

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

SENATE

Wednesday, March 26, 1941.

The Senate was called to order by the President.

Prayer by the Reverend Andrew Mahy of Augusta.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

House Committee Reports Recommitted

The Committee on Labor on Bill "An Act Relative to the Employment of Females in Executive, Administrative, Professional or Supervisory Capacities and as Personal Office Assistants," (H. P. 1235) (L. D. 497) reported that the same ought to pass.

Comes from the House, recommitted to the Committee on Labor.

In the Senate, the bill was recommitted to the Committee on Labor in concurrence.

Ought Not to Pass

The Committee on Inland Fisheries and Game on "Resolve in Favor of the Megunticook Lake Anglers' Club," (H. P. 625) (L. D. 261) reported that leave be granted to withdraw the same.

The same Committee on "Resolve Regulating Fishing in the Allegash Section," (H. P. 808) (L. D. 321) reported that leave be granted to withdraw the same.

The Committee on Public Utilities on Bill "An Act to Incorporate the Ellsworth Water District," (H. P. 1193) (L. D. 361) reported that leave be granted to withdraw the same.

The Committee on Towns on Bill "An Act Relating to the Brunswick Village Corporation," (H. P. 1218) (L. D. 435) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act to Incorporate the Town of Lucerne," (H. P. 1220) (L. D. 437) reported that leave be granted to withdraw the same.

The Committee on Ways and Bridges on Bill "An Act Relating to the Construction and Maintenance of Bridges on State and State Aid Highways," (H. P. 1562) (L. D. 851) reported that leave be granted to withdraw the same.

The Committee on Appropriations and Financial Affairs on "Resolve Providing for Renovation of Electrical Service, Steam Plant, Fire Protection Service and Bakery at the Bangor State Hospital," (H. P. 427) (L. D. 176) reported that the same ought not to pass.

The Committee on Claims on "Resolve in Favor of Kennebec Towage Company, a Corporation Located at Bath, Maine," (H. P. 230) (L. D. 76) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of A. Antoinette Burk of Millburn, New Jersey," (H. P. 576) (L. D. 248) reported that the same ought not to pass.

The Committee on Education on Bill "An Act Relating to School Age," (H. P. 1343) (L. D. 798) reported that the same ought not to pass.

The same Committee on Bill "An Act Decreasing the Subsidy Contributed by the State Relative to Physical Education," (H. P. 790) (L. D. 305) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Repealing Bounty on Bears in Aroostook County," (H. P. 798) (L. D. 311) reported that the same ought not to pass.

The same Committee on Bill "An Act Requiring Fish and Game Wardens to Locate Hunters and Fishermen who are Lost," (H. P. 1361) (L. D. 707) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Closed Time on Wild Hares and Rabbits," (H. P. 419) (L. D. 168) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Closed Time on Wild Hares and Rabbits," (H. P. 1372) (L. D. 718) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Closed Time on Wild Hares and Rabbits, in Somerset County," (H. P. 620) (L. D. 256) reported that the same ought not to pass.

The Committee on Interior Waters on Bill "An Act Relative to Pollution in Presumpscot River, Salmon Falls River, Mousam River and Saco River," (H. P. 306) (L. D. 116) reported that the same ought not to pass.

The Committee on Public Utilities

on Bill "An Act to Incorporate the Kingman Electric Water Power Company," (H. P. 1195) (L. D. 488) reported that legislation thereon is unnecessary.

The Committee on Temperance on Bill "An Act Relating to Hearings on Applications for Liquor Licenses," (H. P. 1486) (L. D. 597) reported that the same ought not to pass.

The same Committee on Bill "An Act Regulating the Sale of Liquor Near National Homes," (H. P. 1492) (L. D. 600) reported that the same ought not to pass.

The Committee on Towns on Bill "An Act to Re-establish the Town Line Between the Town of Glenburn and the City of Old Town," (H. P. 690) (L. D. 245) reported that the same ought not to pass.

The Committee on Agriculture on Bill "An Act for the Eradication of Ragweed," (H. P. 1335) (L. D. 793) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on "Resolve for Moving Screen at the Mouth of Eagle Lake," (H. P. 1144) (L. D. 444) reported that the same ought not to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to Official Inspection Stations for Motor Vehicles," (H. P. 1274) (L. D. 544) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Applications to Operate Motor Vehicles," (H. P. 1544) (L. D. 836) reported that the same ought not to pass.

The Committee on Towns on Bill "An Act to Provide for the Surrender by Town of Byron of its Organization," (H. P. 450) (L. D. 188) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Care of Certain Burying-grounds," (H. P. 868) (L. D. 300) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Officers Chosen by Ballots," (H. P. 1493) (L. D. 584) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Claims on "Resolve in Favor of the Town of Charleston," (H. P. 295) (L. D. 105) reported the same in a new draft (H. P. 1791) (L. D. 1048) under the same title, and that it ought to pass.

The same Committee on "Resolve in Favor of Olaf Nylander," (H. P. 1122) (L. D. 373) reported the same in a new draft (H. P. 1784) (L. D. 1047) under the same title, and that it ought to pass.

The same Committee on "Resolve in Favor of Wilfred Duquette, of Brunswick," (H. P. 1106) (L. D. 1046) reported that the same ought to pass.

The Committee on Education on "Resolve in Favor of a Pension for Lena Butler Richards," (H. P. 660) (L. D. 1044) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to State School for Girls," (H. P. 1249) (L. D. 532) reported that the same ought to pass. (On motion by Mr. Stipphen of Lincoln, the bill was laid upon the table pending acceptance of the report in concurrence.)

The Committee on Interior Waters on Bill "An Act to Establish a Sanitary Water Board and to Control, Prevent and Abate Pollution of Certain Waters in the State," (H. P. 677) (L. D. 229) reported the same in a new draft (H. P. 1785) (L. D. 1040) under the same title and that it ought to pass.

The same Committee on Bill "An Act Making Unlawful the Deposit of Certain Materials in, or on the Banks of the St. John and Fish Rivers," (H. P. 1384) (L. D. 12) reported the same in a new draft (H. P. 1786) (L. D. 1041) under the same title and that it ought to pass.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Payment of the Special Tax for Investigation of Fires by the Insurance Commissioner," (H. P. 1273) (L. D. 543) reported that the same ought to pass.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Land to Fred McGeorge, of East Machias," (H. P. 1621) (L. D. 966) reported that the same ought to pass.

The Committee on Towns on Bill "An Act Relating to the Perambulation of Town Lines," (H. P. 1494)

(L. D. 732) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Records of Deorganized Municipalities," (H. P. 1495) (L. D. 733) reported that the same ought to pass.

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

The Committee on Education on Bill "An Act Relating to Physical Education," (H. P. 1248) (L. D. 531) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Providing for Financing of Mutual Insurance Companies," (H. P. 1451) (L. D. 763) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which reports were severally read and accepted in concurrence, the bills read once, Committee Amendments "A" severally read and adopted in concurrence, and the bills as so amended tomorrow assigned for second reading.

Senate Committee Reports Ought Not to Pass

Mr. Findlen from the Committee on Agriculture on Bill "An Act Repealing the Potato Tax Law," (S. P. 63) (L. D. 47) reported that the same ought not to pass.

Mr. Townsend from the Committee on Public Health on Bill "An Act Relating to the Manufacture of Bedding," (S. P. 259) (L. D. 410) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Findlen from the Committee on Agriculture on Bill "An Act Regulating the Expenditure of the Potato Tax," (S. P. 189) (L. D. 285) reported the same in a new draft, (S. P. 514) under the same title and that it ought to pass.

Which report was read and accepted, and the bill was laid upon for table for printing under the joint rules.

Mr. Chase from the Committee on

Towns on Bill "An Act Permitting Towns to Appropriate Money in Anticipation of State Appropriations," (S. P. 167) (L. D. 225) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which report was read and accepted and the bill read once; Committee Amendment "A" was read as follows:

"Committee Amendment A. Amend said bill by adding at the end thereof the following words: 'with the advice and consent of the Highway Commission.'"

Committee Amendment A was adopted and the bill as so amended was tomorrow assigned for second reading.

Passed to Be Engrossed

Resolve Appropriating Money for Control of the Fruit or Blueberry Fly in Maine." (H. P. 1118) (L. D. 370)

Bill "An Act Relative to Hunting of Game Birds." (H. P. 1357) (L. D. 703)

Bill "An Act Authorizing Cities and Towns to Appropriate Money and Acquire Lands for Use as Public Parking Places." (H. P. 1390) (L. D. 571)

Bill "An Act Relating to the Town Manager Form of Government for the Town of Houlton." (H. P. 646) (L. D. 282)

Bill "An Act Relating to Election Returns." (H. P. 1423) (L. D. 588)

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

"Resolve Granting a Pension to Eva Mae McShea." (S. P. 122) (L. D. 1038)

"Resolve in Favor of Certain Agricultural Societies." (S. P. 183) (L. D. 1039)

Bill "An Act Relating to Inductive Interference." (S. P. 406) (L. D. 640)

Bill "An Act Relating to Preservation of the Records of the Department of Health and Welfare." (S. P. 509) (L. D. 1034)

Bill "An Act Creating the Caribou Utilities District." (S. P. 510) (L. D. 1037)

Which bill was given its second reading.

Mr. Brown of Aroostook presented Senate Amendment A and moved its adoption: "Senate Amendment A. Amend said bill by inserting in

the 4th line of Section 4 thereof, after the word 'Caribou' the words 'and other towns served by it.'

"Further amend said bill by striking out in the 14th line of Section 9 thereof the words 'town of Caribou' and inserting in place thereof the words 'territory served by either of said companies.'

"Further amend said bill by striking out in the 37th and 38th lines of Section 11 thereof the words 'so far as they relate to the service in the town of Caribou'.

"Further amend said bill by striking out in the 5th and 6th lines of the 5th paragraph of Section 11 thereof the words 'in respect of the territory comprising said district belonging to this period'.

"Further amend said bill by striking out in the 3rd and 4th lines of Section 18 thereof the words 'acquire before July 1, 1944 by purchase or by the exercise of the right of eminent domain' and inserting in place thereof the words 'purchase or file its petition to take by eminent domain, before July 1, 1943.' "

Senate Amendment A was adopted and on motion by Mr. Libby of Cumberland, the bill as so amended was laid upon the table pending passage to be engrossed.

Bill "An Act Relating to the Business of Letting or Lending for Hire of Motor Vehicles to be Used by Any Other Person, Firm or Corporation." (S. P. 511) (L. D. 1035)

Which bill was read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to Mileage of State Employees." (S. P. 512) (L. D. 1036)

(On motion by Mr. Farris of Kennebec, the bill was laid upon the table pending passage to be engrossed.)

Passed to be Enacted

Bill "An Act Amending the Law Relating to Unemployment Compensation to Collect Contributions on Wages Paid." (S. P. 206) (L. D. 502)

Bill "An Act Creating the Lisbon Municipal Court." (S. P. 247) (L. D. 402)

Bill "An Act Relating to Headlights of Motor Vehicles." (S. P. 320) (L. D. 523)

Bill "An Act Relating to Evasion

of Fares Over Toll Bridges." (S. P. 335) (L. D. 624)

Bill "An Act Relating to Notices to the State in Actions by Towns in Pauper Cases." (S. P. 338) (L. D. 627)

Bill "An Act Providing for the Disposition of Property where there is no Sufficient Evidence that Persons Died Otherwise than Simultaneously." (S. P. 366) (L. D. 680)

Bill "An Act Relating to Voting Booths." (S. P. 369) (L. D. 683)

Bill "An Act Relative to Licenses for Dealers in Furs." (S. P. 379) (L. D. 698)

Bill "An Act Relating to the Transfer of Appropriations in the Department of Health and Welfare." (S. P. 437) (L. D. 892)

Bill "An Act Relating to Registration of More Than One Motor Vehicle in Same Calendar Year." (S. P. 445) (L. D. 896)

"Resolve Regulating Fishing in Pemaquid River." (S. P. 491) (L. D. 1016)

Bill "An Act Relating to Collection of Poll Taxes." (H. P. 641) (L. D. 277)

Bill "An Act Authorizing Bank Officers to Execute Certain Instruments." (H. P. 1121) (L. D. 372)

Bill "An Act Amending the Law Relating to Unemployment Compensation with Respect to Keeping Separate Accounts." (H. P. 1256) (L. D. 555)

Bill "An Act Amending the Law Relating to Unemployment Compensation with Respect to Grants from the Social Security Board." (S. P. 1257) (L. D. 556)

Bill "An Act Amending the Law Relating to Unemployment Compensation by Repealing a Part of Section 5." (H. P. 1258) (L. D. 557)

Bill "An Act Amending the Law Relating to Unemployment Compensation to Reduce Benefits when Claimed Fraudulently." (H. P. 1259) (L. D. 558)

Bill "An Act Relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method." (H. P. 1269) (L. D. 567)

Bill "An Act Relating to Public Exhibitions." (H. P. 1272) (L. D. 542)

Bill "An Act Relative to Transportation of Fish, Game and Fur-bearing Animals by Aeroplane." (H. P. 1377) (L. D. 723)

Bill "An Act Relating to Absentee Ballots." (H. P. 1401) (L. D. 779)

Bill "An Act Relating to Warrants Posted in Wards in Cities and Towns." (H. P. 1403) (L. D. 781)

Bill "An Act Relating to Referendum Ballots." (H. P. 1407) (L. D. 785)

Bill "An Act Relating to Names on Ballots." (H. P. 1409) (L. D. 787)

Bill "An Act Relating to Municipal Ordinances." (H. P. 1440) (L. D. 577)

Bill "An Act Relating to Expense of Pauper Support." (H. P. 1441) (L. D. 755)

(On motion by Mr. Friend of Somerset, the bill was laid upon the table pending passage to be enacted.)

Bill "An Act Relating to Overseers of the Poor." (H. P. 1449) (L. D. 761)

Bill "An Act Permitting the Digging of Clams in the York River for Bait Only." (H. P. 1467) (L. D. 743)

Bill "An Act Relating to the Primary Election Law." (H. P. 1523) (L. D. 863)

Bill "An Act Relating to Suspension of Motor Vehicle Licenses." (H. P. 1540) (L. D. 832)

Bill "An Act Relating to Surrender of Registration Plates of Motor Vehicles." (H. P. 1545) (L. D. 837)

Bill "An Act Relating to Exemptions of Homes from Taxation." (H. P. 1626) (L. D. 975)

Bill "An Act Relating to Duplicate Licenses to Operate Motor Vehicles." (H. P. 1669) (L. D. 1017)

Bill "An Act Creating the Newport Water District." (H. P. 1670) (L. D. 1018)

Finally Passed

"Resolve Authorizing the Forest Commissioner to Convey Certain Land to Arthur Hobbs, Clyde Hobbs and Elsie Sealey of Stratton." (H. P. 687) (L. D. 242)

"Resolve Authorizing the Forest Commissioner to Convey Land in Perkins Plantation." (H. P. 1211) (L. D. 429)

"Resolve Relative to Catching Lobsters Near Monhegan." (H. P. 1593) (L. D. 945)

"Resolve in Favor of Vernon A. Soule." (H. P. 1672) (L. D. 1020)

"Resolve in Favor of Zina N. Witham." (H. P. 1673) (L. D. 1019)

Emergency Measure

"Resolve Freeing the Carlton Bridge of Tolls." (H. P. 1650) (L. D. 999)

Which resolve being an emergency measure, and having received

the affirmative vote of 26 members of the Senate and none opposed, was finally passed.

Orders of the Day

On motion by Mr. Sanborn of Cumberland, the Senate voted to take from the table (H. P. 102) (L. D. 57) House Report from the Committee on Salaries and Fees "Ought to Pass in New Draft" (H. P. 1635) (L. D. 938) "An Act Relating to Fees of Referees", tabled by that Senator on March 24th pending acceptance of the report; and on further motion by the same Senator the bill was substituted for the report and was given its first reading and tomorrow assigned for second reading.

On motion by Miss Laughlin of Cumberland, the Senate voted to take from the table (H. P. 637) (L. D. 273) House Report from the Committee on Judiciary, Majority Report "Ought Not to Pass", Minority Report "Ought to Pass", on bill "An Act to Provide Assistance to the Civil Population of England, tabled by that Senator on February 21st pending acceptance of either report.

Miss LAUGHLIN of Cumberland: Mr. President, this bill, simply provides that we should give to the American Committee for the Defense of British Homes the guns which have been confiscated by the Inland Fisheries and Game Department and are held there. They estimate the value of these guns as something under a thousand dollars. They are the guns that have been confiscated. They therefore have not cost the State of Maine anything.

Now, if it is of value to contribute these guns to England, then it is of value to the state of Maine because the guns are to be used for the home defense if there should be an invasion of England. I think that all of us who listened to the address yesterday realize that it comes right home to us, the matter of the defense of the State of Maine if it ever should be invaded successfully. It is a part, really, of the defense of this state. It is really one of the defense measures in case we should be obliged to defend ourselves if England should fall.

So the first question is: Is there need of this? Of course the use of these guns is not for the armed forces. They are to be used by civil-

ians to protect their homes in case of the dropping of parachute troops which we know was such an element in the destruction of Finland, the bringing of parachute troops by Russia.

Now, we have the word of Wickham Steed. I have here a copy of a cablegram, saying that their need of these arms is desperate. And also from Lord Beaverbrook. And furthermore that they find they need all types. It has been stated here that they would not be able to use them. Well, the cablegram from Wickham Steed says that all so far sent have been usable except in one or two cases and we have already sent there a month ago, according to the report from the American Committee, they had sent 2,184 guns and 2,380 revolvers, and the cable from Wickham Steed says that all but one or two have been of service and have been used in the defense of England.

These are to be sent, not direct from here but to an American committee which is headed by distinguished and well known American citizens. The chairman of that committee is C. Suydam Cutting and that committee has on it such well known names as John W. Davis, the former Democratic candidate for President, Gov. Lehman of New York, and other men and women of like prominence. So the guns would go through that American committee.

The State Department in Washington has given its permission for the shipment of these guns and other things that are being sent. Therefore, in a way, the United States government has recognized favorably the matter of the shipment of these arms.

Now, some questions arose here about the right of sending. I will say that in Ohio they are sending the guns that have been confiscated by the County prosecutors, that they are sending guns confiscated by police departments in various states. So that we have a precedent for the sending of confiscated arms.

Of course individuals are contributing, some sending only one gun, others sending pet hunting guns because they prefer to send them for the defense rather than to use them themselves. The banks have been contributing arms no longer needed that they have used in the protec-

tion of the bank from robbery. Veterans of the Spanish war have contributed guns. The only part that Maine has had in it so far is a contribution from Bowdoin College of binoculars because they need steel helmets and binoculars as well as guns and the binoculars help in sighting in-coming aircraft over their homes. That is the only part so far that Maine has had in this.

I quoted Lord Beaverbrook, whom I guess we all know by reputation, as saying that the need was desperate and I will close by quoting again from him. He says, "We will fight with pitchforks if need be," and "We stand continually upon the watch-tower in the daytime and we are set in our ward all night. The danger of invasion continues and when the days grow longer the dangers will increase and multiply. There is only one means of meeting the menace. It is by arming our people, by equipping the whole population to fight for liberty and the right to dwell as free men in a free land."

I think, in concluding, that there is the need, that we are defending ourselves if we contribute to it, that it is going through a responsible American committee, that it has been permitted to go by the State Department showing the favor of the United States government and that it will be ultimately for the possible defense of our own state.

The PRESIDENT: Does the Senator wish to make a motion? It is a divided report.

Miss LAUGHLIN: Yes, Mr. President, I move the adoption of the Minority Report "Ought to Pass".

Mr. STILPHEN of Lincoln: Mr. President, when the vote is taken I would ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Laughlin, that the Minority Report of the Committee "Ought to Pass" be accepted in non-concurrence and the Senator from Lincoln, Senator Stilphen, has asked for a division. Is the Senate ready for the question?

A division of the Senate was had.

Eighteen having voted in the affirmative and eight opposed, the Minority Report was accepted and the bill given its first reading and tomorrow assigned for second reading.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table, bill, An Act Relating to Mileage of State Employees (S. P. 512) (L. D. 1036) tabled by that Senator earlier in today's session pending passage to be engrossed, and that Senator yielded to the Senator from Lincoln, Senator Stilphen.

Mr. Stilphen offered Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to S. P. 512, L. D. 1036, Bill, 'An Act Relating to Mileage of State Employees'. Amend said bill by striking out the crossed-out words 'in any 1 fiscal year' in the 9th line thereof and inserting in place thereof the following 'in any 1 fiscal year'.

"Further amend said Bill by striking out the period and the underlined words 'the state' in the 11th line thereof and inserting in place thereof the underlined word 'and'.

"Further amend said Bill by inserting after the word 'miles' at the end of the bill thereof, the following underlined words 'during said fiscal year'."

Thereupon, Senate Amendment "A" was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table House Report from the Committee on Legal Affairs "Ought Not to Pass" on bill, An Act Relating to Signs on Pumps Dispensing Internal Combustion Fuel, (H. P. 1165) (L. D. 461) tabled by that Senator on March 24th pending acceptance of the report in concurrence, and that Senator yielded to the Senator from Cumberland, Senator Sanborn.

Mr. SANBORN of Cumberland: Mr. President, I think perhaps it is unnecessary for me to make any further observations than I did make in connection with the offering of the pending motion. The fact is, as we all know, we are late in the session and very desirous of adjournment at an early day as possible. Further commitments militate against this desired end. Second; as I have already said, this matter was fully heard and a large number of people expressed their

views on both sides of the question. I can conceive of no further enlightenment that could come to the committee if further hearing was had. The report of the committee was unanimous. Thirdly, as far as the merits are concerned, it appeared to me—although I perhaps would not be justified in saying this was the consideration that moved other members of the committee to their conclusion—it appeared to me we had merely a squabble, I would call it, in the ranks of the gasoline people and they are asking this legislature to straighten out a matter they should be capable of straightening out, themselves. For those reasons, I trust the motion will prevail.

Mr. BROWN of Aroostook: Mr. President, I want to say I realize fully the force of the argument which the Senator from Cumberland, Senator Sanborn, has used. My only thought is several people have requested that this be recommitted and several of the committee members have said they were willing to have it recommitted to them. In fact, they seemed to be anxious it should be. I have no personal views in the matter and I just simply arise to state my position in regard to it.

The PRESIDENT: The question is on the acceptance of the report of the committee "Ought Not to Pass" in concurrence. All those in favor of the acceptance of the report will say "Aye"; those opposed, "No".

A viva voce vote being had, the "Ought Not to Pass" report was accepted in concurrence.

On motion by Mr. Chase of Washington, the Senate voted to take from the table, Senate Report from the Committee on Appropriations and Financial Affairs "Ought to Pass" in New Draft (S. P. 488) on bill, An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for Fiscal Years Ending June 30, 1942 and June 30, 1943, tabled by that Senator on March 12th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted and the bill was given its first reading.

Thereupon, on motion by Mr. Chase, the bill was laid upon the table pending assignment for second reading.

On motion by Mr. Stilphen of Lincoln, the Senate voted to take from the table, Senate Report from the Committee on Military Affairs "Ought to Pass" on bill, An Act Relating to Burial Grounds for Soldiers (S. P. 458) (L. D. 934) tabled by that Senator or March 7th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Chamberlain of Penobscot, the Senate voted to take from the table, bill, An Act to Exempt Soldiers and Sailors from Poll Taxes (H. P. 1484) (L. D. 613) tabled by that Senator on March 21st pending assignment for second reading; and on further motion by the same Senator, under suspension of the rules the bill was given its second reading.

Thereupon Mr. Chamberlain offered Senate Amendment "A" and moved its adoption:

"Senate Amendment A'. Amend said bill by inserting before the enacting clause thereof the following:

"Emergency Preamble. Whereas, unless this act becomes effective immediately it will be extremely difficult to provide for the proper abatement of poll taxes paid therein, and

Whereas, this difficulty will seriously hamper the financial program of the cities and towns, and

Whereas, the abatement of the polls provided for in the following act is necessary to prevent an unfair assessment on our soldiers, and

Whereas, the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of public peace, health and safety, now therefore,"

"Further amend by adding at the end thereof the following:

'Emergency Clause. In view of the emergency cited in the pre-

amble, this act shall take effect when approved.' "

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

Sent down for concurrence.

Mr. TOWNSEND of Penobscot: Mr. President, I ask unanimous consent to address the Senate.

Unanimous consent was granted.

Mr. TOWNSEND: Mr. President, yesterday I was asked to present a bill to this legislature and since it is now after the closing date for the introduction of bills, I would like to bring the following facts to your attention. I am presenting these facts to you as they were given to me.

It seems that the Carmel High School was condemned as being unfit for further use, and this condemnation came after the closing date for introduction of bills to the legislature. Apparently it is necessary to start construction on a new building at once in order for the pupils to have a high school next fall. At present there are sixty-five pupils, and it is expected that there will be eighty-five pupils for enrollment in the fall. The town of Carmel has voted to build a high school, the cost estimated to be around twenty thousand dollars. Since the town has already reached its debt limit, it will be necessary for the town to form a school district and issue bonds in order to raise the required funds.

Mr. President, I now ask, out of order and under suspension of the rules, permission to introduce bill, An Act to Incorporate the Carmel School District.

Unanimous consent was granted for the introduction of bill, An Act to Incorporate the Carmel School District.

Upon motion by Mr. Townsend, the bill was referred to the Committee on Legal Affairs.

Sent down for concurrence.

On motion by M. Friend of Somerset

Adjourned until tomorrow morning at ten o'clock.