

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Second Legislature*

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**HOUSE**

Thursday, February 8, 1945.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Wood of Hallowell.

Journal of the previous session read and approved.

**Papers from the Senate**

Resolve in favor of Frank D. Holt, of Lamoine (S. P. 195)

Resolve in favor of Francis Gibson of Lamoine (S. P. 196)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

Bill "An Act Amending the Charter of the Preachers' Aid Society of the Maine Conference of the Methodist Church" (S. P. 177) (L. D. 385)

Bill "An Act relating to Police Pensions in city of Portland" (S. P. 178) (L. D. 384)

Bill "An Act relating to the Organization of Plantations" (S. P. 179) (L. D. 383)

Bill "An Act to Amend the Houlton Town Manager Form of Government Act" (S. P. 180) (L. D. 382)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

Resolve Designating the White Pine Tree as the State Official Tree (S. P. 181) (L. D. 381)

Came from the Senate referred to the Committee on Maine Publicity.

In the House, referred to the Committee on Maine Publicity in concurrence.

Bill "An Act relating to Exemption from Registration Fees of Certain Vehicles" (S. P. 182) (L. D. 380)

Came from the Senate referred to the Committee on Motor Vehicles.

In the House, referred to the Committee on Motor Vehicles in concurrence.

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Fred J. Lovejoy, of West Bethel (S. P. 183) (L. D. 379)

Came from the Senate referred to the Committee on State Lands and Forest Preservation.

In the House, referred to the Committee on State Lands and Forest Preservation in concurrence.

Bill "An Act relating to Authority of State Tax Assessor in Deorganized Towns" (S. P. 184) (L. D. 378)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

Resolve in favor of the town of Tremont (S. P. 223)

Resolve in favor of the town of Amherst (S. P. 224)

Resolve in favor of the town of Bluehill (S. P. 225)

Resolve in favor of the town of Orland (S. P. 226)

Resolve in favor of the town of Franklin (S. P. 227)

Resolve in favor of the town of Hancock (S. P. 228)

Resolve in favor of the town of Tremont (S. P. 229)

Resolve in favor of the town of Bluehill (S. P. 230)

Resolve in favor of the town of Dedham (S. P. 231)

Resolve in favor of the town of Garland (S. P. 232)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, referred to the Committee on Ways and Bridges in concurrence.

**Senate Reports of Committees Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the State Historian, State History and Public Records" (S. P. 55) (L. D. 26)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to the Annual Report of the State Auditor" (S. P. 63) (L. D. 43)

Came from the Senate the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice and assigned for third reading the next legislative day.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and

House adjourn, they adjourn to meet Tuesday, February 13, 1945, at eleven o'clock in the forenoon. (S. P. 280)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

**Bills and Resolves Requiring Reference**

The following Bills and Resolves were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Aeronautics**

Bill "An Act relating to Town Air Fields" (H. P. 915) (Presented by Mr. Sweetser of Cumberland)

(Ordered printed)

Sent up for concurrence.

**Agriculture**

Bill "An Act relating to Veterinary Surgery" (H. P. 916) (Presented by Mr. Downs of Rome)

(Ordered printed)

Bill "An Act relating to Dog Licenses" (H. P. 917) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Marking of Sheep" (H. P. 918) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Keeping Certain Animals" (H. P. 919) (Presented by Mr. True of Rangeley)

(Ordered printed)

Sent up for concurrence.

**Claims**

Resolve in favor of Merton E. Grant, of Glenwood (H. P. 920) (Presented by Mr. Corson of Hodgdon by request)

(Ordered printed)

Resolve in favor of the town of Fort Fairfield (H. P. 921) (Presented by Mr. Dorsey of Fort Fairfield)

(Ordered printed)

Resolve in favor of the city of Eastport for the Care of William Price (H. P. 922) (Presented by Mr. Gallant of Eastport)

(Ordered printed)

Resolve in favor of H. M. Lewis, of Bangor (H. P. 923) (Presented by Mr. Haskell of Bangor)

(Ordered printed)

Resolve in favor of the Eastern Maine General Hospital, of Bangor (H. P. 924) (Presented by same gentleman)

(Ordered printed)

Resolve in favor of Henry K. Morey of Deer Isle (H. P. 925) (Presented by Mr. Heanssler of Deer Isle)

(Ordered printed)

Resolve in favor of Francis M. Malcolm of Windsorville (H. P. 926) (Presented by Mr. Jewett of Pittston)

(Ordered printed)

Resolve in favor of Joseph Martin, of Eagle Lake (H. P. 927) (Presented by Mr. Morncault of Fort Kent)

(Ordered printed)

Resolve to Reimburse the town of Amherst for Suppression of a Forest Fire (H. P. 928) (Presented by Mr. Morrison of Winter Harbor)

(Ordered printed)

Resolve in favor of Guy Brown of Guilford (H. P. 929) (Presented by Mr. Ross of Brownville Junction)

(Ordered printed)

Resolve to Reimburse the town of Newport for Supplies Furnished Fannie Norton of Newport (H. P. 930) (Presented by Mr. Smith of Newport)

(Ordered printed)

Sent up for concurrence.

Resolve in favor of Howard L. Norwood, of Monmouth (H. P. 931) (Presented by Mr. Marsans of Monmouth)

Resolve to Reimburse the town of Brownville (H. P. 932) (Presented by Mr. Ross of Brownville Junction)

Sent up for concurrence.

**Counties**

Bill "An Act relating to Advertising Resources, etc. by Counties" (H. P. 933) (Presented by Mr. Dorsey of Fort Fairfield)

(Ordered printed)

Sent up for concurrence.

**Education**

Bill "An Act relating to Apportionment to Towns for Teaching Positions" (H. P. 934) (Presented by Mr. Morse of Oakland)

(1500 copies ordered printed)

Bill "An Act relating to Apportionment to Towns for Teaching Positions" (H. P. 935) (Presented by Mr. Russell of Gorham)

(1500 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Aid to Academies from State School Fund" (H. P. 936) (Presented by Mr. Ela of Anson)

(Ordered printed)

Bill "An Act relating to the Permanent School Fund" (H. P. 937)

(Presented by Mr. Lord of Camden)

(Ordered printed)

Bill "An Act to Permit Establishment of Area Schools" (H. P. 938)

(Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Classification of High Schools" (H. P. 939)

(Presented by Mr. Marsans of Monmouth)

Bill "An Act Permitting the Department of Education to Cooperate in Establishing University Extension and Correspondence Courses" (H. P. 940) (Presented by Mr. Webber of Mapleton)

(Ordered printed)

Resolve to Appoint a State Board for Approval of Institutions Offering Specialized Training (H. P. 941)

(Presented by Mr. Brewer of Presque Isle)

(Ordered printed)

Sent up for concurrence.

#### Inland Fisheries and Game

Bill "An Act relating to Free Fishing and Hunting Licenses" (H. P. 942) (Presented by Mr. Jordan of Saco)

(Ordered printed)

Bill "An Act relating to Free Fishing and Hunting Licenses for Citizens over 65 Years of Age" (H. P. 943) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relative to Fee for Registration of Deer" (H. P. 944) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Open Season for Hunting" (H. P. 945) (Presented by Mr. Sweetser of Cumberland)

(Ordered printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act relating to State Bureau of Identification" (H. P. 946) (Presented by Mr. Boulier of Stacyville)

(Ordered printed)

Bill "An Act relating to State Police Retirement System" (H. P. 947) (Presented by Mr. Brewer of Presque Isle)

(Ordered printed)

Bill "An Act Amending the Unemployment Compensation Law as to Charges against Employers' Experience Rating Records" (H. P. 948) (Presented by Mr. Brown of Unity)

(Ordered printed)

Bill "An Act Amending the Unemployment Compensation Law as to Filing Pay Roll Reports and

Penalty" (H. P. 949) (Presented by same gentleman)

(Ordered printed)

Bill "An Act Amending the Unemployment Compensation Act as to Employer's Experience Rating Classification" (H. P. 950) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Treatment of Employees Under the Workmen's Compensation Act" (H. P. 951) (Presented by Mr. Cobb of Bangor)

(Ordered printed)

Bill "An Act relating to Disclosure Commissioners" (H. P. 952) (Presented by Mr. Cousins of Old Town by request)

(Ordered printed)

Bill "An Act relating to Absent Voting" (H. P. 953) (Presented by Mr. Downs of Rome)

(Ordered printed)

Bill "An Act relating to Date of General Elections" (H. P. 954) (Presented by Mr. Jalbert of Lewiston)

(Ordered printed)

Bill "An Act relating to State Employees' Retirement System" (H. P. 955) (Presented by Mr. Payson of Fortland)

(Ordered printed)

Bill "An Act relating to Payments to County Law Libraries" (H. P. 956) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Bill "An Act to Include Occupational Diseases under the Workmen's Compensation Act" (H. P. 957) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Filling Congressional Vacancies" (H. P. 958) (Presented by Mr. Ward of Millinocket)

(Ordered printed)

Resolve Authorizing Commissioner of Agriculture to Register Trade Marks (H. P. 959) (Presented by Mr. Haskell of Bangor)

(Ordered printed)

Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 960) (Presented by Mr. Jalbert of Lewiston)

(Ordered printed)

Resolve in relation to Status of Certain persons in re Teachers' Retirement Association (H. P. 961) (Presented by Mr. Jordan of Saco)

(Ordered printed)

Resolve relating to Sale and Distribution of Index to Private and

Special Laws (H. P. 962) (Presented by Mr. Peirce of Augusta)  
(Ordered printed)  
Sent up for concurrence.

**Labor**

Bill "An Act relating to Employment of Children" (H. P. 963) (Presented by Mr. Brown of Brunswick)

(Ordered printed)  
Bill "An Act relating to Employment of Children under Certain Ages" (H. P. 964) (Presented by Mr. Ross of Brownville Junction)  
(Ordered printed)  
Sent up for concurrence.

**Legal Affairs**

Bill "An Act relating to Salary of the Mayor of the city of Lewiston" (H. P. 965) (Presented by Mr. Boutin of Lewiston by request)

(Ordered printed)  
Bill "An Act relating to Exhibitions of Agricultural Societies" (H. P. 966) (Presented by Mr. Carpenter of Skowhegan)  
(Ordered printed)

Bill "An Act relating to Registration for Professional Engineers" (H. P. 967) (Presented by Mr. Haskell of Bangor)

(Ordered printed)  
Bill "An Act relating to License Fees for Amusement Shows" (H. P. 968) (Presented by Mr. Morneault of Fort Kent)

(Ordered printed)  
Bill "An Act relating to Real Estate Brokers" (H. P. 969) (Presented by Mr. Poulin of Rumford)

(Ordered printed)  
Bill "An Act relating to the State Racing Commission" (H. P. 970) (Presented by Mr. Smith of Newport)

(Ordered printed)  
Bill "An Act relating to Town Manager Form of Government" (H. P. 971) (Presented by Mr. Thorn-dike of Bar Harbor by request)

(Ordered printed)  
Sent up for concurrence.

**Mercantile Affairs and Insurance**

Bill "An Act relating to the Standard Non-Forfeiture Law and the Standard Valuation Law" (H. P. 972) (Presented by Mr. Vickery of Pittsfield)

(Ordered printed)  
Sent up for concurrence.

On motion by Miss Longstaff, of Crystal, Rule 25 was suspended for the remainder of today's session in order to permit smoking.

**Military Affairs**

Bill "An Act relating to Aides-de-Camp" (H. P. 973) (Presented by Mr. Jennings of Strong)

(Ordered printed)  
Sent up for concurrence

**Pensions**

Resolve Providing for a State Pension for Charles M. Turner of Palermo (H. P. 974) (Presented by Mr. Ames of Northport)

Resolve Providing for a State Pension for Theresa L. Whalen, of Lincolnville (H. P. 975) (Presented by same gentleman)

Resolve Providing for a State Pension for Florence M. Mathews, of Lincolnville (H. P. 976) (Presented by same gentleman)

Resolve Providing for a State Pension for Ulmont Hovey, of Augusta (H. P. 977) (Presented by Mr. Benn of Smyrna)

Resolve Providing for a State Pension for Cecil Overlock, of Hallowell (H. P. 978) (Presented by Mr. Cole of West Gardiner)

Resolve Granting a State Pension to Edward H. Austin, of Rome (H. P. 979) (Presented by Mr. Downs of Rome)

Resolve Providing for a State Pension for Fidelia E. Banks, of China (H. P. 980) (Presented by Mr. Jewett of Pittston)

Resolve Providing for a State Pension for Beatrice E. Bulley, of Randolph (H. P. 981) (Presented by same gentleman)

Resolve Granting a Pension to Grace Lawrence, of Pittston (H. P. 982) (Presented by same gentleman)

Resolve Granting a Pension to Mrs. Jennie W. Conant, of Appleton (H. P. 983) (Presented by Mr. Lord of Camden)

Resolve Granting a Pension to Edith May Lawrence, of Newport (H. P. 984) (Presented by Mr. Smith of Newport)

Resolve Providing for a State Pension for Flossie Mae Shaw of Auburn (H. P. 985) (Presented by Mr. Williams of Auburn)

Sent up for concurrence.

**Joint Select Committee on Postwar Planning**

Resolve Providing for Construction and Repair of Houses on the Passamaquoddy and Penobscot Reservations (H. P. 986) (Presented by Mr. Cousins of Old Town)

(Ordered printed)  
Sent up for concurrence

**Public Utilities**

Bill "An Act Creating the Madawaska Utilities District" (H. P. 987) (Presented by Mr. Daigle of Madawaska)

(Ordered printed)

Sent up for concurrence

**Salaries and Fees**

Bill "An Act relating to Fees of Town Clerks for Fishing and Hunting Licenses" (H. P. 988) (Presented by Mr. Benn of Smyrna)

(Ordered printed)

Bill "An Act relating to the Salary of the Sheriff of Androscoggin County" (H. P. 989) (Presented by Mr. Boutin of Lewiston by request)

(Ordered printed)

Bill "An Act relating to the Salary of the Forest Commissioner" (H. P. 990) (Presented by Mr. Brown of Milford)

(Ordered printed)

Bill "An Act to Increase Salary of Judge of Probate and Clerks in Office of Register of Probate in Penobscot County" (H. P. 991) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Salary of County Treasurer of Penobscot County" (H. P. 992) (Presented by Mr. Cobb of Bangor)

(Ordered printed)

Bill "An Act relating to the Salary of the Bank Commissioner" (H. P. 993) (Presented by Mr. Collins of Caribou)

(Ordered printed)

Bill "An Act relating to Fees of Sheriffs and Expenses in Keeping Prisoners" (H. P. 994) (Presented by Mr. Dow of Eliot)

(Ordered printed)

Bill "An Act relating to the Salary of Register of Deeds of Kennebec County" (H. P. 995) (Presented by Mr. Downs of Rome)

(Ordered printed)

Bill "An Act relating to the Salary of the Commissioner of Agriculture" (H. P. 995) (Presented by Mr. Haskell of Bangor)

(Ordered printed)

Bill "An Act relating to Fees of Disclosure Commissioners" (H. P. 997) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Fees of Jurors" (H. P. 998) (Presented by Mr. Leathers of Hermon)

(Ordered printed)

Bill "An Act relating to Salaries and Expenses of Members of the

State Liquor Commission" (H. P. 999) (Presented by Mr. Poulin of Rumford)

(Ordered printed)

Bill "An Act relating to Salary of Clerks in the Office of Register of Deeds in Hancock County" (H. P. 1000) (Presented by Mr. Smart of Ellsworth)

(Ordered printed)

Bill "An Act relating to the Salary of the Judge of the Municipal Court of Newport" (H. P. 1001) (Presented by Mr. Smith of Newport)

(Ordered printed)

Bill "An Act relating to Salary of Register of Deeds and Clerk Hire in Office of Register of Deeds in Penobscot County" (H. P. 1002) (Presented by Mr. Southard of Bangor by request)

Bill "An Act relating to the Salary of the Commissioner of Inland Fisheries and Game" (H. P. 1003) (Presented by Mr. Wight of Bangor)

(Ordered printed)

Sent up for concurrence.

**Sea and Shore Fisheries**

Resolve relating to Dipping of Alewives in Certain Waters in Machias, Washington County (H. P. 1004) (Presented by Mr. Hayward of Machias by request)

(Ordered printed)

Resolve relating to Dipping of Alewives in Machias River (H. P. 1005) (Presented by same gentleman by request)

(Ordered printed)

Sent up for concurrence.

**State Lands and Forest Preservation**

Bill "An Act relating to the Prevention of Forest Fires" (H. P. 1006) (Presented by Mr. Morrison of Rumford)

(Ordered printed)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Fred L. Edwards, of Bethel (H. P. 1007) (Presented by Mr. Boyker of Bethel)

(Ordered printed)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Fred L. Edwards, of Bethel (H. P. 1008) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Abolish Taxation of Intangibles" (H. P. 1009) (Presented by Mr. Ela of Anson)

(Ordered printed)

Bill "An Act relating to Tax on Street Railroad Corporations and Street Railways" (H. P. 1010) (Presented by Mr. Pascucci of Sanford)

(Ordered printed)

Sent up for concurrence.

**Temperance**

Bill "An Act relating to Malt Liquor Package Stores" (H. P. 1011) (Presented by Mr. Dow of Elliot)

(Ordered printed)

Bill "An Act relating to Sale of Liquor to be Consumed on the Premises" (H. P. 1012) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to the Sale of Liquor to Minors" (H. P. 1013) (Presented by Mr. Savage of Mt. Desert by request)

(Ordered printed)

Bill "An Act relating to Dancing and Entertainment on Premises Where Malt Liquor is Consumed" (H. P. 1014) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Bill "An Act relating to Business Hours for State Liquor Stores" (H. P. 1015) (Presented by Mr. Wright of Limestone)

(Ordered printed)

Sent up for concurrence.

**Ways and Bridges**

Resolve in favor of Oxbow Plantation (H. P. 899) (Presented by Mr. Anderson of Oxbow Pl.)

Resolve for a Preliminary Survey for Road in Stacyville Plantation (H. P. 900) (Presented by Mr. Boulter of Stacyville)

Resolve in favor of the town of Gilead (H. P. 901) (Presented by Mr. Boyker of Bethel)

Resolve in favor of the town of Bethel (H. P. 902) (Presented by same gentleman)

Resolve in favor of the city of South Portland (H. P. 903) (Presented by Mr. Dean of So. Portland)

Resolve in favor of the town of Solon (H. P. 904) (Presented by Mr. DeSanctis of Madison)

Resolve in favor of the town of Fort Fairfield (H. P. 905) (Presented by Mr. Dorsey of Fort Fairfield)

Resolve in favor of the town of Cranberry Isles (H. P. 906) (Presented by Mr. Savage of Mt. Desert)

Resolve in favor of the town of Lamoine (H. P. 907) (Presented by same gentleman)

Resolve in favor of Long Island Plantation (H. P. 908) (Presented by same gentleman)

Resolve in favor of the town of Ellsworth (H. P. 909) (Presented by Mr. Smart of Ellsworth)

Resolve in favor of the town of Surry (H. P. 910) (Presented by same gentleman)

Resolve in favor of the town of Bluehill (H. P. 911) (Presented by same gentleman)

Resolve in favor of the town of Smithfield (H. P. 912) (Presented by Mr. Tozier of Fairfield)

Resolve in favor of the town of Lebanon (H. P. 913) (Presented by Mr. Walsh of Lebanon)

Resolve in favor of the town of Woolwich (H. P. 914) (Presented by Mr. Williams of Topsham)

Resolve in favor of the town of Freedom (H. P. 1013) (Presented by Mr. Ames of Northport)

Resolve in favor of the town of Morrill (H. P. 1019) (Presented by same gentleman)

Resolve in favor of the town of Bowdoin (H. P. 1020) (Presented by Mr. McFee of Richmond)

Resolve in favor of the town of Alfred (H. P. 1021) (Presented by Mr. Moulton of Newfield)

Resolve in favor of the town of Alfred (H. P. 1022) (Presented by same gentleman)

Resolve in favor of the town of Wellington (H. P. 1023) (Presented by Mr. Rollins of Greenville)

Resolve in favor of the town of Shirley (H. P. 1024) (Presented by same gentleman)

Resolve in favor of the town of Monson (H. P. 1025) (Presented by same gentleman)

Resolve in favor of the town of Greenville (H. P. 1026) (Presented by same gentleman)

Resolve in favor of the town of Greenville (H. P. 1027) (Presented by same gentleman)

Resolve in favor of Chesuncook Plantation (H. P. 1028) (Presented by same gentleman)

Resolve in favor of Hartford Point Gore (H. P. 1029) (Presented by same gentleman)

Sent up for concurrence.

**Welfare**

Bill "An Act relating to Payments by the State toward Burial Expenses" of Recipients of Old Age Assistance and Aid to the Blind"



(H. P. 1016) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Bill "An Act relating to Status of Pauper Settlement of Arthur Melvin Clewley" (H. P. 1017) (Presented by Mr. Conant of Etna)

(Ordered printed)

Sent up for concurrence.

### Orders

On motion by Miss Deering of Bath, it was

ORDERED, that the Secretary of State be requested to prepare for the use of the members of the Legislature two hundred and twenty-five copies of the list of legislative counsel and agents as of February 8, 1945, and weekly supplemental lists thereafter during the remainder of the session.

Mr. Ward of Millinocket, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be prepared under the direction of the Clerk of the House a register of all bills and resolves introduced into both branches of the Legislature, and such as may be introduced pursuant to Joint Order S. P. 124, showing titles, paper numbers, document numbers, if printed, names of members introducing the same and the committees to which referred and the status of all bills and resolves, and that there be printed 500 copies of the same. The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such register.

The Order received passage and was sent up for concurrence.

### House Reports of Committees Ought to Pass

Mr. Payson from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to the Capitol Island Village Corporation" (H. P. 212) (L. D. 83)

Mr. Welch from same Committee reported same on Bill "An Act relating to the Port of Calais Authority" (H. P. 333) (L. D. 147)

Reports were read and accepted and the Bills having already been printed, were read twice under suspension of the rules and assigned for third reading the next legislative day.

### Passed to Be Engrossed

Bill "An Act Transferring the Rights, Duties and Obligations of

the Livermore Falls Sewer District to the Inhabitants of Livermore Falls and Abolishing the Livermore Falls Sewer District as a Separate Municipal Corporation" (H. P. 209) (L. D. 95)

Bill "An Act to Ratify and Make Valid the Incorporation of the Harry G. Decker Post No. 51, The American Legion" (H. P. 210) (L. D. 91)

Bill "An Act to Amend An Act to Incorporate Madison Village Corporation" (H. P. 337) (L. D. 150)

Bill "An Act to Consolidate Penobscot Lodge No. 7, I. O. O. F. and Oriental Lodge No. 60, I. O. O. F. as a New Corporate Entity Under the Name Penobscot-Oriental Lodge No. 7, I. O. O. F." (H. P. 338) (L. D. 151)

Bill "An Act relating to Assessment of Taxes in Plantations" (H. P. 340) (L. D. 118)

Bill "An Act relating to Accounting Systems in Towns" (H. P. 745) (L. D. 386)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

### Orders of the Day

The SPEAKER: The Chair lays before the House at this time the tabled and today assigned matter, House Report "Ought to be Adopted" of the Committee on Federal Relations on Memorial to the Congress of the United States relating to National Service Legislation (H. P. 318) (L. D. 114) tabled on February 7th by Mr. Perkins of Boothbay Harbor, pending acceptance of report.

The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I move the acceptance of the unanimous "Ought to be Adopted" report of the Committee on Federal Relations on this bill.

Now Mr. Speaker and Members of the House, I never have, and I never again expect to address this or any other body in any more serious a manner than I do at the present time.

While at home over this week-end, I noted in my county paper a little prayer which I would like to call to your attention.

"Dear Lord  
Lest I continue  
My complacent way;  
Help me to remember

Somewhere out there  
A man died for me today.

As long as there be war;  
I then must  
Ask and answer  
Am I worth dying for?"

Each one of us must answer that question for himself. I only know that I would not meet that test unless I spoke to you today about the dearest thing that you and I possess: our Liberty and our Freedom. I speak to you today, not only as a member of this House, but as a student of my profession.

These are the days when the world and our own Liberty here, must be saved by the efforts and sacrifices of the ordinary man and the ordinary lawyer, when this ordinary man gathers from his familiar way of life, from the traditions and the practice and the wide companionship of his craft, all that he has and is and throws it humbly and resolutely into the struggle which will decide whether our American Way of Life—that Liberty under the law and our Constitution, which he can understand, if he cannot define it—shall perish from the earth.

The ordinary lawyer shares and rejoices in the memory of the great masters of the Common Law—he draws his inspiration from their learning, their wisdom and their example. But he makes his own contribution. He has learnt—and in none too easy a school—to think honestly, to speak fearlessly, not, I hope, to rate himself too highly, to understand the troubles and difficulties of other men and to give himself ungrudgingly in their service.

When we became involved in this conflict, there were many who prophesied that total war would prove incompatible with the essential civil freedoms. THIS is where the danger lies. I, however, do not believe it is necessary to give up or sacrifice any of our freedoms to win this war. To believe otherwise is to say that Democracy is a failure and that we must have a totalitarian government. To this I cannot agree.

I look to the court for approval.

In *Ex parte Milligan*, 4 Wallace at page 120, Mr. Justice Davis of the Supreme Court of the United States, said:

"The Constitution of the United States is a law for rulers and people, equally in war and in peace, and

covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy and despotism, but the theory of necessity on which it is based is false; for the Government within the Constitution, has all the powers granted to it, which are necessary to preserve its existence." Thus spoke the Court.

It is one of the examples of living in times like these that life becomes reduced to simple issues, life and death, and as in the question now before this House—Liberty and involuntary servitude.

The pursuit of these virtues to which I have just alluded, by the ordinary lawyer, though they may not be colorful, does not mean that we lawyers are untouched by the fire of enthusiasm. There are causes for which we, like others, are prepared to die. One such cause there is, that will always be sacred to us and that now stands assailed—the cause of Liberty under the law.

We know what Liberty means. It is a tradition which we share, for which our forefathers died, for which we risked our lives and our sons now risk theirs.

And we lawyers, as practitioners of the Common Law, have had committed to us to carry in our day and generation, the eternal torch of Liberty and Justice. Today, men stalk through the world and even in our own beloved country to put that light out, to set up the relentless and miserable darkness of an iron tyranny in the place of the immortal lamp of Liberty. The lamp is ours to shield with our lives, our bodies, our minds and our spirits, with all we have and are. And we cannot fail.

Walls and cities may fall, but that lamp will stand. Men may die, and we among them, but that lamp will burn on. We are mortal men and our poor lights must some day flicker and burn out. But that lamp is eternal and can never be quenched. For, in very truth, that lamp, the lamp of Liberty, the lamp of law and life, is kindled by the light which lighteth every man who comes into the world.

I light my lamp, this morning, at Runnymede, at the signing of

the Mayflower Compact, at Lexington and Concord and at Gettysburg.

The crusade for Liberty will continue as long as there prevails the pursuit of human happiness. God not only made man in His image; He breathed into him the breath of Life and kindled within him that infinite spark, and **he will be free**—if he desires Liberty **above** all earthly things.

The question now before this House, is whether or not we shall send a memorial or petition to Congress in opposition to any law which would authorize and empower anyone to compel men, now free, to work for a private employer who would make a profit on his labor.

Such a law violates the Thirteenth Amendment to our Federal Constitution, which is as follows:

"Sec. 1, Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction."

What is "involuntary servitude"?

To compel one to labor for a private employer, who would make a profit on one's labor is "involuntary servitude."

The bill now before Congress is known as the May bill, and relates only to those between the ages of eighteen and forty-five—the age limits are unimportant. It is my contention that Congress does not have the power to compel anyone of whatever age to work for a private employer. Our sons and daughters may be victorious over the enemy on foreign fields, but we, who have the guardianship of the home front, shall have lost the war here, if Congress passes this legislation, and we shall have betrayed those who have died and those who will die or the preservation of our American Way of Life. For our Liberty and our Freedom are its very keystone. Take that away and there is nothing left.

At the beginning of this session, we took a solemn oath to support and defend the Constitution of the United States.

Two years ago in this very Hall, our then Governor delivered a message in which he said:

"You and I are trustees at this time for a freedom and a kind of government which has been obtained at the cost of tremendous human sacrifice in the past and is

now being maintained by further sacrifices of our own sons of this generation.

"To let deteriorate this right of free representative government would be to betray a trust; to build and strengthen it so that it may remain a symbol worth fighting for and a living force to help those who have preserved it, is the solemn duty of us who now remain at home.

"May God guide us in this sacred trust."

Thus spake the Governor.

A so-called National Service Act was recommended to Congress by the President in his message on Jan. 11, 1944, over a year ago.

In his message, he said:

"A National Service Law—which, for the duration of the war, will prevent strikes and with certain appropriate exceptions, will make available for **war production** or any **other essential** service, every able bodied adult of the nation." This means men and women of whatever age.

At the same time he suggested four other measures, and said:

"These five measures form a just and equitable whole. I would not recommend a national service act **unless** other laws were passed to keep down the cost of living, to share equitably the burdens of taxation, to hold the stabilization line, and to prevent profits."

These measures were not passed. The need for this law is not nearly so great as it was a year ago.

The President also said:

"The Federal Government already has the basic power to draft capital and property of all kinds for war purposes on a basis of just compensation."

What he should have said is that the Government can take private property for a public purpose, under the law of eminent domain, if the Government pays for it, but the Federal Government or anyone else, cannot take private property for a private purpose, even if it does pay for it. And the Government cannot take the liberty of even one of the most humble of our citizens and make him work for a private employer, because that is involuntary servitude and specifically prohibited by the Thirteenth Amendment.

If the Government wants to take over all the factories and operate them for the benefit of the Govern-

ment, without profit to anyone else—the situation is entirely different. Ever since the above message—the proponents of such legislation have steadily advocated its passage by the Congress. The best statement of their position has been contained in the editorials of the New York Times, and always in these words: They have repeated them at least a dozen times in the last year.

“If it is fair and proper and consistent with democracy, for the Government to select a man for military duty and send him for an indefinite period across the seas to endure hardship and danger, then it is no less fair and proper and consistent with democracy to require another man to do war work at home, if and when necessary to meet the nation's needs. Recognition of the essential soundness of this principle has been forced on other democracies by the crisis in which we are involved. Britain, Australia and New Zealand all have National Service Acts, including compulsory powers. These countries are no less jealous than we are of individual rights and civil liberties.”

The trouble with that position and that editorial is that it does not tell the whole truth; England does not have a written constitution. We have. We fought a war more than one hundred and fifty years ago to get away from the sort of government that they have over there.

I am filled with dismay, when a newspaper like the New York Times, and leading commentators advocate a “Work or Jail” bill—when they know it violates the fundamental law of our land.

Mr. Justice Davis, to whom I have alluded, has said that the Constitution cannot be violated in time of war any more than in time of peace.

This statement on the question of a National Service Act omits consideration of every vital question which it raised, but no omission is so remarkable as that of an even passing reference to the fact that such an act would be in direct violation of the Thirteenth Amendment to the Federal Constitution, which prohibits involuntary servitude. They do not pay any attention to the Constitution.

Instead, this statement **fallaciously** assumes an exact analogy between conscription of the individual for military service in defense of his

country and his conscription for employment in privately owned and controlled industry. The duty of the citizen to fight for his country is discharged under the direct command of its military organization, with the President as Commander in Chief. For labor conscription to be analogous, the Federal Government would have to nationalize war industry, in order that the conscripted worker might produce under the direct command of his Government, with **no profits** from his labor accruing to private individuals.

Such an act if it means anything at all, means coercion.

It means that the Government shall be empowered to decide where and how every American required to register for service shall be employed and that the individual shall be forced to accept work assigned at the wages fixed without regard to his personal interest or preference or his previous capacity to earn. And since there was not included confiscation of war industries among the conditions precedent to such Service Act, it means also that the conscripts would be forced by the Government to work for private profit.

But forced labor for private profit is “involuntary servitude” and has been so recognized by our courts.

In our law dictionaries “involuntary servitude is defined as: “The condition of one who is compelled by force, coercion or imprisonment and against his will, to labor for another, whether he is paid for it or not.”

Such proposed legislation is clearly unconstitutional.

The fact is, that free American labor has far outstripped the slave labor of the axis. The fact is—that when our ally Stalin, raised his glass at Teheran and toasted the American machines without which the United Nations could not have won the great victories so far won, he was toasting the achievement of free American labor. It is astonishing and affirming to be confronted with this proposal to reward the American people who have wrought this miracle by depriving them of their constitutional Freedom of the person—the dearest freedom of them all—on the ground that enslavement will make them more productive.

On January 23, 1944, twelve days after the President had delivered

the message to which I have alluded, there appeared in the Sunday Magazine section of the New York Times, an article by James B. Reston entitled "If We Have National Service", which is the authority for the statements that I now make. That article was cabled from London to the New York Times.

What were the conditions under which England, having no written constitution, passed its service act?

It is May 22, 1940. The House of Commons met in a mood of impending disaster. The new Prime Minister, Winston Churchill, had gone to France. The aged white-wigged Speaker opened the session appropriately enough by announcing the death of a member. Across the Channel, the Germans had taken Brussels, reached the old battlefield of the Somme, familiar to some of you boys here, and captured British General Headquarters at Arras—the Belgian Government had fled to Bruges—Boulogne was falling and the British Expeditionary Force was retreating to a small French coastal town called Dunkirk. It was in these dark days that the ordinary man in England sailed across the Channel in his little ship and trusted his life to God and his memory to his friends.

This, in brief, was the situation when at 3:25 o'clock in the afternoon, Clement Attlee, the Lord Privy Seal, rose in the House and asked for immediate passage of an extraordinary "Emergency Powers Bill."

In less than two hours, the House had passed into law, the severest act in the history of the British Parliament; together with an Order in Council, which it sanctioned. The act among other things, conferred upon the Minister of Labor and National Service power to direct any person in Great Britain to perform any service in any place in the United Kingdom, to take over any piece of property for any purpose which he deemed necessary and to place a 100% tax on all excess profits made out of the war.

Under like circumstances, the President would have, under our Constitution, declared martial law.

What are conditions here in America, now? The Germans are not at our gates; neither have we any Dunkirk. On the contrary, the best argument against the necessity of such an act is, that the Russians have crossed the Oder, and are now

within thirty miles of Berlin; our own lads are through the Siegfried Line, and the Germans are doomed. In the South Pacific, MacArthur is in Manila, and the sword of impending doom is steadily approaching the heart of Japan.

What have they done in England under this Act?

I quote from Mr. Reston's article: "Tens and hundreds of thousands of men and women have been moved from their normal communities and their normal jobs and have been dumped into sections of the country and into work which they knew nothing about. These migrant workers have often had to live in homes much worse than even the temporary structures thrown up for our workers at home in America, and, in many cases, they have been billeted compulsorily in homes where they were not wanted.

"Whole towns in Scotland have been stripped of their young women, who have been moved into England to supply the labor shortage in aircraft factories, and the British people would be the last to claim that this vast migration of women and men, with its doubling up of families in unnatural surroundings, has been accomplished without unfortunate moral and social effects."

Does anyone want this in America? Can it be possible that there is anyone who thinks that any law conferring such powers is constitutional in view of the positive and definite language of the Thirteenth Amendment?

Jefferson may have violated the Constitution in the purchase of Louisiana—but later days proved his wisdom; we forgave him and Congress ratified his action.

Lincoln may have violated the Constitution when he suspended the writ of Habeas Corpus, and advised his General there to defy the writ, although it was issued by the Chief Justice himself. What was the situation? There was rioting in Baltimore; the Southern sympathizers were numerous—Lincoln put them in jail and by his action saved Maryland and other Border States to the Union. Lincoln may have violated the Constitution when he issued his Emancipation Proclamation—freeing the slaves in the rebellious states, as a war measure. This did not abolish slavery as an institution; that was done by the Thirteenth Amendment.

But the situation is far different when our Congress, with no emergency at hand, coolly, deliberately and wilfully votes to violate that Constitution and to give anyone the power to compel any free man to work for a private employer.

When that day comes, America is no longer the land of the free. And the Bill of Rights, that charter of civil liberties, as well as the Thirteenth Amendment, have become mere scraps of paper.

In any event, I feel that those who have someone near and dear to them over there, or who have already lost someone near and dear to them, will understand what I am trying to say. The ideals of America have a real meaning to them. The mothers and fathers of America are not waking with Pleasure in these anxious days, but with Sorrow.

"I walked a mile with Pleasure,  
She chatted all the way;  
But she left me none the wiser  
For all she had to say.

I walked a mile with Sorrow  
And never a word said she;  
But, oh! the things I learned from  
her

When Sorrow walked with me."  
What are we fighting for? What  
are our sons dying to preserve?

There may be confusion in the minds of some, but there is none in mine, nor do I believe there is any in your minds, or in the minds of our boys over there.

Certain facts are crystal clear. Clearly we fight to destroy Hitler and Hirohito and their plans for world domination. BUT we also fight for the preservation of our Liberty, for the right to rule ourselves in our chosen way.

BUT, unless, while winning the war, we YET would lose, it must be equally clear that we are fighting to preserve our Constitution. We must defend that Constitution, as well as our rights, with our lives.

Only thus can we defend our Constitutional form of Government, from which spring all our liberties—all that makes the lives of freemen worth living.

The Liberty of America is its very soul. And the act now pending in Congress would destroy it—would destroy the very thing for which our boys have died and are dying, as I speak here this morning.

What is this Liberty?—What is this Freedom?

You understand what I mean, even if you cannot define it. If you do not know what I mean, go out into the open and lift up your eyes unto the hills from whence cometh all courage and strength. Look to the hills, and you will then know what I mean, what it is that our boys are dying for—Freedom-Liberty—our American Way of Life and all that goes to make it up, but the greatest of these is Liberty.

We cannot betray these boys who died and who will die for Liberty and Freedom, these boys of ours whom we shall never see until the Resurrection.

And as we vote on the pending question before this House, let us hope that those boys of ours from their places beyond the stars will say, "Yes, they were worth dying for."

And let us, by the same token, say to them:

"They shall not grow old, as we  
who are left grow old,

Age shall not weary them, nor the  
years condemn,  
At the going down of the sun in the  
morning,

We shall remember them." (Ap-  
plause)

THE SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

MR. RANKIN: Mr. Speaker, I have listened with a great deal of interest to the address delivered by the gentleman from Boothbay Harbor, Mr. Perkins, but I would like to speak in opposition to it. I think something ought to be said on the other side.

Unfortunately, I do not have a carefully prepared address and I shall have to speak in quite a matter-of-fact way. I cannot speak as a lawyer. With all my faults, I am not a lawyer. I am still less capable of speaking on constitutional matters, but there are some objections to this resolution which have to do not only with its constitutionality, but with the merits of the bill. However, today, we have to do only with its constitutionality, and I think the speaker forgot that in some cases.

I am opposed to this bill for quite a number of reasons, as will be seen, and the first one, I think, is the most important one. That is, that we do not know what the May Bill is — there isn't anyone here who knows what the May Bill will be when it is finally presented.

No one knows what action will be taken, and I think that is the most important reason why we should not take action of this sort.

I am reminded of the story about a man and his wife and son who went to a Maine hotel and were planning to stay there for quite a while. The lady was quite extravagant and after a few days the man went to the hotel keeper and said that he could not stay as long as they had planned. The hotel keeper asked: "Are you not satisfied with the service?" The man replied: "Oh, yes, the service is all right." The hotel man then said: "Please tell me why you cannot stay." To which the other man replied: "There are a dozen reasons why." The hotel man then asked: "Well, tell me one." To which the man replied: "One of the reasons is that my money is all gone." The hotel keeper then said: "Never mind about the other eleven reasons."

So it seems to me that here we are facing a proposition where we know very little about the ultimate bill that will go before Congress.

The speaker, as is the habit of attorneys, quotes authority. Now I agree with all the authorities quoted, but what it had to do with this case I do not know. I would like to quote some authority also. The Secretary of War, Henry Stimson, is considered a very capable man. I remember some time ago it was said in Washington that in spite of his age, seventy-seven, he was considered the most efficient, the most able man in the Cabinet of the President. He was a Colonel in the first World War. I have said he was a very eminent lawyer; he was taken into partnership with Elihu Root who was for years considered the principal lawyer of this country. Before the committee Mr. Stimson never indicated that this measure or any measure like it was unconstitutional. Mr. Stimson does not want to force upon us any unconstitutional measure. He was the Governor-General of the Philippines, a candidate for Governor of the State of New York, and Secretary of State from 1929 to 1933. Mr. Stimson is a very eminent authority on constitutionality and a great lawyer. He has no desire that we should take any step that is unconstitutional.

Now unfortunately we do not have enough lawyers in this Legislature. I have spoken to some of

them, and while the speaker this morning may believe in the unconstitutionality of this measure, most of them I have talked to say, "No, no, no such thing." They believe that it is not unconstitutional.

The other day when Mr. Stimson was speaking before the committee he said a measure of this kind would raise the morale of the soldiers and sailors throughout the world. I think that is a very important thing if that can be done. He said there would be a drop in morale if we did not adopt some such measure as this. We have in Congress many lawyers, some of them very distinguished lawyers, some from this State, and some are for this measure and some are not for it. This is a matter that divides along party lines. I do not believe that the able lawyers in Congress of both parties are going to give us a measure of this sort which is unconstitutional.

I had a letter recently from a Congressman, which I would like to quote. I am not at liberty to use his name—but he said, "You can depend on it that this Congress is not going to pass an unconstitutional law." I know it is quite the habit of certain people to criticize, but I have never done it; I have always stood up for the Congress in spite of its defects, just as I would stand up for this Legislature. I confess to you, without apology, that I am, and have been, more critical of the executive branch of Congress than the legislative branch. Now for us to say, or anyone to say, lightly and flipantly, that we have a Congress that is going to give us an unconstitutional measure, I say is a very great mistake and lacking in good judgment.

Now it seems to me that the speaker really, in not more than two or three sentences, really comes to grips with the matter of his Memorial that he has introduced. It seems so to me, though I repeat I do not speak with much legal authority. It seems to me that he did not come to grips with the matter of its unconstitutionality.

I have read speeches about this matter in the Congressional Record and I confess that as to the merits of the bill I am not convinced. I do not know if we are to have it or not. I thought we ought to have it two years ago and I think many of the others thought so too. Now many of you agree

that it is too late. Perhaps that is true, but that isn't the question that is before us.

It has been mentioned by the distinguished gentleman from Boothbay Harbor (Mr. Perkins) that it is unconstitutional to take men and compel them to work for private industry for a man who is making a profit. Now I do not know all the ins and outs of that, but I know that lawyers differ on that matter. As to the matter of profit, I do not know what that has to do with the case. I went to a man recently in the town where I live and asked him to subscribe some money for a certain purpose. He said he would be glad to do his part but he is keeping his clerks on in spite of the fact that he is in the red. I do not know where this idea comes from exactly, that it is wrong to put men to work in private industry. Every time you enlist a new soldier or sailor into the service, you are doing something to raise the profit of someone, somewhere, that is making goods for war. I suppose that is wholesome.

The speaker made a good deal of and paid high tributes to the Constitution. I would like also to pay tribute to the Constitution. I agree with everything said about the Constitution, but what that has to do with the measure I don't know. A great deal was said about liberty as the most precious thing that we have. I believe that is true, but we know that no one has unconditional liberty. We know that in order to achieve and preserve our liberty, we must give up a good deal of our liberty temporarily during the war. I think it is about the highest type of patriotism, when we voluntarily give up our liberty, as the gentleman from Boothbay Harbor (Mr. Perkins) is doing, and all of us are doing, in order that we may achieve the larger measure of liberty.

Now as to taking a man and putting him to work in private industry, I think it would be a fair inference that you are putting a certain man in business for profit. Now that isn't the meaning of the bill whatever—that isn't the meaning of that bill at all. He has a number of options. He can work for this private industry or he can do this or that. He can go to work in the factory owned and run by the government. He can enlist in

the Army or Navy. He has a number of options under this bill as it now exists. What it will be eventually, of course I do not know.

We know what happened in Aroostook County—I am going by Aroostook County figures—when soldiers were put in the fields to dig potatoes, presumably for the profit of the owners. I didn't hear any outcry about it—I sincerely hope the owners did make a profit. In other words, the soldiers were temporarily subjected to this sort of servitude; they were put forcibly in the Army; and put in the fields to work for private industry for men who were making a profit out of their labor, and yet there was no outcry and no cause for it. I think it was perfectly all right.

I venture to say that it is the opinion of some lawyers that that is not in accordance with the Constitution—to draft men from the Army, yet we draft men; I believe in that, thoroughly and absolutely. You cannot conduct a great war like this on a voluntary basis, and that applies not only to soldiers and sailors, but to the rest of us as well. In other words, it has been argued that strict conscription, as it is proposed to do in Washington, is opposed to the Constitution—to put men in the Army against their will.

Reference has been made to our Armed Forces across the sea. We owe something to them, we are told—if this measure were passed. The speaker this morning referred to the fact that he has a son in the service. That is fine. Many of us here also have sons in the service. The speaker this morning said that we would not be true to our sons, that he would be ashamed to look his son in the face if he came back and found that his father had voted for such a measure as this.

I have seen a good many letters from soldiers, and I have not seen one that was opposed to a measure of this kind. I have seen letters that we have had, and I have before me here a scrap of paper taken from the Portland Press Herald of yesterday, with this heading: "Vast Majority Approves a Jobs Draft—76 Percent Favor National Service." That is the Gallup poll, and we are told that 76 percent of the civilians favor national service. Just the other day the Stars and Stripes, which is an organ of the Armed Forces, said that this bill is not a **may** bill; it is a **must** bill.



That is the point of view of the soldiers and sailors. I venture to say that if a poll of them were taken, that instead of being 76 percent, it would be 98 or 99 percent; all the evidence is to that effect. I think we know what the result would be without taking a poll.

I am very much opposed to this measure. It seems to me a foolish position for us to take, and I do not believe the members of Congress would like it very well. I think we had better attend to our own knitting.

These are some of my objections to this bill but I think that the principal objection is that we are supposed here to vote in favor of a matter in Congress about which we know very little. I repeat also that the May Bill is a tribute to our soldiers and sailors.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, we are locking and praying for a speedy termination of this war. We wish to be loyal to the Constitution and to our country. I hope the time will soon come when normal conditions will be restored. I think we all have to look to God. I think we all wish to do what we can, and I wish to go along with the gentleman from Boothbay Harbor, Mr. Perkins.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, may I just offer a word of explanation. I do hope that I have made the situation clear. While I mentioned the May Bill, what this does is to oppose any bill, the May Bill, or anything else that may come out of Congress, that would put a real free man, one of our citizens, to work for a private employer who would realize a profit on that man's labor. That is involuntary servitude.

What is this that we are doing? We receive in our own body petitions and remonstrances in relation to lobster laws, fish laws and everything else, and refer these to committees. This is the only way we have of expressing our opinion either way. We want to preserve our liberty.

I hope all those who favor the position I have taken will vote yes to accept the unanimous report of the Committee on Federal Relations.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, I would like to state my position on this Memorial in two sentences. I was not elected here to represent anyone on national affairs. I do not, and I cannot know enough about the necessities of the soldiers and sailors to know how to vote intelligently on the matter before us. That is why I am opposed to it.

The SPEAKER: The question before the House is whether or not the "Ought to be Adopted" report of the Committee on Federal Relations on Memorial to the Congress of the United States relating to National Service Legislation (H. P. 318) (L. D. 114) be accepted. All those in favor of accepting the committee report will say aye; those opposed no.

A viva voce vote being doubted, a division of the House was had. Fifty-nine having voted in the affirmative and 48 in the negative, the motion prevailed, and the report was accepted.

The SPEAKER: The question now before the House is, shall this Memorial be adopted?

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move that the House reconsider its action whereby the House Report "Ought to be Adopted" was accepted.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the House reconsider the action just taken whereby the "Ought to be Adopted" report of the committee was accepted. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Memorial was adopted, and sent up for concurrence.

The SPEAKER: The House is proceeding under Orders of the Day.

On motion by Mr. Snow of Auburn, the House voted to take from the table the second tabled and unassigned matter, House Order relative to Salary Lists of State Employees and Heads of Departments to be furnished to Committee on Salaries and Fees, Office of Clerk of the House, and State Library,

tabled on February 7th by that gentleman, pending passage.

Mr. Snow offered House Amendment "A" and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to House Order re Salary Lists.

Amend said Order by striking out from the second line thereof, the words "to the Committee on Salaries and Fees lists" and inserting in place thereof 'to each member of the legislature a list' so that said Order shall read as follows:

"ORDERED, that the State Controller be requested to furnish to each member of the legislature a list of State Employees, including heads of departments, and salary of each;

AND BE IT FURTHER ORDERED, that the State Controller file such a list in the office of the Clerk of the House for the information of the members of the Legislature, and also file such a list in the State Library.

The SPEAKER: The question before the House is on the adoption of House Amendment "A".

The Chair recognizes the gentleman from Vassalboro, Mr. Hawes.

Mr. HAWES: Mr. Speaker, for the past eight years at each legislative session these salary lists have been published. There is a considerable circulation throughout

the State. Many members have received requests for these lists. The type is set; the press is ready to operate; it would be but a slight expense for additional copies. It is the people's money that we are spending and they have a right to know how it is spent. I know of no worthwhile reason why we cannot have sufficient copies to comply with these requests. Mr. Speaker, for the purpose of offering an amendment providing for additional copies, I move that the amendment and order be tabled.

The SPEAKER: The gentleman from Vassalboro, Mr. Hawes, moves that House Amendment "A", together with the order, lie on the table. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, House Amendment "A" was adopted, and the Order as amended by House Amendment "A" received passage.

The SPEAKER: If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Wood of Webster.

Adjourned until Tuesday, February 13th, at eleven o'clock in the forenoon.