

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**SENATE**

Thursday, January 7, 1943

The Senate was called to order by the President.

Prayer by the Reverend William R. Wood of Augusta.

Journal of yesterday read and approved.

**Order**

(Out of Order)

Out of order and under suspension of the rules,

On motion by Mr. Elliot of Knox, it was ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, January 12, 1943, at four-thirty o'clock in the afternoon. (S. P. 15)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

**Committee Report**

(Out of Order)

Out of order and under suspension of rules, Mrs. Clement from the Joint Select Committee of the 91st Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1943 and 1944, reported that the Committee has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 176,605; and that Sumner Sewall of Bath had 118,047 votes; and that George W. Lane, Jr. of Auburn had 58,558 votes.

CLEMENT,

Chairman on part of Senate  
Androscoggin

RANKIN,

Chairman on part of the House  
Bridgton

Which report was read and accepted.

Sent to the House.

**Orders**

(Out of Order)

Out of order and under suspension of the rules,

On motion by Mr. Dow of Oxford, it was

ORDERED, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be ap-

pointed to wait upon the Honorable Sumner Sewall and inform him that he has been duly elected Governor of the State of Maine for the current political years of 1943 and 1944. (S. P. 13)

The President appointed: Senators: Dow of Oxford, Woodbury of Waldo, Megill of Kennebec.

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

Mr. Dow for the Committee appointed to inform the Governor-elect of his election, reported that the Committee had waited upon the Honorable Sumner Sewall, Governor-elect, and that he was pleased to reply that he accepted the office and would attend on the Legislature at such time as may be designated for the purpose of taking and subscribing the oaths required by the Constitution to qualify him for the discharge of his official duties.

Communication from the Governor:

STATE OF MAINE  
EXECUTIVE CHAMBER

Augusta, Maine  
January 6, 1942.

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years, 1941 and 1942, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation or sentence, and the condition, if any, upon which the same was granted.

SUMNER SEWALL  
Governor (S. P. 14)

Which was read and ordered placed on file.

Sent down for concurrence.

**Order**

(Out of Order)

Out of order and under suspension of the rules

On motion by Mr. Farris of Kennebec, it was

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches of the Legislature to

be held forthwith in the Hall of the House for the purpose of administering to the Honorables George J. Wentworth, Arthur G. Spear, Charles B. Day, Earl Fenlason, Clarence A. Race, John W. Leland and Clarence B. Beckett, the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties, and for the further purpose of administering to the Honorable Sumner Sewall, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Secretary delivered the message and subsequently reported that he had performed the duty assigned to him.

The **PRESIDENT**: While waiting for the Secretary to return, the Chair would like to mention a card of congratulation received this morning from the President of the Maine Senate of 111 years ago, 1832, by his great grandson. The Chair thought this would be of interest.

### Order

(Out of Order)

Out of order and under suspension of the rules,

On motion by Mr. Dunbar of Washington, it was

**ORDERED**, that permission be granted to the Maine State Bar Association to use the Senate Chamber for the afternoon of Wednesday, January 13.

### From the House:

A message was received from the House, by Mr. Pease, its Clerk, concurring in the proposition for a joint convention for the purpose of administering the oaths to the Executive Councillors and to the Governor-elect.

The Senate retired to the Hall of the House of Representatives where a joint convention was formed.

(For proceedings of joint convention see House Report).

### In the Senate:

The Senate was called to order by the President.

### Orders

On motion by Mr. Elliot of Knox, it was

**ORDERED**, the House concurring, that a Joint Select Committee of

three on the part of the Senate with such as the House may join, be appointed to consider the Governor's message and report a reference of its several subjects to appropriate committees. (S. P. 16)

The President appointed:

Senators: Farris of Kennebec, Worthen of Penobscot, Sterling of Somerset.

Sent down for concurrence.

On motion by Mr. Dow of Oxford, it was

**ORDERED**, that twenty-five hundred copies of the Governor's Message be printed.

On motion by Mr. McGlaulin of Cumberland, the Senate voted to take from the table the Order presented by the Senator from Oxford, Senator Dow, as Chairman of the Legislative Research Committee pertaining to certain expenses of Legislative Committees, tabled yesterday by Mr. McGlaulin of Cumberland, pending passage.

Mr. **McGLAULIN**: Mr. President, I made clear to this Senate yesterday my objections to this order. The reason I tabled the measure was because I realized that there were some elements of merit in this order. In its present form, I decidedly oppose it. I have conferred with the presenter of this order and after discussing it, we believe that it may be possible to work out some of the good features by other orders that will be presented later. But at the present time, so as not to hold up the work of the legislature, I move that this order as here presented be indefinitely postponed.

Mr. **DOW** of Oxford: Mr. President, having conferred with the Senator from Cumberland, Senator McGlaulin and some other members of the Senate, having received assurance from them that there is some merit in the order, possibly not in its present form, and reaffirming what I stated yesterday that while it is in the form of an order it is merely a suggestion, and desiring to preserve what is meritorious in it, and understanding that there will be introduced at a later time certain measures preserving the meritorious features in the order for your consideration, I do not oppose the motion of the Senator from Cumberland, Senator McGlaulin. I have the gentleman's word for it and it has always been good.

The motion to indefinitely postpone the order prevailed.

On motion by Mr. Dow of Oxford, it was

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

Sent down for concurrence.

Subsequently the foregoing order was returned from the House having been read and passed in concurrence.

On motion by Mr. Elliot of Knox, it was

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish to the Superintendent of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to Legislative expense. (S. P. 18)

On motion by Mr. Dow of Oxford, it was

ORDERED, that the Secretary of the Senate be directed to furnish each member and officer of the Senate during the present session with three daily newspapers printed in the State, as each member and officer may select.

Mr. Friend of Somerset presented the following order and moved its passage:

ORDERED, the House concurring, that the members and officers of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding \$5.00 for each member and officer thereof, and that such transportation be furnished and expended under the direction of the Secretary of the Senate and the Clerk of the House, respectively, and the unexpended balance at the close of the year 1943 shall be available for use in 1945. (S. P. 19)

Mr. ELLIOT of Knox: Mr. President for the purpose of possibly amending this order to include any subsequent special sessions of this legislature, I move that the order be laid upon the table.

Thereupon, the order was laid upon the table pending passage.

On motion by Mr. Harvey of York, it was

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House, not exceeding \$5.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State. (S. P. 20)

Sent down for concurrence.

On motion by Mr. Emery of Hancock, it was

ORDERED, that the Secretary of the Senate be directed to provide each member and officer of the Senate with a copy of the Acts and Resolves of the 90th Legislature.

On motion by Mr. Brown of Aroostook, it was

ORDERED, the House concurring, that there be paid to the officers of the Senate and House of Representatives as advances on account of compensation amounts included in fortnightly lists, certified to the State Controller by the Secretary of the Senate and the Clerk of the House, respectively, and that the final pay rolls at the end of the Session of such officers bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (S. P. 9)

Sent down for concurrence.

On motion by Mr. Good of Aroostook, it was

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

On motion by Mr. Elliot of Knox, the order was laid upon the table pending passage.

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

## STATE OF MAINE

Department of the Attorney General  
Augusta

January 7, 1943.

To the Honorable Senate and  
House of Representatives  
91st Legislature.

Pursuant to Article V, Part 4, Section 2 of the Constitution, I am transmitting herewith, two bonds of the Honorable Joseph H. McGillicuddy, Treasurer of State, each in the amount of \$75,000, each bearing date January 6, 1943, one written by the Standard Accident Insurance Company and the other written by Maryland Casualty Company, and each being payable to the State of Maine.

These bonds bear my approval as to form and I recommend them for approval by the Legislature.

Respectfully yours,

FIC:gh FRANK I. COWAN  
(H. P. 2) Attorney General.

Which communication and accompanying bonds were read and ordered placed on file in concurrence.

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

ORDERED, the Senate concurring, that the two bonds of Hon. Joseph H. McGillicuddy, Treasurer of State, each in the amount of \$75,000, each bearing date January 6, 1943, one written by the Standard Accident Insurance Company and the other written by Maryland Casualty Company, and each being payable to the State of Maine; and each bearing the certificate of approval of the Attorney General: hereby are approved. (H. P. 1)

Which was read and passed in concurrence.

## Report of Committee

(Out of Order)

Mr. Farris of Kennebec presented the report of the Committee on the Revision of Statutes. Which report, on motion by that Senator, was laid upon the table and 500 copies ordered printed.

On motion by Mr. Harvey of York, it was

ORDERED, that the Secretary of State purchase such stationery, office supplies and equipment as may be needed to carry on the business of the Senate.

## Orders of the Day

On motion by Mr. Elliot of Knox, the Senate voted to take from the table Order relative to telephone calls (S. P. 21) tabled by that Senator earlier in today's session, pending passage; and on further motion by the same Senator, the order was indefinitely postponed.

Thereupon, the same Senator presented the following order and moved its passage:

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of 25 calls of reasonable duration from Augusta to points within the limits of the state of Maine, the Secretary of the Senate and the Clerk of the House to provide each member with a card to be certified to by the Secretary of the Senate and Clerk of the House respectively, the charges for this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates.

Mr. McGLAULFIN of Cumberland: Mr. President, I, for one, feel that we should not limit those calls to 25. I have heard the suggestion that they could limit the amount that the expense of 50 calls would come to. I, for instance, try to carry on my law business so that I won't be completely out of practice when I am up here, and in order to do that, it is necessary for me, at least, to call up my office nearly every day. That expense is thrown on me entirely because I am working for the state. I think that fifty phone calls is few enough for that purpose.

I have no objection to having a limit put upon what the cost should be, so that no member would run up \$150 on those calls, as I have understood one member did at some previous session. I would like to make an amendment to the order, placing the number at least at 45 calls.

Mr. ELLIOT of Knox: Mr. President, in explanation of the order introduced by me and in explanation to the Senator from Cumberland (Senator McGlaulin) the objection to limiting the cost of calls is that the senators from Aroostook County who might make very few calls totaling a considerable amount should not be limited to the very few calls, whereas a member coming from the county of Kennebec might make many calls for a lesser amount. It is perfectly possible

that during the later days of the session, if we find we haven't allowed a sufficient number of calls, to introduce another order increasing that number, and that could be done from time to time.

I, personally, would be in favor of limiting the number to 25 calls. Moreover, with conditions as they are and the telephone company urging us to be patriotic and cut down our calls as much as possible, if this order limits the number to 25 calls it might result in some saving, not only in money but the saving of work to the telephone company.

Mr. BROWN of Aroostook: Mr. President, I am in favor of curtailing the number of telephone calls. I probably come from as long a distance as most of you and I also have business to conduct. I am engaged in the potato business, as most of us in Aroostook are, and it is necessary for me to make telephone calls to Aroostook County. I have no doubt that my telephone calls, no matter how short a time I talk, cost considerably more than do those of the gentlemen from Portland. I don't think we ought to put upon the state the expense of conducting our business just because we are here in the legislature. If we are going to conduct private business we should bear at least a part of the expense ourselves.

I am very much opposed to limiting the amount of money we should expend on telephone calls because it would be very unjust to the people from Aroostook and other distant points when compared with those living in Kennebec and other near points but I do believe that, especially as the telephone lines are greatly over-burdened with essential business due largely to war effort and because we are asked to be patriotic and curtail on telephone calls the same as we are on gas and other things, that we ought to set an example to the rest of the state and deny ourselves some of the unessential things. And if we insist on the 25 calls and it later appears necessary to increase them because the session is unduly prolonged and it would work a hardship on some people, we can increase the number. But if we set a limit of 25 calls now

and try to keep within it, I think we would be doing the proper thing. I move that the order have passage.

Mr. SANBORN of Cumberland: Mr. President, I certainly concur wholeheartedly in the disposition to practice economy on the part of this legislature. I confess, however, that as I heard the last order read, the number 25 did strike me as rather limited and I offer this only as a suggestion growing out of what I know to have been a practice to some extent, but I don't know how great an extent, in the past. Personally, it has been my opportunity on more than one occasion, since it has so happened that in former sessions I did not use up the whole 50 calls myself that I had occasion to find colleagues who from the nature of their business were up to their limit and I very gladly passed them my card and said, "Go ahead, I will be very glad to have you use it." I know that some of us who, in the natural course of events, will not use up all their calls would be willing to do this and in view of the suggestion that has been made that if we find the limit of 25 calls has proved insufficient, a supplementary order can be put in and passed, having that in mind, and with the suggestion that we practice a little mutual accommodation, I am of the opinion that the order as presented may with safety to all of us be given passage.

The PRESIDENT: The question before the Senate is on the amendment of the Senator from Cumberland, Senator McGlauffin to change the limit on telephone calls from 25 to 45. Is the Senate ready for the question?

A viva voce vote being taken

The amendment was not adopted.

The PRESIDENT: The question now before the Senate is on the passage of the order presented by the Senator from Knox, Senator Elliot. Is the Senate ready for the question?

Thereupon, the order received passage.

On motion by Mr. Elliot of Knox  
Adjourned until Tuesday afternoon, January 12, at four-thirty o'clock.