

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninety-first Legislature

Special Session

April 17, 1944

SENATE

April 17, 1944.

In compliance with a Proclamation of His Excellency, the Governor, Sumner Sewall, the Senators convened in the Senate Chamber at four-thirty o'clock in the afternoon, Eastern War Time.

The Senate was called to order by the President.

Prayer by the Reverend Cymbrid Hughes, of Augusta.

By direction of the President, the Secretary read the Proclamation:

STATE OF MAINE
PROCLAMATION
by the
GOVERNOR

WHEREAS, it appears desirable that the Legislature of this State should meet in special session to consider matters pertaining to soldier-voting in the 1944 elections,

NOW THEREFORE, I SUMNER SEWALL, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol, at Augusta, on Monday, the seventeenth day of April, 1944, at 4.30 o'clock in the afternoon, in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

(SEAL) Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this thirty-first day of March, in the year of our Lord One Thousand Nine Hundred and Forty-four, and of the Independence of the United States of America, the One Hundred and Sixty-eighth.

By the Governor
HAROLD I. GOSS
Secretary of State

SUMNER SEWALL
Governor.

A true copy.

Attest: HAROLD I. GOSS
Secretary of State.

Which was read and ordered placed on file.

The roll being called, the following Senators responded to their names:

Batchelder, Bishop, Boucher, Bragdon, Brown, Buck, Clement, Dorr, Dow, Dunbar, Elliot, Emery,

Farris, Friend, Good, Hall, Hanold, Harvey, Hildreth, Hodgkins, McGlauffin, McGill, Owen, Peakes, Peters, Sanborn, Sterling, Townsend, Varney, Washburn, Woodbury, Worthen.

Thirty-two Senators answering to the roll call, the Secretary declared that a quorum was present.

The PRESIDENT: In keeping with what we hope will be the tenor of this session, the Chair will make no remarks except to express what is, I am sure, the pleasure of all the members of the Senate—to see their friends together again.

The Chair also takes official notice of the absence of Senator Haskell who is confined to his home by illness, and if it is the pleasure of the Senate, the Secretary will send Senator Haskell an expression of the regret of the Senate that he is unable to be with us at this time.

The Chair awaits the pleasure of the Senate.

Orders

On motion by Mr. Sanborn of Cumberland, it was

ORDERED, that a message be conveyed to the House of Representatives informing that body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

The Secretary conveyed the message and subsequently reported that he had performed the duty with which he was charged.

On motion by Mr. Varney of York, it was

ORDERED, that a message be sent to His Excellency, the Governor, informing him that in obedience to his Proclamation a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

The President appointed Senators Varney of York, Dow of Oxford to convey the message.

The Committee retired, and subsequently reported that they had delivered the message with which they were charged.

Subsequently a message was received from the House of Representatives, by Mr. Pease, its Clerk, informing the Senate that a quorum of the Representatives is present for the consideration of such business as may come before that body.

On motion by Mr. Owen of Kennebec, it was

ORDERED, that the Secretary of the Senate be directed to invite the clergymen of Augusta, Hallowell, and Gardiner to officiate as chaplains of the Senate during this special session.

On motion by Mr. Good of Aroostook, it was

ORDERED, that Charles P. Lyford of Augusta be appointed official Reporter of the Senate for this special session.

On motion by Mr. Boucher of Androscoggin, it was

ORDERED, that the Secretary of the Senate be authorized to procure the services of three stenographers for this special session; one for the office of the President, and two for the office of the Secretary.

On motion by Mr. Brown of Aroostook, it was

ORDERED, the House concurring, that three hundred and fifty copies of the Legislative Record for this Special Session of 1944, convened on April 17th, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library purposes; and be it further

ORDERED, that three hundred and fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the departments, under the direction of the Document Clerk. (S. P. 496)

Sent down for concurrence.

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

On motion by Mr. Townsend of Penobscot, it was

ORDERED, that the Senate Reporter be authorized to employ an assistant reporter during this Special Session.

On motion by Mr. Emery of Hancock, it was

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be directed to furnish to each member and officer of the Senate and House a copy of the State news-

paper each morning during the present Special Session of the Legislature. (S. P. 502)

Sent down for concurrence.

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

On motion by Mr. Dunbar of Washington, it was

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

The Secretary conveyed the message.

Subsequently a message was received from the House, by Mr. Pease, its Clerk, concurring in the foregoing proposition for a Joint Convention.

The Senate then proceeded to the House of Representatives where a Convention was formed.

(For proceedings of Joint Convention see House Report.)

IN THE SENATE.

The Senate was called to order by the President.

Joint Orders

On motion by Mr. Bishop of Sagadahoc, it was

ORDERED, the House concurring, that one thousand copies of the Governor's message be printed. (S. P. 497)

Sent down for concurrence.

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

On motion by Mr. Hall of Franklin, it was

ORDERED, the House concurring, that the Superintendent of Buildings is hereby given charge of all assignments of rooms for hearings in the Capitol Building, and that all applications for rooms for hearings must be made to him in writing. (S. P. 498)

Sent down for concurrence.

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

Communications
(Out of Order)
STATE OF MAINE
Office of the Governor

April 17, 1944.

The Honorable President of the Senate

The Honorable Speaker of the House

Ninety-first Legislature

Dear Sirs:

It is my pleasure to transmit herewith a letter from the Honorable Percival P. Baxter of Portland, in which he offers a substantial gift of land to the State.

If it is the pleasure of the 91st Legislature to accept this gift of 24,682 acres of forest land, the area of the Baxter State Park will be brought to 84,000 acres.

I commend this offer to your thoughtful consideration and urge acceptance of this gift as being in the public interest.

Respectfully submitted,

SUMNER SEWALL
Governor.

(S. P. 503)

Which was read and accepted and ordered placed on file.

Sent to the House.

April seventeenth 1944

To the Honorable Sumner Sewall, Governor and the Honorable Senate and House of Representatives of the Ninety-first Legislature of the State of Maine—

Once again I come to you with the request that, if you deem it for the best interest of our State, you accept from me the gift of twenty-four thousand six hundred eighty-two (24,682) acres of forest land to be added to and become a part of Baxter State Park in the Mt. Katahdin region.

The area now offered the State is township five (5) range ten (10) W. E. L. S. Piscataquis County. This township contains twenty-four thousand seven hundred two (24,702) acres, of which an area of twenty (20) acres in the southwest quarter is owned by Charles A. Daisey. If you accept this gift the State then will have received from me approximately eighty-four thousand (84,000) acres. When the Legislature meets in January 1945, I plan to be present with a gift of additional land for the Park.

In the Deed accompanying this communication you will notice that the timber rights on this township are reserved until August 7, 1965 to the corporation from which I pur-

chased this land. Naturally I preferred to buy this area without such a reservation, but was unable to do so. The Eastern Corporation very properly wished to conserve its timber supply for its mill, and a buyer can only purchase what a seller is willing to part with. This Corporation, however, acted in a liberal and sympathetic manner in selling me this township. It sold to me only because it was willing to help me to carry out my Park project. It would not have sold to any other party, and I deeply appreciate the action of its President and Board of Directors.

Although this township doubtless will be cut over during the above mentioned period, in a few years thereafter it will completely reforest itself and will then be covered with a new growth of trees. Nature will heal all the wounds.

BAXTER STATE PARK will remain the property of the people of Maine as long as the State of Maine exists. It is a long range project and township five (5) range ten (10) will be forever a place of recreation for our people and a sanctuary and home for the creatures of the wild.

I now present to you an Act of Acceptance and request your Excellency and your Honorable Bodies to approve and accept this Gift of Conveyance to the State of Maine as Trustee in Trust for the people of Maine.

Respectfully,

(Signed) Percival Proctor Baxter

Which communication was read and ordered placed on file.

Sent to the House.

Passed to be Engrossed

Out of order and under suspension of rules.

Mr. Hanold of Cumberland presented

Bill "An Act Accepting from PERCIVAL PROCTOR BAXTER the Conveyance and Deed of Gift of 24,682 acres of land in Township 5, Range 10, W. E. L. S. in Piscataquis County, **BAXTER STATE PARK.**" (S. P. 500)

Which bill was accepted and under suspension of the rules, without reference to a committee, was given its two several readings and passed to be engrossed.

Sent down for concurrence.

Order
(Out of Order)

On motion by Hr. Hanold of Cum-

berland, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that in order that the records of the Gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of twenty-four thousand, six hundred eighty-two (24,682) acres in township five (5), range ten (10), W. E. L. S. Piscataquis County (**BAXTER STATE PARK**) be complete and in enduring form, the communication dated April seventeenth, 1944, addressed by said Baxter to the Honorable **SUMNER SEWALL**, Governor, and to the Honorable Senate and House of Representatives of the Ninety-first Legislature, together with the message of Governor **SUMNER SEWALL** transmitting the said communication to this Legislature, be printed in the Laws of Maine for 1944-45. (S. P. 501)

Sent down for concurrence.

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

Recessed to the sound of the gavel.

After Recess

The Senate was called to order by the President.

Order

(Out of Order)

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

ORDERED, the House concurring, that when the Senate and House adjourn today, they adjourn to meet on Tuesday morning, April 18, 1944, at ten-thirty o'clock. (S. P. 506)

Sent down for concurrence.

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

Referred to Committee

Out of order and under suspension of the rules Mr. Farris of Kennebec presented

Bill "An Act to Facilitate Voting by Men and Women Serving in, Connected with, or About to Become Members of the Armed Forces." (S. P. 505)

Which bill was referred to the Committee on Judiciary and Legal Affairs, jointly, and one thousand copies ordered printed.

Sent down for concurrence.

Order

(Out of Order)

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

ORDERED, the House concurring, that no bill or resolve be received at this Special Session unless by unanimous consent in the body in which it is introduced, except such as relate directly to the voting by the members of the armed forces of the United States or are serving in the Merchant Marine of the United States; or are attached to and serving with the armed forces of the United States as members of the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations

AND IT WAS FURTHER ORDERED the House concurring, that any bill or resolve which shall be received in either branch of this Legislature by unanimous consent shall be referred to the 92nd Legislature if unanimous consent for its reception is not given in the other body in concurrence. These Orders shall not apply to such bills or resolves as are intended only to facilitate the business of the 91st Legislature. (S. P. 504)

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

Additional Papers from the House, out of order and under suspension of the rules:

Bill "An Act to Appropriate Monies for the Expenditures of State Government for the Fiscal Year Ending June 30, 1944." (H. P. 1376)

Which was received under suspension of the rules and referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Facilitate Voting by Duly Qualified Registered and Enrolled Voters in the Armed Forces of our Country, the Merchant Marine, and Other Services Necessary to the Successful Prosecution of Wars Against Germany and Japan." (H. P. 1377)

Which was received under suspension of the rules, and referred to the Committees on Judiciary and Legal Affairs jointly, in concurrence.

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