

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Thursday, March 11, 1943

The Senate was called to order by the President

Prayer by the Reverend Edna Knowlton of Augusta.

Journal of yesterday read and approved.

From the House

House Committee Reports

The Committee on Judiciary on Bill "An Act Relating to the Reciprocal Enforcement of Violations of Fishing Laws in Boundary Waters Between Maine and New Hampshire," (H. P. 590) (L. D. 373) reported that the same ought not to pass.

In the House, recommitted to the Committee on Judiciary.

In the Senate, recommitted to the Committee on Judiciary in concurrence.

The Committee on Education on "Resolve Granting Teacher's Pension to Lynne M. Ellingwood, of Hermon," (H. P. 1219) reported that leave be granted to withdraw the same.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Howard Pond," (H. P. 1102) reported that leave be granted to withdraw the same.

The Committee on Judiciary on Bill "An Act Relating to the Financing of Public Works" (H. P. 1111) (L. D. 576) reported that leave be granted to withdraw the same.

The Committee on Legal Affairs on Bill "An Act Relating to the Imposing of Taxes, etc. in the City of Portland," (H. P. 758) (L. D. 406) reported that leave be granted to withdraw the same.

The Committee on Pensions on "Resolve Providing for a State Pension for Louis P. Libby, of Charleston," (H. P. 570) reported that leave be granted to withdraw the same.

The Committee on Public Health on Bill "An Act Relating to Beauty Culture Apprentices," (H. P. 1154) (L. D. 609) reported that leave be granted to withdraw the same.

The Committee on Counties on Bill "An Act Relating to the Matron of the Kennebec County Jail," (H.

P. 448) (L. D. 244) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Moose," (H. P. 1176) (L. D. 654) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Settlement and Support of Paupers," (H. P. 1114) (L. D. 579) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Powers of Constables," (H. P. 952) (L. D. 493) reported that the same ought not to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to Rebate of Registration Fees on Motor Vehicles Owned by Men in Armed Services, or Confiscated by the Federal Government," (H. P. 1182) (L. D. 660) reported that the same ought not to pass.

(On motion by Mr. Clement of Androscoggin, tabled pending acceptance of the report in concurrence.)

The Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the Sheriff of Lincoln County," (H. P. 469) (L. D. 252) reported that the same ought not to pass.

The same Committee on Bill "An Act Increasing the Compensation of the Judge of Probate of Knox County," (H. P. 599) (L. D. 355) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Salary of the Recorder of Rockland Municipal Court," (H. P. 575) (L. D. 342) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Relating to Ice Fishing in Dyer's Long Pond in Jefferson," (H. P. 784) (L. D. 762) reported that the same ought to pass.

The same Committee to which was recommitted, Bill "An Act Authorizing the Issuance of Free Hunting and Fishing Licenses for Soldiers and Sailors," (H. P. 160) (L. D. 102) reported the same in a new draft, (H. P. 1256) (L. D. 758) under a new title, Bill "An Act Authorizing the Issuance of Free Fishing Li-

censes for Soldiers and Sailors," and that it ought to pass.

The same Committee on Bill "An Act Relating to Hunting Rabbits in Oxford County," (H. P. 1099) (L. D. 569) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to Trial Terms of the Superior Court in Aroostook County," (H. P. 1107) (L. D. 573) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Enforcing Orders for Payment of Alimony, Support Money and Counsel Fees in Divorce Actions," (H. P. 1108) (L. D. 574) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Marriage Certificates," (H. P. 1120) (L. D. 585) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Search for Lost Persons," (H. P. 48) (L. D. 31) reported the same in a new draft (H. P. 1257) (L. D. 759) under the same title, and that it ought to pass.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Temporary Insurance Agency Licenses," (H. P. 462) (L. D. 264) reported the same in a new draft (H. P. 1258) (L. D. 760) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to Charges for Examinations of Foreign Insurance Companies," (H. P. 958) (L. D. 533) reported the same in a new draft, (H. P. 1259) (L. D. 761) under the same title, and that it ought to pass.

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

The Committee on Education on Bill "An Act Relating to Apportionment to Towns for Teaching Positions," (H. P. 238) (L. D. 186) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Judiciary on Bill "An Act Relating to Aroostook County Law Library," (H. P. 786) (L. D. 415) reported that the same ought to pass as amended by Com-

mittee Amendment "A" submitted herewith.

The same Committee on Bill "An Act to Authorize the Charging off of Uncollectible Accounts Due Counties," (H. P. 1106) (L. D. 572) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

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

The Committee on Legal Affairs on Bill "An Act Relating to the Furnishing of Lists of Wild Lands for Taxation Purposes," (H. P. 102) (L. D. 85) reported that the same ought to pass.

In the House, passed to be engrossed as amended by House Amendment "A."

In the Senate, the report was accepted in concurrence and the bill was given its first reading; House Amendment "A" was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

Orders

On motion by Mr. Sanborn of Cumberland, it was

ORDERED, that 500 copies each of (S. P. 54) Bill "An Act Relating to Appointment of Police Commission for City of Lewiston," and (S. P. 55) Bill "An Act to Increase the Salary of the Police Patrolmen and Inspectors in the City of Lewiston," be printed.

On motion by Mr. Elliot of Knox, it was

ORDERED, that the Secretary of the Senate send suitable flowers on behalf of the 91st legislature for the inaugural ceremonies of the Honorable Charles J. Boucher.

First Reading of a Printed Bill

Bill "An Act to Increase the Salary of the Register of Probate of Washington County," (S. P. 246) (L. D. 765)

Which bill was read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Farris from the Committee on Judiciary on Bill "An Act Amending the Administration of the Financial Responsibility Law," (S. P. 47) (L. D. 48) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Harvey from the same Committee on "Resolve Proposing an Amendment to the Constitution to Provide for Four Year Term for Governor" (S. P. 358) (L. D. 645) reported that the same ought not to pass.

On motion by Mr. Bishop of Sagadahoc, the Resolve was tabled pending acceptance of the report.

Mr. Townsend from the Committee on Public Health on Bill "An Act Relating to the Penalty for Violation of Certain Sections in the Health and Welfare Laws," (S. P. 245) (L. D. 363) reported the same in a new draft (S. P. 441) under the same title, and that it ought to pass.

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

Passed to Be Engrossed

Bill "An Act Relating to the Madison Water District." (H. P. 140) (L. D. 109)

Bill "An Act to Confer Additional Rights and Powers Upon East Branch Improvement Company." (H. P. 560) (L. D. 286)

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

Bill "An Act to Increase the Salary of the Clerk of Courts of Washington County." (S. P. 264) (L. D. 470)

Bill "An Act Clarifying the Law Relating to Clerk Hire in the Office of Register of Deeds in Washington County." (S. P. 371) (L. D. 633)

Bill "An Act Relating to Salary of Register of Deeds of Kennebec County." (S. P. 368) (L. D. 636)

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

Sent down for concurrence.

Passed to Be Enacted

An Act Relating to the South Portland Municipal Court. (S. P. 57) (L. D. 50)

An Act in Relation to Fees of Referees. (S. P. 121) (L. D. 153)

An Act Relating to Salary of Treasurer of Oxford County. (S. P. 149) (L. D. 184)

An Act Relating to Swan Island Game Preserve, Game Farm, and Game Management Area. (S. P. 160) (L. D. 176)

An Act Relating to the Salary of the Clerk of the Lewiston Municipal Court. (S. P. 179) (L. D. 239)

An Act Relating to Conditions in Passing Vehicles on the Road. (S. P. 299) (L. D. 438)

An Act Relating to Penalties of Motor Vehicle Violations. (S. P. 300) (L. D. 436)

An Act to Amend the Workmen's Compensation Act Relative to Artificial Physical Aids and Medical Services. (S. P. 335) (L. D. 509)

An Act to Make Uniform the Costs in Trial Justice Courts. (S. P. 337) (L. D. 511)

An Act Relating to the Recording and Copying of Public Documents. (S. P. 413) (L. D. 706)

An Act to Repeal the Incorporation of the Madison Village Corporation. (H. P. 139) (L. D. 110)

An Act Relating to Shippers of Potatoes. (S. P. 163) (L. D. 118)

An Act Relating to the Sale of Oils. (S. P. 181) (L. D. 126)

An Act Relating to Notices to the State in Actions by Towns in Pauper Cases. (S. P. 189) (L. D. 139)

An Act Relating to Expenses of Quarantine. (S. P. 255) (L. D. 189)

An Act to Amend the Charter of the Kennebec Water District. (S. P. 468) (L. D. 250)

An Act Relating to the Stipend for Agricultural Societies During the War Emergency. (H. P. 522) (L. D. 316)

An Act Relating to Desertion and Non-support of Families. (H. P. 548) (L. D. 291)

An Act Relating to the Board of Trustees of the Jointly-Contributory Retirement System. (H. P. 552) (L. D. 287)

(On motion by Mr. Elliot of Knox, tabled pending passage to be enacted.)

An Act to Provide a Lien for Sewer Rates for the Houlton Water Company. (H. P. 557) (L. D. 296)

An Act to Amend the Charter of the City of Bangor. (H. P. 563) (L. D. 313)

An Act Concerning Listing of Dogs by Assessors. (H. P. 801) (L. D. 383)

An Act to Regulate the Sale and Packing of Sardines During the Present Emergency. (H. P. 834) (L. D. 400)

An Act Relating to Mortgage Loans of Savings Banks. (H. P. 932) (L. D. 485)

An Act Amending the Old Age Assistance Law. (S. P. 71) (L. D. 6)

An Act Relating to the Voting Districts in the Town of Harpswell. (H. P. 1236) (L. D. 728)

An Act Relating to Insurance Agents and Brokers. (H. P. 1237) (L. D. 727)

Finally Passed

"Resolve Relating to Fishing for Smelts in Waters of Androscoggin Watershed." (H. P. 180) (L. D. 726)

"Resolve Relating to Close Time on Lobsters in Certain Waters." (H. P. 602) (L. D. 354)

Emergency Measure

An Act to Enable Towns to Obtain State Aid in Securing Public Health Nursing Service.

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed, was passed to be enacted.

Orders of the Day

On motion by Mr. Good of Aroostook, the Senate voted to take from the table, Senate Report from the Committee on Temperance on bill An Act Permitting Sale of Liquor by State Liquor Commission Only—Majority Report "Ought Not to Pass; Minority Report "Ought to Pass" (S. P. 136) (L. D. 98) tabled by that Senator on March 10 pending acceptance of either report.

Mr. GOOD of Aroostook: Mr. President and members of the Senate, yesterday morning, because of the absence of Senator Boucher and Senator Townsend, I asked your permission to have this matter laid upon the table and especially assigned for today. They are both here this morning and I would like to discuss the bill if you would grant me the privilege.

I move the acceptance of the Minority Report "Ought to Pass". Legislative Document does one thing, one thing only. It takes the liquor that is sold in hotels or cocktail lounges, and beer that is sold in beer parlors and puts it all in the liquor store under the control of the Liquor Commission. This is not a long bill, neither is it complicated. Anyone can understand it very clearly by reading it over. Now, the first question that will be asked this morning, is: Will it upset the revenue and is it going to upset our profit?" I have a few figures here to which I want to call your attention. In the last year we consumed nearly ten million gallons of beer in the state of Maine. To be exact, it is 9,807,459 gallons. I wanted to get some figures and didn't want to put too much effort into it so I figured on ten million gallons. I contacted several people that I might arrive at some intelligent figures to base the revenue on. Figuring that we consumed ten million gallons last year, ten million gallons would give us forty million quarts, and with a ten cent profit on each quart—which figure I got from a reliable source—it would give \$4,000,000 of revenue. We realize if it goes into the liquor stores there will probably be a falling off of consumption. If there is a third less beer consumed and one-third less revenue from this \$4,000,000, that would leave us \$2,333,000. Taking \$666,667 for maintenance of the liquor stores and different machinery we have got to set up would then leave us \$2,000,000. Last year we received from licenses, excise tax, etc., \$1,800,000. I believe these figures are conservative. I have the figures from some of the department heads so I can prove them. If these are correct, the revenue question is out of the picture.

If we are basing our opposition to this bill to the revenue question, we have got the figures here, and

we will probably find that as much beer will be consumed next year as was consumed last year. I want to give you some figures and I will turn to my notes. In 1934 we consumed 2,986,768 gallons and from 1941 to June, 1942, we consumed 9,807,459 gallons, so the consumption is increasing all the time. Therefore, if it increases there will be more revenue. We expect it will increase next year and will give a certain amount of revenue. We assume that these things will take place if the human family lives, and we expect it will.

Now, I have only one thing in mind. I have only one class of people I want to protect, and that is the young people who are now making their homes—a lot of them—in the beer joints and cocktail lounges. "Only one tenth of one percent of the youth of America, so the Congressional Record says, know the taste of real beer. We must educate them." It has jumped by leaps and bounds ever since. There is no question but people are realizing the appetite had to be created and in the Congressional Record it says that we have got to educate the boys and girls before we will get the consumption we want. Let that be as it may. I am not going to take much time this morning. I am going to be very brief.

I want to bring out another point. In talking with a hotel proprietor a short time ago he said "our hotels are about ready to close their doors." That, I think was in 1933. It might be true. I am not here to argue or dispute that. There were a lot of industries in 1933 about ready to close up, and hundreds of farmers abandoned their farms because they could not pay their taxes. Hundreds of farms—with the government needing food—were abandoned because they could not meet their taxes and obligations. We didn't go into the liquor business and take it out of the lives of boys and girls to maintain our farms, but we said, "We will take it as best we can and some day there will be a break." This hotel proprietor said,—and I don't think he intended to let the cat out of the bag—that they did a \$191,000 business. I said, "How much is the tax?" He said it was \$800. I asked, "How much is the extra discount on liquor?" He said it was 8%. Now 8% on the \$191,000 business they did, after

paying taxes of \$800, they would have a profit of \$14,480 for the privilege of selling liquor in the hotel. If the State wants to do that, I have no objection whatever. I just want to show it is one of the things we have to contend with. I do not consider that liquor is any asset to the country. I never have. Of course you all knew that before this morning.

Now, if you want to express your opinions, it is your Constitutional right. Whichever way you vote, it is all right with me. I will feel as friendly to you as I do at this moment, because I consider it is your right. I have not been around this Senate to contact a man and ask him to support my bill or ask him to do this or that. Whatever help I get this morning will be voluntary. I consider that you are men of good judgment, ability, high character and integrity. You can make up your own minds and I have not got to do it for you.

Now, then, let's find out about the waste, if there is any waste in this problem we have got on our hands. If we are consuming that much beer there must be a waste somewhere, without any doubt. If forty million quarts of beer are consumed in the state of Maine, assuming there are 800,000 people in the state, they would drink 50 quarts per person per year, or practically a quart a week. Now someone has to drink my quart and someone will perhaps drink your quart and that little boy's quart and that little girl's quart until the time we can educate them in beer parlors and cocktail lounges so that they will take that quart that belongs to them. In these days of necessity for rationing, necessity of economizing and doing without many of essential things, it seems to me it is a terrible waste. I do not consider this bill of mine will correct the waste entirely, but nevertheless, it will help it.

Let me read a little quotation I have here. Major Clayton M. Wallace says, "Translating the nation's \$9,000,000 daily liquor bill into defense budgets, each day's drink bill would do one of the following: Feed one million Chinese refugee children for nine months; or feed 600,000 English children for six months. Feed most of Europe's famine-threatened peoples. Pay for 180 bombers at \$50,000 each. Almost pay for a destroyer. Pay for

one or more submarines. Completely train some 600 military pilots at \$15,000 each. Manufacture 180,000 Garand rifles at \$50 each. Figuring it another way, the people of the United States spend as much for liquor each nine-day period as it would cost to build a modern battleship."

Listen to this: "Last year's beer, it is estimated, required more than 135,000,000 pounds of sugar and sirups from the stock of the United States. While housewives are practicing strict economy, children collecting all available scraps of metal, etc." That is another picture of the waste we have today.

Let me read this to you from the Congressional Record: "When sugar is being rationed and grain is wanted by a starving world, it is noteworthy to observe that in 1940, 2,000,000 tons of grain were used for alcoholic beverages, and over 4,000,000 gallons of molasses."

You cannot buy a gallon of molasses in the province of Canada unless you buy it in a pasteboard carton. You might argue that my plan isn't practical. Canada has practically the same law as I have proposed only they go further. They say the minute you buy a bottle of beer and take it in your car, if you open it before you are on your own premises, you are liable to arrest. I didn't put that in here because I thought there would be too many arrests, so I left it out, granting you that privilege. In Sweden I believe they have practically the same system with some changes. It is working out successfully. Canada is getting along fine and having no trouble, whatever. I cannot see why it is not sensible, sane and right if we want to protect the rising generation, which is the greatest asset we have in America.

Here is another thing I might call your attention to before I go any further. There was a check made a short time ago in regard to the W. P. A. checks that were cashed. Over 40% of the W. P. A. checks were cashed in liquor stores and in beer parlors where the men went to get a drink of liquor or beer. I know what it means for back 36 years ago I only intended to take one drink when I went in but I didn't come out when I had one drink. If I had \$10 I probably spent every nickel of it. I am talking from experience. I have

been on the ground floor. That was from the age of 16 to 22 and I can tell you plenty. People will say, "Oh, the boys will get over it." If it is only a habit perhaps they will get over it. Any stalwart boy or girl can break a habit. But I want to tell you men and women it takes more than will power to break an appetite when it gets control of an individual, as liquor will.

Now then, we have F. B. I. men everywhere watching sabotage. We must not allow anyone to be injured or cause to be injured, or anyone molested or made afraid. We have got to watch them. Today there is not a form of sabotage in the world that is a greater menace to our boys and girls and to the people of our country today than the liquor traffic. When you have a boy or girl,—I do not care how innocent or good they may be, under the influence of liquor they are not themselves. They are not rational, by any means, and they will do things they would not do otherwise. At Thomaston, if a check could be made, I have no doubt there are dozens of young men and women doing time and sentenced for life, who committed some crime in a fit of rage. They are there for life. The men in the state of Maine who legalize liquor, who give people the privilege of selling it, and the men behind the bar selling it,—they are responsible for the men doing time in Thomaston without any doubt, in my estimation.

Listen to this. "Sabotage. Heavy loads of war material made it necessary to relay a 9-mile stretch of track on an Indiana railroad, and a construction crew of 135 men were employed to do the work. Said the superintendent, 'This size crew could lay this track in 18 to 24 days, but because of excessive drinking, it will take almost 3 months to complete the job. The delay we are experiencing can be illustrated by this fact, the day following our last pay day, only 17 men out of 84 reported for work. The others were too drunk. The liquor which held up the track laying was purchased from civilians who were probably buying defense bonds, etc.' I won't take your time any more with that. It is what we have got to face, gentlemen. Whether we want to face them or not, they are there. People have not put these things on paper just

to become famous. These things are on record. They are for the public to read. We should read these things carefully and try to analyze them. I have never seen a country, or even a town that could drink itself into prosperity.

If you read the Kennebec Journal, as no doubt you do, you will see that on March 6th Representative Bryson is quoted as saying in Congress that hangovers are becoming so great and affecting ship-building plants, airplane factories and munition plants to such an extent that people are becoming alarmed and they do not know what will be the outcome. One man said he didn't think there was any need of Congress proposing legislation because the President has a perfect right to put a ceiling on it if he wants to.

I am going to take only a few more moments and then I will be through. We realize it is a big problem to face. We realize the situation is probably more than we can cope with. We are more concerned today with winning the war than with anything else. You are giving up milk and butter and flour and practically everything. You are giving up tires and are driving horses; and we are all doing everything we can to conserve the necessary things in an endeavor to get to the place where we can win the war. You men sitting here who have boys in the army are more concerned with having your boy come back to you than you are with \$9,000,000 worth of liquor sold during a year in the state of Maine. I got word the other day from my boy and he said he expected to go somewhere, that they had been given guns and new equipment, and that they were scheduled to go across the 15th of this month. But they have changed their minds and are being sent to another camp for a short season. It makes us think, gentlemen.

Now, they say we have five years' supply of liquor on hand, and in reserve. Yet we want alcohol for help in carrying on the war. It seems reasonable to me that we should redistill it and get what alcohol we want. To keep this supply of liquor when it is needed in the war effort doesn't seem reasonable, gentlemen. It isn't common sense. We have not criticized the government to any great extent. I feel they do things we would not

do, but I allow they know more than we do. They are the head of the nation. These things we have got to face. They are here before us.

In closing, I want to say this, as I said before. I expect you to vote as you feel, not the way I feel. If you all voted the way I feel, you would all vote for this bill. Let that be as it may, I want you to know, and every member of the Senate to know that I believe this is the right way, not to control it entirely but it will be a step in the right direction to help control it. As I said before, our boys and girls are our greatest asset. They are the boys we will look to in the future, if they come back. They are the boys and girls we have loved through the years until they are the idols of our eyes.

I do not believe we want to sit still and see this form of sabotage sending our boys and girls down the corridors of time with wrecked lives,—and many of them will be wrecked. I know one habitual drinker whom I have taken home time and again. I know the condition the family is in. I have been there myself. Where did I find the children in that home? Behind the stove. Where did I find the wife? She was over by the stove, crying. I have seen that condition, myself. I have been in evangelistic meetings and heard men kneeling at the altar with tears streaming down their cheeks, saying, "Liquor has been my downfall. If I could get rid of it I would do anything in the world." I have seen it again and again. I suppose that is why I hate it so. I want to go on record as being one who will do everything I can to help our boys and girls. If peradventure God sees fit and they have to die on the battlefield I want them to go down with a clean breath and clean mind, and I want to feel that we have done all we can do and the responsibility is lifted from us.

The PRESIDENT: The question is on the motion of the Senator from Aroostook, Senator Good, that the minority report, "Ought to Pass" be accepted.

Mr. BROWN of Aroostook: Mr. President, I wish to speak and I will try to be brief, in support of Senator Good's motion. I have several reasons for it and I think down in your hearts the most of you

people here may realize or may be beginning to think about what the liquor traffic is doing to retard our war effort and to slow up production and to produce inefficient service.

If the taking of beer out of the beer parlors and out of the cocktail rooms and placing it in the hands of the Liquor Commission will reduce the sale of alcoholic liquors in the state of Maine, I am for it one hundred percent. I do not know of any people or any nation that has ever been elevated or whose condition has ever been improved by the sale and use of alcoholic liquor. History shows us from the earliest times down to the present time, that nations have gone down to destruction and defeat because of excessive alcoholism. Probably the latest example is the fall of France. General Petain, with tears in his eyes, said "My soldiers could not fight because they were drunk." Greece fell and Rome fell. In the years they were building up they were sober and abstemious nations but when they reached prosperity and began excessive drinking, those nations went to pieces.

We are engaged in the liquor traffic today and I never see a bunch of neglected, ragged children who are suffering for the ordinary necessities of life, but I know that their father is spending his pay check in a liquor saloon, and I say to myself, "Maine is responsible for that, and I, as a citizen, am not proud of it."

We talk about the war effort. The greatest cause of decrease in production is the use of alcoholic liquor. Near every defense plant we see beer saloons where the workers can go in to get beer. You, as honest, sober men, know that you never hire a man because he is a drinking man. You never saw a drinking man whose efficiency was increased. But you know of hundreds of cases in your own community where the manpower has been affected, where the mentality and effectiveness of the men have been decreased by the use of liquor.

Doctors say there are five diseases which take the greatest toll of human life. The first is alcoholism, which stands at the head of the cause of death. The second is tuberculosis. The third is venereal disease. The fourth is cancer and

the fifth is heart trouble. Alcoholism is the greatest destroyer of men that we have. Not only that, but there are a lot of people whom while it may not destroy, it does make inefficient, inefficient in their work and above all, inefficient in their brain capacity because the first place alcohol attacks is the brain tissues.

At the time when we are girding ourselves and are in the greatest fight that the world has even seen for the protection of our way of living, absenteeism in our factories is causing greatest alarm, and the greatest cause of absenteeism is the use of alcoholic liquors. Everyone agrees with that. It would increase our production many times if we could do away with it. This bill won't do away with it entirely but will take beer parlors and cocktail rooms away from the vicinity of the factories and the army camps.

We talk about revenue. No nation ever drank itself into prosperity. For every dollar we get for revenue there is at least eight dollar's worth of damage done. Which is the most important, that we have this revenue of that we raise up an industrious and a sober citizenship? That is the thing we should be striving for. Do you take pride when you stand beside a cocktail room or beer parlor and see the young people come out staggering; girls not able to walk without an escort to help them along? Are you thinking of the future of this generation and the American civilization when the mothers of the country become bar flies and the drinking habit is grafted in every family?

You can pick out in your own community prominent young men, men of college education, men in the professions who in the last eight or ten years have gone to pieces. I could name professional men and farmers who, because of the ease with which they can get liquor are going along the road to destruction. Automobile accidents in the United States caused the death, in a normal year, of about 40,000 people and there were over a million injuries. About 40% can be traced to alcoholic liquor.

I am not going to give a temperance lecture. If revenue does fall off, I do not believe it is a sound principle to tax the weaknesses of people for the purposes of running the government. This is a republic

and everyone should help run it by paying their share of the taxes. A two percent sales tax upon sales would more than take care of the revenue we would get from the sale of alcoholic liquors.

I want you to think seriously of this as it affects the morale of the people. The German people are not drinking liquor and the Japanese never have. We are going into this conflict with our hands tied behind us, with the greatest rise of dissipation that the world has ever known, right here in America. We still think that as a drunken nation we are going to win this struggle. We are going to win it in time but it will cost infinitely more in lives and money and it will take longer than if we could get down to sober, actual work.

I am in favor of taking liquor out of the cocktail rooms and putting it under the control of the Liquor Commission because it will be a means of reducing drinking in the state of Maine, I believe. I feel this is a very important matter. Of course, I say frankly, if we could do away with all drinking at least for the duration and go back to prohibition days it would be the greatest thing we could do toward winning the war, but this is not the bill.

People who own hotels say it would put them out of business but hundreds of businesses, automobile, garage, grocery and other business establishments have been put out of business. I see no reason why these institutions which do not contribute one thing to the war effort, but which are a menace to our people, should not also be put out of business if it is necessary that they go out of business.

We are rationing ourselves on practically everything we need. There is a serious shortage of grains for feeding purposes for our cattle. Yet we go on using up millions of bushels of grain, millions of gallons of molasses and sugar and we produce these things which are a serious detriment to our war effort. There is serious danger that the people of the United States may go hungry. At least, we are not going to have enough to feed ourselves and send supplies to feed our allies. Yet there is no rationing of alcohol or beer, and no restriction on the amount of sugar or molasses they

shall use, but the question is, do we want beer or do we want food?

I might say that the consumption of milk in the cities has gone down and down as the sale of beer has gone up. Those figures can be proved by statistics. Is it going to be milk for the children or beer for the war worker?

Mr. TOWNSEND of Penobscot: Mr. President and members of the Senate, as Chairman of the Temperance Committee and as one who signed the Majority Report "Ought Not to Pass" on this bill I feel that I should say a few words.

I am sure that there is not a member of the Senate who would oppose encouragement of temperance among the citizens of our state. However, in this bill we are not concerned with temperance because should it become a law, liquor would still be sold in the state of Maine. The only change would be that it would be sold through a different method, through the liquor stores.

We are faced with the question of whether or not we believe in the rule of the majority as is now practiced under our local option law. Under that law the majority of the voters in every community in the state have determined whether or not liquor shall be sold in their respective communities and if they have determined that liquor shall be sold they have a right to determine the method by which it shall be dispensed.

In other words, if liquor is to be sold in a community, the majority in that community may determine whether or not there shall be beer parlors, whether or not there shall be cocktail rooms, whether or not sales of malt beverages shall be made from retail stores and whether or not there shall be state liquor stores.

The main purpose of this bill is to do away with the beer parlors, cocktail rooms and the sale of malt beverages from stores. All sales would have to be made through the liquor stores.

Now, should this legislature pass this proposed bill it would do so in direct violation of the majority rule as declared in many of our communities at the last state-wide election. If the majority of the voters in our towns and cities want liquor sold only in state stores, they have the opportunity to so declare

themselves under our present laws.

I am opposed to this bill for the following two reasons. First, because I believe in the ability of our citizens of Maine to govern themselves in this matter through local option. And secondly, because I believe the majority rule as declared by local option should be upheld.

Therefore, Mr. President, I hope the motion to accept the Minority Report "Ought to Pass", will not prevail.

Mr. McGLAUFLIN of Cumberland: Mr. President, I greatly admire men who will stand up before this Senate and vote according to their convictions on matters of principle. I can find some things to criticize in this bill but the object that they are trying to attain meets with my hearty approval.

If you had seen, as I have seen, the cocktail lounges in the city of Portland filled night after night with young women starting their lives in a hazardous way in these cocktail lounges, I think you would be opposed to killing this bill. It is more than just a question of local option. It is a question of the welfare of the young people of our state.

Mr. President, I second the motion of the Senator from Aroostook, Senator Good, that the Minority Report of the Committee "Ought to Pass" be accepted.

Mr. BOUCHER of Androscoggin: Mr. President, as one of the signers of the Majority Report on this measure, I feel that it is my duty at this time to try to explain the reasons why I signed that report in such fashion.

I would like first, Mr. President and members of the Senate, to take up some of the questions brought up by the Senator from Aroostook, Senator Good. The figures of the amount consumed I will not question at all. Although on the question of the fact that he thinks as much liquor would be consumed under state store control as there is under the present set-up I do not think I am ready to agree with him. The liquor stores, as I understand, are open from ten o'clock in the morning until six o'clock at night and, as I think the Senator must well know, 60% of the beer sold in this state is sold in the evening and certainly a considerable quantity less would be sold in the liquor

stores than is sold under the present arrangement, thereby depleting the revenue to the state.

There is also, Mr. President, another point I would like to bring up at this time; the fact that the Senator from Aroostook, Senator Good has appeared at different times and asked to have money derived from the sale of liquor allocated to alleviate the burden of taxes in different localities throughout the state, especially in the small towns. I quite agree with him that that is a proper thing to do but I cannot reconcile the two ideas of his wanting to curtail the source of the revenue and still have the revenue. In other words, I cannot see how he can eat his cake and also have it at the same time.

The big argument to me is the protection of our young people and I am very much in accord with the Senator from Aroostook on that question. I have a large family of young children and I certainly want to protect them, but I do not believe this bill will effect that purpose. I believe that, on the contrary, this bill invites the opposite of what he proposes to do. I believe that by omitting supervision over the young people, by giving them the opportunity of buying this liquor in the liquor stores and taking that liquor away in automobiles and going to some lonely road to drink it, bringing back prohibition days, to my mind at least, will not do the good that the Senator would like to have his bill do. I believe he would find a worse condition than the condition which exists today.

If this bill, in any way, shape or manner would improve the liquor situation as far as our young people are concerned, if this bill satisfied me in my own mind that it would do that, I should certainly be for it and would have fought to have it go through this Senate. He has made a wonderful plea against the liquor interests, against the evils of liquor. I quite agree with him in that but I do not believe that is the nature of this bill. He has told us of the wrongs of the liquor situation but he has not given us the cure. I do not believe this bill is the cure. On the contrary, I believe his bill would make the situation all the worse because we would then go back, or get

nearer to, prohibition days and would be inviting bootlegging and beer-making in the homes the way we had it under prohibition.

He has painted a very sad picture of homes with children behind the stove and their mother weeping and I quite agree with his picture, but he omitted one thing. He omitted the fact that behind that stove there was a tin or receptacle of some kind in which home brew was brewing.

At the hearing the Senator from Aroostook, Senator Good, and today the Senator from Aroostook, Senator Brown, have attacked the soldiers from France. To me, Mr. President, that hits very near home. I am of French descent. I claim to be as good an American as anybody and anyone who speaks of France touches my heart. The Congressional Record to which he referred has been quoted time and time again and the source of the statement has been given as coming from the lips of Marshal Petain. I would like to have proof of that. I requested that proof two years ago and I requested it again last year at the special session and I am here again today, Mr. President, requesting that such proof be brought to me. Until it is, I do not believe it. The fact that the record may make such a statement does not prove it. I might make a statement today which would go on record and which could be used in some other assembly but it would not prove that I had made a true statement. I do not believe that any member of Congress has gone to France since 1940 and has heard from the lips of the Marshal himself this story which has been repeated here today. I wish the opposition would make some true statements.

The Senator has been very truthful in some of his remarks. He admitted the other day at the hearing and here today in this Senate that this is only one step toward prohibition. I believe the Senator does believe in prohibition. I, for one, do not. I would like to go along with him on a temperance measure for some remedy that might curb, or cure or diminish the evils he has spoken about, but I do not believe that prohibition is the cure.

I believe, Mr. President and members of the Senate, that liquor has been sold for generations and generations and that it will keep

on being sold for generations to come. To me the question is, are we going to have legal or illegal sale of liquor? I believe it should be legal and as well controlled and managed as humanly possible.

I want to call your attention to the fact that out of ten members of the committee, eight of them voted against the bill and two in favor. And let me call your attention, Mr. President and members of the Senate, to the fact that of the eight persons that voted against the bill I would dare say four of them have never touched liquor in their life.

And finally, this matter, as Senator Townsend has said, was decided last September. The people of this state at that time had four different questions to vote on. If they wanted to exclude the so-called beer parlors from their town, if they wanted to exclude the cocktail lounges from their town, all they had to do was to so vote. I think that the voice of the people of the state of Maine was heard last September and I do not believe that this Senate has any right to change the answer to those questions.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Good, that the Minority Report of the Committee on Temperance "Ought to Pass" on Legislative Document 98 be accepted.

Mr. PETERS of Androscoggin: Mr. President and members of the Senate, to my mind there is not greater honor than the badge of public service, there is no greater reward than the gratitude and respect of our fellow citizens, as I believe that he who covets no vain celebrity but strives to fulfill his own obligations with moral courage and intellectual honesty bears within himself his own reward and is indeed grateful that he has been of service to his country and to his fellow men.

The question at hand regards temperance and regulation. If this measure as presented will produce the results as outlined by my worthy colleague from Aroostook, then I certainly would be in accord with him. But I personally believe that it will accomplish just the opposite.

For several reasons I am opposed to this measure. One, if this mea-

sure were enacted into law would there not be a rebirth of the miserable hovel that existed only yesterday; would not our boys and girls whom we all are striving to protect go to the back doors of these miserable hovels and drink what is labeled as home brew; would they not have siestas in automobiles and various other indecent places? Would that temptation not present itself to our young people whom we are trying to protect? I certainly believe that would be the result.

In regard to the consumption of liquor, let us assume that one man has no liquor store in his little town. He goes into the city on a Friday or Saturday and instead of purchasing one bottle of beer or one glass of beer he purchases beer by the case and takes it home. My friends, I do not believe that this measure will achieve temperance. I believe it will distinctly add to the consumption of alcoholic beverages within the confines of our good state.

Again, if this measure were enacted into law, have we taken into consideration the added amount of personnel that the state of Maine would be forced to employ in order to sell the beer? Have we taken into consideration the fact that we will have to have additional warehouses in every city wherein a hard liquor store is maintained? Have we taken into consideration the added book-keeping and expense to the state in returned empties and a thousand and one other things?

Again I want to say that if this measure would help to better the situation, if this measure would put our young people on the proper track, I would be in accord. But for the reasons I have outlined, I sincerely hope that the motion of the Senator from Aroostook, Senator Good that the Minority Report of the Committee "Ought to Pass" will not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Good, to accept the Minority Report "Ought to Pass" from the Committee on Temperance on Legislative Document 98.

Mr. GOOD: Mr. President, I move that when the motion is put it be by division. I would like to say in defense of prohibition that prohibition at its worst was a hundred

percent better than what we have today.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Good, that the Minority Report "Ought to Pass" be accepted. That Senator has asked for a division. Is the Senate ready for the question?

A division of the Senate was had.

Six having voted in the affirmative and 25 opposed, the motion to accept the Minority Report did not prevail.

Thereupon, on motion by Mr. Townsend of Penobscot, the Majority Report of the Committee "Ought Not to Pass" was accepted. Sent down for concurrence.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

On motion by Mr. Harvey of York, the Senate voted to take from the table House Report from the Committee on Inland Fisheries and Game "Ought Not to Pass" on An Act Relating to Fishing and Hunting Licenses (H. P. 828) (L. D. 467) tabled by that Senator on March 4 pending acceptance of the report in concurrence; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted in concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill An Act Defining the Word "Teacher" Under Teachers' Pensions (S. P. 144) (L. D. 146) tabled by that Senator on March 4 pending consideration; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Thereupon, on further motion by the same Senator, the Senate voted to indefinitely postpone House Amendment A in non-concurrence.

That Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment A to S. P. 144, L. D. 146 bill, An Act Defining the Word 'Teacher' under Teachers' Pensions.

Amend said bill by striking out all of the 2nd paragraph thereof and inserting in place thereof the following:

'Sec. 227-A. Definition of teacher. The word "teacher" as used in sections 219 to 227 inclusive, shall have the following meaning: any teacher, principal supervisor, school nurse, school secretary, or superintendent employed in any public school or in such other schools within this state as are supported wholly or at least 3/5 by state or town appropriation and are under public management and control.'

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

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 Education "Ought to pass" on An Act Relating to Age of Children Attending School (H. P. 535) (L. D. 307) tabled by that Senator March 4 pending acceptance of the report.

Mr. BROWN of Aroostook: Mr. President, I move the indefinite postponement of this bill and in support of my motion I wish to call briefly to the attention of the Senate just what this bill purports to do. There are really two sections to it. It is one section but there are really two things that are covered here. It reads: "Pupils who will be five years of age on or before October 15 following the opening of schools in September shall be given the right to attend the public schools of the state provided the plan for the sub-primary grade as outlined in the elementary school curriculum of Maine, is followed; provided, furthermore, that in towns which do not provide either a sub-primary grade as indicated above or a kindergarten as provided in this section, children, who have not reached their 6th birthday on or before the 31st of December following the opening of schools in September, shall not be admitted."

It is this last part of the section with which I disagree. I have no particular quarrel with the first part. It seems to me that there is a definite line drawn here between children having school privileges in the form of sub-primaries and those who live in small towns where there are no sub-primaries or kindergartens and where conditions are different, and I might

say there is some question, perhaps not legal but some question in my mind, as to just how old a child is on his 6th birthday. As you know, a child, when he has his 6th birthday, is only 5 years old because the first birthday and the only birthday he really has is the day he is born. The next birthday, the first anniversary of his birth, is not in fact his 1st birthday but his 2nd birthday. And if you follow that through you find that on his 6th birthday the child is only 5 years old. But that is not what I am arguing against.

What I am opposed to is that in our rural towns where we have no sub-primaries or kindergartens that under this bill a child born on the 1st day of January would have to be almost seven years of age before he could go to school and I believe that is entirely too high a limit. There is a great difference in children mentally and physically. I am not comparing rural children with city children. That would be unfair. But I think the majority of children on farms are capable of being, and in fact should be, in school before they pass 6 years of age, which is the intent of the bill, and therefore I am opposed to that because it does not give the children in the rural districts equal opportunities with those in the cities.

In the rural districts we have many cases of families where a child may be a year and a half or two years older than his brother or sister. The older one goes to school and it may be that he goes to school before he is six years old, but another child coming along a year and a half or so later, the parents are anxious that that child go to school while his older brother or sister can go with him, especially in those country schools where all the grades are in the same schoolhouse, and exercise a little supervision over the younger child. But under this bill if the second child's birthday happens to come in January or the early part of the year, he couldn't go to school until a year later and I think that is unfair and I therefore move the indefinite postponement of this bill.

Mr. DOW of Oxford: Mr. President, I oppose this bill for a different reason than that advanced by the Senator from Aroostook, Senator Brown. I think if these were peace times I wouldn't oppose the bill.

As it is, we are in war times and I oppose it from this angle: At the present time we have in a good many towns in the state of Maine some form of defense industry, a good deal of it manned by local help and a good deal of it manned by mothers. We have before this legislature bills to increase teachers' pay, which I think is correct, and to improve their conditions, and so forth. We haven't in these small towns any day nurseries or schools set up by the government and in a good many cases these industries are going to lose the services of mothers in their defense work or the children are going to race the streets while their mothers are at work.

I believe that the teachers, during these times, would be glad to assume that burden and I believe they should do it, and on these grounds, and these grounds only, I oppose this bill.

Mr. OWEN of Kennebec: Mr. President, as a member of the Committee on Education which considered this bill very carefully I think I should take a moment to explain the intent of the bill.

At the time of the hearing no opposition whatever was expressed to the measure and the report of the Committee on Education was unanimous that it ought to pass. The chief reason why the bill was introduced and the chief reason given in support of it at the time of the hearing, and the chief reason why the Committee reported unanimously "Ought to Pass", was almost exactly the same as that expressed by my colleague, the Senator from Oxford, Senator Dow, in opposition, that there are in very many of the cities mothers who are working in defense plants and they are sending young children, some of them, under five years of age to school and thereby making a day nursery out of the schools.

A child who has not reached his sixth, or fifth birthday, has not developed mentally or physically, and particularly in regard to his eyesight, to a point where he is able to receive benefit from instruction unless a suitable school for that age is provided. We have in our Department of Education at the present time a very capable young woman who is assisting in setting up schools to take care of children of that age and if these schools

are introduced in cities, as is constantly being done, these younger children will be taken care of and will not be deprived of the privilege of attending school at the younger ages.

I think that is all that it is necessary to say in support of the measure. This is not a matter on which there is any personal interest to any member of the committee.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Brown, for the indefinite postponement of Legislative Document 308 in non-concurrence.

Mr. OWEN: Mr. President, when the vote is taken I ask for a division.

The PRESIDENT: Is the Senate ready for the question?

A division of the Senate was had.

Nineteen having voted in the affirmative and thirteen opposed, the motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

On motion by Mr. Megill of Kennebec, the Senate voted to take from the table Senate Report from the Committee on Inland Fisheries and Game "Ought Not to Pass" on Resolve Relating to Perch Fishing in the Belgrade Chain of Lakes (S. P. 162) tabled by that Senator on February 26 pending acceptance of the report; and on further motion by the same Senator, the report of the Committee "Ought Not to Pass" was accepted.

Sent down for concurrence.

On motion by Mr. Clement of Androscoggin, the Senate voted to take from the table bill An Act Relating to Rebate of Registration Fees on Motor Vehicles Owned by Men in Armed Services, or Confiscated by the Federal Government" (H. P. 1182) (L. D. 660) tabled by that Senator earlier in today's session pending acceptance of the report "Ought Not to Pass" in concurrence; and on further motion by the same Senator the bill was recommitted to the Committee on Motor Vehicles in non-concurrence.

Sent down for concurrence.

On motion by Mr. Elliot of Knox Adjourned until tomorrow morning at ten o'clock.