanding officer of the area,"—in other words, it is the Liquor Commission of the State—it is a Liquor Commission measure really; it has power in the matter.

And then down below, in the second paragraph, I read the following: "The state liquor commission shall have the right and power to prescribe such conditions as it deems necessary or advisable as

conditions precedent to granting permission to wholesalers of malt liquors to sell, transport and deliver malt liquors to said instrumentalities located within said areas, and to make rules and regulations for clarifying and carrying out the provisions of this act, and preventing violations of the laws relating to liquor."

In other words, the Liquor Commission has great power, and I think it is not quite a proper assumption that we can do nothing about it. Apparently that is not the idea of the Liquor Commission.

Now, it seems to me we are likely to be—to use a colloquial expression—somewhat buffaloeed by this liquor business. I happened to be in Europe during the other war, and I spent a considerable part of that time on British soil. I was in England for a time on British soil and outside of England proper for quite a while, and food conditions were very bad. There were scarcities in all sorts of materials. We are going to have that situation in this country. But there was one thing that could not be touched. You could not do anything about the beer business. You could not cut that down. There was a scarcity of all sorts of grains. But that was not even discussed. It simply could not be done. I think there is something of that sort in this country. Now, I disagree with them on that. We are cutting down the manufacture of automobiles and tires, and there will be a scarcity of all sorts of things. I wanted to get some copper recently and I could not get it. That, it seems to me, is a defensive measure and I assume that it is the purport of this measure.

It would be in the interests of the sale of liquor—not manufacture—because there is a surplus for several years—but the sale of liquor in this country is cut down fifty per cent,—I think it would be a good temperance measure and a good defense measure as well.

The gentleman from Farmington, Mr. Mills, said something to the effect that certain soldiers would be under disabilities in canteens if they could not get beer in some canteens, while in other canteens and reservations absolutely owned by the government that they could get it. But I am thinking now of the civilians. You know that this



is a total war, an all-out war. We are all in it, not merely the soldiers and the sailors. Some of the people of Maine, in their wisdom, have voted certain regions of the State dry. Under the plan of the gentleman from Farmington, Mr. Mills, and of this bill, soldiers in those portions of the State could get beer, but civilians could not get it. It seems to me it would be a special privilege,—you might call it so—a special privilege which the soldiers have and which the civilians are denied. I am opposed to that sort of special privilege.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Lambert.

Mr. LAMBERT: Mr. Speaker and Members of the House: Last Spring I arose to speak in answer to the gentleman from Monticello, Mr. Good, concerning a statement he made before the Legislature, and which he again repeated today—and that is the revenue end of this liquor business. I firmly believe, and I know that deep in your hearts each and every member here will realize that the State of Maine would not be on such a good financial basis if it were not for the revenue obtained from the liquor business in which it has entered. The opponents of this Bill claim that more bootleggers are existing now. I think that this Bill, Section 9, extending the hours to 12:00 o'clock, is a wise move on the part of the Liquor Commission by supporting this measure, especially this section.

I am more interested in that section, possibly, than some of you. That is due to the fact that in Lewiston I have noticed it many a time, and it must be the same thing in many of the larger centers of the State—if you have a holiday, the following day, if it falls during the week, your liquor stores are open only up to 8:00 o'clock, and then hundreds of people are turned back.

As to the reference made by the gentleman from Monticello, Mr. Good, that it was charged that bootleggers were existing—there are. There are still bootleggers now, after the closing of the liquor stores. But just remember that you had bootleggers twenty-four hours a day previously. The more hours you cut them down, the less bootleggers you will have. I can assure you of that.

Hundreds and hundreds of people have been turned away from the

liquor stores, due to the closing hours being so early. Where the people are working on various projects and cannot get to the store as early as others, that creates bootleggers in my estimation.

If we are going to keep ourselves within our revenues, especially in the face of this emergency—I claim that this Bill should pass as an emergency measure, due to the fact that we need the extra revenue, if for nothing else, because God knows we are spending enough money now. On that fact alone, as the gentleman from Farmington (Mr. Mills) mentioned, the sacramental wine import clause in here would help out in this matter. That is reason enough for me to support this Bill.

I also claim that if you deprive some of the soldiers from having their beer, they will go elsewhere. We have proof of that every day,—especially in my city, where they come in and hang around beer parlors or beer establishments. If they could have it at their military camps, it would be much easier.

I think that you all realize that, in view of the fact that we are in an emergency situation, that it would be a wise move to abide by the wishes of your Liquor Commission, which has done a very good job so far, and I believe that it would be wise for the majority of the members of this House to support the Minority Report.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins.—

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of this House: I rise, not representing any church or any affiliation of churches,—I arise as a man who twenty odd years ago wore the same uniform as was before your Committee yesterday afternoon,—an officer of the regular United States Army.

I rise as a Commander of an American Legion Post in the State of Maine. I have a few remarks to make in rebuttal.

Our friend, the gentleman from Farmington, Mr. Mills, says we are penalizing certain soldiers because they happen to be ordered to a reservation in Presque Isle or Houlton.

I served in the United States

Army, where many of the boys are today. They took an oath to protect their country with their life. In that oath they are ordered where the commanding officer may say, be it to Hawaii, the Philippines, France, Egypt—wherever it may be. I do not see that it is in the province of the State of Maine to regulate the orders of the United States Army. That man is just out of luck that he is ordered wherever it may be. If he happened to be unfortunate to be in a dry place where he cannot buy beer, that is too bad. He is under the jurisdiction of the Army and their orders.

Another gentleman, our friend, the gentleman from Lewiston, Mr. Lambert, admits there are bootleggers. I will agree with him.

There was one thing that was not brought out at that hearing yesterday, which I attended all through the hearing. Nobody mentioned opening the liquor stores Sundays. There is more liquor sold in the State of Maine by bootleggers on Sunday than on any other six days put together. They should open the stores on Sunday, if they want to eliminate that, and run them twenty-four hours a day. I do not think that would clear the situation.

Again, here is the administration. As I look at the Legislature of the State of Maine, it is a legislative body. An administrator is appointed to administer the laws of the Legislature, but it appears to be that the administrative heads of all departments are telling us what to make for laws.

The gentleman from Farmington, Mr. Mills, spoke of the wine for the religious societies. I think your Commissioner will agree that all religious societies can buy all the wine they want at the liquor stores. And, gentlemen, there is one other point, which perhaps you have overlooked. We have the Salvation Army, the Y. M. C. A. and now we have the U. S. O., to which probably every man and woman in this group have contributed to one or the other, or perhaps to all, for the entertainment of our soldiers in their camps.

The main thing that I saw brought out in this bill by those gentlemen in the Army uniform yesterday was that it would give revenue to the camp to furnish pool tables and magazines and things of that nature, which these organizations are doing and have been do-

ing, and did during the other war, furnish to all of our men.

Ladies and gentlemen, I do not believe that any of us want to put liquor before our men and to have our army intoxicated. We in Maine are the outpost of this Nation. The submarines are right off the coast this moment and we speak of an emergency! It is not an emergency. We are at war. Remember Pearl Harbor! Keep our Army as sober as we can.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House accept the Majority Report of the Committee that this Bill be referred to the 91st Legislature.

The Chair recognizes the gentleman from Weston, Mr. Bubar.

Mr. BUBAR: Mr. Speaker and Members of the House: Just because the law is consistently being broken, I see as no reason why the law should be amended or repealed. I wish that you would remember that the Bill before us is a double-barreled affair. It is several bills tied up in one, and they tell us that this Bill is for the best interests of temperance.

I might suggest that you cannot stop a fire by adding fuel; neither can you sober a man off by pouring more liquor into him. So I do not see that this Bill is in the interest of temperance at all.

I represent an area up around Houlton, a dry area. Houlton has come in as one of the difficult spots in their army program, as was brought out in the hearing yesterday, because the boys were finding some difficulty in getting their liquor. The people up there voted dry. If they had wanted liquor, they would have voted wet. I do not believe that we should go against the wishes of those people unless we want another Biddeford affair,—where a Legislature is going in and telling a community what they should do. I think the Legislature learned their lesson in that case.

There is another thing I want to mention. You will remember reading in the newspapers at about the time of the fall of France, when General Petain, that great Frenchman, came out and made the statement that the reason for the fall of the French Army was because the French Army was drunk. Several newspapers elaborated on that

statement. The French Army was drunk. I do not believe there is one man or woman here this afternoon that wants that said of the American armies—that they went down because they were drunk. It is up to you this afternoon to answer that question.

We may not be able to cure it in every one of our army camps but we can do our bit.

I believe that the members of the American Legion and others of our veterans of the last war will agree with me this afternoon when I make this statement that thousands of our young men who went across in the last war perfectly sober young men came back drunkards. Some of them went into a drunkard's grave. Where did they learn to drink? They learned to drink in the army. You will have to agree with me, because facts will bear that statement out.

Now, I am asking you, do we want to see our army camps open to the liquor traffic or not?

I hope that we go along with the motion of the gentleman from Greenville, Mr. Rollins, this afternoon.

The SPEAKER: The Chair recognizes the gentleman from North Anson, Mr. Fenlason.

Mr. FENLASON: Mr. Speaker and Members of the House: I believe we have listened to this matter, and I think we are all pretty conscious that it is getting near night, and I think we understand the bill pretty well. No vote, in my mind, will be changed by any oratory, and we might save that for tomorrow. I am going to move the previous question.

The SPEAKER: The gentleman from Anson, Mr. Fenlason, moves the previous question. In order for the Chair to entertain the motion for the previous question, it re-

quires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the Monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the previous question is ordered. The question before the House is, shall the main question be put now? As many as are in favor of the main question being put now will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House accept the Majority Report of the Committee on Temperance, reporting that this Bill be referred to the Ninety-first Legislature. All those in favor of the motion of the gentleman from Greenville, Mr. Rollins, that the House accept the Majority Report and that the Bill be referred to the Ninety-first Legislature will say aye; those opposed no.

A viva voce vote being doubted.

A division of the House was had.

Sixty-seven having voted in the affirmative and 45 in the negative, the motion prevailed, and the Majority Report was accepted and sent up for concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. If there is no further business to come before the House under Orders of the Day, the Clerk will read the notices.

On motion by Mr. Small of East Machias.

Adjourned until ten o'clock tomorrow morning.