

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

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SENATE

Friday, April 9, 1943.

The Senate was called to order by the President.

Prayer by the Reverend Wesley U. Riedel of Augusta.

Journal of yesterday read and approved.

Mr. HANOLD of Cumberland: Mr. President, on this our last morning here, we hope, I note again the presence of Mrs. Hildreth in the Senate Chamber, and I somewhat envy the Sergeant at Arms, so I take advantage of his absence in asking that I be appointed a committee of one to escort Mrs. Hildreth to the rostrum.

The PRESIDENT: The Chair with pleasure appoints the Senator from Cumberland, Senator Hanold, to fulfill the duties of the Sergeant at Arms.

Thereupon, Mrs. Horace A. Hildreth was escorted by the Senator from Cumberland, Senator Hanold, to a seat at the right of the President, amidst the applause of the Senate, the Senators rising.

Mr. ELLIOT of Knox: Mr. President, I ask unanimous consent to address the Senate.

The PRESIDENT: The Senator from Knox, Senator Elliot, asks unanimous consent to address the Senate. In the absence of any objection, consent is granted.

Mr. ELLIOT of Knox: Mr. President, as we near the closing hour of this legislative session, realizing that it may be the last time that we as a group will ever sit side by side, out of our appreciation for the fairness that you have shown to each and every member of this body, both individually and as a group, at this time we want to show to you our sincere appreciation of your kindness and your fairness and helpful attitude. It gives me great pleasure to present to you on behalf of this Senate, a token of our esteem.

Mr. McGLAUFILIN of Cumberland: Mr. President, I have been requested to say a word at this time. You have doubtless noted that I am a very modest man and that I never express my opinion unless urged to do so. But on this occasion it is requiring no urging. We are here at the moment to

honor you and we desire to have your most gracious and friendly companion, Mrs. Hildreth, to share this honor, too. She, too, has won a warm place in our hearts.

As to you, Mr. President, we have found you always courteous, always kind, always fair, always impartial. We respect and admire you and as you look upon this token of remembrance in the future, we hope that you will look back upon the day when you presided over the 91st Senate, with pleasant memories that you were the President of the greatest Senate of all time.

Mr. BOUCHER of Androscoggin: Mr. President, I want to concur in the remarks already made by the floor leader and our excellent friend from Cumberland County. Furthermore, I would like to pay tribute to Mrs. Hildreth who has been so amiable and gracious during our present session, to each and every one of us and as a token of our esteem, I would like to offer her this bouquet.

The PRESIDENT: The Chair is not completely surprised by this action. It is surprised that such kind and sweet statements can come from male creatures so early in the morning. They are not usually forthcoming.

I have not prepared any remarks for this occasion but I do want to say a few words that are close to my heart. Several people have asked me within the last few days, "Have you enjoyed the session?" I have usually glibly said, "Yes". But if the truth were told, "enjoy" is not the right word. I wish to be frank. "Enjoy" is not the right word because compared with two years ago, this office has deprived me of the time and the freedom to enjoy the companionship of the members of this Senate that I so much enjoyed two years ago, but none the less I shall have very many pleasant memories indeed. I wish just to mention a few of those. I cannot go all around, but in the future, as I look back on this winter, it will be with a great deal of pride that I recall the great consideration, courtesy and respect that each of the members of this Senate has paid to me and my good wife.

I shall recall what to me perhaps was one of the most moving moments in the Senate, when Sen-

ator Brown, knowing that he was fighting for a lost cause, concluded his most moving address with the words, "God of our fathers, be with us yet." If the members in the back row of this Senate could have seen the character in the face of the Senator from Aroostook, they would have swelled with pride as I did, that the Senate had a man with such character. I cite that not as unique but only as a typical experience. I have gloried in the Senators fighting for what was known to be a lost cause. There is something magnificent about it.

I shall remember long the Senator from Cumberland pounding that volume of documents in front of him, arguing with force and reason and logic. And beside him the Senator from Cumberland, Senator Sanborn, who invariably speaks with calm logic, persuasively, quite in contrast to the style of his colleague, but none the less effective. I shall remember the graciousness of the Senator who is occupying my former seat on the end, Senator Hanold.

To turn to another pleasant thought, I shall long remember the Senator from Oxford, Senator Dow in the heat of a debate on Beano, or rather, Five-in-a-Row, asking almost prayerfully and indignantly if Five-in-a-Row meant Beano, and if it did, why wouldn't the Senators stop his worrying and call it Beano.

There will be many pleasant memories indeed, but if I were asked for one word to summarize my feelings and experiences this winter, it would be the word "respect". That respect has been accorded me in such generous quantities that I am very much moved by it, and, I am afraid all too plainly, and I call the attention of the Senate to something I am sure they already know. That the presiding officer of the Senate or the House of Representatives has no control over the Body except through the respect of the members for the office and for each other. Most of you who have ever gone to Congress have been shocked—you could almost use the word disgusted—at the lack of dignity that prevails in the Congress of the United States, but here in our Maine Legislature, it matters not how much out of sympathy the Senator from Washington, Senator Dunbar is with the Senator from

Cumberland, Senator McGlaulin, the respect that flows through all the deadwood from one side of this Senate to the other, is so great that it permeates the entire distance.

I think it is a tribute to each member of this Senate, each member of this legislature, the respect with which every member listens to the viewpoint of the others. I believe the Maine legislature is outstanding in this respect.

You, gentlemen of this Senate, are leaders in your communities and your counties. Last night I heard Dean Nixon of Bowdoin College speaking at an alumni meeting, attach particular significance to a phrase that is used as a citation to our boys all over the world now for courageous action "over and above the call of duty". It was very impressive and it strikes me that we all might bear that in mind when we leave here and go back into our civilian activities, that we, too, can take courageous action "over and above the call of duty". I direct that remark toward a philosophy of government with which perhaps I am not in full accord with all the members of this Senate, and that is this. That I believe the American government was founded as a representative government and still is a representative government, and it raises the question whether the representatives of the people should vote their convictions or the convictions of the people. To my mind, one of the sad and deplorable influences in the country today is the influence of polls—call them any kind you want—but it has resulted in representative legislators refusing to take a stand of their own, but simply riding the coattails of a Gallup poll. There is a perfectly legitimate theory that that is what a representative is supposed to do, but I think I see the other point, the one this government was founded upon and which I hope will always prevail, and that is that it is the duty of the representatives to be leaders of the people. They see and hear much more evidence and should be in a position to judge much more competently almost any question that has been argued before them in their committee, than somebody who has not heard the arguments.

You may not agree with that philosophy, but whether you do or not, I hope we will all go back into this civilian life we pursue and direct our efforts toward this one and great battle which we are fighting today.

This sad moment of parting which will soon be with us I am glad to say, is mitigated to a great degree by the realization that it is almost certain we shall meet again in a special session if for no other reason than because of the fact that the Revised Statutes will probably need to be enacted before the next session of the legislature. So I look forward to seeing you all again and I am not saying "Good-bye" but on behalf of Mrs. Hildreth and I, I thank you from the bottom of my heart for your great loyalty, respect and consideration of which this handsome watch is such a fitting tribute.

The PRESIDENT: There being no journal, unless there are some orders to be presented, the Chair will lay before the Senate Legislative Document 76, An Act Permitting Certain Aliens who have Applied for Naturalization Papers to be Eligible for Old Age Assistance, tabled by the Senator from Androscoggin, Senator Boucher, pending motion to accept the Majority Report "Ought Not to Pass".

Mr. BOUCHER of Androscoggin: Mr. President, and members of the Senate, I make a motion that the Minority Report "Ought to Pass" be accepted. In order to sustain that motion I would like to make a few remarks.

If this bill receives passage it will help the cities and towns to take care of their aliens of old age. And, as you all know, in the case of old age assistance half of this will be paid by the federal government, the other half being paid by the state.

Now, I know that the opposition will be that there is no money available. But I am not so sure of that. I am not so sure that the other bill concerning neglected children will be signed by the Governor. I looked at the posters this morning and found that the bill hadn't been signed yet. If that bill shouldn't be signed then there would be some money available for this purpose.

I have talked with members of the Appropriations Committee. They tell me that the bill for the care of neglected children would overrun the present budget and that there is a possibility that that bill will be turned down. If such a course is taken then I believe that this bill regarding aliens would be well taken care of as far as available funds could go.

I know of cases of aliens in Lewiston who desire very much to become citizens but on account of their not being able to read and write the English language they cannot meet the requirements. I have had one gentleman tell me that he would gladly pay a thousand dollars to become a citizen if he could do so. That man has lived in Lewiston for some 20 years and is now a man well along in age, still able to work and earn a living but he would like to become a citizen and is unable to do so on account of his not knowing how to read and write the English language.

That is one case and there are many such cases in the state. Are those people who came here years ago, who have raised children in this state and whose children are now citizens, some of them now in the armed forces of the nation, are they still to be deprived of what is given to every other citizen of the state? I believe that if it is feasible this bill should become a law and that this relief should be given to our older aliens who have received it in the past but on account of changes in the law are not receiving it now.

And so, Mr. President, I move that the Minority Report "Ought to Pass" be accepted.

The PRESIDENT: The Chair would point out that this bill was taken from the table pending a motion for the acceptance of the Majority Report "Ought Not to Pass".

Mr. BOUCHER: I am sorry, Mr. President. The calendar doesn't say so. It says here, pending acceptance of either report.

The PRESIDENT: The Senator is right, but the calendar is in error.

Mr. McGLAUFILIN: Mr. President, for one of the few times during this session, I agree with the Senator from Androscoggin, Senator Boucher. You may recall that when old age assistance was al-

lowed, they did include aliens and I believe it was at the last session of the legislature that we passed a law that aliens could not receive old age assistance. At that time on the floor of the House, I opposed the bill that cut them out and I found at that time that during the First World War many of these aliens had sons who had offered their lives for the American cause and some of them had sacrificed their lives for us. I found at that time that many of these aliens were fully loyal to this country.

As the Senator from Androscoggin has stated, many of them have neglected to take the proper steps. Perhaps the matter hadn't been particularly called to their attention, or perhaps it was due to ignorance but they were still loyal to us, they were still glad that they lived in the "land of the free and the home of the brave" and I have no slightest doubt but what today many of the sons of these aged aliens are fighting for the American cause and I don't think we should be so narrow as to say, when we have a friend who is ready to help us that "just because you haven't performed some ceremony we cannot consider the merits of your case at all". I think it is only fair to put these men on the list. I don't know whether we have funds to take care of them this time or not but if you pass this bill all must be considered before any aid is granted and there may be cases that will appeal to the commission as being exceedingly worthy, and in such cases assistance could be granted. I think, members of the Senate that this is a very fair bill and I am for it.

Mr. PETERS of Androscoggin: Mr. President and members of the Senate, good citizenship is not merely measured by where one is born or by the certificate he secures. I believe it goes much further. I believe the actions of the individual serve to distinguish whether or not that individual has been a good citizen, irrespective of where he was born or whether or not he was able or unable to secure the proper citizenship papers.

I could stand here for the better part of the morning and tell to you and recount to you experiences where certain people who have been living in the state of Maine for many, many years, who have been

good citizens, who have in the past been eligible for old age assistance, are today public charges through no fault of their own. Sometimes, gentlemen of the Senate, it is exceedingly hard for a man who migrates from one country to another at perhaps middle age to learn another language and be able to pass the necessary examinations that would entitle him to citizenship. Yet those very people have been with us, they have our respect, they have our devotion. They have been loyal to the American principle of government, and I believe, gentlemen of the Senate, that those men should be rewarded by at least putting them on a par with men who have been more fortunate.

With regard to funds, I do not think that this measure would require a tremendous amount of money. I believe the necessary financial assistance can be found and I sincerely hope and pray that this Senate will be gracious enough to afford these people, some of whom have, as the preceding Senators have stated, boys in the service, all of them good citizens, an opportunity to be put on a par with the others who are more fortunate. And I sincerely hope that the motion to accept the Majority Report "Ought Not to Pass" will not be accepted.

Mr. ELLIOT of Knox: Mr. President, may we have the names of the signers of the two reports?

The Secretary read the names of the signers of the two reports.

Mr. EMERY of Hancock: Mr. President, I would like at this time simply to call to the attention of the Senate a statement I made a few days previously relative to a matter which is comparable to this one, and that is that according to our best estimates of the financial situation at the present time there is not sufficient current revenue to meet this appropriation if it is passed.

Mr. GCOD of Aroostook: Mr. President, being chairman of the Welfare Committee and signing the minority report "Ought to Pass", I feel I should state my position.

Being a sponsor of this bill I have been much concerned about it. When the bill was passed in the House, being there that year, I told the sponsor of the bill that I wasn't in favor of it, but at that time there

were so many American citizens who were on the waiting list that it would be impossible to withdraw the measure. Therefore the legislature accepted that bill to put the aged aliens on the old age list.

Up in our section of the country, being a country that is handy to the Canadian border, when there were many saw mills years ago up there that have now gone out of existence, many of those people came from Canada to our section of the country and they lived there and made their homes there and some of them died there and many of them reared families there and have lived there all their lives. But hard times came along and unfortunately they became needy and when this law was passed that the federal government would aid the state in taking care of the needy people they became recipients of old age assistance and then later our legislature passed a law taking it away from them and throwing them back on the towns. I felt it was unfair to the towns that were having a hard load to carry.

I have again and again had those people come to me with tears in their eyes and say, "I don't know what I am going to do." Some town fathers or town agents are a little more tender hearted than others and they see the need of these people and will help them but other officials are hardboiled and these people suffer. There is no question about that in my mind.

I know people living in my locality that have boys in the United States service today, serving their country side by side with my boy and life is just as sweet to them, the state of Maine is just as important to them as it is to my boy who is an American citizen. I don't think that their parents should be penalized and that there should be discrimination against those people who have made their homes here and raised families and have now come to a place where they need assistance in this God given country of ours.

I am well aware that it is said that there may not be sufficient funds, but I think there are. Nevertheless, I am taking for granted that what the appropriation finance committee says is true that there are not at the present time but we have already set aside a million

dollars for post war planning and I feel that without a doubt that though this bill is about to die I would like to see it have at least a burial and that is the reason I am taking my stand on these grounds. I want to go on record. I want the people to know that I believe a man who lives in the state of Maine, who is unable to write his name, or unable to read in the English language will not be discriminated against and penalized and looked down upon because he is a Canadian or from some other country. I don't believe it is fair.

I hope that the Senators will take this to heart and realize that we are all human beings and while we have boys who are on the battlefields who are working and fighting side by side we will not discriminate against some of them but that we will try to enact something that will give the aliens of our state the privilege that the rest of us have, and not discriminate against them because they come from some other country or are of some other nationality. I think they should be recognized as real men and should be taken care of as American citizens.

I believe that is the way you all feel and if this bill is to be defeated that it will be defeated on the grounds that it is because we haven't got money enough to take care of them at the present time.

Mr. BROWN of Aroostook: Mr. President, I dislike very much at this time in the day when all of our thoughts are directed towards kindness and respect for each other, to rise in opposition to the Senator from Aroostook who has just spoken. But he said that he admired those who expressed their opinion even though they differed with him. I hope he will continue to admire me.

There are two or three reasons that I oppose this bill. The first is that I am not willing to vote for any measure that carries an appropriation unless I think the state of Maine has the money to pay for it. I am not willing to vote for it and hope that somehow by some hocus pocus money will be found to take care of it. I have very briefly looked over the budget and I am satisfied that there isn't money enough at this time.

I wonder if we realize what that \$10 per month additional provision which we have voted upon means in money to the state of Maine. There are somewhere between sixteen and seventeen thousand old age assistance recipients on the rolls at the present time and under the law which we have set up here that limit has been raised to \$40 and under that law every recipient of old age assistance has a right to ask for an increase, and if we have between sixteen and seventeen thousand and increase them all \$10 per month you will find that it will add to the money going out for this purpose from the state of Maine at least a million dollars. We have put that amount into the hands of the welfare committee with the right to spend it for the care of aged people. It really amounts to two million dollars but one-half of it will be paid by the federal government. In addition to that we have taken on the care of neglected children which runs to about \$230,000 a year. So there has been added altogether a million and a quarter a year.

Now, if our liquor revenue or other revenue should not amount to that much more you wouldn't have enough money to take care of what you have already appropriated along those lines.

There is another thing about this bill that I don't like at all. I called the attention of the chairman of the committee to it at the time and I have just asked him if the bill had been changed and he said it had not. It provides that aliens who have fifteen consecutive years in Maine and have reached the age of sixty-five and have applied for naturalization are entitled to this pension. It doesn't say that they have to be naturalized; they can apply whether they can read or write or not. And it doesn't say when the fifteen consecutive years must have been lived in Maine. A man might come over when he was a boy and his parents not be naturalized, and he might have gone to school here fifteen years with the state of Maine paying for his entire education and then when he got to manhood he might have gone to Massachusetts or to Canada and stayed there until he was fifty perhaps and became broke and come back here to live with his children and when he reaches the

age of sixty-five he would be entitled to pension because he had lived fifteen consecutive years in the state of Maine. Now, I can't see any justice in that proposition at all. I sympathize with the older men who have been here fifteen years but we must realize that while they have been here the state of Maine has contributed to their welfare and has given them the benefit of living in the finest country in the world, so the balance is not all on one side of the ledger.

We should not be governed by sympathy. We have got to regard this in a business-like manner and not entirely as a matter of sentiment.

Mr. McGLAUFILIN of Cumberland: Mr. President, I would like to comment on the remarks of the Senator from Aroostook, Senator Brown. He spoke about there not being sufficient funds, if we passed this bill. Now, perhaps I am misinformed, but as I understood this bill it was an enabling act. It didn't mean because we passed this law anyone could receive assistance under it. My understanding of it is like the increase we made from \$30 to \$40. That doesn't mean they are automatically going to get \$40. It doesn't mean that anybody necessarily gets \$40. It enables the commission in worthy cases, if they see fit, to grant up to \$40. And my understanding of this bill is just the same. I understand further that it is the policy of the state not to pay even our own citizens, not to give them assistance, until there is money available with which to pay the sum which is allowed. And it is for that reason that we still have seven hundreds of our own citizens who have not yet been taken care of. And when you say that we must take care of our own citizens and totally disregard other aged people because they don't happen to be citizens of the state, you recall to my mind the teaching of the greatest Man who ever trod this earth. Jesus Christ taught that the Gospel was not only for the Jews but for the Gentiles as well. And when He did not distinguish between men because of the color of their hair or for some other foolish reason, we ourselves should be broadminded enough and Christian enough to remember that aliens are human beings just like ourselves, and that they need care

and attention as well as we do and they live in America as we live in America in spite of the fact that they have never gone through the ceremony of becoming American citizens.

I hope this Senate is broad-minded enough and fair enough to pass this bill today.

Mr. PETERS of Androscoggin: Mr. President and members of the Senate, I have listened to the talk of our worthy colleague, Senator Brown, with a great deal of interest and I heartily agree with him that we should not enact any legislation and expect to get the necessary funds by some method of hocus pocus. He speaks about the neglected children. I think it is plain to us all, as was explained a few days ago, that the money to take care of neglected children was to be either rebated to the various cities and towns in the form of a reduction in the mill tax or direct-ly in this manner.

We have got to remember that possibly the state of Maine today through the agency of the cities and towns is taking care of these aged aliens. If we enact this bill today and, for example, it would cost around \$100,000 a year, the state of Maine would only have to pay \$50,000 of that. I think that is good business. Of course these people must have applied for citizenship and they must be decent, respectable citizens. Otherwise they would not be eligible.

And again referring to the remarks of the Senator from Aroostook, this does not mean that each and every case of old age assistance will be raised to \$40. Of course not. And I am very certain that if this bill is enacted there will be funds to meet the necessary requirements.

Mr. HARVEY of York: Mr. President and members of the Senate, I do not believe that the issue before us is that of funds. I believe the same as my good friend and colleague, Senator McGlauffin, that this is merely an enabling act. On the rolls today there are many of the old aged folks who are not receiving assistance but they are being gradually absorbed as we go along and this bill will give to those who have spent many years of their lives in this state an equal opportunity to be placed on the rolls if and when the time comes.

It happens that I live in a community where more than fifty percent of the citizens are from the good old country across here, Canada, and I want to say to you that many of them who came here years ago as youngsters did not have the opportunity, and we did not have the laws on our books that we have today, regarding education. Many of them went to work in our industries, and we have good industries there, and they saved and did the best they could and bought property and have paid their taxes through the years. They have helped to sustain our government and they have been good citizens but because of the conditions of the times they were deprived of the opportunity of getting an education as our youngsters today have the opportunity to do.

We need not be concerned a great deal about the number of these people who will be put on the rolls. There are some, but the number will be small. Today there are people who are receiving assistance although they have never paid one cent towards the running of our institutions. Do you think that is fair? Personally I don't think it is. I think that the person who has been unfortunate in not being able to have had an education but who has done everything in his power through the years should have at least an equal privilege with those who have perhaps wasted their time.

In my own community I know a person who is not even able to read and write but who is one of our largest tax payers and one of our best citizens and one of our best business men. He isn't getting old age assistance and will never need it but that serves to bring out my point that the issue is not whether we have the funds today; it is whether or not you wish to pass an enabling act to give an opportunity to those aged aliens who need assistance to get it.

In answer to my good friend, Senator Brown, I will say that if this fifteen year period is bothering him, this bill is short and he could very easily have put in it, "within fifteen years from the time of asking for old age assistance," which would have taken but a very few words.

I think we should accept the Minority Report and give these people — and they are few — a chance.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, it is very gratifying to me this morning to find so many of my good republican colleagues sustaining one of my motions and I want to say regarding the inquiry made by our floor leader as to the way this report was signed, that if the other bill regarding neglected children had not gone thorough at the time this bill was considered this bill would have come out, I believe, with a unanimous report "Ought to Pass". The only reason that you have a divided report from our committee, I believe, is from the fact that the members of the committee thought that both bills could not go through on account of not having available funds. I think the committee as a whole was in favor of both bills and if my recollection is right, this bill was first signed by the committee as "Ought to Pass" by the whole group but when the other bill was brought in later on and the question of available funds was brought up, then the committee changed their minds and reported the other one "Ought to Pass" in the Majority Report, and this one "Ought Not to Pass" in a majority vote. I agree with Senator Harvey that this bill could not pass as an enabling act, and that if and when it passed these aliens could be taken care of.

As far as the objections of Senator Brown are concerned, in regard to the fifteen year period I think that that could be taken care of by a small amendment saying "for fifteen years immediately preceding their request to receive it". You must realize, gentlemen of the Senate, that the cities and towns of this state are now aiding these people who are in need and who cannot receive old age assistance and have demanded help from the towns and cities and they have had to give it to them. If this bill should go through it would be a relief to the towns and cities, and indirectly to the state, because in that case half of this money would come from the federal government and you will have helped our cities and towns in their taxation.

I sincerely believe that we should enact this law.

Mr. BROWN of Aroostook: Mr. President, I just want to clear up one or two things that perhaps I didn't make myself sufficiently clear on the first time I spoke when I stated that the old age assistance of ten dollars would probably mean a million dollars to the state of Maine. I know that not every one is going to be paid up to forty dollars but a person who was getting twenty dollars would have to get thirty now in order to continue to live as they were before under the smaller pension.

They say that this is merely an enabling act. Well what does it do? It puts the people who have been here fifteen years and have reached the age of sixty-five and who are in need in exactly the same category as our own citizens and therefore they don't have to wait for their money. They will be put on the list and paid as their cases are investigated and as they qualify and our own citizens will have to wait their turn until there is money enough to go around. The pensions already granted would not be reduced. I know this is an enabling act and that is the thing I am objecting to because it is going to place these people on the rolls just the same as other Americans.

In regard to the fifteen year period, a man who has been here fifteen years may have come here at the age of fifty and having reached the age of sixty-five would be entitled to assistance. He might have come over here fifteen years previously because it had become impossible for him to live in the other country and I think there would be a great influx of people across the line who, having reached the age of fifty find it impossible to live in their own country and come over here and perhaps live with their children without ever paying any taxes or doing any work and can get old age assistance.

Another thing. I knew that it is the sentiment in Washington, and from the remarks of Senator McGlaughlin I believe he agrees, that we should extend sympathy and help to all the people in the world and after this war is over if that same feeling still exists in Washington and it probably will, we are going to have a great influx of people from Europe and if we are going to set up a policy of being

brothers to all the world we will have a lot of people over here to take care of and after they have been here fifteen years they can become pensioners in the state of Maine if they are in this state. I believe that there is not enough money at the present time to do this and that every protection granted under this bill would be taking away that much from our own deserving aged citizens of the state of Maine, who are qualified but haven't as yet got their pensions.

Mr. VARNEY of York: Mr. President, I want to make a few remarks at this time, and I am speaking as a member of the Appropriations Committee. The good Senator from Androscoggin said that the opponents of this bill could get up and tell you that we did not have enough money. I am not speaking as an opponent of this bill nor as a proponent of this bill. I do not intend that any member of this Senate can tell from any of the remarks which I make, which way I intend to vote. I do want to talk figures for just a few minutes.

First, I want to correct, if I can, the impression that my good friend, Senator McGlaflin and my good friend, Senator Harvey have about this act when they say it is only an enabling act to enable a department to take on one case here and there or as much as they see fit to take on of these aliens who would be eligible for old age assistance. Now, your appropriations committee has never considered that it was the duty of that committee to in any way dictate the policy of the state of Maine. If the legislature wants to provide a service we have consistently adopted the attitude that it was our duty to raise the appropriation for that particular department sufficiently to enable them to carry on the performance of that duty. For instance, when you passed the bill which provided that your present recipients should be entitled to the ten dollar raise we estimated as carefully as we could, through the Department of Old Age Assistance, how much additional money that would take and we added that sum to their appropriation so that could be fulfilled.

As I understand the administration of the Old Age Assistance Act

it is to be done in conjunction with the federal government. And if we pass this bill making aged aliens eligible the federal government will not permit the state of Maine to investigate all these cases and then of the thousand, I will say for example, who might be eligible, say to him, "We will take John Jones but we will not take John Smith."

You might say, "What would happen if the Appropriations Committee didn't give them sufficient money?" Well, this is what would happen. We have at present set up what we think is sufficient to take care of the present applicants which have been investigated and which are eligible, and if you want us to kid these aliens we can very easily do it by not increasing the appropriation to old age assistance and their cases would then be investigated and there would not one of them go on the rolls because they have to stay on the waiting list until there is some money to take care of them. Now, we do it at the present time and that is why they are not quite all on yet but once you start taking them off, if the money is there you must take them all on.

So I can say for your Appropriations Committee that if you pass this bill we shall consider it our duty to add sufficiently to the appropriation for the Old Age department to take care of all of the eligible aliens in the state of Maine, and from the best available figures we have,—those figures are fairly accurate because aliens were formerly on the rolls—it would take \$200,000 to cover the situation.

So much for that phase of what this bill amounts to. In discussing finances, not only in relation to this bill but in relation to the board and care bill, I have heard it rather frequently stated, "I believe we have got the money". I want to point out that this is not a question of what money we have got now, but it is a question of what money we expect to take in over the next two year period and our fiscal year begins on July 1st next, and is different from what money we have got today or what money we will have on July 1 when we balance the books for the last two years.

For a moment I want to talk about the money I say we have got now. By that I mean what we will have on July 1st when we balance the books for the last two years. When we came down here in January the budget estimate was that we would have on July 1st when we balance the books, \$3,900,000, I think. You can call it a profit. We all know a great deal of it came from savings in departments and a lot of it came from increased revenue in the sale of liquor, increased taxes all down along the line.

Now, what has this legislature done with that \$3,000,000 we expect to have on the first day of July? I cannot tell you all the things but I can mention some of the things we have done with it. We took \$7550 and put it into the Penobscot Indian trust fund and \$4,400 odd dollars and put it into the Passamaquoddy Indian trust fund, and \$1,163.00 and put it into the Indian township administration because the Legislative Research Committee who studied the Indian proposition told us we owed the Indian funds that money so we put it in. We took \$949,000 odd dollars and put it into the Teachers' Retirement annuity fund. Briefly it amounted to this, the state of Maine by law was supposed to yearly put money into this Teachers' Retirement annuity fund, but since 1933 the State had not put money in there. So we added up how much should have been put in since 1933 and it came to \$949,000 odd dollars, so we took it out of our cash and paid it to the Teachers' Retirement annuity fund, so there will be assurance of their pensions when and if they retire.

We took \$1,200,000 out of it and turned it over to the Liquor Commission to use as working capital, that is to purchase liquor with, to pay for the equipment in their stores and other capital expenditures. We took \$15,000 of it for the Central Maine Sanatorium so they could either build, buy or repair their laundry. We took \$85,000 of it and turned it over as working capital for the Departmental garage.

I am not sure all these bills have passed yet but we took \$32,500 to buy the building down here for the registration of motor vehicles. We took \$100,000 of it and set it aside

to build a building at Pownal State School and we took \$1,000,000 of it—or are in the process of taking \$1,000,000 of it—for post-war expenditures. We took \$10,000 of it to pay to legislative deficiency, and there are other sums—mostly smaller—I have not the list of them here but those I have read to you total about \$3,500,000. That may leave some money there but not too much for a working capital for the State of Maine to have.

So much for how much money we have got now or will have the first day of July.

We come to the next question of how much money are we going to take in over the next two-year period beginning on the first of July as compared to how much money we are going to receive from the taxes this legislature has set up. Two or three weeks ago, whenever the Aid to Dependent Children bill was in here I made the statement that as far as I could see then, as a member of the Appropriations Committee, after we had estimated our revenues as best we could and this included our estimates from liquor and all other sources of taxation and deducted from that estimate of revenue the estimate of expenditures which we had reason to anticipate this legislature would provide for, there would be a figure of between \$200,000 and \$300,000 available each year for expenditures. And I stated then that as I saw it, you had one of three choices that you might use to take up that sum of money—between \$200,000 and \$300,000. I said one choice would be Aid to Dependent Children. Another would be this Alien Old Age Assistance bill. The third choice would be a reduction of a quarter of a mill in real estate taxes.

Since I made that statement there have been a few changes which were not anticipated by me at that time. One, the Ways and Bridges Committee—and may I say here I am not questioning their judgment for I think it is good—have contemplated and I believe I can say fairly well decided now that a part of the appropriation for the operation of the state police should be taken from the general funds of the state. I anticipate they are going to so report and we have been given the figure that they are going to suggest come

from general funds of the state which is, as I understand it, in the vicinity of \$37,000 each year.

Now, you or we have enacted a Slaughter-house bill, I believe. I am not sure whether it is enacted or not, that calls for another \$8,000 per year. You have enacted a bill for the fingerprinting of school children which will cost the state, according to our best estimate, \$10,000 per year.

We were perhaps foolish at the time, estimating revenues and taking into consideration that we would pass the Five-in-a-Row bill, and at that time estimating the revenue from the receipts of Five-in-a-Row at \$8,000. Now I am not quite sure and I do not think the committee is, just what happened to the Five-in-a-Row bill because you have so amended it now it is tied down to fair associations and the fees are way down, but I can state, of course, the figure of \$8,000 is obviously too high to expect from that.

You have defeated the Fertilizer tax bill, which means the Appropriations Committee will consider it its duty to add \$3500 from the general funds to the Agricultural Department in order that they may continue their good work in testing fertilizer.

I think those items I have mentioned, and I think perhaps there are some others I have not in my mind, have cut down our estimated balance so that at the present time as we see it, if you pass the Board and Care bill which we have already passed, you will have an unbalanced budget, according to our best estimate by—roughly speaking—\$60,000.

Now, if you pass this bill, I feel it is my duty to tell you you will then have an unbalanced budget according to our best estimate of \$260,000 per annum.

If we try to reduce the mill tax, the budget will be unbalanced by another \$175,000.

I can make one suggestion. The mill tax bill has not come out from the Appropriations Committee for the obvious reason that we would like to hold it there until we see what the picture is and I for one—speaking only for myself—do not believe in an unbalanced budget. I would say rather than have an unbalanced budget, if you want to pass this law, I would suggest we

should be logical and increase the mill tax sufficiently to take care of these people and not kid them into thinking they will get something when they won't get it if we don't increase the tax.

If you ask how much we will have to increase it, I say if you pass both the Board and Care and this bill, you will have to increase it at least half a mill. If you pass the Board and Care bill alone you would only need to increase it enough to take up \$60,000 or about one-eighth mill. If you pass this one alone, if you increase the tax three-eighths mill it would do the trick.

I am sure the Senator from Androscoggin, Senator Boucher, knows we don't find money in the Appropriations Committee or anywhere else. If we are going to spend it we have got to find it somewhere.

Mr. SANBORN of Cumberland: Mr. President, I am aware that the question before us is debatable and there are arguments to be adduced on both sides, but lest I be thought to have evaded responsibility, I will give you an explanation of what moved me to sign, as a member of the committee, the "ought not to pass" report.

The first and principal consideration was the belief that the passage of this act would disturb the financial balance of the state of Maine. I am satisfied that the dissertation to which you have just listened must satisfy you that conclusion of mine was a sound one.

Personally I feel the executive administration of the past two years is to be highly commended in leaving us in the seemingly good financial situation we are in.

I know it is human nature when either an individual, a corporation or a state finds itself with a little surplus, it is human nature to hunt for some means of getting rid of it. I do not think it is a good healthy attitude to take.

I sympathize with the alien who is worthy and I know there are many of them, but it has seemed to me that the passage of this act, regardless of the financial aspects of it would bring to the door of the Welfare Department a great horde of unworthy applications they would have to struggle with. As has been pointed out, it is the simplest thing in the world for anyone who is an alien to apply for citi-

zenship, and an application is all that is necessary. The application can remain fallow. It seems to me there are many who are now self-supporting who decline to seek local aid because of the disabilities it would incur, but if this act passed they might make application for old age assistance.

I felt and still feel with our present financial posture it would be unwise to pass this bill. It has been said that by some hocus-pocus method we could find means to do it with. I think that may be true but somehow my mind rebels against incurring an obligation which can only be resorted to by hocus-pocus methods or financial legerdemain and it seems that would be necessary if we carried out the provisions of this act.

Mr. BOUCHER of Androscoggin: Mr. President, the Senator from York, Senator Varney, has read a lot of figures that impressed me a great deal. One thing he mentioned especially interested me because being a member of the Legislative Research Committee, the question of teachers' retirement shortage came up and as I understood it in the Research committee, it was to be taken care of by a bill introduced—I think passed and about to become law—providing a two percent tax on insurance annuity premiums and was to be reimbursed on the long term. That is the \$100,000 they have disposed of for that purpose.

I think the \$1,000,000 for the liquor fund is not an expense to the State. I believe it is an investment and in place of its being an expense it is going to bring in revenue and that million dollars is not thrown away but will be available at all times that this legislature or future legislatures care to recall it.

As far as the Pownal building is concerned, I voted for the measure and I believe in it, but I feel satisfied, as a contractor, that money cannot be expended for a couple of years because they will be unable to build that building according to present standards set up. I do not believe this state or any city or town at this time can go ahead and build any such building unless they have priority. I believe there is a question about getting priority to go ahead with it.

Also regarding the million dollars for the post-war fund, I voted for it and am in accordance with it. Again I say on that million dollars we will not be able to spend it the next two years. I think all we can do the next two years is spend part or the whole of \$50,000 set up in the bill for planning purposes. I do not believe the state can go ahead and spend the million dollars because there is a clause in the bill that says it has to be approved by the legislature before they can do it. Again, that million dollars is available for the next two years and will not be spent.

The question of \$10,000 for finger-printing—if I recall the bill right it will not take effect until January 1, 1946. That \$10,000 is not needed now. If my recollection is right, it was to take effect January 1, 1946, and I do not know why this legislature should set that aside for that purpose.

As far as the question of reducing the mill tax one quarter mill goes, I am not in favor of it. I would rather see it increased and this bill go through. I believe down in the city of Biddeford if they had to pay a quarter of a mill more, they would be relieved of this, where they have to pay the full amount, and under this bill they would pay only half and the federal government the other half. After all, gentlemen, I think you will agree this state money comes from cities and towns, and whether they pay a quarter of a mill to the state or pay twice the equivalent directly to the aged people on relief—it comes from one pocket, the taxpayer's pocket. I would rather see Lewiston pay to this state \$7500 and deduct from the pauper account \$15,000. I think the state would gain and I think it is true of Lewiston and it is true of other cities and towns of the state. I would rather see the mill tax increased a quarter mill and this bill go through than to see this bill defeated or destroyed at this time.

Mr. VAFNEY: Mr. President, I think I was apparently misunderstood by Senator Boucher in one or two respects. In the first place, I agree with him the \$1,200,000 we have taken out of cash and given to the Liquor Commission isn't an expenditure of the state of Maine but is now invested in liquor and stores and what they have there,

fixtures and equipment, and we, as the Appropriations Committee cannot take that money back and use it to pay this bill.

Now, the same thing is true of all those other capital expenditures we have provided for, even the \$100,000 we have set up for building a building at Pownal State School. It is there and it is cash but it has been earmarked to build a building when they can and we cannot now say that the Health and Welfare Department can have that \$100,000 to spend for the purposes of this bill.

I cannot answer the question about the tax on annuities. It is the first time I heard that, but it is a fact the bill has gone through the legislature, taking the amount I have talked about and putting it into the Teachers' Retirement fund.

As to the fingerprinting bill, I must confess I have never read it but I was told and supposed it took effect when all other bills take effect, and so, what Senator Boucher says is true, it would mean we would not have to take the \$10,000 at this time for fingerprinting.

Mr. HARVEY: Mr. President, I want to say a word relative to the fingerprint bill. When it was brought before the committee it was estimated at the most it would spend around seven or eight thousand dollars and through the course of years, from now on, it would be assimilated and the department would cost practically nothing, but it would be the immediate set-up.

I say, let's be fair about this entire situation. Every man within the hearing of my voice knows of cases that are deserving of the utmost consideration. We found a way a few years ago and there was not any question about it. There is a way now. Give these old age persons a chance. Give them a chance. That is what we tried to do a few years ago. Give them a chance now. I have the utmost confidence in the Bureau of Welfare. I know the process they go through in investigating cases. I know we will not have to worry about taking on persons who are not worthy. Give them a chance. Put them in the category where they belong. That is all I say. I trust you will follow along in the motion made by the Senator from Androscoggin, Senator Boucher.

Mr. McGLAUFILIN: Mr. President, through the Chair I would like to ask the Senator from York, Senator Varney, one question.

The PRESIDENT: The Senator from Cumberland, Senator McGlaulin may state his question and the Senator from York, Senator Varner, may answer if he desires.

Mr. McGLAUFILIN: I would like to ask if this \$1,200,000 that is put in the Liquor Commission isn't going to result in some of it coming back to us later, being additional income?

Mr. VARNEY: I would answer by saying, "No" because \$1,200,000 is entirely to be used by them as working capital. That \$1,200,000 also includes their present typewriters, desks, the physical property in the stores. I do not know whether they own the stores or not, but until this year we had carried the physical properties of the Liquor department as a cash asset. Their physical properties were carried in this surplus account as though they were cash. We have straightened it out and added some cash to it and set off \$1,200,000 as working capital and none of it ever comes back. What does come back is the profit they make from selling liquor.

Mr. McGLAUFILIN: Mr. President, I rather got from the remarks of Senator Varney that a part of this \$1,200,000 was invested for purchasing liquor that was later to be sold. If that is true, when that money comes in it should bring us additional profits, it seems to me, with that amount invested.

Mr. VARNEY: Mr. President, if that was put in the form of a question, I think it would. I think the question is this—we have given them \$1,200,000 to operate the liquor business with. Every so often they figure up and tell us what the profit is from the sale of liquor and then turn the profit over to the state of Maine and they keep \$1,200,000 to use as working capital.

Mr. McGLAUFILIN: Mr. President, my point is, where we make such a large investment aren't we likely to get more profit and especially with the increased temptation for consumption than we have in the past?

Mr. VARNEY: Mr. President, this isn't the first time I have been

unable to make the Senator from Cumberland, Senator McGlauffin see my point.

Mr. BOUCHER: Mr. President, I still cannot follow the Senator from York, Senator Varney, on this \$1,200,000 for the Liquor Commission. I do not believe it is a trust fund. I believe it is money to do business with. If they buy liquor with the money I believe those goods are cash or should be in any business. They are there for one purpose, to sell to the public and turn into cash. If I understand this situation right, I notice in some of our liquor stores their stock is getting depleted and the day may come if the war continues that they will have a lot of money and no way to buy liquor, no place to buy it. It will not be available for them to buy. I do not believe if they have three or four million dollars that it should be kept there and not used. It should be used for the state.

Mr. GOOD: Mr. President, the statement which the Senator from Androscoggin, Senator Boucher, made—that would not make some of us mad if no more liquor could be obtained. When Mr. Mossman was before our committee he did say there was \$500,000 that had not been estimated, accumulated from the liquor business over and above what they had estimated, in six months. If it continues for a year it will be \$1,000,000, which would take care of this without any inconvenience to anyone. If we can find \$1,200,000 to set aside to buy liquor, it seems we could accept this enabling act and give aliens a chance to try to get what belongs to them—the men who have lived a lifetime in the state of Maine and brought up with our folks—it seems to me there should be no discrimination.

Mr. BISHOP of Sagadahoc: Mr. President, there is another source of revenue that has not been mentioned. We have just passed a law that for anyone throwing bottles beside the road there is a \$10.00 fine. Along the road by my hayfields there can be found empty bottles enough to bring in plenty of revenue to take care of this matter.

Mr. ELLIOT of Knox: Mr. President, it hasn't as yet been stated—I think it should be—in 1937 when the original law was passed, there was no distinction between aliens

and citizens of Maine. The legislature of 1939 did cut out the possibility of aliens receiving old age assistance. There were 944 aliens taken off the old age assistance rolls and there were five or six hundred applications which had been denied because of lack of funds. Now that may not be understood by some members of the Senate that at one time we did pay aliens and then we decided not to pay and now we may again decide to pay. It sounds to me like an "on again—off again—Finnegan" proposition.

The PRESIDENT: The question is on the motion on which the bill was tabled, the acceptance of the majority report, "ought not to pass".

Mr. GOOD: Mr. President, I ask for a division.

The PRESIDENT: The question before the Senate is on the acceptance of the majority report "ought not to pass". The Senator from Arrostook, Senator Good, has asked for a division.

A division of the Senate was had.

Twenty having voted in the affirmative and eight opposed, the motion to accept the majority report "ought not to pass" prevailed.

Sent down for concurrence.

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

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on (H. P. 1226) (L. D. 712) Bill "An Act to Provide a Tonnage Tax on Commercial Fertilizer," reported that the committee could not agree.

Which report was read and accepted.

Mr. Dorr from the Committee on Ways and Bridges on Bill "An Act Reapportioning the Expenditure of the General Highway Fund," (S. P. 429) (L. D. 735) reported the same in two New Drafts, as follows:

New Draft "A", (S. P. 491) under a new title, Bill "An Act Defining the General Highway Fund," and

New Draft "B", (S. P. 492) under the same title, and that they both ought to pass.

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

Passed to be Enacted

An Act to Provide for Post War Planning. (S. P. 178) (L. D. 242)

An Act Relating to the Retirement System for State Police. (S. P. 474) (L. D. 852)

An Act Amending the Charter of the City of Lewiston. (S. P. 488) (L. D. 910)

Finally Passed

Resolve, in Favor of George Crimmins, of Brunswick. (H. P. 1218) (L. D. 904)

Emergency

"Resolve, Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons." (S. P. 485) (L. D. 898)

Which resolve, being an emergency measure, and having received the affirmative vote of 29 members of the Legislature, was finally passed.

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

The Committee on Judiciary on Bill "An Act Relating to a Retirement System for State Police," (H. P. 1105) (L. D. 571) reported that leave be granted to withdraw the same.

Which report was read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs, on Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945." (H. P. 1366) (L. D. 907)

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

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

Joint Order, Relative to Custody of Legislative Furniture and Equipment after Adjournment. (S. P. 490)

Comes from the House, read and passed as amended by House Amendment "A".

The President laid before the Senate, bill "An Act to Provide Strict Enforcement Provisions Covering the Operation of Retail Outlets of Malt Beverages" (S. P.

484) (L. D. 896) tabled on April 8th by Mr. Harvey of York pending passage to be enacted.

Mr. HARVEY of York: Mr. President, yesterday as I stated, due to the absence of Senator Farris and also by request, I tabled this matter, hoping that I would have in the meantime an opportunity to talk with Senator Farris but due to the fact he went to New York I was not privileged to do so. I have, however, talked with the Senate members of the Committee on Temperance and others interested in this measure. At this time I would like to make a motion to indefinitely postpone enactment of this bill. In support of the motion I want to say this, at the present time our structure is such with reference to malt beverages that we have in that structure a most excellent, I think, liquor commission. I also believe it will be our good fortune and I trust it will be, that men of the type and character we have in this commission now will continue to serve. Under the structure they are given the right, upon complaints, to revoke and suspend licenses and this revocation and suspension, so far as our law is concerned, is made mandatory in certain instances.

By this bill we are now setting up another structure with reference to the revocation and suspension and that is by placing certain duties upon the county attorney and sheriff, which they are of necessity obligated to do by statute at this time, to have violators brought before the courts. In other words, you are placing on your statute books two types of procedure toward revocation and suspension of licenses. In looking over this bill, I find our present system is the best way of proceeding as far as getting satisfaction is concerned, because it is not mandatory on the parts of the courts, as is stated in the bill, as it is in the present system to absolutely revoke in certain instances.

They are given discretionary powers in this bill, to revoke or suspend. You have a kind of cross fire there where by the provisions of this bill they can go through the courts. The necessary act of revocation or suspension is abated by taking it into court. I do not think, personally, in looking this bill over, that it is necessary at all. It has a tendency to break down the real

structure the legislatures have already given. I think perhaps something will be said by the Committee on Temperance in sustaining what I say, and I hope the matter will be indefinitely postponed.

Mr. GOOD of Aroostook: Mr. President, I agree with the Senator from York, Senator Harvey. We carefully looked this over but we did neglect to compare it with the present law on the statute books. As it was a lawyer who sponsored the bill we felt he knew about it. I still think there is merit in the bill but if it is a matter of complication, at this late hour we thought the best way to dispose of it and dispose of it quickly would be to indefinitely postpone it. In talking with members of the committee, they are in favor of this action and I do not think there will be any objection.

Mr. BOUCHER of Androscoggin: Mr. President, as a member of the Temperance Committee, I want to state I felt right along we should not get into dual control on this matter of revoking licenses. I told the committee how I stood, that either we should take it away from the commission and give it to the courts or leave it with the commission and not give it to the courts. I was the only one who apparently felt that way so I decided not to sign a minority report and went along with the others.

The PRESIDENT: The question is on the motion of the Senator from York, Senator Harvey, that the bill be indefinitely postponed.

The motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, Joint Order Relative to Salaries of State Employees (H. P. 1341) tabled on April 8th by Mr. Elliot of Knox pending indefinite postponement.

Mr. ELLIOT of Knox: Mr. President, I move this order be indefinitely postponed in non-concurrence. My reasons are as follows: The order comes to us as amended by House Amendment "A". I believe it has been reproduced and is on your desks. House Amendment "A" says, "the head of each department in cooperation with the personnel board shall give general salary increases to the employees of

the department to the amount that the appropriation of that department will allow."

For example, over at the Augusta State Hospital they now lack 70 employees. If this passed it would require the head of the institution to pay to the employees he has, an amount of money equally divided, which could be used to pay for 70 employees. In other words, if a man goes off the payroll the rest of the employees could receive a share of the salary which would have been paid him had he stayed.

Another example, in the Highway Department they may have an amount of money set aside for purchase of tar for use in the coming summer. It might be in the vicinity of three or four hundred dollars. If, because of the war emergency it becomes impossible to purchase tar, this three or four hundred dollars would, if this was passed, have to be divided among employees of the department. For these reasons, I move indefinite postponement in non-concurrence.

Mr. BISHOP of Sagadahoc: Mr. President, I believe we should consider this very carefully. It is true that at the Augusta State Hospital they are short of help by 70 employees. In spite of that, their total payroll is greater now than it was a year ago with 70 extra employees. Now, I appreciate what the amendment says, that they must use all the appropriation. That is not sound—I do believe however we must take into consideration these salary adjustments. At the present time the State Hospital is in a terrible state of affairs in regard to employees. There is something planned in the way of a general walk-out over there. Think of 1500 insane patients with no one to care for them, and no one available to be hired to fill their places.

If it is not out of order I move this order be laid on the table until this afternoon so we can study it more thoroughly.

The motion prevailed and the joint order was laid upon the table pending indefinite postponement and this afternoon assigned.

The President laid before the Senate, bill "An Act Relating to Infectious and Communicable Diseases (H. P. 1352) (L. D. 891) tabled on April 8th by Mr. Townsend of Penobscot, pending adoption of Senate Amendment "A".

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

Sent down for concurrence.

Mr. BROWN of Aroostook: Mr. President, I would like unanimous consent to address the Senate very briefly.

(Unanimous consent was granted)

Mr. BROWN: Mr. President, I know the time is getting late and we want to get away—no one more than myself because I have been excused from attendance and I have a date to meet the train in a short time.

I do want to say just a word in appreciation of the many nice courtesies extended to me by the members, especially by the President who has at all times been very kind, courteous and helpful and I especially want to thank him for the very nice compliment he gave me. When it is printed in the Record I will cut it out and keep it with my treasures, scrapbooks and souvenirs.

We in the Senate have not always seen alike. We have argued considerably. You have differed with me and I have with you. I am reminded of the words of a little French girl who worked for my wife at one time. When she heard arguments on one side or the other, she said "The truth is somewhere." I think it has a great deal to do with these things. I am reminded of a man who, in arguing, said, "There are three sides—your side, my side, and the right side."

I did intend to make a few remarks, some of them humorous. I am going to cut them out because it might not be as humorous as I thought it would be. However, I have a little poem which has to do with a bill I introduced early in the session which I later withdrew. Perhaps it would have been better if I had withdrawn some other bills.

You will recognize some of these people. Former Senator Ashby of Aroostook County is referred to as the man from Conant Road. It has to do with Chippewa Potatoes.

This is called "The Song of Hia-watha (modernized) or The Sage of the Chippewa"

"In the fields of green Aroostook
By the shining big stream's waters
Dwelt a chief, a mighty warrior,
Dwelt the one time legislator,
Dwelt George F., whose tribe is
Findlen.

Long he'd pondered in his tepee,
Pondered long inside his wigwam;
Worried o'er his people's troubles,
Longed to fight the spud diseases,
Fight ring rot and net necrosis.

"Finally, his mind decided,
He strode out from in his wigwam,
Launched his dugout in the water,
Launched it in the broad Aroostook.
Deep he drove his paddle downward
Strong he pushed against the current,

Fought to stem the mighty waters
Till he came to Caribou.

"There he met another chieftain
Chief of Browns in Caribou
Talked to him of net necrosis,
Calmly stated, 'We must slay it;
Slay that dragon, Chippewa.'
Long these chieftains talked, de-

bated,
Argued o'er the farmer's troubles,
Then, at last, they reached agree-

ment,
Smoked the peace pipe, signed a
treaty,

And swore death to Chippewas.

"Then the Caribouan Solon
Left his wigwam, left his tepee,
Drifted down the broad Aroostook
Floated down to old Augusta.

(Note: This ain't so impossible
as it sounds on account he drifted
down the Bangor & Aroostook.)
There he joined his fellow solons
Gathered there to hold a council,
Gathered in a council meeting,
Long he spoke and also bravely,
Talked about his people's troubles,
Told them of this net necrosis,
Talked of ringrot and diseases.

Then he showed them his fine
parchment,

The Aroostook Nation's parchment;
Then he threw his tomahawk be-

fore them,
Threw it down and asked for war;
Asked the solons to join with them
And bring death to Chippewas.

But from tepees 'long the Aroostook
Came a rustle like the West Wind.
Soft at first it was like West Wind.
Then a roar came like North Wind,
Like Kabibonokka, North Wind.
From a wigwam came this roaring
From the Conant Road the roar
came.

"Here another mighty sachem,
One time senator and chieftain,
Shouted loud his disapproval,

Donned his war paint and his feathers,
Stamped the ground like Annemeekee,

Like the Thunder, Annemeekee,
Stamped until his tepee tottered,
Brandished bow and arrow wildly,
Then strode forth and waved his hatchet,

Waved aloft his tomahawk.

"George A. offered free his service,
Offered to defend the Chippewas.
Long the battle raged and furious,
Loud the roaring like the thunder,
And the dust hit all around it,
Hid the villages and tepees,
Blotted out the stars and moonlight,

Like a thunder cloud it hid them.

"Finally the strife was finished,
All the warriors were exhausted,
Now the chieftains sought their wigwams,

Quietly they smoked the peace pipe,
Burned that now offensive parchment

Which asked war on Chippewas.

"Softly now the dust has settled,
Settled down upon Aroostook,
On the fields which raise Green Mountains,

On the fields of Irish Cobblers
And, forsooth, the Chippewas."

In closing, I just want to say we may not have the pleasure of meeting here again. Certainly a lot of us or some of us won't. I, frankly, have not decided whether I shall be a candidate for the Senate again or not, and of course that is really for the people back home to decide I shall always treasure the things that have happened, friendships made, and hope to see you all again sometime, somewhere. (Applause)

On motion by Mr. Elliot of Knox
Recessed until this afternoon at two-thirty o'clock.

After Recess

The Senate was called to order by the President.

The President announced the appointment of the following Committees, on the part of the Senate:

Revision of the Statutes:

Senators:

Harvey of York
Dow of Oxford

House Members:

Grua of Livermore Falls
Williams of Auburn
Perkins of Boothbay Harbor

Legislative Research Committee:

Senators:

Sanborn of Cumberland
Elliot of Knox
Townsend of Penobscot

House Members:

Doughty of Gray
Downs of Rome
Brown of Unity
Payson of Portland
Welch of Mars Hill
Jordan of Saco
Boutin of Lewiston

Committee on Election Expenditures

Senators:

Owen of Kennebec and
Dunbar of Washington.

Passed to be Enacted

Bill "An Act Amending the Charter of the City of Lewiston." (S. P. 489) (L. D. 911)

Bill "An Act Relating to Sale and Use of Fireworks." (H. P. 802) (L. D. 384)

Bill "An Act Providing for the Licensing and Regulation of the Amusement Known as Beano." (H. P. 1303) (L. D. 834)

Bill "An Act Relating to the Salaries of Commissioner of Labor and Industry and the Commissioner of Insurance as Members of the Industrial Accident Commission." (H. P. 1367) (L. D. 912)

Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution Relating to Adoption of Amendments to the Constitution." (S. P. 357) (L. D. 644)

Which resolve, being a Constitutional Amendment, and having received the affirmative vote of 1 member of the Senate, and that obviously being less than two-thirds of the members present, the resolve failed of passage.

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

Joint Order:

ORDERED, the Senate concurring, that the Governor be requested to return to the House for further consideration (H. P. 1339) (L. D. 875) An Act Relating to the Policing of State Parks, and Acceptance of Gifts for Improvement of State Parks. (H. P. 1373)

On motion by Mr. Sterling of Somerset read and passed in concurrence.

Committee Report
(Out of Order)

The Committee on Appropriations and Financial Affairs on Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Forty-three and for the Year Nineteen Hundred Forty-four," (H. P. 309) (L. D. 215) reported the same in a new draft, (H. P. 1372) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, under suspension of the rules read twice, and passed to be engrossed in concurrence.

First Reading of Printed Bills, out of order and under suspension of the rules:

Bill "An Act Defining the General Highway Fund." (S. P. 491) (L. D. 915)

Bill "An Act Reapportioning the Expenditure of the General Highway Fund." (S. P. 492) (L. D. 916)

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

Sent down for concurrence.

Committee Report
(Out of Order)

Mr. Dorr from the Committee on Claims submitted its Final Report.

Which report was read and accepted.

Sent down for concurrence.

Orders

On motion by Mr. Sanborn of Cumberland, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that the office of the Speaker of the House be assigned for the use of the Legislative Research Committee during the incumbency of the 91st legislature.

On motion by Mr. Elliot of Knox, out of order and under suspension of the rules, it was

ORDERED, that the office of the Senate Reporter, being Room 105 of the state house, be reserved for his

use for a period of one week after final adjournment of the 91st legislature.

The President laid before the Senate, Joint Order Relative to Salaries of State Employees (H. P. 1341) tabled earlier in today's session by the Senator from Sagadahoc, Senator Bishop, pending motion to indefinitely postpone.

Mr. BISHOP of Sagadahoc: Mr. President and members of the Senate, this order came in here this morning and I felt at that time that perhaps it was not clearly understood and I question whether I am the one to attempt to explain it. This question of salaries of state employees has been one of major importance to me ever since I have been a member of the legislature. At the special session, I think perhaps I waged the most bitter fight of my legislative career in an effort to have salaries equalized, and adjusted.

I have in every case recognized the laboring man. I appeared before the Salaries and Fees Committee at the special session, and I appeared before the Salaries and Fees Committee at this session, and I would at this time praise them for their diligence and their study and their good work. I think perhaps they had the most difficult job of any committee of this whole legislature. When their official committee reports came out, in almost every case I have concurred with them and so has the whole legislature. Upon several occasions I have attempted to quote law and to advise judges and lawyers according to the reading of the statutes and of the amendments to our Constitution.

In the first place, in regard to this order that we are considering, it is my understanding that any joint order applies only to the actions of the work of the legislature and we have no legal right to present an order or pass an order that will effect the administration of government. Therefore, I believe this order is illegal. I am sure the House amendment does just as Senator Eliot has told you, I feel certain that it won't do the job.

Now, this question of salaries is a most vital one, a very delicate one, and if you will bear with me and listen to me, I shall attempt to explain what I understand is our present set-up. In the first place I don't think our salary structure

is at all just. Some department heads get six thousand dollars, some get three thousand dollars, and they vary all the way from two thousand up. There are 18 departments in the state that get more salary than the governor. Some clerks get 25 dollars and some 15 and some 35, but that is not the point. In the first place our salary structure is inadequate. It is not sound and it is not equitable.

Now, we have a Personnel Board designed principally to adjust salaries. That is their job and if they function properly they should take care of it. If they cannot function properly then they should be replaced by someone who can do the job. I believe that the departmental head knows the situation within his department. I think he, together with the Personnel Board should make salary adjustments as they ought to be made and that we as legislators are not in a position to do that.

True, the cost of living has been stepped up. This order provides a four dollar a week increase for all state employees getting thirty dollars a week or less, meaning that if an employee gets thirty dollars a week by this order, he can get thirty-four dollars a week, but the employee who gets thirty dollars and fifty cents can get no more than that. That in itself is not sound.

A percentage increase is not correct or adequate. A man getting twenty dollars a week, we will say, gets a ten percent increase making his salary twenty-two dollars. A man getting forty dollars a week would get forty-four dollars. If this is purely on the basis of increased costs of living, it costs just as much more for the twenty-dollar a week man as it does for the forty dollar a week man. And why stop at thirty dollars? The man who gets thirty-five dollars or forty dollars or even fifty dollars a week is a man who pays his bills and buys his home and buys his automobile and pays his grocery bill and who employs the people getting less than thirty dollars a week. That again is not right.

I believe the motion is to indefinitely postpone the order. I do believe, however, we should recognize the need and in some way make it plain to the departmental heads that we believe they should adjust their salaries. I spoke this morning

in regard to the Augusta State Hospital. There are 222 attendants and they are drawing now about the same as 290 drew a year ago. But there is a feeling of unrest in all our state departments to the extent that they contemplate a walkout. The burden rests on the department heads and I understand from the Committee on Appropriations that sufficient funds have been set up to make these adjustments.

I believe it is the job of the department heads to make the adjustments. I believe the responsibility is theirs. But I did feel that the legislature should clarify its position because at the present time the state employees feel that we can grant them an increase in salary. That is not our job. The burden of responsibility should be shifted from our shoulders to the shoulders of the departmental heads and to the Governor and Council.

I didn't feel that the legislature should go out being condemned for its lack of action. It isn't our job. I don't think it is fair to condemn us for not making these adjustments. But should a walk-out occur just picture, if you can, what would happen to 1500 insane patients without attendants to look after them.

Over at the State Prison a five dollar a week increase was granted to everyone. It satisfied them. I believe some sort of increase should be granted to all state employees, a flat increase, to partly cover the increased cost of living. That is not our job.

Now, if we have any means to advise or ask department heads to attempt to do this, I think we ought to do it. But this order will not do it.

There being a motion before the Senate, I am not attempting to change that, but I did want to explain this thing. A year ago I had very little support. In fact I had very tough opposition because of my stand on the salary set-up. At the present time I have a lot of support, especially from the departmental heads and the Governor. He admits now that I am correct and that I was correct a year ago and if I lose other battles, that in itself is a great moral victory.

I hope this clarifies the situation, and what shall happen to the order, I am not going to suggest.

M. PETERS of Androscoggin: Mr. President, first I want to apologize

for changing my seat without asking the Chair. I have been approached by several state employees relative to this order and have been told it wasn't in the form they desired it should be but I have been assured by some of the members of this Honorable Body who should know that the employees will get the salary increase. Therefore I want to go on record as being in favor of the indefinite postponement of this order.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Elliot that the order be indefinitely postponed. Is the Senate ready for the question?

Thereupon, the order was indefinitely postponed in non-concurrence.

Sent down for concurrence.

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

Communication:

STATE OF MAINE

House of Representatives

Augusta

Office of Clerk

April 9, 1943.

Honorable Royden V. Brown,
Secretary of the Senate,
of the 91st Legislature.

Sir:

I have the honor to transmit to you, a list of the members of the House appointed by the Speaker to serve on the following committees:

Legislative Research Committee
Messrs.

Payson of Portland

Downs of Rome

Brown of Unity

Doughty of Gray

Welch of Mars Hill

Jordan of Saco

Boutin of Lewiston

Committee on Election
Expenditures

Messrs:

Stephenson of Union

Crosby of Farmington

Renouf of Biddeford

Committee on Revision of Statutes

Messrs:

Grua of Livermore Falls

Williams of Auburn

Perkins of Boothbay Har-
bor

Respectfully,

HARVEY R. PEASE

Clerk of the House.

Which communication was read and ordered placed on file.

The following Bill was recalled from the Governor, by Joint Order:

Bill "An Act Relating to the Policing of State Parks, and Acceptance of Gifts for Improvement of State Parks." (H. P. 1339) (L. D. 875)

Comes from the House, enactment reconsidered, passage to be engrossed reconsidered; House Amendment "A" read and adopted, and the bill as amended passed to be engrossed in non-concurrence.

In the Senate, that Body voted to reconsider its former action whereby the bill was passed to be enacted; passage to be engrossed was reconsidered.

Thereupon, House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

Communication

(Out of order and under suspension of the rules:)

STATE OF MAINE

Senate Chamber

Augusta

April 9, 1943.

To the Senate
91st Legislature
Augusta, Maine.

Dear Sirs:

Pursuant to the Joint Rules, I herewith submit a list of bills and resolutions. These were presented by me to the President of the Senate for his signature at 12:09 P. M., April 8, 1943. These bills and resolutions were signed by the President at 3:35 P. M., April 8, 1943. These bills and resolutions were presented by me to the Governor at 2:59 P. M., April 9, 1943.

Respectfully yours,

ROYDEN V. BROWN

Secretary of the Senate.

Which communication and accompanying list were read and ordered placed on file.

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

Emergency Measure

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945." (H. P. 1366) (L. D. 907)

Which bill being an emergency measure, and having received the affirmative vote of 24 members of the Senate, was passed to be enacted.

Bill "An Act Relating to Infectious and Communicable Diseases." (H. P. 1352) (L. D. 891)

Which bill being an emergency measure, and having received the affirmative vote of 25 members of the Senate, was passed to be enacted.

Communication:

(Out of order)

STATE OF MAINE

House of Representatives

Augusta

Office of Clerk

April 9, 1943.

To Honorable Royden V. Brown
Secretary of the Senate
91st Legislature.
Sir:—

The Governor of the State having returned to the House

Bill "An Act Relieving Towns from Board and Care of Neglected Children" (H. P. 1342) (L. D. 881) with his objections to the same; the House proceeded to vote on the question

"Shall the bill become a law notwithstanding the objections of the Governor?"

A Yea and Nay vote was taken; 75 voted in the affirmative and 65 in the negative, and accordingly the bill failed to become a law.

Respectfully,

HARVEY R. PEASE

Clerk of the House.

Which was read and ordered placed on file.

On motion by Mr. Elliot of Knox Recessed until this evening at 8:30 o'clock.

After Recess

The Senate was called to order by the President.

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

Emergency Measure

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Forty-three and for the Year Nineteen Hundred Forty-four." (H. P. 1372)

Which bill being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

The Committee on Ways and Bridges on certain Resolves reported the same in a Consolidated Resolve, (H. P. 1370) under a new title, "Resolve for the Maintenance and Repair of Roads and Bridges," and that it ought to pass.

(For list of resolves see House Report.)

Which report was read and accepted, the resolve read once, and under suspension of the rules read a second time and passed to be engrossed in concurrence.

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945.

Which was received by unanimous consent, and under suspension of the rules read twice without reference to a Committee, and passed to be engrossed in concurrence.

Joint Order

ORDERED, the Senate concurring, that the offices of the Secretary and President of the Senate remain under their respective control until released by them, and be it further

ORDERED, that the offices of the Speaker of the House and Clerk of the House remain under their respective control until released by them, and be it further

ORDERED, that the Legal Affairs Room be assigned to the Committee on Revision of the General Laws, and that the Judiciary Room remain in its present arrangement and be not assigned to any department. (H. P. 1375)

Which was read and passed in concurrence.

The Committee on Ways and Bridges a resolve in favor of Townships, Towns and Plantations reported the same in a Consolidated Resolve and that it ought not to pass. (For list of resolves see House Report.)

Which report was read and accepted in concurrence.

Passed to be Enacted

Out of order and under suspension of the rules:

"An Act Relating to the Policing of State Parks, and Acceptance of Gifts for Improvement of State Parks." (H. P. 1339) (L. D. 875)

Emergency Measures

Bill "An Act Defining the General Highway Fund." (S. P. 491) (L. D. 915)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

Bill "An Act Reapportioning the Expenditure of the General Highway Fund." (S. P. 492) (L. D. 916)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

At this point the Chair noted the presence in the Senate Chamber of the Hon. Nathaniel Tompkins former president of the Senate, who at the request of the President was escorted to a seat at the right of the President.

Emergency Measure

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945." (H. P. 1374)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, was finally passed.

Senate Committee Reports

Out of order and under suspension of the rules:

Mr. Emery from the Committee on Appropriations and Financial Affairs submitted its Final Report.

Mr. Dorr from the Committee on Ways and Bridges submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

Orders

On motion by Mr. Dunbar of Washington out of order and under suspension of the rules, it was

ORDERED, that the State Librarian be directed to forward bound copies of the Legislative Record to members and officers at their home addresses.

On motion by Mr. Dow of Oxford out of order and under suspension of the rules, it was

ORDERED, that the State Librarian mail to each member and officer of the Senate, a copy of the Laws of this session when completed.

On motion by Mr. Friend of Somerset out of order and under suspension of the rules, it was

ORDERED, that the Superintendent of Buildings be directed to deliver to the Secretary of the Senate at his home, such equipment and supplies as the Secretary shall deem necessary for use in completing and indexing the Journal of the Senate.

On motion by Mr. Elliot of Knox, out of order and under suspension of the rules, it was

ORDERED, that the desk and chair in the office of the President of the Senate, together with the desk set, lamp, fountain pen and clock, therein, be presented to the President of the Senate, and delivered to his home address.

On motion by Mr. Harvey of York, out of order and under suspension of the rules, it was

ORDERED, that a message be sent to the House of Representatives informing that body that the Senate has transacted all the business which has come before it, and is ready to adjourn without day.

The Senator from York, Mr. Harvey was appointed to convey the message and subsequently reported that he had discharged the duty assigned to him.

A message was received from the House of Representatives by Mr. Jacobs of Auburn that that body had transacted all the business before it, and was ready to adjourn without day.

On motion by Mr. Varney of York, out of order and under suspension of the rules, 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 appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S. P. 495)

The President appointed as members of such a committee on the part of the Senate: Senators Varney of York, Harold of Cumberland, Boucher of Androscoggin.

Sent down for concurrence.

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

Mr. Varney from the Committee subsequently reported that the Committee had attended to the duties assigned it, and that the Governor was pleased to state that he will send a message in to the Senate forthwith by the Secretary of State.

Mr. BISHOP of Sagadahoc: Mr. President, might I inquire what the report from the Conference Committee on Indian Affairs is?

The PRESIDENT: The Chair will report that the committee was unable to agree in the few moments which they had at their disposal a few minutes ago. The conferees from the House hadn't returned the papers so that the committee hadn't got together because the House conferees had not asked for a meeting which is what the delay was a few minutes ago. They agreed that it was futile to try to come to an agreement at this time.

Mr. BISHOP: Mr. President, that was a nice piece of work and I thank you.

Message from the Governor

The following message from the Governor was received and transmitted by the Secretary of State, the Hon. Harold I. Goss:

April 9, 1943.

To the Honorable Senate and House of Representatives:

During this regular session of the Ninety-first Legislature you have enacted 450 bills and 71 resolves, 520 of which I have signed after careful consideration. One bill I have returned without my signature.

These new laws which have resulted from your thoughtful deliberation should enable state and local government to continue the necessary services to our citizens during war, so far as these services can be humanly foreseen.

Should the fortunes of war bring us victory and peace before another regular session of the Legislature we shall be planning for the period of post-war adjustment.

You have arrived at your decisions by true democratic process and I shall administer them wholeheartedly.

As we part I like to believe that you are returning to your respective districts with a spirit of continued service which will greatly assist us whom you leave here to administer the laws which you have passed.

It will take our combined efforts to meet our common problems of this war period.

Respectfully submitted,

SUMNER SEWALL.

Which message was received and ordered placed on file.

The PRESIDENT: Before the Chair recognizes the Senator who makes the motion for adjournment without day the Chair wishes to point out to the members of this Senate that this is the shortest legislative session since 1933. There have not been as many bills as usual but despite that it is obvious that committee chairman and committee members have pursued their work diligently and faithfully and I thank them for their diligence and persistence.

I should like to express my personal appreciation to each of the members of the Senate staff, namely, Mr. Erown, Mr. Winslow, Mr. Clark, Mr. King, Mr. Crie, Mrs. Foster, Mr. Lyford, Mrs. Payne, Mrs. Dennett, Mrs. Wing, Mrs. Brown and Miss Gannon. I thank each and every one of them for their friendly and able assistance throughout the session.

And finally I should like to express my appreciation to our able and faithful floor leader, the Senator from Knox, Senator Elliot, who has always been on the job to perform it ably and efficiently.

If there is no further business to come before the Senate, I now rec-

ognize the Senator from Cumberland, Senator Sanborn, the senior member of this body.

Mr. SANBORN of Cumberland: Mr. President, as has been indicated, I rise to the purpose of moving final adjournment. While I am aware of the rules that the motion to adjourn is not debatable, I am going to violate the rules and debate it. I am going to further fly in the face of rules by debating the motion before the motion is made. I am given to understand that this duty is imposed upon me because someone has circulated the story that I am the oldest member of this Body. I want it understood that as young and as frisky as I feel, it is difficult for me to believe that, nor can I be charged as was the ancient mariner "by that long gray beard". However, the calendar does unfortunately tell the tale.

During our session here, I suppose we have each of us had our triumphs, each of us had our disappointments, all of us I have no doubt have had our surprises. Our triumphs we may treasure. Our disappointments we must live down. I hope we may survive our surprises even as Eugene Field survived a surprise which he encountered, as he tells us in one of his rhymes, in a little restaurant over in Paris. He tells the story something like this:

The Cafe Molineau is where
A dainty little minx
Serves God and men as best she
can
By serving meats and drinks.
Oh, such an air the creature has,
And such a pretty face,
I took delight that autumn night
In hanging round the place.

I know but very little French
(I have not long been here);
But when she spoke, her meaning
broke
Full sweetly on my ear.
Then, too, she seemed to under-
stand
Whatever I'd to say,
Though most I knew was "oony
poo,"
"Bong zhoor," and "see voo play."

The female wit is always quick
And of all womankind
'Tis here in France that you, per-
chance,
The keenest wits shall find;

And here you'll find that subtle gift
That rare, distinctive touch,
Combined with grace of form and
face,
That glads men overmuch.

"Our girls at home," I mused aloud,
"Lack either that or this;
They don't combine the arts divine
As does the Gallic miss.
Far be it from me to malign
Our belles across the sea,
And yet I'll swear none can com-
pare
With this ideal She."

And then I praised her dainty foot
In very awful French
And parleywood in guileful mood
Until the saucy wench
Tossed back her haughty auburn
head,
And froze me with disdain:
"There are on me no flies," said
she,
"For I come from Bangor, Maine!"

Now, sir, without the slightest disposition to revive that controversy in regard to constitutional amendments I will advert once more to the fact of history with which I doubt not you are all familiar. You will recall having read that in the convention hall where sat the convention which framed the Constitution of the United States the chair in which the President, Washington sat had at its top carved in wood the representation of the sun, just halfway above the horizon. Again, the senior member of that Body was the one who moved for final adjournment and in making his motion he referred to that representation and said that during the progress of the deliberations of that Body he had wondered many times whether that represented a rising sun or a setting sun. But he said that he was now fully confident that it represented a rising sun, and I want to remind you, sir, and you senators, that it did indeed represent a rising sun, a sun which at first illumined only that narrow ribbon of colonies down the Atlantic seaboard. As it rose higher in the heavens it shed its flood of light over the Mississippi valley and not much later it shed its effulgence over the entire continent to the Pacific Coast and later still over all the islands of the sea carrying with its blessings, the greatest

blessings which humanity can enjoy, the blessings of freedom, freedom of the press, freedom of worship, equal opportunity for all, equal protection under the law for all.

Those blessings we enjoy to this day. That sunshine has been undimmed up to the present time save for now and then a cloud. There was early the cloud of nullification that was dispelled by Andrew Jackson. There was the cloud of separation among the states that was dispelled, sad to relate, by the trial of war.

We have to admit that at the present moment we are again under a cloud, a cloud which threatens harm to those liberties which we enjoy. But we have confidence to believe, we are sure, that that cloud may soon be dispelled and that the brilliance of the noonday sun will again shed its beneficent rays over not only us but over all the nations of the world. And if it does—and this is my point—if and when it does it will be because Bodies just like this throughout all these years have been serving these commonwealths, these states, all the way from Maine to California, men who have been faithful to their trusts,

men who have been patriotic, men who have labored with a high, single devotion to the welfare of their states and of mankind.

Let us remember and let us congratulate ourselves that we here are but a sample of many such Bodies and it is—and this is the warning—it is only because such Bodies as this continue to perform the service such as we have here undertaken to perform and such as those who sat in these seats before us have performed, it is only such continued service that we may continue and our posterity may continue to enjoy these blessings.

But this outcome we have unbounded confidence will prevail and take place. We have much to congratulate ourselves upon.

One last thing that we have to congratulate ourselves upon is that we have at the present moment completed our deliberations. and because of that I now, sir, move that this Body do adjourn without day.

Thereupon, the President, the Honorable Horace A. Hildreth, at 10:58 P. M. of Friday, April 9, 1943, declared the Senate of the 91st Legislature adjourned without day.