

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

Thursday, April 24, 1941.

The Senate was called to order by the President.

Prayer by the Reverend Oscar A. Withee of Gardiner.

Journal of yesterday read and approved.

From the House:

Bill "An Act Relating to Labor Relations in the State of Maine" (S. P. 562) (L. D. 1162)

(In the Senate on April 22nd passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Miss Laughlin of Cumberland, under suspension of the rules that Body voted to reconsider its former action whereby the bill was passed to be engrossed; on further motion by the same Senator, House Amendment "A" was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An Act Relating to Hours of Employment." (S. P. 524) (L. D. 1085)

(In the Senate on April 4, passed to be engrossed.)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate:

Miss LAUGHLIN of Cumberland: Mr. President, I move that the Senate insist on its former action and ask for a Committee of Conference. As appears on this calendar this was passed in the Senate on April 4th by unanimous vote. It is now impossible to go into the history of the bill since then but it has finally reached us at this stage on this date and I therefore move that the Senate insist and ask for a Committee of Conference, with, I believe, some hope of reaching some other decision.

The motion prevailed and the President appointed as Senate members of such committee, Senator Laughlin of Cumberland, Farris of Kennebec, Stilphen of Lincoln.

Sent down for concurrence.

From the House:

Majority Report "Ought to Pass

in a New Draft (S. P. 565) under the same title" Minority Report "Ought Not to Pass"; from the Committee on Judiciary on bill "An Act Relating to the Administration of State Institutions." (S. P. 246) (L. D. 403)

(In the Senate on April 22nd, Majority Report read and accepted, and the new draft passed to be engrossed.)

Comes from the House, the Minority Report accepted in non-concurrence.

In the Senate, on motion by Miss Laughlin of Cumberland, that Body voted to insist on its former action and ask for a Committee of Conference. The President appointed as Senate members of such committee Senators Laughlin of Cumberland, Harvey of York, Farris of Kennebec.

Sent down for concurrence.

Committee Reports

S. P. 31. Resolve Providing for Mary I. Ruth, of Augusta.

S. P. 163. Resolve Providing for an Increase in State Pension for Harry Bean, of Augusta.

S. P. 164. Resolve in Favor of Jennie D. Wasgatt, of Augusta.

S. P. 202. Resolve Providing for a State Pension for Robert Haskell, of Brewer.

S. P. 264. Resolve in Favor of Lewis F. Merrill.

H. P. 108. Resolve Providing for a State Pension for Bertha B. Baker, of Lewiston.

H. P. 109. Resolve Providing for an Increase in State Pension for Laura M. Hayes, of Chelsea.

H. P. 110. Resolve Providing for an Increase in State Pension for Evie B. Houstus, of Brooks.

H. P. 251. Resolve in Favor of Milton D. Connors, of Hampden Highlands.

H. P. 252. Resolve Providing for an Increase in State Pension for Elber R. Jackson, of Jefferson.

H. P. 258. Resolve Providing for an Increase in State Pension for Perley A. Haskell, of Augusta.

H. P. 259. Resolve Providing for an Increase in State Pension for Nora E. Peters, of Ellsworth.

H. P. 316. Resolve Providing for an Increase in State Pension for Sarah A. Ferguson, of Hallowell.

H. P. 317. Resolve Providing for an Increase in State Pension for Sadie N. Nason, of Hallowell.

H. P. 341. Resolve Providing for a State Pension for Frank Emerson, of Liberty.

H. P. 345. Resolve Providing for an Increase in State Pension for Jessie S. Crocker, of Pittston.

H. P. 349. Resolve Providing for a State Pension for Fred Flood, of Waterboro.

H. P. 435. Resolve Providing for a State Pension for Louise Randall, of Castle Hill.

H. P. 442. Resolve Providing for a State Pension for Mary Decker Leighton, of Alna.

H. P. 443. Resolve Providing for an Increase in State Pension for Carrie E. Bresnahan, of Ellsworth.

H. P. 475. Resolve Providing for a State Pension for George D. Paul, of Searsmont.

H. P. 654. Resolve Providing for a State Pension for George L. Hearin, of Knox.

H. P. 655. Resolve Providing for a State Pension for Samuel Harvey, of Northport.

H. P. 657. Resolve Providing for a State Pension for Frank A. Choate, of Montville.

H. P. 659. Resolve Providing for an Increase in State Pension for Lonnie C. Starbird, of Bowdoin.

H. P. 837. Resolve Providing for a State Pension for Mary R. Woodcock, of Newport.

H. P. 840. Resolve Providing for an Increase in State Pension for James A. Overlock, of Liberty.

H. P. 845. Resolve Providing for a State Pension for Floyd E. Haskell, of China.

H. P. 849. Resolve Providing a Pension for Mary J. Greenleaf, of Madison.

H. P. 850. Resolve Providing for the Increase of the Pension of Mabel Bump, of Farmington.

H. P. 852. Resolve in Favor of Frue A. Thomson, of Kittery.

H. P. 856. Resolve Providing for a State Pension for Addie A. Haselbrock, of Gardiner.

H. P. 857. Resolve Providing for an Increase in State Pension for John W. Chase, of Fairfield.

H. P. 928. Resolve in Favor of Julia D. Winship, of Augusta.

H. P. 932. Resolve Providing a State Pension for Elizabeth N. Light, of Hermon.

H. P. 936. Resolve Providing for a State Pension for Leroy W. Gordon, of Thorndike.

H. P. 937. Resolve Providing for a State Pension for Prescott A. Hobbs, of Pittsfield.

H. P. 939. Resolve Granting Increase in State Pension for Flora E. Babb, of West Gardiner.

H. P. 940. Resolve Providing for an Increase in State Pension for Daniel H. Meader, of Hallowell.

H. P. 942. Resolve Providing for a State Pension for Hubert A. Roy, of Rumford.

H. P. 943. Resolve Providing for a State Pension for Levi Richard, of Rumford.

H. P. 1036. Resolve in Favor of Avery Dyer, of North Haven.

H. P. 1037. Resolve in Favor of Mrs. Ethel R. Young, of Augusta.

H. P. 1043. Resolve in Favor of Charles H. Moody, of Pittston.

H. P. 1045. Resolve Providing for a Pension for Charles R. Getchell, of China.

H. P. 1048. Resolve in Favor of William Wallace Faulkner, of Houlton.

H. P. 1053. Resolve Providing for an Increase in State Pension for Burleigh E. Bean, of Waite.

H. P. 1237. Resolve Providing for a State Pension for George Kovaly, of Lisbon.

H. P. 1277. Resolve in Favor of Norman F. Richards, of Rockland.

H. P. 1303. Resolve in Favor of Mary S. Diplock, of Augusta.

H. P. 1325. Resolve Providing for a State Pension for Delphine Goodwin, of Pittston.

H. P. 1326. Resolve Providing for a State Pension for Charles Webster, of Belgrade.

reporting that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Taxation on Bill "An Act Imposing a Consumer's Tax," (H. P. 1559) (L. D. 828) reported that the same ought not to pass.

On motion by Mr. Friend of Somerset the bill was laid upon the table pending acceptance of the report in concurrence.

Report "A" from the Committee on Judiciary on Bill "An Act Recreating the Bureau of State Institutions," (H. P. 246) (L. D. 85) reported that the same ought to pass.

(Signed)
Representatives:

HINCKLEY of South Portland

GRUA of Livermore Falls

PAYSON of Portland

BRIGGS of Hampden

MILLS of Farmington

Report "B" from the same Committee on the same subject matter reported that the same ought not to pass.

(Signed)

Senators:

LAUGHLIN of Cumberland
FARRIS of Kennebec
HARVEY of York

Representatives:

McGLAUFLIN of Portland
WILLIAMS of Bethel

Comes from the House, Report "A" read and accepted, and the bill passed to be engrossed.

In the Senate, on motion by Miss Laughlin of Cumberland, that Body voted to accept Report "B" "Ought Not to Pass" in non-concurrence.

Sent down for concurrence.

The Committee on Judiciary on Bill "An Act Amending Certain Laws to Limit the Powers of the Council," (H. P. 99) (L. D. 64) reported that the same ought to pass as amended by Committee Amendment "A."

Comes from the House, report and bill indefinitely postponed.

In the Senate, on motion by Mr. Dow of Oxford, the bill and report were indefinitely postponed in concurrence.

From the House:

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to the Salary of the Attorney General," (H. P. 1464) (L. D. 740) have had the same under consideration and ask leave to report that the House recede from its action whereby it accepted the "Ought Not to Pass" Report of the Committee on Salaries and Fees; substitute the Bill for the Report, adopt Committee Amendment "A" submitted herewith, and pass the bill to be engrossed as amended by Committee Amendment "A":

That the Senate recede from its actions whereby it passed the Bill to be engrossed as amended by Senate Amendment "A", and whereby Senate Amendment "A" was adopted; indefinitely postpone Senate Amendment "A"; adopt Committee Amendment "A"; and pass the Bill to be engrossed as amended by Committee Amendment "A".

Comes from the House, report read and accepted, and bill passed to be engrossed as amended by Committee Amendment "A."

In the Senate, the report was read and accepted in concurrence. Thereupon, under suspension of the rules, that Body voted to reconsider its former action whereby the bill was passed to be engrossed as amended by Senate Amendment "A", and Senate Amendment "A" was indefinitely postponed; Committee Amendment "A" was read and adopted in concurrence and the bill as amended by Committee Amendment "A" was passed to be engrossed in concurrence.

From the House:

Bill "An Act to Assist Rural Sanitation Activities." (H. P. 830) (L. D. 344)

(In the Senate on April 22nd passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House that body having insisted on its former action whereby the bill was passed to be engrossed as amended by House Amendment "C" and now asking for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Representatives:

MILLS of Farmington
PRATT of Turner
GRUA of Livermore Falls

In the Senate, on motion by Mr. Chamberlain of Penobscot the Senate voted to insist on its former action and join with the House in a Committee of Conference. The President appointed as Senate members of such committee:

Senators:

CHAMBERLAIN of Penobscot
SANBORN of Cumberland
DOW of Oxford

From the House:

Bill "An Act Relating to the Personnel Law." (H. P. 1445) (L. D. 759)

(In the Senate on April 22nd, indefinitely postponed.)

Comes from the House, that Body having insisted on its former action whereby the bill was passed to be engrossed, and now ask for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Representatives:

FLAGG of Portland
CLOUGH of Bangor
GRUA of Livermore Falls

In the Senate, on motion by Mr. Harvey of York, that Body voted to insist and join with the House in a Committee of Conference. Subsequently, the President appointed as Senate members of such committee, Senators Harvey of York, Dow of Oxford, Laughlin of Cumberland.

From the House:

The Majority of the Committee on Education on the following Resolves:

Resolve in favor of Berwick Academy. (S. P. 113)

Resolve in favor of Coburn Classical Institute. (S. P. 133)

Resolve in favor of Parsonsfield Seminary. (S. P. 142)

Resolve in favor of Ricker Classical Institute. (S. P. 144)

Resolve in favor of Oak Grove School in the town of Vassalboro in the County of Kennebec. (S. P. 233)

Resolve in favor of the Junior College Department of Oak Grove School in the town of Vassalboro in the County of Kennebec. (S. P. 234)

Resolve in favor of Limington Academy. (H. P. 464)

Resolve in favor of Robert W. Traip Academy. (H. P. 465)

Resolve in favor of Monmouth Academy. (H. P. 793)

Resolve in favor of Erskine Academy. (H. P. 616)

Resolve in favor of Monson Academy. (H. P. 794)

Resolve in favor of Corinna Union Academy. (H. P. 1127)

Resolve in favor of Freedom Academy. (H. P. 1126)

Report Consolidated Resolve "A" (H. P. 1927) (L. D. 1165) under title of "Resolve in Favor of Several Academies, Institutes and Seminaries," and that it ought to pass.

(Signed)

Senator:

SANBORN of Cumberland

Representatives:

PRATT of Turner
HAMILTON of Hartland
ROBIE of Auburn
SMALL of East Machias
GRADY of Whitefield
DEERING of Bath

The Minority of the same Committee on the same subject matter reported the same in a Consolidated Resolve "B" (H. P. 1928) (L. D.

1166) under a new title, "Resolve in Favor of Several Academies, Institutes and Seminaries," and that the same ought to pass.

In the House, Majority Report A was accepted and resolve was passed to be engrossed.

In the Senate, on motion by Mr. Sanborn of Cumberland, the Majority Report A was accepted in concurrence and the bill was given its first reading. Thereupon, under suspension of the rules, the bill was given its second reading and passed to be engrossed in concurrence.

Passed to be Enacted

Bill "An Act Relating to Automobile Junk Yards." (S. P. 539) (L. D. 1117)

Bill "An Act Revising the Regulation of the Clamming Industry in Lincoln County." (S. P. 556) (L. D. 1155)

Bill "An Act Authorizing a Bond Issue for the Building, Rebuilding and Strengthening of Bridges for Military Purposes on the Highways of the State of Military Importance." (H. P. 1902) (L. D. 1127)

"Resolve in Favor of the Children's Aid Society." (S. P. 557) (L. D. 1156)

"Resolve Providing for the Payment of Certain Pauper Claims." (H. P. 1919) (L. D. 1157)

Orders of the Day

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table bill in new draft "B", An Act Exempting Homesteads from Taxation (L. D. 1147) tabled by that Senator on April 23rd pending passage to be engrossed.

Thereupon, the same Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment 'A' to L. D. 1147. Amend said bill by adding after the word 'electricity' in the paragraph lettered 'b' in Section 3 of Title I of said bill, the words: 'manufactured gas'."

Further amend said bill by adding at the end of Section 3 of Title I of said bill the following paragraph: 'g. Sales of food sold under the food stamp plan, so-called.'

Further amend said bill by striking out in Section 5 of Title I thereof the following words: 'less 5% thereof, which is to be retained by the taxpayer for his expenses in making and filing such returns.'

Further amend said bill by adding after Section 7-B thereof the following section:

Section 7-C. Absorption of Tax. It shall be unlawful for any retailer to advertise or hold out or state to the public or to any purchaser, consumer, or user, directly or indirectly, that the tax or any part thereof imposed by this section will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold, or if added that it or any part thereof will be refunded. Any person who shall violate any of the provisions of this section shall be punished by a fine of not more than \$500."

Mr. BROWN of Aroostook: Mr. President, I wish to say that these changes are only a few technical changes and do not in any way change the purpose of the bill. I do wish to say, however, that should this measure have further passage or further consideration we are preparing an amendment which will change the classification and make the exemption apply to all residential property. But as that is a long and technical bill to draw up we thought it was not wise at this time to present it.

I move the adoption of this Senate Amendment A.

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

On further motion by the same Senator, the bill as amended by Senate Amendment A was sent forthwith to the House for concurrence.

On motion by Mr. Friend of Somerset
Recessed until two-thirty this afternoon.

After Recess

The Senate was called to order by the President.

From the House:

"Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons." (S. P. 545) (L. D. 1131)

(In the Senate on April 10th, passed to be engrossed as amended by Senate Amendment "A")

Comes from the House, passed to be engrossed as amended by Senate

Amendment "A" and by House Amendment "A" in non-concurrence.

In the Senate, under suspension of the rules, that Body voted to reconsider its former action whereby the resolve was passed to be engrossed; House Amendment A was read and adopted in concurrence and the resolve as amended by House Amendment A and Senate Amendment A was passed to be engrossed in concurrence.

House Committee Report (Out of Order)

The Committee on Ways and Bridges on "Resolve in Favor of the Town of Camden," (H. P. 457) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to the Manufacture and Sale of Cider," (H. P. 1560) (L. D. 849) have had the same under consideration, and ask leave to report that the Senate recede and concur with the House.

Comes from the House, report read and accepted.

In the Senate:

Mr. STILPHEN of Lincoln: Mr. President, I hope that the Senate will not accept this committee report. I want to say at the start that this was considered one of the meanest bills presented to the legislature. It is loosely drawn, there doesn't seem to be any demand for it and the liquor commission itself will be handicapped and not know what to do with it. I understand it would cost \$100,000 for the set-up.

When this committee was appointed I think there was a little inside baseball played and someone got appointed on it that was in favor of passage. I do not hold any ill-will toward the proponents but I want to say that before 1941 is gone, some of them may regret, if this bill becomes a law, that they favored it and if they should have a wife or a mother who was run over by someone who was full of old cider they might remember that there was someone here who was opposed to this bill.

Mr. President, I hope that this bill will not receive a passage.

Mr. BATCHELDER of York: Mr. President, I might say as the state of Maine is now engaged in the liquor business, I don't see any particular harm in the passage of this particular measure. I think it would be a great aid to the apple growers in the State of Maine. I think it would be the means of holding considerable money here within the state rather than purchasing beers and other liquors from out of the state. I might say there were several objections by the committee on this bill. One was as to what extent it might be affected by federal legislation.

I understand that the manufacture and selling of cider has really nothing to do with the federal government provided no alcoholic contents are added. Another feather was as to how it might affect local option.

I understand that apple and fruit juices are considered as wine and therefore would be covered under our present law. And as to the method of handling under this particular bill, it is fully in the hands of our commission. I believe it is really left with them entirely as to how this matter may be handled. I believe the bill should have a passage.

Mr. BATE of Kennebec: Mr. President, I simply want to rise in support of the motion of Senator Stilphen of Lincoln. I was on that Committee of Conference although I did not sign the report. I certainly am of the same opinion now that I have been right along with reference to this bill. I think it should be further studied. I am also opposed to the selling of beer and cider in restaurants, mixing those two, and I hope that the motion of the Senator from Lincoln, Senator Stilphen will prevail.

Mr. CHAMBERLAIN of Penobscot: Mr. President, I would like to say that the question is simply on the acceptance of the report. The recommendations contained in that report can be discussed after it is accepted. We are not obligated in any way by accepting the report.

The PRESIDENT: The question before the Senate is on the acceptance of the report. Is the Senate ready for the question?

Mr. CHAMBERLAIN: Mr. President, let us have a division.

Mr. FINDLEN: Mr. President, may I ask the Chair what disposition it makes of the bill if we ac-

cept the report, or if we do not accept it?

The PRESIDENT: The Chair will say that if we accept the report, we recede from our former position whereby the bill was indefinitely postponed. In the House the bill was read and passed to be engrossed as amended so if we recede and concur with the House we go back from our former position in which we indefinitely postponed the bill, which will put the bill in position for further action now.

Mr. FINDLEN: Mr. President, I would like to see the cider bill saved. We are fast growing into an apple producing state. We have in the last few years, since the hurricane, planted a tremendous amount of trees in the state of Maine. Those trees at the present time are coming into full production of apples. We have certain grading laws in Maine whereby about 25% of the apples that a man grows must be manufactured into cider or disposed of in some other way.

Now, we are manufacturing cider in extensive quantities. Quite a little bit of this cider is sold as sweet cider but a tremendous amount of it is sold now as bootleg cider, that is, it is held by people in places and distributed to the public as hard cider in bootleg fashion. So men who really want hard cider now are getting it.

I cannot prove it but I have it on very good authority that in one place in this state there are now 1500 barrels of hard cider. We have a population in Maine of somewhere around 840,000 people and it is safe to say that if this cider was regulated, if it was put in the hands of the liquor commission, if it was manufactured in the proper fashion as this bill sets up, a clean fashion, if those apples were properly put into the right type of cider and if that cider were controlled by the Liquor Commission in the same fashion as other beer, wines and liquor then you would get a certain revenue from it and you would also make it possible for the apple growers in the state of Maine to use their by-products so that it would give them something for that product.

Now New Hampshire has a type of license law whereby they license men to produce cider but they haven't put that cider into the possession, we may say, under the con-

trol of their state Liquor Commission.

I just believe this is a temperance measure. I believe if you kill this bill you kill a temperance measure because you have the cider now and it is being distributed and you might as well control it, put it under the same type of control that you put beer under and allow the apple growers of Maine to receive a benefit therefrom.

I certainly hope that we save this measure. I am yet at a loss to know just exactly how we should go about to do it. I suspect that if we accept the report of the committee, we will save the bill. I want to be sure on that point, however.

Mr. STILPHEN: Mr. President, in answer to the Senator from Aroostook, speaking of the sale of apples, I believe if you have good stock of anything you can sell it but you will find that this is coming from somebody that has orchards and who doesn't take any care of them, have apples full of worms and everything and they want to sell those apples.

Mr. CHAMBERLAIN: Mr. President, a great many people in this state are engaged in using the land to make a livelihood. Not every one of those people has orchards that are sprayed and the apples taken care of for market for consumption and eating. Agriculture today is running at a very low ebb and if we can do anything to assist the people who are hardly placed to get additional income I believe we should do it. And in doing this, if we pass this bill, I can say that there is a great deal of difference between the state allowing a person to purchase as much hard liquor as he chooses, as much malt beverage as he chooses and excluding the use of cider.

As the Senator from Aroostook has said, there is a great amount of cider that can be obtained today whether it is new cider or hard cider, and as to the assertions of the Senator from Lincoln, Senator Stilphen as to a mother or child being killed by a person who has drunk too much hard cider, I can't see any difference between that and whiskey killing.

The PRESIDENT: The question before the Senate is on the adoption of the report of the Committee of Conference, which report was that the Senate recede and concur with

the House. The Senator from Penobscot, Senator Chamberlain, has asked for a division. Is the Senate ready for the question?

A division of the Senate was had. Twelve having voted in the affirmative and sixteen opposed, the report of the Committee of Conference was not accepted.

Thereupon, on motion by Mr. Stilphen of Lincoln, the Senate voted to adhere to its former action whereby the bill was indefinitely postponed.

From the House:

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 as amended by Committee Amendment "A" submitted therewith.

Comes from the House, report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A."

In the Senate, the report was read and accepted in concurrence and the bill was given its first reading. Committee Amendment A was read and adopted in concurrence and under suspension of the rules the bill as so amended was given its second reading and passed to be engrossed in concurrence.

From the House:

The Committee on Taxation on Bill "An Act Relating to Taxes upon Wines and Spirits," (H. P. 1474) (L. D. 607) reported that the same ought not to pass.

Comes from the House, bill substituted for the report, and passed to be engrossed as amended by House Amendment "A," and as amended by House Amendment "C" as amended by House Amendment "A" thereto.

In the Senate, on motion by Mr. Chamberlain of Penobscot the bill was substituted for the report and given its first reading. House Amendment A was read and adopted in concurrence; House Amendment C was read and adopted in concurrence and House Amendment A to House Amendment C was read and adopted in concurrence.

Thereupon, the bill as amended by House Amendment A and as fur-

ther amended by House Amendment C as amended by House Amendment A thereto, was given its second reading and passed to be engrossed in concurrence.

From the House:

The Majority of the Committee on Legal Affairs on Bill "An Act to Provide for the Appointment of a Board of Commissioners of Fire Department of the City of Gardiner," (H. P. 1585) (L. D. 919) reported that the same ought to pass.

(Signed)

Senators:

SANBORN of Cumberland
MORSE of Waldo
DOW of Oxford

Representatives:

SLOSBERG of Gardiner
DONAHUE of Biddeford
DWINAL of Camden

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(Signed)

Representatives:

LaFLEUR of Portland
SOUTHARD of Augusta
SYLVIA of Danforth
SHESONG of Portland

Comes from the House, the Majority Report read and accepted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Sanborn of Cumberland, the Majority Report "Ought to Pass" was accepted in concurrence and the bill was given its first reading.

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

From the House:

The Majority of the Committee on Legal Affairs on Bill "An Act to Provide a Pension for Members of the Police and Fire Departments of the City of Waterville," (H. P. 831) (L. D. 345) reported that the same ought not to pass.

(Signed)

Senators:

SANBORN of Cumberland
MORSE of Waldo

Representatives:

LaFLEUR of Portland
SOUTHARD of Augusta
SYLVIA of Danforth
SHESONG of Portland

The Minority of the same Committee on the same subject matter

reported that the same ought to pass.

(Signed)

Senator:

DOW of Oxford

Representatives:

SLOSBERG of Gardiner
DONAHUE of Biddeford
DWINAL of Camden

Comes from the House, the Minority Report read and accepted, and the bill passed to be engrossed as amended by House Amendment "A."

In the Senate, on motion by Mr. Dow of Oxford, the Minority Report "Ought to Pass" was accepted in concurrence and the bill was given its first reading; House Amendment A was read and adopted in concurrence, and under suspension of the rules, the bill as so amended was given a second reading and passed to be engrossed in concurrence.

The PRESIDENT: The Chair has been informed that a very distinguished member of the other Body is in the Senate Chamber and will ask the Sergeant-at-Arms to conduct the gentleman to the rostrum.

Thereupon, the Speaker of the House, the Honorable George D. Varney, was escorted to a seat at the right of the President, amidst the applause of the Senate.

From the House:

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act Imposing an Additional Gasoline Tax," (H. P. 1475) (L. D. 615) have had the same under consideration, and ask leave to report; that the House recede from its former actions whereby the Bill was passed to be engrossed as amended by House Amendment "A", and whereby House Amendment "A" was adopted, indefinitely postpone House Amendment "A", adopt Committee Amendment "A" submitted herewith, and pass the Bill to be engrossed as amended by Committee Amendment "A";

That the Senate recede from its former action whereby the Report of the Committee on Taxation reporting "Ought Not to Pass" was accepted, substitute the Bill for the Report, adopt Committee Amendment "A" and pass the Bill to be engrossed as amended by Committee Amendment "A".

Comes from the House, the report read and accepted, and the bill

passed to be engrossed as amended by Committee Amendment "A."

In the Senate:

Mr. BROWN of Aroostook: Mr. President, I move that the Senate accept the report of the Committee.

A viva voce vote being doubted, A division of the Senate was had. Fourteen having voted in the affirmative and sixteen in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Sanborn of Cumberland, the Senate voted to adhere to its former action whereby the report of the Committee on Taxation "Ought Not to Pass" was accepted.

**First Reading of Printed Bill
(Out of Order)**

Bill "An Act Making Supplemental Appropriations for Overdrafts already Incurred Due to Insufficient Appropriations and Anticipated Overdrafts and Other Obligations for which no Legislative Appropriations have been Made." (S. P. 568) (L. D. 1172)

Which bill was read once, and under suspension of the rules read a second time and passed to be engrossed.

Sent down for concurrence.

**Senate Committee Reports
Final Reports
(Out of Order)**

Mr. Dow of Franklin from the Committee on Claims submitted its Final Report.

Mr. Chamberlain from the Committee on Indian Affairs submitted its Final Report.

Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to Inspectors in the Department of Secretary of State," (S. P. 500) (L. D. 1024) have had the same under consideration and ask leave to report that the Committee is unable to agree.

Which reports were severally read and accepted.

Sent down for concurrence.

**Conference Committee Report
Out of Order**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill

"An Act Relating to Arrests in Criminal Cases," (S. P. 365) (L. D. 678) have had the same under consideration, and ask leave to report that the Committee is unable to agree.

Which report was read and accepted.

**Passed to be Enacted
(Out of Order)**

Bill "An Act to Provide a Police Commission for the City of Biddeford." (I. B. 1) (L. D. 1158)

Bill "An Act Relating to Elections in the City of Biddeford." (I. B. 2) (L. D. 1159)

Bill "An Act Relating to the School Equalization Fund." (S. P. 293) (L. D. 504)

Bill "An Act Relating to Apportionment of School Funds." (H. P. 462) (L. D. 200)

Bill "An Act to Provide Better Government for the Town of Bar Harbor." (H. P. 645) (L. D. 281)

Bill "An Act to Incorporate the Wiscasset Foundation." (H. P. 1156) (L. D. 501)

Bill "An Act Relating to the School or Reserved Lands of the State." (H. P. 1790) (L. D. 1043)

Bill "An Act Relating to the Adoption of Children." (H. P. 1915) (L. D. 1152)

Mr. HILDRETH of Cumberland: Mr. President, I would like to inquire through the Chair if the Secretary has in his possession, bill, An Act Relating to Automobile Junk Yards, Legislative Document 1117 which was passed to be enacted this morning?

The PRESIDENT: The Chair is informed that the document is in the possession of the Senate.

Thereupon, on motion by Mr. Hildreth of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby bill, An Act Relating to Automobile Junk Yards, (L. D. 1117) was passed to be enacted; and on further motion by the same Senator, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

The same Senator then presented Senate Amendment A to L. D. 1117 and moved its adoption: "Senate Amendment A to Senate Paper 539, L. D. 1117. Amend said bill by striking out in the sixth line of Section 5 thereof the words 'or unorganized townships' and substituting in place

thereof the following: 'or to the county treasurer for the use of the county in the case of an unorganized township'.

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

Sent down for concurrence.

From the House, out of order and under suspension of the rules:

The Committee on Taxation on Bill "An Act Imposing an Excise Tax on Electricity." (H. P. 1472) (L. D. 606) reported that the same ought not to pass.

Comes from the House, report read and accepted.

In the Senate, on motion by Mr. Friend of Somerset, the bill was laid upon the table pending acceptance of the report in concurrence.

From the House, out of order and under suspension of the rules:

Bill "An Act Recreating the Bureau of State Institutions." (H. P. 246) (L. D. 85)

(In Senate on April 24th Report "B." "Ought Not to Pass" read and accepted in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the Report "A" "Ought to Pass" was read and accepted, and the bill passed to be engrossed, and asking for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Representatives:

PAYSON of Portland
BRIGGS of Hampden
GRUA of Livermore Falls

In the Senate, on motion by Miss Laughlin that Body voted to insist on its former action and join with the House in a Committee of Conference. The President appointed as Senate members of such committee, Senators Laughlin of Cumberland, Farris of Kennebec, Harvey of York.

From the House, out of order and under suspension of the rules: Report "A", "Ought to Pass in New Draft 'A'"; Report "B", "Ought Not to Pass"; Report "C", "Ought to Pass in a New Draft 'B'"; and under a new title, Bill "An Act Providing for Funds for Old Age Assistance and Homestead Taxation Relief and Imposing a Gross Sales Tax Thereof." (H. P. 1918) (L. D. 1147) on Bill "An Act Exempting Homesteads from Taxation."

(In the Senate earlier in today's session Report "C" accepted, and bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, that body having adhered to its former action whereby Report "B", "Ought Not to Pass" was accepted.

In the Senate, on motion by Mr. Brown of Aroostook the bill and accompanying reports were laid upon the table pending consideration.

On motion by Mr. Elliot of Knox, the Senate voted to take from the table bill An Act Creating a Tax on Cigarettes (H. P. 1925) (L. D. 1164) tabled by that Senator on April 23rd pending consideration.

Mr. ELLIOT: Mr. President and members of the Senate: In order that an amendment may be offered it is necessary first to accept Report A of the committee and I so move and ask for a Yea and Nay vote.

The PRESIDENT: The Senator from Knox, Senator Elliot, moves that Report A of the Committee be accepted and that the vote be taken by the Yeas and Nays. To order the Yeas and Nays, the affirmative vote of one-fifth of the Senate membership is required. Is the Senate ready for the question?

A division of the Senate was had. Obviously more than one-fifth of the membership having risen, the Yeas and Nays were ordered.

Mr. FRIEND of Somerset: Mr. President, if it is in order at this time, I would like to ask for information. I would like to ask just what Report A would be.

The PRESIDENT: Report A is "Ought to Pass in New Draft Under the Same Title." Is the Senate ready for the question? The Secretary will call the roll.

The Secretary called the roll:

YEA: Bishop, Boothby, Chamberlain, Dorr, Dow of Oxford, Elliot, Emery, Farris, Fellows, Findlen, Friend, Harkins, Haskell, Hildreth, Laughlin, Melvin, Morse, Sanborn, Stilphen, Tompkins—20.

NAY: Batchelder, Bate, Boucher, Brown, Chase, Dow of Franklin, Harvey, Hinman, Libby, Snow—10.

ABSENT: Bridges, Hodgkins—2.

EXCUSED: Senator Townsend—1.

Twenty having voted in the affirmative and ten opposed, Report A was accepted in non-concurrence.

Thereupon, the bill was given its first reading and under suspension

of the rules was given its second reading.

Mr. ELLIOT of Knox: Mr. President, I offer Senate Amendment A to Legislative Document 1164 and move its adoption and that 650 copies of the amendment be printed and the bill and accompanying papers be laid upon the table for the printing of the amendment.

Thereupon, the bill and the accompanying papers were laid upon the table for printing of the amendment pending motion to adopt Senate Amendment A.

On motion by Mr. Fellows of Kennebec, the Senate voted to reconsider its action taken earlier in today's session, whereby bill An Act Relating to Taxes upon Wines and Spirits (H. P. 1474) (L. D. 607) was passed to be engrossed.

Mr. FELLOWS: Mr. President, earlier in the session we passed a bill which allowed a discount to hotels and the purpose of this amendment which I am offering is simply to clarify that situation. I offer Senate Amendment B to House Amendment C and move its adoption.

The Secretary read the amendment: "Senate Amendment B to House Amendment C to House Paper 1471, Legislative Document 607, bill An Act Relating to Taxes on Wines and Spirits. Amend said amendment C by adding to the first sentence thereof the following: 'excepting only that spirits and wines sold at wholesale under the provisions of Section 5 of Chapter 301 of the Public Laws of 1933 as amended may be sold at the wholesale prices established pursuant to the provisions thereof'."

Thereupon, Senate Amendment B to House Amendment C was adopted and the bill as amended by House Amendment A and as further amended by House Amendment C as amended by House Amendment A and Senate Amendment B thereto, was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Miss Laughlin of Cumberland, the Senate voted to reconsider its action of yesterday, whereby the Senate passed to be engrossed, as amended by House Amendment "A", bill, An Act Relating to Inheritance Tax Law (H.

P. 1285) (L. D. 551); and on further motion by the same Senator, the Senate voted to reconsider its action whereby House Amendment "A" was adopted.

Miss Laughlin presented Senate Amendment "A" to House Amendment "A" and moved its adoption: "Senate Amendment 'A' to House Amendment 'A'. Amend said House Amendment 'A' as follows: in line 7 of the second paragraph thereof, substituting the figure '5' for the figure '8'; and in line 8 of said paragraph substituting the figures '\$25,000' and in line 9 of said paragraph substituting the figures '\$25,000' for the figures '\$50,000'."

Miss LAUGHLIN: Mr. President, all this amendment does is to change the 8% on the bill, on the lower figures. It does not touch anything in excess of \$50,000 but it does make the percentage from \$500 up to \$25,000, 5% in lieu of the present 4%. As I said, it does not touch any of the rest of the bill in any respect. It touches upon what I mentioned yesterday, only those who receive the small legacies. I will say, for the benefit of the Senate, that this affects brother, sister, nephew, uncle and aunt. It provides for exemption, as it is, \$500, and the tax from that amount up to \$25,000 should be 5%. As I said yesterday, the figures in this amendment are higher than any other state in the country as far as I can find out and very much higher than every other New England state. You can judge for yourself the position it puts Maine in as to the extent of its greediness.

I am not proposing to make any change except on the lower, the smaller legacies. As I said, if you leave an invalid sister or brother \$2,000, they will have to pay, under House Amendment "A", \$120.00; and under my amendment they would have to pay \$75.00.

As to the amount of money it would cost the state for this change, it would be very little. Furthermore, this amendment and bill could not go into effect until three months after the legislature adjourned, then there would be no money coming in from estates for another year and so there would not be any money coming in from it for 15 months, so there would be nothing to affect the balancing of the budget, although the money loss would probably be slight.

House Amendment "A" makes the first division between \$500 and \$50,000. I have changed the \$50,000 to \$25,000. So this would be imposing a tax of 5% instead of 8% merely on what would be the smaller legacies to brother, sister, uncle, aunt, niece or nephew.

I happen to have a client who has about \$10,000 to leave. He has three nieces with no money of their own, whatever. They are dependent entirely on what they earn. Under House Amendment "A" if each were left \$3,000 they would have to pay \$200 in inheritance taxes on that small legacy.

As I said, I am not talking about what the poor man has to pay but certainly this would be a tax where the poor man or woman is mulcted. The rest of the figures—although I blush for the state of Maine if this should become a law—nevertheless I have not touched upon other figures. Those with larger legacies can move out of the state if they want to, but I am not touching them. Those who receive the lower or smaller legacies cannot move outside the state, unfortunately, because they are those of smaller property and they have to stay here and do whatever their activities are.

So I move adoption of this amendment which touches only those smaller legacies as they are left to brother, sister, uncle, aunt, niece or nephew, and when the vote is taken, I ask for a division.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment "A" to House Amendment "A". A division of the Senate has been asked. All in favor of the adoption of Senate Amendment "A" to House Amendment "A" will rise and stand until counted.

A division of the Senate was had.

Twenty-three having voted in the affirmative and none opposed, Senate Amendment "A" to House Amendment "A" was adopted.

Upon motion by Miss Laughlin, House Amendment "A" as amended by Senate Amendment "A" was adopted in non-concurrence.

Thereupon, the bill was passed to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Elliot of Knox, the Senate voted to take from the table, bill, An Act Creating a Tax on Cigarettes (H. P. 1925) (L. D. 1164) tabled by that Senator earlier in today's session pending motion to adopt Senate Amendment "A"; and that Senator yielded to Senator Chamberlain.

Mr. CHAMBERLAIN of Penobscot: Mr. President, in adopting Senate Amendment "A" in place of the report of the Committee on Taxation, you simply,—if you do it—change the method of collecting the tax on cigarettes. The new draft which the committee presented to the legislature was based upon what is called the Massachusetts law. All dealers, wholesalers, distributors had to pay on the number of boxes or cases or packages of cigarettes that they sold, that they purchased and sold. They had to pay one mill or two cents on a box of 20 cigarettes. That was all they had to do, keep a record, send it in to the commissioner or assessor of state taxes, and on that basis pay to the state the tax that would be due on what they purchased and what they had sold. In all the states of New England, Massachusetts is the only state that has such a tax. All other states in New England use what is called a stamp tax.

Now, under the Massachusetts law the cigarettes are delivered to the retailer without any mark or any indication whatsoever that a tax has been paid upon that package. Inspectors must trace out, if there seems to be any doubt about it, trace out the shipment to the retailer where the wholesaler purchased until they finally got back to either somebody who had paid the tax or somebody who had not paid the tax, and authorize a penalty.

It seems to some of us a great deal better to go to the stamp method so that each package of cigarettes as it lays in a box in a retail store will carry what would be equivalent to the words, "The tax on this package has been paid." It would be self-evident and any inspector could ascertain at a glance whether the tax was paid or not by looking at the cigarettes. There are penalties for cigarettes sold not bearing that stamp.

In the Massachusetts law it is self-evident there is opportunity for bootlegging. In other words, cigarettes could be sold that did not pay

the required tax, but in the stamp tax system, that was largely avoided because the retailer would have to sell from under the counter and the purchaser would know when he bought it that there was no tax paid.

For that reason, even though somewhat of a burden for this distributor to place the stamp upon the packages, it is a great deal better in every way if we have a collective tax on cigarettes, to have the stamp plainly placed there.

In order that there shall be some incentive for the distributor to place stamps, this bill allows the distributor, in purchasing stamps from the state, 7% deduction, and he thereby creates for himself a profit. I am quite sure, according to the volume of business a distributor does, he actually will be in the position of making a profit for himself. If he does much business, he will make considerable profit. I have heard it said in some situations, in a large volume of business he would make \$1000 or \$2000 by just purchasing stamps and placing them upon packages. It is a fine incentive for the distributor to get the stamps and affix them to the packages.

Therefore, we believe this amendment which substitutes the Connecticut plan in place of the Massachusetts plan—using those terms—should be adopted. It would be far better for the state, for the retailers and far better for the distributors since they have every opportunity and every incentive to act squarely and honestly, and I trust this amendment will be adopted by the Senate.

Mr. ELLIOT of Knox: Mr. President, I ask for the Yeas and Nays.

Mr. BOOTHBY of York: Mr. President, as a member of the Committee on Taxation, who reported "Ought to Pass" I want to say this is not the bill we heard and voted on in committee, and I will vote "No."

Mr. HINMAN of Somerset: Mr. President, I desire to ask for information. It is my understanding that a vote upon this amendment has no bearing upon whether you favor a cigarette tax. We have voted on the cigarette tax, but we would be voting whether we favor the stamp plan or the other. Is that correct?

The PRESIDENT: The Chair will state that the Senate will be voting on whether or not the amendment will be substituted for the original bill.

Mr. BOOTHBY: Mr. President, isn't it true this is really the last show-down on the passage of the cigarette tax?

The PRESIDENT: The Chair cannot tell whether it is or not.

Mr. BOOTHBY: Mr. President, this is not the bill which was before the Committee on Taxation. It is not the one I voted for. It is the Connecticut law as against the Massachusetts bill. I have no use for the Connecticut bill because all the objections before the Committee on Taxation were because of handling the stamps. I see no objection to the Massachusetts proposition. But this is an entirely new proposition. It is a matter of connivance to kill the cigarette tax. I was for the cigarette tax and still am, but only under the Massachusetts proposition. It is the one that removed all objections presented. Bootlegging has been mentioned. Under this proposed bill you are going to give 7% to jobbers. You could stand a little bootlegging at 7%. I still think you would not find much bootlegging by the New Jersey people to the little merchant in Maine, to save twenty cents on a carton of cigarettes.

Mr. CHAMBERLAIN: Mr. President, without in any way making confessions as to matters taken up by the Committee on Taxation, or individual expressions or individual votes, it is true the committee, or at least half of the committee, did propose to the legislature a bill containing the Massachusetts law. There was some conversation in the committee on Taxation as to which was the best one, but you could see by the report, five being in favor of the tax based on the Massachusetts law and five who did not believe in taxing cigarettes at all. We determined to leave it to the legislature as to what they would do. It seems now that the legislature or the Senate at this moment has the opportunity to substitute for the Massachusetts law, the Connecticut law, and it is true that when we adopt this amendment, if we do, the bill will be enacted and it will reenact the Connecticut law.

It is a difference of opinion as to which is the best one, but it seems to me, and I think a great many members of the Senate, that the Connecticut law,—and all other states in New England except Massachusetts—have it—is the best law, and I am sure that while the Senator from York, Senator Boothby, may believe in his own mind that this is a connivance to defeat the bill, I am sure that I, myself, do not believe that. I think this is the better bill.

Mr. BOOTHBY: Mr. President, I think it is true if you pass the Massachusetts law there will be no objection by jobbers. They could not say a word and there would be no objection. It would be hard to effect a referendum, but if you put the stamp act into effect, it will be very easy to do so and you will get a referendum. They will kill the cigarette tax. That is all there is to it. If you want a cigarette tax, here is a chance to decide. If you adopt the Connecticut law there will be a referendum immediately. If you adopt the Massachusetts law, there will be no objection.

Mr. HILDRETH of Cumberland: Mr. President, through the Chair, I would like to ask the Senator from York, Senator Boothby, to elaborate upon his conclusions as to why that is so. I certainly am ignorant as to why he arrives at that conclusion. I would be interested to know how or why he arrives at that conclusion.

The PRESIDENT: The Senator from Cumberland, Senator Hildreth, asks a question through the Chair of the Senator from York, Senator Boothby. That Senator may answer, if he sees fit.

Mr. BOOTHBY: Mr. President, there is a very small margin in the sale of cigarettes, not only from the jobbers' end but also the retailer, and when you fix upon them the proposition of affixing stamps, opening a carton and putting on stamps,—you take in a wholesale department they will have a crew working all day and you would be surprised how few they can stamp—the margin is so small they cannot afford to do it. They will make as much profit if the tax is put on under the Massachusetts law as before. But when you take it and inflict upon them the job of putting on stamps, which is their only objec-

tion, you will arouse them to ask for a referendum. It is easy to get a referendum on a cigarette tax. Cigarettes are sold generally. Every tobacco dealer can display a sign to vote against the tax. Whether you pass an emergency or not, you can have a referendum as there will be time.

If you have the Massachusetts law, there is no stamp to affix and there is no work or trouble. The public is not reminded of the tax. Why stick the stamp on to remind a person he is paying a tax to pay old age assistance—reminding him all the time of that tax?

Mr. CHAMBERLAIN: Mr. President, I do not want to presume upon the indulgence of the Senate as to how many times I shall speak but I would like to say this that Senator Boothby at one moment is speaking of the 7% deduction allowed for payment of stamps, indicated it was altogether too large and could stand considerable bootlegging. I think 7% deduction will pay for putting on quite a number of stamps and they would be glad to do it. It is not for us to take into consideration how jobbers of cigarettes feel about this. It has been said and mentioned to me that distributors are much more pleased with the stamp act than with the Massachusetts law, but it is not germane. The question before us is, Is this a better law? It seems to me that a stamp on a package of cigarettes shows plainly that the tax has been paid. If I purchase it or possess it, I know the tax has been paid and the person who sold it to me knows it has been paid. It is self-evident.

Mr. BOOTHBY: I would like to have this matter lie on the table until tomorrow when we can have the printed bill. I make that motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Boothby, that the bill and amendment lie on the table and be especially assigned for tomorrow. Is the Senate ready for the question? All in favor of the motion to table will say "Aye."

A viva voce vote being doubted, a division of the Senate was had.

Twelve having voted in the affirmative and twelve opposed, the motion to table did not prevail.

The PRESIDENT: The question before the Senate is on the adop-

tion of Senate Amendment "A". The Senator from Knox, Senator Elliot has moved that the vote be taken by the yeas and nays. To order the yeas and nays, an affirmative vote of one fifth of the Senate membership is required. Is the Senate ready for the question?

A sufficient number having arisen, the yeas and nays were ordered.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment "A". Those in favor of adoption of the amendment will answer "Yea" when their names are called, and those opposed will answer "No." The Secretary will call the roll.

YEA: Senators Bishop, Chamberlain, Chase, Dorr, Dow of Franklin, Dow of Oxford, Elliot, Emery, Farris, Fellows, Findlen, Friend, Harkins, Haskell, Hildreth, Hinman, Laughlin, Melvin, Morse, Sanborn, Stilphen, Tompkins—22.

NAY: Senators Batchelder, Bate, Boothby, Boucher, Brown, Harvey, Libby, Snow—8.

ABSENT: Senators Bridges, and Hodgkins—2.

EXCUSED: Senator Townsend—1.

Twenty-two having voted in the affirmative and eight opposed, Senate Amendment "A" was adopted.

Upon motion by Mr. Elliot, the bill as amended was passed to be engrossed.

Sent down for concurrence.

Mr. BOOTHBY: Mr. President, I just would like to tell the Senate that they have just killed the tobacco tax.

Mr. CHAMBERLAIN: Mr. President, I would like to say to the Senator from York, Senator Boothby, that there are some Senators here who are glad that is so.

On motion by Mr. Friend of Somerset

Adjourned until ten o'clock tomorrow morning