

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

SENATE

Tuesday, April 10, 1945

The Senate was called to order by the President.

Prayer by the Reverend Weston Holman of Hallowell.

Journal of yesterday read and approved.

From the House:

Bill "An Act Amending the Charter of the Town of Norridgewock School District." (H. P. 1469)

Comes from the House received by unanimous consent, and referred to the Committee on Legal Affairs.

In the Senate:

Mr. SAVAGE of Somerset: Mr. President, I ask unanimous consent to address the Senate.

The PRESIDENT: The Senator from Somerset, Senator Savage asks unanimous consent to address the Senate. Is there objection? The Chair hears no objection and the Senator may proceed.

Mr. SAVAGE: Mr. President and members of the Senate, in asking unanimous consent for the reception of this bill, I want to state that it has to do with the Norridgewock School District. Two weeks ago the school house was destroyed by fire—this building housed all their students, 382 pupils. Under the existing law, they can only have a debt limit of \$29,000 and they are in need of \$60,000 more to build this school house. This does not require any appropriation from the legislature, it is just an enabling act and I hope it will receive unanimous consent from the Senate, as they have no school, and will have to have one.

Thereupon, the bill was received by unanimous consent, and referred to the Committee on Legal Affairs in concurrence.

From the House:

Bill "An Act to Create a Legislative Research Committee." (H. P. 1272) (L. D. 915)

(In Senate on April 6th, the Majority Report "Ought Not to Pass" adopted in non-concurrence.)

Comes from the House, that body having adhered to its former action whereby the Minority Report "Ought to Pass" was adopted, and the bill

passed to be engrossed as amended by House Amendment "B".

In the Senate, on motion by Mr. Dow of Oxford, the Senate voted to adhere.

From the House:

Bill "An Act Permitting the Department of Education to Cooperate in Establishing University Extension and Correspondence Courses." (H. P. 940) (L. D. 575)

(In Senate on April 6th, passed to be engrossed as amended by House Amendment "A" in non-concurrence.)

Comes from the House, that body having adhered to its former action where the bill was passed to be engrossed as amended by House Amendment "A" and subsequently the bill as amended was indefinitely postponed.

In the Senate:

Mr. LEAVITT of Cumberland: Mr. President, I move that the Senate insist on its former action whereby the bill was passed to be engrossed as amended by House Amendment A, and ask for a Committee of Conference, and in support of that motion I would like to say just one sentence. I think there is tremendous confusion about this bill, both in the action taken here and in the other Body, and I think we should at least try to talk the thing over.

The motion to insist and ask for a Committee of Conference prevailed.

From the House:

Bill "An Act Relating to Relief During the Emergency for Businesses in Financial Distress Because of Wartime Conditions." (S. P. 422) (L. D. 1104)

(In Senate on April 5th, passed to be engrossed.)

Comes from the House passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Batchelder of York, the bill and amendment were laid upon the table pending consideration.

From the House:

Bill "An Act to Correct Typographical and Clerical Errors in the Revision." (S. P. 414) (L. D. 1100)

(In Senate on April 4th passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Dow of Oxford; the Senate voted to reconsider its former action whereby the bill was passed to be engrossed, and on further motion by the same Senator, House Amendment A was adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

House Committee Reports

The Committee on Judiciary to which was recommitted Bill "An Act to Establish the Western Oxford Municipal Court." (H. P. 515) (L. D. 204) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and adopted in concurrence, and the bill read once. Committee Amendment "A" was read and adopted in concurrence, and the bill tomorrow assigned for second reading.

The Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Judge of the Municipal Court of Bath," (H. P. 680) (L. D. 273) reported the same in a new draft (H. P. 1432) (L. D. 1115) under the same title, and that it ought to pass.

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

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

The Committee on Banks and Banking on Bill "An Act to Incorporate the 'Guardian Finance Co.,'" (H. P. 793) (L. D. 431) reported that leave be granted to withdraw the same.

The Committee on Salaries and Fees on Bill "An Act Relating to Salaries of All Municipal Court Judges," (H. P. 1215) (L. D. 766) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Payment of Fees to Sheriffs, Deputy Sheriffs, State Police Officers and Police

Officers," (H. P. 854) (L. D. 455) reported that the same ought not to pass.

Which reports were severally read and adopted in concurrence.

The Committee on Taxation on Bill "An Act to Abolish Taxation of Intangibles," (H. P. 1009) (L. D. 530) reported that the same ought not to pass.

Comes from the House, the report adopted, and subsequently reconsidered; the bill was substituted for the report and passed to be engrossed.

In the Senate:

Mr. NOYES of Hancock: Mr. President, I move that the Senate adopt the "Ought Not to Pass" report of the committee, and in support of that motion I would simply state that if this bill were enacted, the State of Maine would lose 7¼ mill tax on about 12 million dollars which is the amount of the state tax. Also the cities and towns — the city of Portland is the principal city that taxes intangibles, and would lose \$200,000. The counties would lose about \$30,000. In view of the situation the majority of the committee felt it should not pass. I therefore move the Senate adopt the "Ought Not to Pass" report of the committee.

The motion prevailed, and the Senate voted to adopt the "Ought Not to Pass" report of the committee in non-concurrence.

Sent down for concurrence.

The Majority of the Committee on Judiciary on Bill "An Act Relating to the Recorder of the Bath Municipal Court." (H. P. 642) (L. D. 295) reported that the same ought not to pass.

(Signed)

Senators:

DOW of Oxford
DUNBAR of Washington
CLOUGH of Penobscot

Representatives:

WILLIAMS of Auburn
HASKELL of Portland
CONNELLAN of Portland
PEIRCE of Augusta

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(Signed)

Representatives:

PERKINS of Boothbay Harbor
WARD of Millinocket

Comes from the House, the Minority report read and adopted, and the bill passed to be engrossed.

In the Senate:

Mr. DOW of Oxford: Mr. President, I move the adoption of the Majority Report "Ought Not to Pass".

Thereupon, on motion by Mr. Bishop of Sagadahoc, the reports and accompanying papers were laid upon the table pending motion by the Senator from Oxford, Senator Dow to adopt the Majority Report "Ought Not to Pass".

The Committee on Claims on "Resolve in Favor of the Town of Smyrna," (H. P. 1228) (L. D. 852) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act to Confer Concurrent Jurisdiction on the Probate Court and Superior Court in Matters Concerning Custody and Support of Minor Children," (H. P. 818) (L. D. 506) reported that the same ought to pass.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Aroostook County to George Emile Daigle and Adrian Daigle," (H. P. 348) (L. D. 155) reported that the same ought to pass.

The Committee on Ways and Bridges on "Resolve in Favor of Town of Greenville to Correct Height of Overpass of the Canadian Pacific Railroad at Greenville Junction," (H. P. 1312) (L. D. 961) reported that the same ought to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Fishing in Certain Rivers, Lakes and Ponds in Oxford County," (H. P. 1270) (L. D. 913) reported the same in a new draft (H. P. 1440) (L. D. 1130) under the same title, and that it ought to pass.

The Committee on Judiciary on Bill "An Act to Amend the Employees' Contributory Retirement System," (H. P. 1311) (L. D. 960) reported the same in a new draft, (H. P. 1441) (L. D. 1131) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to the Sanitary Water Board," (H. P. 1288) (L. D. 934) reported the same in a new draft (H.

P. 1422) (L. D. 1132) under the same title, and that it ought to pass.

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

The same Committee on Bill "An Act Relating to Reporting by Drivers Involved in Accidents," (H. P. 1189) (L. D. 702) reported the same in a new draft (H. P. 1444) (L. D. 1133) under the same title, and that it ought to pass.

The Committee on Legal Affairs on Bill "An Act to Provide a Town Councillor Form of Government for the Town of Limestone in the County of Aroostook," (H. P. 1349) reported the same in a new draft (H. P. 1445) (L. D. 1134) under a new title, Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Limestone in the County of Aroostook," and that it ought to pass.

The same Committee on Bill "An Act Relating to Public Safety Commission for Rumford Falls Village Corporation," (H. P. 657) (L. D. 266) reported the same in a new draft (H. P. 1446) (L. D. 1135) under the same title, and that it ought to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Recorder of the Bath Municipal Court," (H. P. 442) (L. D. 170) reported the same in a new draft (H. P. 1447) (L. D. 1136) under the same title, and that it ought to pass.

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

The Committee on Claims on the following Resolves:

S. P. 53, L. D. 21. Resolve in Favor of Laurence Dresser of Portland.

S. P. 73. Resolve in Favor of Rurolf Colby of Sanford.

S. P. 88, L. D. 131. Resolve in Favor of Mrs. Mattie Simmons of Friendship.

S. P. 108, L. D. 234. Resolve in Favor of Donald H. Tate of Ellsworth Falls.

S. P. 109, L. D. 233. Resolve in Favor of Fay F. Mattatall of Ellsworth.

S. P. 128, L. D. 333. Resolve in Favor of William Bolduc of Lewiston.

S. P. 131, L. D. 336. Resolve in Favor of Melbourne Wilson of Guilford.

S. P. 234, L. D. 650. Resolve in Favor of Ave Braveman of Bangor.

S. P. 235, L. D. 649. Resolve in Favor of John A. Babb of Dixfield.

S. P. 236, L. D. 648. Resolve in Favor of Maynard Nickerson of Ridgelyville.

S. P. 281. Resolve in Favor of Jesse C. Sanborn of Bridgton.

S. P. 304, L. D. 845. Resolve in Favor of Mrs. Olive Clark of Bangor.

S. P. 305, L. D. 844. Resolve in Favor of Thompson Guernsey of Dover-Foxcroft.

H. P. 134. Resolve in Favor of F. H. Botting of Smyrna Mills.

H. P. 135. Resolve in Favor of Leon C. Tarbell of Merrill.

H. P. 136. Resolve in Favor of William Plummer of Thorndike.

H. P. 137. Resolve in Favor of Seavey A. Piper of Troy.

H. P. 140. Resolve in Favor of Clyde M. Harriman of Belfast.

H. P. 141. Resolve in Favor of Charles A. Perro of Old Town.

H. P. 142. Resolve in Favor of John Sharp of Old Town.

H. P. 143. Resolve in Favor of Albert Lacombe of Rockland.

H. P. 145. Resolve in Favor of Samuel Look of Jonesboro.

H. P. 185. Resolve in Favor of Emilien N. Carignan of Rangeley.

H. P. 204. Resolve in Favor of Harry King of Bethel.

H. P. 205. Resolve in Favor of Frank A. Hunt of Bethel.

H. P. 206. Resolve in Favor of Sylle LeClair of Bethel.

H. P. 207. Resolve in Favor of Clyde Curtis of Richmond.

H. P. 208. Resolve in Favor of Bernard W. Watts of Oakland.

H. P. 308. Resolve in Favor of Arnold Robinson of Wells Village, Glastonbury, Connecticut.

H. P. 312. Resolve in Favor of Earl C. McGraw of Hampden.

H. P. 314. Resolve in Favor of Rev. C. D. Nutter of Millinocket.

H. P. 412. Resolve in Favor of Donald L. Kimball of Scarborough.

H. P. 414. Resolve in Favor of Elmer H. Heald, Jr., of Gardiner.

H. P. 493. Resolve in Favor of George Sheaff of Palermo, Maine.

H. P. 494. Resolve in Favor of Howard MacFarlane of Augusta.

H. P. 495. Resolve in Favor of George F. Giddings of Augusta.

H. P. 496. Resolve in Favor of Scott Carter of Waldoboro.

H. P. 497. Resolve in Favor of Nelson E. Fuller of Jay.

H. P. 499. Resolve in Favor of Rodney A. McGregor of Augusta.

H. P. 500. Resolve in Favor of John G. Johnson of Augusta.

H. P. 624. Resolve in Favor of Chauncy Monroe of Milo.

H. P. 625. Resolve in Favor of Rose Vallani of Milo.

H. P. 627. Resolve in Favor of Harold H. Dow of Brooksville.

H. P. 628. Resolve in Favor of C. H. Anderson of Monmouth.

H. P. 629. Resolve in Favor of Winfield E. Blaisdell of South Berwick.

H. P. 634, L. D. Resolve in Favor of Charles J. Arduini.

H. P. 720. Resolve Providing for the payment of damage caused by deer to automobile of Nelson A. Goodwin.

H. P. 721. Resolve in Favor of Milford Marks of Orland.

H. P. 722. Resolve in Favor of Harry W. Doore of Brewer.

H. P. 796. Resolve in Favor of Ellery D. Witham of Embden.

H. P. 797. Resolve in Favor of Samuel Clark Jr., of Oakland.

H. P. 800. Resolve in Favor of Thomas P. Packard of Houlton.

H. P. 801. Resolve in Favor of Leo Bishop of Island Falls.

H. P. 802. Resolve in Favor of Raymond M. O'Donnell of Bangor.

H. P. 923, L. D. 536. Resolve in Favor of H. M. Lewis of Bangor.

H. P. 31. Resolve in Favor of Howard L. Norwood of Monmouth.

H. P. 1051. Resolve in Favor of Ann A. Ridyard of Worcester, Massachusetts.

H. P. 1055. Resolve in Favor of F. H. Botting of Smyrna Mills.

H. P. 1056. Resolve in Favor of W. W. Emery of Patten.

H. P. 1057. Resolve in Favor of Thomas F. Packard of Houlton.

H. P. 1058. Resolve in Favor of Odela Foster of Bingham.

H. P. 1059. Resolve in Favor of Norman Graham of Waterville.

H. P. 1060. Resolve in Favor of Frank T. Kelly of Waterville.

H. P. 1061. Resolve in Favor of Stinson Canning Company of Prospect Harbor.

H. P. 1062. Resolve in Favor of Alphonse Thibodeau of Rumford.

H. P. 1122. Resolve in Favor of Sereno T. Brown of Boothbay Harbor.

H. P. 1172. Resolve in Favor of Dr. Andrew Fortine of Madison.

H. P. 1173. Resolve in Favor of F. Gilbert Congdon of Portland.

H. P. 1174. Resolve in Favor of Ella B. Boyd of Winn.

H. P. 1256. Resolve in Favor of Fred U. Waltz of Rockland, reported the same in a consolidated resolve, (H. P. 1427) (L. D. 1107) under title of "Resolve, Providing for the Payment of Certain Damages Caused by Protected Wild Animals," and that it ought to pass.

In House report was read and adopted and the new draft passed to be engrossed.

In the Senate, the report was read and adopted in concurrence, the Resolve in new draft read once and tomorrow assigned for second reading.

First Reading of Printed Bills

Bill "An Act Relating to School Superintendents." (S. P. 431) (L. D. 1151)

Bill "An Act Relating to Powers of Attorney and Other Instruments by Persons in the Armed Forces." (S. P. 432) (L. D. 1148)

Bill "An Act Relating to Public Administrators." (S. P. 433) (L. D. 1150)

Bill "An Act to Incorporate the 'General Mortgage Company.'" (S. P. 434) (L. D. 1152)

"Resolve Providing for an Interim Commission to Study Methods to Assure Greater Productivity of the Forest Lands of the State." (S. P. 435) (L. D. 1149)

"Resolve, Providing for Purchase of Land for the Pownal State School." (S. P. 436) (L. D. 1153)

Which bills and resolves were read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Sterling from the Committee on State Lands and Forest Preservation on Bill "An Act Relating to the School or Reserved Lands of the State," (S. P. 335) (L. D. 816) reported the same in a new draft (S. P. 441) under a new title, "Resolve, to Create a Special Joint Committee to Study the Public Reserved Lots in the State," and that it ought to pass.

Which report was read and adopted, and the bill laid upon the table for printing under the joint rules.

The Majority of the Committee on Education on Bill "An Act Relating to Superintending School Committees" (S. P. 366) (L. D. 931) reported that the same ought not to pass.

(signed)

Senators:

OWEN of Kennebec

LEAVITT of Cumberland

Representatives:

LORD of Camden

RUSSELL of Gorham

HAMILTON of Hartland

ROBERTS of Westbrook

MARSANS of Monmouth

BLAKE of Dexter

The Minority of the same Committee on the same subject matter reported the same in a new draft (S. P. 442) under the same title, and that it ought to pass.

(signed)

Senator:

BISHOP of Sagadahoc

Representative:

DEERING of Bath

Mr. BISHOP of Sagadahoc: Mr. President, I move the adoption of the Minority Report "Ought to Pass in New Draft."

Mr. LEAVITT of Cumberland: Mr. President, the Committee on Education considered this bill very very carefully, and decided that it ought not to pass. You will notice that the bill says that upon petition of at least ten per cent of the legal voters of a town or plantation, a special town meeting shall be called for the purpose of voting to affirm, veto or alter any decision of the superintending school committee.

The committee felt that this simply would lead to wrangles at all times and that teachers or students who did not care for the action of the school committee would always be asking for mass meetings to override the decisions of the school committee. We also knew that each year at our town meetings there was plenty of opportunity to rectify any needs or injustices at that time, and we therefore feel that this bill should not pass and I hope that the motion of the Senator from Sagadahoc, Senator Bishop will not prevail.

Mr. BISHOP: Mr. President, the new draft of the bill, which is the minority report, has changed the ten per cent of the legal voters to twenty-five per cent. It says further that no action of a joint school committee shall be affected by this

measure. At the present time it is possible to enact a referendum by the signature of ten thousand voters in the State of Maine. That constitutes less than two per cent of the legal voters. This bill asks for twenty-five per cent, and that is 250% more than the original bill asks for!! The purpose of this bill is just this: At the outset with all due respect to the member serving on school committees, at the present time, a school committee member is elected for three years. It is true that often it is difficult to get anyone to run for and serve on a school committee. For that reason, particularly in small towns, it is often necessary to draft someone to serve on the board. It too often happens that that person is not competent or qualified to serve to the best interests of the educational program.

Too often, people get on the school committee, who have an axe to grind. They wish to get even with a teacher of the school, or with the superintendent. Once on the Board, they are there for three years, and unimpeachable! There is nothing that can be done that can cause them to be relieved of their job. This tends to act to the detriment of the community. Once these inferior persons, the ones who work to the detriment of the educational program, once they sense their unlimited authority, then things begin to happen!

Last year more than one hundred different school committees in the State of Maine fired teachers and superintendents and because of a personal grudge, did other acts that were detrimental to the community, and there was nothing that could be done about it.

Now it seems to me that when every other public official is subject to the scrutiny of the people that he serves, every public official except school committee members, it seems to me that it is not unfair that when twenty-five percent of the legal voters of a community seek to have a town meeting to affirm, veto or alter the decision of a school committee, they should have a right to do it.

No other public official is exempt from the approval or disapproval of the people he serves. I believe one of the major reasons why the educational system of the state of Maine is 37th in the list, as compared to other states, is be-

cause of this school committee authority, and I have no personal interest in this matter. I have, however, served as a school-master for nearly ten years. I have seen good teachers come and go. I have seen school committees change over in a period of two or three years from people who were very competent and capable to people who had difficulty to sign their own names. I think it is high time that the people whom they serve should have permission to accept or reject decisions that may become a detriment to their community.

Now, if we can alter any action of this legislature by ten thousand signatures of voters in this state, or by less than two percent of the legal voters living in a community, the citizens should by a petition of twenty-five percent, have the same privilege. It may be that they would accept the school committee decision anyway. It gives the principles of democracy a right to work. I have stacks of letters from people whom I have never seen and perhaps never will see, people from all walks of life, intelligent people, arguing that this bill is sound and that it ought to pass.

Mr. President, in six years, I have never pled with any group to pass any measure for which I have argued and fought, but I do this morning. I would rather see this bill pass than any other bill that I have ever worked on, and I therefore ask that this Senate go along with my motion to adopt the Minority Report.

Mr. OWEN of Kennebec: Mr. President, as one of the signers of the Majority Report of the Committee, I feel that it is my duty to say just a word or two in defense of our action.

I think the report of the committee, nine to one, expresses quite clearly our belief. The Committee on Education is composed of persons, all of whom have had experience in educational matters and the subject was discussed quite freely and carefully. There was no violent disagreement, simply a very pronounced difference of opinion. The fact that twenty-five percent or ten percent of the voters of a community were not satisfied with the action of a school committee does not necessarily mean that the school committee might not be

right, and therefore it would not seem necessary to rescind their action. Speaking for myself, it was my thought that such a bill as this, if passed, would give an opportunity to increase and glorify a town fight rather than to stop it, and that was the reason why I signed the majority report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Bishop that the Senate adopt the Minority Report "Ought to Pass in New Draft." Is the Senate ready for the question?

A viva voce vote being doubted

A division of the Senate was had.

Four having voted in the affirmative and twenty-five opposed, the motion did not prevail.

Thereupon, on motion by Mr. Owen of Kennebec, the Majority Report "Ought Not to Pass" was adopted.

Report "A" from the Committee on Labor on Bill "An Act Establishing Minimum Wages of Labor on Public Works Projects Supported by State Funds," (S. P. 320) (L. D. 831) reported that the same ought not to pass.

(signed)

Senators:

HOPKINS of Kennebec
GOULD of Androscoggin
SPEAR of Cumberland

Representatives:

BROWN of Unity
HASKELL of Bangor

Report "B" from the same Committee on the same subject matter reported that the same ought to pass.

(signed)

Representatives:

POULIN of Rumford
MARSHALL of York
JONES of Waterville
WEEKS of Waterville
RENOUF of Biddeford

Mr. Hopkins of Kennebec: Mr. President, I move that the Senate adopt Report A "Ought not to Pass."

Thereupon, on motion by Mr. Townsend of Penobscot, the reports and accompanying papers were laid upon the table pending motion by the Senator from Kennebec, Senator Hopkins, to adopt Report A.

Mr. McKusick from the Committee on Pensions, on the following resolves:

S. P. 59. Resolve Providing for a State Pension for Nancy A. Gilbert, of Monroe.

S. P. 64. Resolve Providing for an Increase in State Pension for Gertrude Craig, of Glenburn.

S. P. 104. Resolve Granting a Pension to Clifford H. Doore, of Charleston.

S. P. 119, L. D. 224. Resolve Providing for an Increase in State Pension for Donald Wilson, of Bath.

S. P. 120, L. D. 223. Resolve Granting a State Pension to Frederick C. Chandler, of Bath.

S. P. 148, L. D. 354. Resolve Granting a State Pension to Maud Lowell Tufts, of Lewiston.

S. P. 149, L. D. 355. Resolve Granting a State Pension to Dana E. Smith, of Guilford.

S. P. 150, L. D. 356. Resolve Providing for an Increase in State Pension for Everett Pelkey, of Mapleton.

S. P. 151, L. D. 357. Resolve Providing for an Increase in State Pension for Mildred Kennedy, of Easton.

S. P. 208, L. D. 476. Resolve Granting a Pension to Mervyn McCusick, of Somerville.

S. P. 258. Resolve Providing for an Increase in State Pension for Emery Bartlett, of Mexico.

S. P. 259. Resolve Providing for a State Pension for Herbert H. Overlock, of Bangor.

S. P. 260. Resolve Providing for a State Pension for Birdena Whittemore Foster, of Mexico.

S. P. 332, L. D. 819. Resolve Providing for a State Pension for Mellon Hanagin, of Houlton.

H. P. 100. Resolve Providing for an Increase in State Pension for Percy C. Jakins, of Winslow.

H. P. 150. Resolve in Favor of Roger T. Creamer, of Thomaston.

H. P. 151. Resolve Providing for a State Pension for Louise Royal, of Bangor.

H. P. 152. Resolve Providing for a State Pension for Heber V. King, of Islesboro.

H. P. 153. Resolve Granting a Pension to Mrs. Blanche Wallace, of Lubec.

H. P. 188. Resolve Granting a Pension to George W. Gray, of Randolph.

H. P. 189. Resolve Granting a Pension to Edith Carver, of Gardiner.

H. P. 218. Resolve Providing for a State Pension for Abbie Small, of Jay.

- H. P. 219. Resolve Providing for an Increase in State Pension for Elizabeth A. Mason, of Hermon.
- H. P. 343. Resolve Granting a State Pension to Arthur Mitchell, of Merrill.
- H. P. 344. Resolve Granting a Pension to Zama C. Morgan, of North Dixmont.
- H. P. 345. Resolve Providing for an Increase in State Pension for Elmer Davis, of Mexico.
- H. P. 433. Resolve Granting a Pension to James O. Clifford, Jr., of Troy.
- H. P. 434. Resolve Granting a Pension of Mott C. Fernald, of Unity.
- H. P. 435. Resolve Granting a State Pension for Peter King, of Whitefield.
- H. P. 436. Resolve Providing for an Increase in State Pension for Ethel M. Merry, of Waldoboro.
- H. P. 437. Resolve Providing for an Increase in State Pension for Freda Potter, of Whitefield.
- H. P. 534. Resolve Providing for a State Pension for Mary F. Deehan, of Augusta.
- H. P. 535. Resolve Providing for an Increase in State Pension for Charles Bowen, of Newburg.
- H. P. 536. Resolve Providing for an Increase in State Pension for Alice Lord, of South Etna.
- H. P. 538. Resolve Providing for a State Pension for Perez Townsend, of Charleston.
- H. P. 539. Resolve Providing for an Increase in State Pension for Geneva Gay, of Clinton.
- H. P. 540. Resolve Providing for a State Pension for Robert Arlo Fogg, of Bucksport.
- H. P. 541. Resolve Providing for a State Pension for Hattie Wilcox, of Woodland.
- H. P. 542. Resolve Providing for a State Pension for Everett Pelkey, of Mapleton.
- H. P. 554. Resolve Providing for an Increase in State Pension for William S. Cummings, of Stacyville Plantation.
- H. P. 555. Resolve Providing for an Increase in State Pension for Raymond H. Saunders, of Sedgwick.
- H. P. 556. Resolve Providing for an Increase in State Pension for Edith M. Saunders, of Sedgwick.
- H. P. 557. Resolve Granting a Pension to Mary A. Saunders, of Sedgwick.
- H. P. 558. Resolve Granting a Pension to Geneva Butler, of Sargentville.
- H. P. 660. Resolve Providing for a State Pension for Carrie E. Weymouth, of Morrill.
- H. P. 661. Resolve Providing for an Increase in State Pension for Jessie M. Grant, of Prospect.
- H. P. 662. Resolve Providing for a State Pension for Berger H. Shorey, of Mechanic Falls.
- H. P. 663. Resolve Providing for a State Pension for Elva Morton, of Mechanic Falls.
- H. P. 664. Resolve Providing for a State Pension for Margaret MacLean, of Mechanic Falls.
- H. P. 665. Resolve Providing for an Increase in State Pension for Addie W. McCurdy, of Weeks Mills.
- H. P. 666. Resolve Providing for a State Pension for Harry L. Sweetser, of Bangor.
- H. P. 667. Resolve Granting a Pension to Edith J. Gerry, of Robbinston.
- H. P. 833. Resolve Granting a Pension to James Bowden, of Sheridan.
- H. P. 834. Resolve Providing for a State Pension for Etta M. Clark, of Farmingdale.
- H. P. 835. Resolve Providing for a State Pension for Helen V. Bowen, of Carmel.
- H. P. 836. Resolve Providing for a State Pension for Marie Nelida Corbin, of Grand Isle.
- H. P. 837. Resolve Providing for a State Pension for Louis William Chabre, of Grand Isle.
- H. P. 838. Resolve in Favor of a State Pension for Delena Deschain, of Madawaska.
- H. P. 840. Resolve Granting a Pension to Gertrude Bean, of Waite.
- H. P. 841. Resolve Granting a Pension to William H. Lahey, of Millinocket.
- H. P. 975. Resolve Providing for a State Pension for Theresa L. Whalen, of Lincolnville.
- H. P. 976. Resolve Providing for a State Pension for Florence M. Mathews, of Lincolnville.
- H. P. 977. Resolve Providing for a State Pension for Ulmont Hovey, of Augusta.
- H. P. 978. Resolve Providing for a State Pension for Cecil Overlock, of Hollowell.
- H. P. 979. Resolve Granting a State Pension to Edward H. Austin, of Rome.
- H. P. 980. Resolve Providing for a State Pension for Fidelia E. Banks, of China.

H. P. 981. Resolve Providing for a State Pension for Beatrice E. Bulley, of Randolph.

H. P. 982. Resolve Granting a Pension to Grace Lawrence, of Pittston.

H. P. 984. Resolve Granting a Pension to Edith May Lawrence, of Newport.

H. P. 985. Resolve Providing for a State Pension for Flossie Mae Shaw, of Auburn.

H. P. 1038. Resolve Providing for a State Pension for George King, of Eagle Lake.

H. P. 1089. Resolve Granting a Pension to Mabel McKay, of Bucksport.

H. P. 1090. Resolve Providing for a Pension for Edward Lind, of Stockholm.

H. P. 1102. Resolve Granting a Pension to Elmira A. Brown, of Auburn.

H. P. 1145. Resolve Providing for a State Pension for Ernest Bragg, of Stacyville.

H. P. 1146. Resolve Providing for a State Pension for Willard J. Leonard, of Fort Fairfield.

H. P. 1251. Resolve Providing for a Pension for Clara Nowell, of Hermon.

H. P. 1313. Resolve Providing for a State Pension for Edith M. Cole, of West Paris.

H. P. 1318. Resolve Providing for a State Pension for Mabel Gordon Dunn, of Vienna.

Reports the same in a Consolidated Resolve, (S. P. 440) under the title of "Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons," and that it ought to pass.

Which report was read and adopted, and the resolve laid upon the table for printing under the joint rules.

Passed to be Engrossed

Bill "An Act Relating to Supplementary Assessments of State, County and Forestry District Taxes." (H. P. 1376) (L. D. 1028)

Bill "An Act Relating to Salary of Register of Probate in Sagadahoc County." (H. P. 1431) (L. D. 1114)

Bill "An Act Relating to Salary of the Judge and the Recorder of the Waldo County Municipal Court." (H. P. 1433) (L. D. 1116)

Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County." (H. P. 1435) (L. D. 1117)

Bill "An Act Authorizing Towns

to Cooperate with Highway Commission in Maintaining Town Roads." (H. P. 1437) (L. D. 1118)

(On motion by Mr. Cross of Kennebec, tabled pending passage to be engrossed.)

Bill "An Act Relating to State Employees' Retirement System." (H. P. 1438) (L. D. 1119)

Bill "An Act Relating to Teachers' Retirement System." (H. P. 423) (L. D. 423) (L. D. 165)

Bill "An Act Relating to Payment of Salaries and Wages of State Officers and Employees." (H. P. 1188) (L. D. 749)

Bill "An Act Regulating the Use of Certain Kinds of Firearms." (H. P. 687) (L. D. 305)

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

Bill "An Act Relating to Dangerous Occupations for Minors." (H. P. 1079) (L. D. 690)

Which bill was read a second time and passed to be engrossed as amended in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Salaries of Court Stenographers." (S. P. 105) (L. D. 177)

Bill "An Act Clarifying the Law Relating to Official Fees of Registers of Probate." (S. P. 160) (L. D. 363)

Bill "An Act Relating to Fees of Registers of Probate." (S. P. 268) (L. D. 619)

Bill "An Act Relating to Presumption of Death." (S. P. 425) (L. D. 1127)

Bill "An Act Relating to Probation Officers in Penobscot County." (S. P. 426) (L. D. 1126)

Bill "An Act to Aid Towns in Controlling Forest Fires." (S. P. 427) (L. D. 1128)

Bill "An Act Relating to Examination and Registration of Osteopathic Physicians." (S. P. 428) (L. D. 1129)

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

Sent down for concurrence.

The Committee on Engrossed bill reported as truly and strictly engrossed, the following bill:

Bill "An Act to Provide for the Making of a Survey of all Hospital and Health Center Facilities in the State." (H. P. 844) (L. D. 508)

On motion by Mr. Owen of Kennebec, the bill was laid upon the table pending passage to be enacted.

Orders of the Day

The President laid before the Senate, Senate Report from the Committee on Legal Affairs; Majority Report, "Ought Not to Pass"; Minority Report, "Ought to Pass" on Bill, An Act Relating to Sunday Vaudeville and Concerts, (S. P. 250) (L. D. 634) tabled by Mr. Currier of Androscoggin on April 5th pending the motion of Mr. Batchelder of York to accept the majority report; and today assigned.

Mr. CURRIER of Androscoggin: Mr. President and members of the Senate; this bill is supported by the League of French Societies as well as other groups, and this league has a membership in excess of 16,000. The French newspaper makes a statement editorially which I know is true. It states the enforcement of Sunday amusement laws in the State of Maine is the greatest farce in the century. You look at the amusement laws. There is nothing in the laws to prevent the operation of carrouzels, roller coasters, etc., and they are going on all the time. Sunday shows are going on in direct violation of the laws of the State of Maine.

Shortly after this report came from the Legal Affairs Committee the Chief of Police of Lewiston reported in the press the case of a Sunday show to be held in direct violation of the law. A week ago a group of cowboys advertised a Sunday show in Westbrook. The show was held.

The people of Androscoggin County, the League of French Societies and the French newspaper want the matter cleared up. If we are to have Sunday shows let's legalize them. If not, let's see the law is enforced. I believe the interested people in my county are willing to go along. They do not like to see laws flagrantly violated in their or other counties.

It is immaterial to me whether it passes or not, but the point is, we have Sunday shows now, but illegally. Let's either legalize them or eliminate them entirely.

For the reasons I have given I hope the motion of the Senator from York, Senator Batchelder, does not prevail.

Mr. BATCHELDER of York: Mr. President, this bill was heard before our committee. I might say there was considerable opposition to this particular bill—opposition to vaude-

viles and similar forms of entertainment. The report of the committee was nine to one against passage of the bill. The mere fact that at the present time there is some violation of the law, we didn't think was any reason that this bill should be passed; that is, for the purpose of legalizing it. I hope the majority report stands.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Batchelder, that the Senate adopt the Majority Report "Ought Not to Pass."

A viva voce vote being had, The Majority Report "Ought Not to Pass" was adopted.
Sent down for concurrence.

The President laid before the Senate, Senate Report from the Committee on Temperance; Majority Report "Ought Not to Pass"; Minority Report "Ought to Pass" on Bill, An Act Relating to Sale of Liquor in Glasses (S. P. 339) (L. D. 812) tabled on April 5th by Mr. Currier of Androscoggin, pending adoption of either report, and today assigned.

Mr. CURRIER: Mr. President, I move the adoption of the minority report, "Ought to Pass".

Mr. TOWNSEND of Penobscot: Mr. President, as Chairman of the Temperance Committee, I'd like to tell the Senate that this bill was discussed in detail and the report "Ought Not to Pass" was signed by eight members of the committee; two signing the "Ought to Pass" report. I hope the motion of the Senator from Androscoggin, Senator Currier, does not prevail.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate; as one of the members of the Temperance Committee signing the Minority Report, I would like to explain to this body why I did so.

There must certainly be some merit to the bill because I understand that the OPA will put into effect very soon, or within a few days, a similar law under federal regulations. It is a law which will oblige the cocktail lounges to set up the quantity of liquor and price per glass they are going to charge. On that basis I certainly felt that I, for one, could not report on the bill "ought not to pass" as though it had no merit of any kind.

Now, it is possible some of those who signed the Majority Report felt

this would be taken care of through the OPA and would need no State law. I differ with that idea because OPA rules are temporary rules that can be here today and gone tomorrow and I think some kind of regulation should be put on the amount of liquor and price charged by cocktail lounges. I think it is true that practically every cocktail lounge in this state gives a different measure and charges a different price for the same quantity of liquor. I believe under this law it would regulate that so they would give the same quantity. They might charge a different price but at least they would have to give what the law requires, an ounce and a half per drink. I have been told and have reason to believe it is true that those portions vary from half an ounce to two ounces and that is 400 percent variation, and I believe something should be done to regulate it; and therefore, I am in favor of this bill and I hope the Senate will favor the motion made by my colleague, the Senator from Androscoggin, Senator Currier.

Mr. GOOD of Aroostook: Mr. President, being one of the members who signed this Majority report, I might state my position. This bill was discussed in detail in the committee and it was brought out that the OPA intended to regulate the size of glasses of drink in the near future,—I think somewhere around the first of April, if I remember right. We didn't think at the time it was advisable to clutter up the statutes with a law like this, when the situation would probably be taken care of. To my mind, it is a minor thing anyway.

Men drink liquor, without a doubt, and they are not too particular about the size of glass, as long as they get it. I understand there are different qualities of liquor. At least, there were different qualities 38 or 39 years ago when I used to drink a little. You could buy it for \$4.15 a gallon and they would throw in a quart of Port wine. It used to come from Boston. There was Bourbon, Scotch and Rye. I used to favor the Rye.

I presume at the present time there are different qualities. If you set up different standards, changing from an ounce and a half, without a doubt it would probably take a different price.

I don't know how it is handled, not being familiar with it in later

years, but I do not feel there is any need of passing a bill whereby there is regulation of the size of glasses. If that is done we have got to regulate the value of the contents we put in there, whether it is of different grade or different brand. I do not think it is worth taking much more time to discuss; therefore, I hope the motion of the Senator from Androscoggin, Senator Currier, will not prevail.

Mr. CURRIER of Androscoggin: Mr. President, I have compiled some figures that I think will be of a little interest to the members of the Senate. There is one particular grade of Scotch that is supposed to be the finest Scotch available in the State today and one menu that I happened to see last night gave the price as seventy-five cents. Seventy-five cents for one drink of Scotch!

Now, the type of glasses they are putting out in this State and many other states—that is why the OPA steps in—would make about 30 drinks of Scotch which would be \$22.50 for one bottle of Scotch. Now, I don't know just what price the Liquor Commission charges cocktail lounges for these bottles of Scotch, but I doubt very much if it would be over \$5.00. That leaves in the neighborhood of \$17.50 profit, with the exception of the water chaser and the service that goes on, and I think it is too much of a profit for any business to take.

Now, last year the total sale of the Liquor Commission to cocktail lounges amounted to \$1,457,000.90. The average cost per bottle would not be in excess of \$3.50, and I think ran a little under, so it means 416,000 bottles were sold. Splitting it into drinks would make over 12,000,000 drinks and at fifty cents a drink would amount to \$6,000,000 for something for which the State receives a million and a half dollars. I think it is too much spread of profit, taking too much out of the gentlemen and ladies who take in excess of 12,000,000 drinks in one year. Good Lord, there is not a business anyone can conduct except a cocktail lounge that can be operated on three and four hundred percent profit.

I think for the benefit of the public, so long as there are those who buy in excess of 12,000,000 drinks, they should be protected to some extent, and at least get a fair value.

I hope this Body will see it my way and accept the Minority report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Currier, that the Minority Report "Ought to Pass" be adopted.

Mr. BOUCHER: Mr. President and Members of the Senate: I notice my friend from Aroostook, Senator Good said this was a matter of little importance to the Senate. I beg to differ. I want to remind him that the State of Maine is in the liquor business and is the only agency that has a right to sell liquor, and I think this Senate has a right to say how much profit the retailers should make on the business of the State.

Mr. GOOD: Mr. President, I might say since these figures have been revealed it seems to me the State has lost the ball. If we put a little tax on this liquor it would carry us along nicely and we could take care of the amount of revenue needed. I hope the motion does not prevail.

Mr. CURRIER: Mr. President and Members of the Senate, I'd like to point out the fact that we still use "Vacationland" on our license plates. We hope we are going to have a large influx of summer visitors. These people, in many instances, are accustomed to having a good, fair drink. They go into our cocktail lounges and pick up a glass, and come out with a smell—that is all they get. What happens? They send to their home and have liquor sent to them in cases and there is no revenue for the State there. We have traveling men coming to the State and they bring their bottles with them. That means revenue is lost to the State and it is quite a sizeable revenue, too.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Currier, that the Minority Report of the Committee "Ought to Pass" be adopted.

A viva voce vote being had

The motion did not prevail.

Thereupon, on motion by Mr. Good of Aroostook, the Majority Report, "Ought Not to Pass" was adopted.

Sent down for concurrence.

fectious Diseases of the Irish Potato (S. P. 443) and on motion by the same Senator, the bill was referred to the Committee on Agriculture.

Sent down for concurrence.

On motion by Mr. Dunbar of Washington, the Senate voted to take from the table, Bill, An Act Relating to Business Hours for State Liquor Stores (H. P. 1015) (L. D. 534) tabled by that Senator on March 30th pending adoption of Senate Amendment "A."

Mr. DUNBAR: Mr. President and members of the Senate, I did not expect when I came to the Senate this winter, that I would be drawn into any liquor debate, but I was somewhat disturbed the other day when an amendment was offered to a certain bill that had been heard by the committee. I thought it went too far and I requested that it be tabled, which was done. It makes little difference to me personally, what hours the state liquor stores open. I don't care. But I feel that it makes a difference to a lot of people in the state, and I feel that it makes a lot of difference to the state as a whole,—by that I mean the state government.

As I understand the situation today, Legislative Document 534 was a bill that was heard by the Temperance Committee and it closed the State Liquor Stores at two o'clock in the afternoon on Saturdays. It was an amendment to Section 10 of Chapter 57 that provides that state stores shall not be open on Sunday, court holidays or on the day of the holding of the general election, or a statewide primary, or between the hours of eight and nine A. M. except on Saturday when if open, they may be kept open until ten P. M. This is important, and the Commission is authorized to regulate the opening and closing hours of each store within the provision of this chapter and no sale shall be made to minors or to persons under the influence of liquor.

The bill as I stated is to change the opening or closing hours of the stores on Saturday, closing them at two o'clock in the afternoon. That bill, if I understand its present status, came out of the Temperance Committee with a Majority Report of six to four, I believe, "ought not to pass," and through some understanding, without any debate, as I have been told by some members of the committee, the Minority Report "Ought to

Mr. Spear of Cumberland was granted unanimous consent to introduce Bill, An Act Relating to In-

Pass" was adopted with the understanding that Senate Amendment A would be presented, and that is what was done, and that is when I became interested in the bill.

Now, right here I want to discuss what I think is the effect of this amendment. If I have been informed correctly, there are 42 towns and cities in Maine that have state liquor stores. This amendment states that in towns of less than ten thousand population, the legal voters by a majority vote at any annual or special town meeting, by an appropriate article, can fix the time for closing on Saturday, which shall not be earlier than two o'clock in the afternoon and not later than ten o'clock in the afternoon.

Now, of those 42 cities and towns having liquor stores, 28 of them are under ten thousand population, and 14 are over ten thousand. The 14, if this amendment is adopted, as I understand it, will go along under the general law; the 28 would be thrown into your town meetings, either at a special or at an annual town meeting, and Senators, that is a troublemaker if there ever was one.

I have lived all my life in a town, under a town form of government. I have served as Moderator of the town where I now live, for over twenty years continuously and I know something of the workings of a town meeting. I know that when you throw controversial matters into a town meeting, you stir up strife and feeling that sometimes it takes considerable time to overcome. And you throw this into town meetings and the strife that you have had heretofore, in my opinion, won't be anything comparable to the strife that you will then witness. That is my objection to it. I can't see that it accomplishes anything for temperance. I can see where the good women, temperance women and temperance men would think that it would accomplish something. I can see likewise the bootlegger going to the polls with them and supporting them and voting to likewise close at two on Saturday afternoon. We have him pretty well eliminated in Maine now, but I am sorry to say that in the town where I live, before this set-up we now have, there was considerable bootlegging. We don't have it now but you pass this law, you throw this into town

meeting, and if the town should vote to close after two o'clock you are going to find that the bootlegger is then going to ply his trade. In my town, you don't have any cocktail lounges, but there are places in Maine that not only have the liquor store but have the cocktail lounge also, and if this class of people who want to buy liquor cannot get it after two o'clock, and cannot find a bootlegger conveniently, they will then visit the cocktail lounge and there they will pay. I don't know how much more they would pay than if they could buy a bottle of liquor at the liquor store.

Although there would be some people that would be all right to visit the cocktail lounge, I can see where there would be some classes which those people who are conducting such places would not want. I don't know of any way you can keep those objectionable people out so long as they keep within the law.

I am told that 75% of the liquor business is done on Saturday. I am speaking now of the revenue to the State, and I am told that 60% of those sales are made after two in the afternoon so you can readily see the loss of revenue to the State of Maine and I have no doubt that when the Budget Committee set up their budget, they did have in mind that this law would not be changed and that they would receive from the sale of liquor in this state a certain sum of money. Now if this law goes through, that budget is out of whack, to a considerable amount in my opinion. And at the present time, if I have been informed correctly, it is not balanced now for this year by around \$150,000—more than that, the Chairman tells me—and for the next year for around \$400,000 so instead of throwing away revenue that doesn't make for Temperance, we should be looking for sources of new revenue that are legitimate and proper.

To give you some idea, I have here, issued by the State Tax Commissioner, the sales of liquor for the week ending on March 17. That is an ordinary week in my opinion, except perhaps for St. Patrick's but it starts in on Monday—and I am giving you round figures for the whole state—sales of \$26,000; Tuesday, \$26,000; Wednesday, \$30,000; Thursday, \$35,000; Friday, \$45,000; and Saturday, \$106,000. That is what you are going to stand to lose.

I know my good friend, Senator Good will reply to me, and I know his strong feelings on the subject of Temperance and if this were a temperance bill, I could go along with him, but it is not, gentlemen, and the question is can we afford to lose the revenue to the state and I ask you, please don't turn it back to the 28 towns of this state to throw this controversial matter into an annual or special town meeting.

I was particularly interested in the amendment when I tabled it, and it appears so on the calendar—tabled pending adoption of the amendment—but in view of what I have learned since, I feel I ought to make the motion, and I make the motion now that the bill and the amendment be indefinitely postponed.

Mr. BISHOP of Sagadahoc: Mr. President, I am very reluctant to speak again this morning, but I never expected to see the day in Maine or in America when the ability and judgment of the people was to be questioned. At the present time the people have a right to vote whether or not a liquor store will be maintained in their town. Now we are told the people are not qualified or competent to vote on this question. I would like to cite two cases. Down in the city of Bath five years ago there were thirty-three beer dives. That place was bedlam all night, so finally the people of Bath rose up on their hind legs and went to the polls and voted out the beer parlors, and their judgment was supreme and it was pretty good. This question comes up every two years anyway, and last fall the people were called upon to vote on four liquor questions and now they have decided to have packaged goods, and their action—their decision and judgment was pretty good.

Now, we are told the people are not qualified in town meeting or in city elections to vote on this question. I think the principles of democracy are being undermined. Surely these are New Deal days and in Europe they have taken away the privilege of the people to vote on questions that pertain to them. For God's sake, let's not let it happen in America.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Dunbar, that Senate

Amendment "A" be indefinitely postponed.

Mr. GOOD of Aroostook: Mr. President, it always has been the practice and probably always will be to introduce certain bills that will cause one to wonder why they were introduced. Personally, I don't know why such a bill as this should come to the legislature. It ought to be left to the discretion of the Liquor Commission. I believe they have authority to make orders and rules and regulations. This bill was before us to be discussed. We discussed it and we could not see that we could help it a great deal. The great plea was that the wives would get hold of the pay checks of the men who might be unfortunate enough to go into liquor stores and squander their money for something that is non-essential. We discussed it at length and felt there was not anything we could possibly do to help the situation until we drew up an amendment giving the people in those localities a chance to vote on it. We didn't know of any other way we could handle it.

I could not vote "Ought Not to Pass", taking the stand that I take. Others could not vote "Ought to Pass." They thought it was unfortunate. So we drew up the amendment with the thought we would give the towns a chance to vote on it. If they wanted to close the liquor store at two o'clock on Saturday, good and well. If the people thought it advisable to let it remain open until ten o'clock, good and well. Now it is left entirely to the people to decide.

Now, I have great regard for the Senator from Washington, Senator Dunbar, and his ability. Maybe he can see more trouble in town meetings than I can see. He may be right, and if there is any other way to handle it better than we have brought out in this amendment, I am perfectly willing to accept it. I am willing to rest on the merits of the amendment, leaving it to the people to vote on.

Mr. HOWES of Penobscot: Mr. President, I believe in home rule and always have and always will. In what time I have been in the legislature I have fought everything that didn't stand for that. I don't know of any reason why the Liquor Commission or even the Legislature should come to my town and say we have got to have rum or that we cannot have it. Leave it to us and we will vote the way we want it.

It is only right that we should. I believe in the amendment and hope we will accept it.

Mr. TOWNSEND of Penobscot: Mr. President and Members of the Senate, as Chairman of the Temperance Committee, I was one who signed the "Ought Not to Pass" report. Although I signed that report when the bill and report came to the Senate, I went along with the "Ought to Pass" report, understanding that the Senator from Aroostook, Senator Good, was to present this amendment which, at the time, seemed to me to be sound. However, after the Senator from Washington, Senator Dunbar, tabled the amendment, and the merits and demerits of the amendment were discussed, and hearing his remarks this morning, I wish to say I do not feel it would be advisable to adopt the amendment. Therefore, I hope the motion to indefinitely postpone the amendment will prevail.

The PRESIDENT: The question is on the motion of the Senator from Washington, Senator Dunbar, that Senate Amendment "A" be indefinitely postponed.

Mr. NOYES of Hancock: Mr. President, I didn't intend to speak on this measure and am not going to say very much, but the question of democratic principle has been involved and raised, and I would say to you just this,—in my own county of Hancock we have liquor stores in Ellsworth and in Bar Harbor. The Ellsworth store serves the surrounding towns, some fifteen towns in number. If the people of Ellsworth close the store by vote of the people of Ellsworth those towns which patronize this store can have no voice in the matter. It is a question that has two sides, and I hope the motion of the Senator from Washington, Senator Dunbar, will prevail, and when the vote is taken, I ask for a division.

Mr. DOW of Oxford: Mr. President and Members of the Senate; I come from one of the towns referred to by the Senator from Washington, Senator Dunbar. My town is one of the 28 towns under 10,000 population and as I listened to the discussion, two thoughts influenced me in my vote. If they are of any value to the rest of you, you are welcome to them.

A few years ago before the advent of the liquor store we had a pretty good system of bootlegging in our

town, if that is what you want to call it. They waxed well and did well. The first time we went west we had over night two cocktail lounges. You will remember we voted on two beer questions which were tied together,—package and consumption on the premises. We had beer parlors and packaged goods. The nuisance attendant to beer parlors became so apparent and obnoxious that at the next election two years later they were voted out and we have had since then the liquor store and the packaged goods.

I believe each two years when the people in my town go to vote on the question they look at the whole picture — the way the liquor store is conducted. Whether consciously or not they do look at the way it is conducted, the way sales are made, whether it is a nuisance or not, what hours it is open, etc. They exercise home rule, so-called, and vote on questions that may be of interest to them. Of course, it is speculation, but I feel if it is closed at two o'clock in the afternoon it won't bring good results to anyone from the revenue standpoint or from any other standpoint.

My friend from Aroostook, Senator Good, has said that one reason the amendment was proposed to the committee was because a good many people got their pay checks that day and the store being closed stopped them from spending them. I call attention to my town. There at least, there are no pay-days on Saturday. It is the wrong day to close early if you want to accomplish this result. One large industry pays off on Monday. I understand one important reason for this is to get them by Saturday. Another industry pays off on Friday and another on Thursday, so if they want to get the pay check away they have at least from 24 to 72 hours.

I do not think anything will be accomplished to benefit anyone by passing this law. Let's leave it to the Liquor Commission after the town votes on the question. If they are not running the stores as they should or if the Liquor Commission is out of bounds we can vote them out, and I will go along with that. I just wanted to present those few thoughts to you. I hope the motion of the Senator from Washington, Senator Dunbar, will prevail.

Mr. BOUCHER of Androscoggin: Mr. President, as a member of the

Temperance Committee, I didn't sign the Majority Report "Ought Not to Pass" on this bill. I agreed later on to support the amendment because of only one reason—the question of home rule was involved. I have questions which I will take up later which involve home rule. Outside of that one point, I agree with everything the Senator from Oxford, Senator Dow, has said. I believe in home rule and in order to be consistent with my line of thought, I must support this amendment.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Dunbar, that Senate Amendment "A" be indefinitely postponed.

A division of the Senate was had. Twenty-one having voted in the affirmative and eight opposed, the motion to indefinitely postpone Senate Amendment "A" prevailed.

Thereupon, on motion by Mr. Dunbar of Washington, the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Creating the Greater Portland Public Development Commission (S. P. 323) (L. D. 828) tabled by that Senator on April 6th pending assignment for second reading; and on further motion by the same Senator, under suspension of the rules the bill was given its second reading and passed to be engrossed as amended by Senate Amendment "A".

Sent down for concurrence.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table, Bill, An Act Amending the Unemployment Compensation Law as to Benefits (H. P. 1232) (L. D. 858) tabled by that Senator on April 6th pending the motion to indefinitely postpone House Amendment "A".

Mr. NOYES: Mr. President, I made this motion to indefinitely postpone House Amendment "A" as an emergency, feeling perhaps we should have an explanation of what the emergency was. At the time there was no discussion, and subsequently I tabled the bill. I find that under the Constitution, this

amendment probably would not be considered as an emergency. Under section 16 of chapter 31 it says that a bill to constitute an emergency must be a bill concerning the public health and public peace and public safety. But in looking up this bill and talking with members of the Unemployment Compensation Commission, I find if it is not enacted as an emergency it would affect their fiscal year which begins April 1st and their payments under this bill will be paid on the old rate, and if this bill should take effect in July they would need to go back over their records and issue supplementary checks. This would involve a great deal of time and perhaps additional expense.

I think my record in the legislature has been one of economy but in view of the precedent we have established in emergency legislation, I wish to withdraw my motion to indefinitely postpone House Amendment "A".

Thereupon, the motion to indefinitely postpone House Amendment "A" was withdrawn.

House Amendment "A" was adopted in concurrence; and the bill as so amended was tomorrow assigned for second reading.

Mr. DOW of Oxford: Mr. President, I wish to inquire if Legislative Document 526, Bill, An Act Relating to State Bureau of Identification, is in the possession of the Senate?

The PRESIDENT: The Chair will state the document referred to is in the possession of the Secretary, having been held at the request of the Senator from Oxford, Senator Dow.

Mr. DOW: Mr. President, I move we reconsider the action of yesterday, whereby this bill was passed to be engrossed, and in support of that motion I will say apparently the motion I made did not include the adoption of Senate Amendment "A", so I would like to have the Senate back up a couple of steps so I can get Senate Amendment "A" adopted.

Thereupon, the Senate voted to reconsider its action whereby the bill was passed to be engrossed; and on further motion by the same Senator, Senate Amendment "A" was adopted and the bill as so amended was passed to be engrossed, in non-concurrence.

Sent down for concurrence.

Mr. DUNBAR of Washington: Mr. President, I would like to inquire if Legislative Document 878, bill An Act amending the Unemployment Compensation Law as to Unemployment Compensation Funds is in the possession of the Senate?

The PRESIDENT: The Chair will state that the act is in the possession of the Senate, having been recalled by a Joint Order from the Governor.

Thereupon, on motion by Mr. Dunbar of Washington, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be enacted, and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Thereupon, on motion by Mr. Dunbar of Washington, the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table bill, An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects (S. P. 103) (L. D. 178) tabled by that Senator on April 3 pending adoption of Senate Amendment B, and that Senator yielded to the Senator from Cumberland, Senator Leavitt.

Thereupon, on motion by Mr. Leavitt of Cumberland, Senate Amendment B was adopted, and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Dorr of Oxford, the Senate voted to take from the table House Report "Ought to Pass" from the Committee on Claims on Resolve in Favor of Cornelius E. Conley of Lewiston (H. P. 1054) (L. D. 659) tabled by that Senator on March 27 pending adoption of the report in concurrence; and on further motion by the same Senator, the "Ought to Pass" report of the committee was adopted in concurrence, the resolve was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Currier of Androscoggin, the Senate voted to take from the table, bill, An Act

Relating to Term of Office of Chief of Police of the City of Lewiston (S. P. 253) (L. D. 631) tabled by that Senator on March 23 pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table House Report from the Committee on Judiciary, Majority Report "Ought Not to Pass," Minority Report "Ought to Pass" on bill, An Act Relating to the Recorder of the Bath Municipal Court (H. P. 642) (L. D. 295) tabled by that Senator earlier in today's session pending motion by the Senator from Oxford, Senator Dow, to accept the Majority Report "Ought Not to Pass."

Mr. BISHOP of Sagadahoc: Mr. President and members of the Senate, this is rather a delicate and touchy subject but one which I believe should be very carefully considered. In Sagadahoc County and especially the city of Bath, the municipal court recorder is in question.

Up until six years ago, this court had a layman as a recorder for years and years. The people of the community and surrounding territory are in favor of going back to that plan, but at the present time, there is just one member in the County of Sagadahoc who can qualify and who will take that job. He is of draft age and is likely to be called into the service. If that should happen, the office of recorder of the Bath Municipal Court would then be vacant, because there is no other attorney in the county who can or will take that job.

At the present time there is some question, some controversy over the present incumbent in that position. I have here documents from the Auditing Department and from the State Police. A week ago there was a report in one of our local papers whereby the person now holding that job was under question.

I feel, Mr. President, that the people in that area should be given permission to appoint or elect a layman to that position if they wish to. The time may come, in the near future, when they might have to do this. It has worked well in the past and I therefore hope that the motion now pending does not prevail.

Mr. DOW of Oxford: Mr. President and Members of the Senate, as one of those who signed the Major²ity "Ought Not to Pass" report of the committee, I would like to state why I signed and why probably some of the other members did.

I realize the Senator from Sagadahoc, Senator Bishop, comes from that district and usually if anybody or any group in the county want a certain measure, we take the attitude it is proper that the county should decide what they want, because they pay the bills.

If this Body wants to go along with the Minority Report is all right with me. I do not practice in Bath and it won't make any difference to me. I have a recollection of being on the Committee on Legal Affairs a few years ago when a bill came in, asking to have the law changed so a layman could not serve and a lawyer would have to be appointed. Now we are faced with a bill asking that a layman be restored to that very position.

The hearing before the Judiciary Committee certainly showed among other things there was no clear considered agreement between the people in the section. There was considerable disagreement. I had at least one telephone call from Bath asking the law be left alone. I think we have in the Judiciary Committee a petition signed by all the practicing attorneys in Sagadahoc, asking us to leave the law as it is. I think that influenced me somewhat in my vote. If I am wrong in my memory on the petition, I am sorry, but I think it was signed by all the practicing attorneys, asking us to leave it as it is.

Now, the hearing six years ago and this recent hearing didn't differ too much, that is, in the information brought to the committee. It is similar to the information brought to the committee both times on the size of liquor glasses. I mean by that in both cases similar information was brought to the committees this year as was brought to them in their earlier hearings.

It seems this is more or less a matter they fight over in Bath and they are not clearly divided. At least, the attorneys sent in this petition asking us to leave it alone.

I notice on today's calendar, Item 23 on page 3 is a report from the Committee on Salaries and Fees favoring an increase of pay for the man who holds this job. I do

not know if they are increasing the pay of a layman recorder or increasing the pay of this present recorder.

If the Senator from Sagadahoc, Senator Bishop, represents the majority of the people and they want this, God knows I do not want to stand in his way. I am not convinced he does, but he may because it is his stamping ground.

I wanted to explain why I voted this way on this particular measure.

Mr. BISHOP: Mr. President, this is a matter whereby the legal profession would be unified. I have a petition on my desk signed by all the attorneys in Sagadahoc County, asking me to vote against the Small Claims Court. They are well organized. However, the majority of the people of Bath, a big majority—and I feel that I have my finger on their pulse—are not in favor of an attorney. They feel that there is no necessity of an attorney holding this position, because of the fact that for years and years and years, a layman did a good job and proved very satisfactory.

There is nothing to prevent hiring an attorney to take this position because he also could be considered a layman. In view of the remarks I have just made in regard to the armed services taking our present recorder, we may be left without a recorder.

There was another matter which I was going to mention, but perhaps it is not necessary. I hope that the will of the people of Sagadahoc County will be adhered to and that the motion of the Senator from Oxford, Senator Dow, will not prevail.

Mr. DOW of Oxford: Mr. President, for fear that I may be misunderstood, a number of times when I have explained the action of the committee, I have read from notes showing just who was there and who was not. I do want to show all credit to the Senator from Sagadahoc by stating that he was there and spoke in favor of the measure. A good many times we don't have representatives of the delegation there. In this case, he was present and spoke in favor of the bill.

Mr. BISHOP: Mr. President, the other members of the Sagadahoc delegation were also present.

In regard to Item 23 on Page 3 which was referred to relative to the salary of the present recorder,

this will be in effect only two years and then it will return to its original amount, and I would assume that even a layman should be in a position to draw this salary.

A viva voce vote being had.

The motion to accept the Majority Report did not prevail.

Thereupon, on motion by Mr. Bishop of Sagadahoc, the Minority Report "Ought to Pass" was adopted in concurrence and the bill was given its first reading and tomorrow assigned for second reading.

After Recess

The Senate was called to order by the President.

On motion by Mr. Cross of Kennebec, the Senate voted to take from the table, Senate Report, "Ought Not to Pass" from the Committee on Ways and Bridges on Bill, An Act to Create Town Road Improvement Fund (S. P. 352) (L. D. 891) tabled by that Senator on March 28th pending motion to substitute the bill for the report.

Mr. CROSS of Kennebec: Mr. President and Members of the Senate; this bill is a very important bill, I believe. It is a bill that affects the lives and health and safety of thousands of people in the State of Maine, thousands of people who are living now on the so-called back roads of the State and attempting to operate their business in an efficient manner.

I believe the Ways and Bridges Committee which reported this bill out "Ought Not to Pass" perhaps think they did their full duty. I do not know the reasons for passing out this report. I hope to hear them this afternoon. However, I do not think they could have examined this bill carefully and gone over its merits or they would not have reported it out in this manner.

I hope you all here understand the highway set-up in the State of Maine but I will take a few minutes to run over it. This State has approximately 20,000 miles of roads; 10,000 of which are designated as unimproved, and when a road is called "unimproved" it really means what it says. Any of you who have ever lived or had anything to do with traveling on that type of road knows that to be a fact. Ten thousand miles of so-called "mud" road, and for three months of the year in mud time in the spring and fall

and half of the time in the winter these people are denied access to civilization. I know whereof I speak. For twenty years I lived on a mud road and in the winter time when the road got impassable I used to take my snowshoes and pack and travel down the Maine Central tracks which were always open, and bring back groceries sufficient to feed the family until the time the roads were open.

In the spring I had a lucrative practice and really made some money by pulling cars out of the mud. One year I made \$200—enough to more than pay my taxes. But I stove up a harness and spoiled a good horse and so I do not think I came out ahead of the game as the horses cost me \$600. Be that as it may, I have a personal interest in this bill. I know what it is to be on a mud road. I do feel this bill has very great merit.

Of this highway set-up we have here today, we have state and federal roads; we have state aid roads. State and federal roads are of state and federal money. State aid is half town and half state money. Third class roads are financed entirely by state money but the unimproved roads have one method by which they succeed in getting money besides from the towns. The town appropriates and the State appropriates under a special resolve, and in the last years there has been a so-called RFD appropriation. Taking them together, the RFD and the State, it has meant \$350,000 for this class of road. \$200,000 has been allocated on the unimproved roads the same as it would under my bill now before you. The other \$150,000 was allocated by the legislature through special resolves, and this bill simply sets up a town road improvement fund wherein any money available for this type of road may be allocated purely and simply on the mileage of unimproved roads. If you have roads you get the money. If you don't have roads, you don't get the money.

I do not think the present method is quite as effective. Over a period of years the present highway plan worked very creditably and we have built a great number of miles of roads. The State has struggled for this very large mileage with a small tax structure and has done a remarkable job with the funds available. Those funds are not enough.

They are not enough today and were not enough ten years ago, and I do not know that they will be enough ever under the present system of taxation. I do know we are not getting a fair and equitable distribution of funds for road purposes.

As you know, we heard a great deal of conversation about relief of real estate taxation and on this road program it does attempt to relieve real estate taxation to a certain degree.

As I stated, the state aid roads are fifty per cent town funds and fifty per cent state funds; therefore they are fifty per cent gas tax funds and fifty per cent real estate funds. The same is true of money spent by the town on unimproved roads. It is real estate tax money.

Now, for many years the rural members of the legislature have felt they should have more share in the gas tax funds and this bill here attempts to set up a method by which a reasonable amount shall be allocated on a fair basis to these towns. As it now reads, the legislature may appropriate or shall appropriate such funds as they deem necessary but not to exceed ten per cent of the income from the gas tax and registrations, and it will be over a period of five years for an average. This would give the fund if they appropriated the maximum amount, \$980,000. If they appropriated 50 per cent or half, that would be \$490,000. Now, at the present time the Ways and Bridges Committee and the legislature — or rather the last session appropriated \$300,000 for this purpose. They would have to find in new revenue \$130,000 more to set it up on a five per cent basis.

We all know the funds of the highway department are sharply curtailed at this time but I do not think it would be too monstrous a task for them to find \$130,000. Even if they can not I do not see why the bill should not pass and the \$350,000 now appropriated allocated to this fund. It would be allocated to the towns on a fair and equitable basis, purely on the miles of unimproved roads.

I am not going to take up your time or say too much about the special system of special resolves. I will say I have no quarrel with the amount of money spent on special resolves. I do take strong exception to the method by which it is distributed.

I will quote from the Governor's inaugural message, if you will bear with me. "In connection with a highly desirable and efficient program for the development of rural area highways, such as 'feeder roads' or 'farm to market roads' and 'third class roads' we might recall a few words from an inaugural some time ago where it was said: 'Special resolves for roads and bridges are an anomaly in our highway matters and a nuisance in our Legislative sessions . . . I believe the State as well as the Legislature, would be better off if this practice of Special Resolves were discontinued.' I make this suggestion again with the hope of obtaining wiser and better coverage for roads in rural areas than we have obtained under our present system."

Now, Members of the Senate, those are the Governor's words, and I introduced this bill, feeling it is the answer to those words. It is in the judgment of this Senate and the other branch of the legislature to do as they see fit. I believe it to be a good bill, based on the principles mentioned, and the merit in the bill should be such that you will accept it.

I have here a very interesting document. I think it is an authentic first edition. There are very few in existence, and most of the members here will appreciate what I say. It is a first edition, an engrossed copy of the blanket road resolve and if it is necessary I probably shall quote from that later in the day.

I would like very much to hear from the opposition as to why they reported this bill out "Ought Not to Pass". I believe it is a sound bill and I would like to hear the other side of the picture.

Mr. HOWES of Penobscot: Mr. President, and Members of the Senate: I was very much surprised when the committee tossed these two bills back to us. I had one and the Senator from Kennebec, Senator Cross, had one which were reported "Ought Not to Pass". I didn't have any idea they would report the two bills this way. I never had any idea they would not do something.

I think we all realize and I know the State Highway Department recognizes that we fooled away half a million dollars this very winter just trying to plow those roads. We fooled away enough money in the

last 30 years to fix these roads so they would have been passable and decent and something we could plow.

Just this last week while I was home my attention was called to a man who owns a 600 acre farm. He had two cars of phosphate come to the town of Dover. He had to take a team and drive three miles and get a truck and get up there and unload those cars. He had to hire storage to put the phosphate in because he couldn't get it home. He estimates an \$1800 to \$2000 a month cream check. He happens to live on a back road. It happens he is three miles from any improved road. He has to take his team three miles and haul grain back. That man's name is Henry Chase. He lives in Mapleton. Some of you may know him, I am sure. It is the condition of thousands of men like him.

I can not believe the legislature will not do something about this situation. I had a man who sat over here when my bill was heard. His name was Lawrence Higgins. His road up to three weeks ago had not been plowed since the 29th day of January. He is doing a \$20,000 business a year. He got his road plowed three weeks ago. Some of you may be surprised at that when you look out and see the green grass and leaves around here. He has a truck but he has to leave it on the main road. He can not get it home. I tried to work the road last Sunday. I went to the first house and had to stop my car because there was a culvert that was out of the ground. There are thousands of places just like that.

We have a road in my section where there are eleven houses and there used to be a school house. One house is as good as my own that I live in. It was bought for a thousand dollars and it was sold a few years before for \$5500. It was bought for speculation. Out of the eleven houses there are just three people living on that road today. The only reason they are not there is because they haven't any road.

We have had a man come from the Aroostook and he bought three or four farms and I tell you, he is a smart man and we would hate to lose him. He is doing a \$12,000 business now. He said to me, "Howes, if I ever get these potatoes out of the ground I am going to

western New York and hire a farm." He is discouraged.

People like this are going to Boston and everywhere. They are getting out. We are getting to the place in this country town where we have nothing more to tax. We cannot pay our bills. This legislature, if I am correct, and I think I am, has deorganized eight towns. Since I was here in 1937 we have put 25 towns back. Are we going on this way? What is the matter? What is the matter with the people back there? Who is winning the war, anyway? I can state to you hundreds of men who are working nearly all day and all night. This man I mentioned who sat over here in the hearing has been raising 70 to 100 acres. He has a combine and threshing machine and two tractors and really doing business. We cannot lose men like him out of my town or any other town. He has cut thousands of cords of pulpwood in the last few years. But his team has not been out of the barn because he could not get it out and we could not plow his road for him. Are we going on and not do anything about this?

I could talk an hour or two about this. I was willing to let my bill go by. I am willing to sacrifice but I am not willing to see both bills go by. I feel like the story—I do not know whether it is a Bible story or not—when there was question about the ownership of a baby, and the king or judge said he would cut it up and divide it, and the parent of the baby said, "No, I will give it to him". I feel the same about this road bill. I am willing to sacrifice my bill. I believe I had the best bill of the two. When the legislature comes here and does nothing, I am not satisfied. If you can not find the money, and I know the Highway Department is hard up—they have had a beating the last few years—give a few hundred thousand to patch up a few places and do something on these roads for these people. Those people are winning the war. That is who is winning the war, those people and those over across. It is not the man I am hiring to milk my cows while I am up here. There are thousands more like him. The farmers are doing the job, ladies and gentlemen. We should do something for them.

Mr. BROWN of Aroostook: Mr. President, I feel I should rise in

the Senate in view of the fact our report "Ought Not to Pass" has been so ably attacked, and show why the Committee on Ways and Bridges passed out the "Ought Not to Pass" report on this bill and the Howes bill and the Dutton bill, so-called, all of which called for considerable sums of money to be applied on let us say "dirt" roads.

I realize fully that the Senator from Kennebec, Senator Cross, has a good bill there. In fact, I think two years ago when it was before the committee I told him I would go along with him. I realize the truth of all the things the Senator from Penobscot, Senator Howes, has said about farming conditions. I want to ask you if this bill will change it. The fact is, there is not enough money in the highway department to complete one tenth of those roads they would like to see repaired. The Senator from Penobscot, Senator Howes, has spoken of the condition of one mile of road in his town. There are thousands all over the State. If you took three or four or five hundred thousand dollars under this bill you still would have thousands of miles of dirt road you could not repair.

A great many people who have urged the passage of this bill have done so under two misapprehensions; first, that there was a lot of money in the highway department to build roads, and second, this was a panacea and if you passed this bill it would automatically make all dirt roads better. We have hundreds of miles of roads and millions of dollars invested in a state highway system, and I tell you frankly there is not enough money in Maine to keep them patched up so we can get over them. They have been going to pieces for at least three years and will continue until the war is over and we can be in shape to repair them.

Are we going to sacrifice the maintenance of our highway system in order to put three or four hundred thousand on dirt roads? If there was money enough, or anywhere near enough, I would be willing to do this. I have hauled stuff over mud. I know what farmers are doing and I am sympathetic. Under the present system we set up \$350,000 for these dirt roads. \$150,000 is given to the towns to put on their roads in the worst places so they can get over them.

I know the chairman of the High-

way Commission has always been in favor of road resolves because it allows the fixing up of roads that cannot be done under any other set-up.

We appropriate \$200,000 under what is known as R F D money and \$150,000 for road resolves which amounts to \$350,000 which they have for dirt roads. It isn't enough, but a million dollars would not be enough, and anyway, we haven't got the money. When the Ways and Bridges Committee listened to these arguments, when they spent two long evenings while some of you people were asleep or dancing or doing something else — I don't know what — we considered this matter and decided the only thing to do was to leave the system as it is at the present time until the war may be over.

Another thing, in answer to this "Let's set up the machinery now"— we don't know what the picture will be two years from now. We understand there will be a large amount of federal money for matching purposes in this state which we will have to match. We don't know under what terms or what conditions but we do know we have been promised a certain amount of money would be set up for farm to market roads on some kind of a matching proposition; therefore, we don't feel it wise to put all the money, if we had it to spare, on these roads and then when the matching program came along to have nothing with which to match federal funds. I realize it is a big proposition. It is a proposition of a different method of distributing road funds but it is a rather poor time to attempt to do it when you have nothing to distribute.

I know there are others who can talk on this matter. I don't need to go into any long explanation. One thing, it won't stop road resolves coming in. They can put them in but this will wipe them out.

If you listened to the people who come before the committee begging for a few hundred dollars to patch up a little road, you would realize when this is passed out they would have no chance to get any money. The Highway Commission will have to start their program of fixing their roads all over the State, but some towns which are in need of money at this time will not get it and the Highway Department won't be able to get around to them this

year or the year after. Don't think this is a panacea and that all their roads will be fixed up because if they start in Senator Howes' district this year, they won't get to Aroostook for three years and likewise if they started in Aroostook this year they wouldn't get to Senator Howes' district for three years or more.

Why set up machinery now when we do not know what conditions will be two years from now? Another thing, the legislature every two years will set up whatever percentage of money is to be used on their roads and what percentage is to be used on the highway system, and you will have a fight in every session of the legislature. People like Senator Howes, Senator Cross and myself will want to see money put on dirt roads and you will have the Good Roads Association and the Maine Automobile Association who will fight to have every cent put on the highway system. I say we have a lot of money invested in the highway system and we cannot afford to neglect it. If we pass this we have got to face the fact that there will be a controversy and then there will be political questions between the cities and larger centers who want to have the money put on the main highways, and those in the farming districts who have their ideas as to where it should be spent.

I am afraid if this goes through, in the future the farming districts will be able to get less road money than they have under the present system.

As I say, we spent two long evenings on it and thought the only thing was to let it go until the next legislature or until the picture changes. It is nothing personal to me. I am simply defending the committee report. If the legislature doesn't agree, it is up to them.

Mr. CROSS of Kennebec: Mr. President and members of the Senate, I was very pleased to hear from the committee because it confirms my opinion that while they may have spent two evenings talking over the bill, they did not correctly analyze it, because practically all of Senator Brown's arguments were covered in the bill.

In the first place, I neglected to quote the highway commission. Senator Brown said that they are against any change in the present

set-up. If they have changed their minds, I have not been correctly informed. I met with them earlier in the session and in the presence of the State Grange Master who happened to be with me, the Chairman of the Commission, with the full permission of the other two members, said, "You may quote me, Bert, as being heartily in favor of your bill." I have no knowledge that they have changed their mind.

He said further, "I feel that is a better method than the present one of distributing the money. It will go farther and cure more ills than under the present method." So much for that.

Senator Brown says it will upset the machinery of the present program. We now appropriate under Special Resolves and under R.F.D., and in ninety days, that money is available. Under this bill of mine if they appropriate anything, I have no doubt they will appropriate no less than under the Special Resolves and R.F.D. and this money will be available to the towns. The machinery of the act says it shall be allocated on the basis of mileage of unimproved roads. They allocate the R.F.D. funds that way. The towns know each year how much they are going to get when the legislature adjourns. It is just a matter of simple arithmetic. If you have ten miles of road and it pays \$45 a mile, you are going to have \$450. If you have sixty miles of roads you would have that much more. It is not involved, it is very simple. It does not upset the machinery of the state in the least, and least of all would it upset the budget of towns which set up their budgets in March because they are already made up in town meetings in March.

I understand that the committee felt the money was not available. I agree that there is not sufficient money available but they have said there will be \$350,000 available. He says they have already made it tentative in their budget. Why should the set up of this measure interfere with that money? It could be put into this bill and allocated fairly and equitably and the towns would know immediately how much they could count on.

One other thing—federal money. As a member of the Interstate Cooperation and the Committee on Highway, I have heard a great deal of what constitutes the so-called

post-war plan of the federal government and, members of this Senate, I tell you today, there is absolutely no money even in sight that would apply to third class, or mud roads—absolutely none. Their specifications are so high at the present time that it would practically cut out our state aid roads. They are planning the post war funds to be allocated on the principles of traffic count and traffic survey.

I don't think any of us here think for a moment that there will be any federal money available for these types of roads. If there is anything done on the roads, it has got to be done by state and town money. That fact is absolutely inescapable. As to the matter of not being able to accomplish much this year, I agree with Senator Brown one hundred per cent. There is not sufficient money available to correct this situation. There would not be sufficient money available if we appropriated approximately ten per cent. In ten years we would not have sufficient. The problem is too great. Ten thousand miles of road is a lot of road and this plan of mine is long range, setting up machinery whereby any funds which can be made available shall be allocated, and it foresees at least a fifteen to twenty year program to do the job.

Unless we have more than we foresee, it will take twenty years. Some of the roads may be obsolete before the end but the bill is set up so broadly — I have not gone into the terms of the bill, but the towns may do anything in the way of construction or maintenance that they see fit. It is in the hands of the town officials and subject to the approval of the commission and, as to expenditure, it is back where it belongs, in the hands of the town. They know best where and when they should expend it, and under what conditions. And I think it would be as safe there as in the hands of the commission.

There is, however, the proper protection of approval by the commission, of expenditure, to see that the money is properly expended.

As to appropriations, there are no other road funds in the whole highway set up that are handled in any other way. There is no law on our statute books that says you shall appropriate a million dollars for this or five hundred thousand for that. Each year the Ways and

Bridges Committee recommends the same as the Appropriations Committee recommends that so much money shall be appropriated for this and so much money for that.

The legislature knows it should not be tied by a lump sum appropriation. That is why the bill is drawn that way. It is completely flexible. If the money is available, if we can have \$350,000 available this year or even \$150,000 allocated, the amount doesn't matter as much as the machinery.

Two years from now this can come back and the same arguments will apply. "The time is not right." I heard it two years ago and the same bill was put in two years ago, but changed to a minor degree. I think the amount was 5%. They said it was too much money and still they permitted \$350,000 as they planned to do this year.

This 10% is simply a mere permissive. We have heard the word a lot. It says that the legislature shall appropriate what they think is proper from the General Highway fund. I don't believe there would be any more revenue than there is at the present time under the road resolve and there is plenty of that. You members of the Senate who have been here many years know of the present system. I don't want to dwell too much upon it. You know the inequities and inequalities.

I might quote to you from the record, a few interesting figures of comparison as to how the road money is now equitably distributed under the road resolve. For example, I will take two Senators here, one in a town of which he has in the country and back from the state highway, 8.30 miles of unimproved roads. Four years ago, which this blanket represents, there was allocated to his town \$210 per mile. The other, a town of 67.90 miles of road was allocated \$28 per mile. I would not call that equal distribution of State money. I could go on down the list for a long time. I think the best one is perhaps the town of 1.40 miles of unimproved roads and they receive \$1200 per mile. I think they must have a good representative. I have another one of 0.0 miles of unimproved roads—it happens to be a plantation—there were no roads in the town except one state aid road going across the corner. It is marked on our state map as being

an improved state aid road. I do not know the condition of it but probably it could stand more money, but the 0.0 miles of unimproved road has received \$2,000.

I could go on for some time giving you instances such as these. Take my word for it, they are in this first edition and I merely say that I don't quarrel with special resolves, only on the method and not in the dollar value. The \$2000 they spent in the plantation was honestly spent. The Highway Commission saw that it was. It was spent in a manner such as the Highway Commission would approve but they should not have had it. Probably some other town of 60 or 70 miles got \$100.

I ask you, is that fair? Is it equitable? Is it just? The need is great and I just want to see that it is fairly and equitably administered.

There is one here which I think is poetry. It reminds me of Robin Hood. It says "A Resolve for a certain road in Oxford County in Greenwood town." Very poetic. A certain road in Oxford County in Greenwood town. That is the only resemblance to Robin Hood in the blanket.

I don't want to joke, but that did appeal to me from a poetic angle. It is very serious.

Special resolves have always been said to be the backbone of the program for unimproved roads and in this blanket 50% of the resolves were for money to be expended on state aid, third class roads or bridges. We set up our state aid fund, we set up our third class fund, we set up very, very carefully, funds for towns under the Bridge Act and still they come in with special road resolves forgetting about unimproved roads and about third class roads, and bridges.

Every dollar well spent but not on the mud roads. My only thought is that if we are going to have a program, let's keep it on the unimproved roads. If enough isn't set up for state aid roads let's change it. Every year the appropriation on Ways and Bridges changes. If we don't set up enough under the Bridge Act don't take it under the guise of helping the mud roads and put it under third class roads and bridges.

Just as an example, the Bridge Act is very favorable to the small

towns. It operates on a sliding scale as you know. The County assumes part of the burden and the town has the rest as the law allows and still the towns come in and say, "We cannot get our share and we want our share" and so we have a special resolve and that means that the state pays 2-3 and the county pays 1-3 and the town pays nothing. It is a good game if you can work it but it is not equitable and it is taken care of under another appropriation. I am just pointing out some of the loopholes. I have no quarrel with the purpose, but only with the method and I ask you, Senators, when you vote on this measure, that you vote in all seriousness on the merits of the bill and not be swayed by any other arguments.

Mr. WASHBURN of Washington: Mr. President and fellow Senators, I feel that I have a duty to perform, a duty as well as an inclination to support the motion of the Senator from Kennebec, Senator Cross. The country people of Maine have been thinking a great deal about their highway conditions in the last few years and they are not satisfied with the help they are getting on these mud roads as we call them. Last Fall when that great organization known as the Maine State Grange met in its annual meeting, there were more than fifty resolutions covering various features of country life that they wanted to correct and a dozen of those resolutions had to do with the highway situation.

You may be interested in the wording of some of those resolutions which were passed and adopted by the Maine State Grange at its last regular session. I would like to quote from the Proceedings, leaving out a great many "whereas" because the discussion has already been a long one.

Resolution No. 49 leads up to this declaration: That the State Grange should do all in its power to see to it that the incoming legislature pass the necessary laws so that the above mentioned roads might receive immediate attention, and that certain appropriations be set aside for the work.

Resolution No. 15: Be it resolved that the Maine State Grange at its annual session in Bangor, Maine on December 5, 6 and 7 instruct its officers and committees to use every effort to have a large portion of the highway fund allotted to the

improvement of rural roads, and special attention to be given to school bus and R. F. D. routes.

Now it is of interest to remember that those resolutions were the work of an organization that has passed the fifty thousand mark in Maine and is growing today in every county except perhaps one, and those people have been seriously considering their highway problems.

The Grange has not been inactive this winter in its legislative programs as to roads. The Senator from Penobscot, Senator Howes, has very generously given up his own hopes and thrown his support to what we term the Cross Bill, and I say to you that the officials of the State Grange have been equally generous because they have found that the bill written by Senator Cross embodies exactly the things that they believed in and stood for, and so rather than have another bill introduced, known as the Grange Highway Bill, they have found satisfaction in Senator Cross's bill and they have endorsed it and done considerable work in helping to prepare it, as I understand it.

So I have simply tried to present to you the problem as it is seen by that great organization of rural people. We don't go in the State Grange very far into politics. We are an organization trying to help out in the social and educational problems of the country people but we are concerned deeply in the problems of rural roads and the very best thing we see today, the thing that offers the most hope is the Cross Bill. I believe the Grange is very strongly behind it and I believe if we go on to the end of this session without having done something for the rural roads of Maine, a tremendous part of our rural population is going to feel that we have let them down. I hope that the motion of the Senator from Kennebec, Senator Cross, prevails.

Mr. GOOD of Aroostook: Mr. President and members of the Senate, I rise with a lot of reluctance today realizing that the Aroostook delegation may be fifty-fifty or nearly that, in their opinions.

I realize that this is a serious matter. I took it up with the Highway Commission and found that there would be \$3,913,509 available at the conclusion of this war. I said that I would be willing and I think

that the farmers of this country would be willing to wait two years for roads if the money could be put on cross roads or mud roads or farm to market roads. I asked Mr. Barrows if any of this money could be used for cross roads when it became available and he said, "No, the standard is not high enough." It would take several thousand dollars to build a mile, and therefore they won't put the money into that kind of construction.

We realize the condition the roads are in. Probably \$3000 won't build as good a road as the federal government thinks necessary but we feel if we had \$3000 to apply on a mile of mud road we could get over it and get to market without tearing our equipment all to pieces and spoiling the product that we produce.

I feel that hundreds of our farmers are getting to almost the breaking point. They have been very cooperative. They have been very patriotic. They say, "There is a war and we must do everything in our power. We realize there is not anywhere near money enough to take care of the roads but we are willing to go without for a while but we feel we should be considered after the war." I believe they would wait two years or more if they could be assured that the money which will be matched could be spread around and a portion of it go on cross roads.

People have come to me again and again and said, "Isn't there something you can do?" There is nothing I can do. The legislature must do it and it must be a majority that does it. I am convinced the people aren't willing for the farmers to abandon their farms and leave them. I think you all want to see the farmers prosperous.

All you have got to do is drive on some cross roads—not only in Aroostook County, but in this county, around here. Sunday I took a ride to see a neighbor from my county who has moved to a big farm on a hill nearby. I went there and got into the mud and for two miles that road was even worse than the cross road, than the farm road where I haul my stuff over my own land.

There are buildings being abandoned everywhere. Men won't buy farms where there is no road. Many farms are lying idle. I have seen farms after farms where the grass was not cut last year. They were on cross roads where people would

not live because the roads were in such deplorable condition.

Taxes are terribly high and farms are on a high rate and the farmers have to pay big taxes. I know several farmers on cross roads with nothing but dirt roads to go over, and they pay five, six and eight hundred dollar taxes.

I heard a man say two months ago, 'I have paid the last dollar of tax I will pay. They can take my farm and I will move to Montana. They come within half a mile of my house when plowing the road and they won't come any nearer to my place. He had 175 or 275 head of sheep and 60 head of cattle. He said, 'My hay was in another barn and I could not haul it except 150 or 200 pounds—whatever I could get by sled over the drifts.' He said, "I am through" and he substantiated this by shipping two carloads of sheep to Montana. He sold one carload of cattle and shipped the other carload to Montana. We see this all over the state.

If this bill will help correct the situation in any way or any manner, I think it is a step in the right direction. I do not think it will set up a great deal of money—ten percent—it is more equally divided, as Senator Cross said. If I have 25 or 30 miles of unimproved road and in another town they have 10 or 15 miles, they will get half as much as I, or vice versa. I think it is sound.

We have heard this story again and again. I have heard the Senator from Aroostook, Senator Brown, make this statement, that the tax structure is all wrong, and I think in other sessions he tried to change it. The people say the time is not good. I am asking you, gentlemen, when is the time going to be good? I think the time is right now that we should substitute this bill for the report. I have great regard for the committee that we have here. I think they thought it over carefully. Probably the money was not available and they figured there was not enough to carry it out. However, it is no disgrace to substitute a bill for a report.

Mr. BROWN of Aroostook: Mr. President, one or two thoughts have come to me as I have listened to the arguments. One was that I didn't mean to say, if I said it, that the Department was either for

or against this bill. They have not been approached and they didn't approach our committee in regard to it, but I know in the past the chairman of the committee has said time and again that he was very thankful for the road resolves because they got in roads that could not otherwise be reached.

Another thing—did I say we had set up \$250,000 for dirt roads this year? I said we did so last year.

Now, in regard to people moving off farms. It is not only that people have moved off the dirt roads, but there are dozens of people in Caribou who have sold their farms and have gone to New York state, and they didn't all live on dirt roads. The big reason is that they are not taxed as they are in Maine. The farmer is taxed to death. Outside of the cost of living, think of the small amount of taxable property that we have which means added taxes on the farmer. So it is not just the road situation that is driving them away.

Another thing I want to call attention to is the fact that a great many people and groups like the Grange,—and I am a member and have been a great many years — when they say they want something they do not consider the condition the State is in and the State Treasury is in. We have people coming here and asking for money and for more money, not only for highways but for everything. They do not know what condition the state is in. I saw a letter from someone to another Senator in which he said he thought the bill was premature, but he said, "Pass it just the same whether it is premature or not." We have a great many people like that. I doubt if the State Grange had a copy of the State budget before them, and so they didn't know what budget had been set up. It is easy to pass legislation or tell one side what should be passed without hearing the whole story.

It has been said there will be a surplus of \$3,900,000. I want to say our revenue has dropped around fifty percent. We have certain fixed charges to pay. We have \$1,700,000 for retirement of bonds if we want to keep of credit good. \$700,000 for interest on the bonds and then there is the cost of the highway department, also the cost of the state police and the secretary of state's office, and so forth and so on.

I tell you this, if you pass any

bill that takes more money out of the treasury than we set up under road resolves you will not have \$800,000 necessary for the maintenance of highways. The question is, do you want to give up hundreds of miles of good roads and see them go to pieces, realizing they are going to pieces more and more each year when the top surface is broken up? Do you want to put money on them or on a dirt road somewhere else?

I think I have discussed it as much as I want to. It is up to the Senate. They can vote as they want to. I say if we have not the money and don't know what conditions will be after the war—and we certainly don't know what they will be — let's wait until then and set up the machinery to fit the program, and not set it up now and then have to build it over.

If you set this up on a percentage basis it can be debated every year. Whoever sits on the Committee on Ways and Bridges will have plenty of trouble. There will be the people who want to maintain the present state highways and on the other hand there will be the people on the dirt roads. You will have a fight every year, not only in the Ways and Bridges Committee but also on the floor of the legislature, whether you will appropriate three or five or ten percent for dirt roads. Remember this is out of gross revenue and not net revenue, and there is a great difference between gross and net revenue.

Mr. HOWES of Penobscot: Mr. President and Members of the Senate, I didn't suppose I would care to speak again but I find there is one thing not mentioned. I still feel this committee should bring out some kind of a bill. I have been informed that last year there was \$1,700,000 of bonds retired. Senator Brown told us there was that much more this year. I have been informed by two members of the Highway Commission it was \$4,000,000 retired in June of this year. If anyone doubts it I will take them to the men who told me. I did talk with the Governor about this. He said that he would not veto it. These bonds can be renewed by the Highway Commission. I do not see why we can not set up the money to start the roads even if we had to renew the bonds to do it.

This thing has gone far enough. Something has got to be done.

Some roads have gotten to the stage where they are impassable. I know the conditions are the same everywhere. I doubt if under the Cross bill or my bill you could find enough people in the country to work whichever one was set up, but I certainly would appreciate it if the committee would set up a bill and bring it out for \$100,000 for the next two years. I believe the farmers might get together and supply the men that would be needed to work.

No one spoke of the bond issue and I thought I would mention it. I think we could renew the bond issue and do something for these people on these roads. If you wait until the war is over you will see who gets the money. We won't get it any more than we have in the last 20 years.

Mr. CROSS: Mr. President and Members of the Senate: I don't want to talk this bill to death. I know it has been well covered. I do wish to correct this misapprehension that might be in your minds from the remarks made by the Senator from Arcostook, Senator Brown.

I would like to clear my personal and official skirts in regard to the quotation of the highway commission. It was with their permission I quoted them. They said that while they have always been in favor of special resolves to cover places not touched with other funds, they heartily endorsed this bill because it served a more equitable purpose and arrived at the same end. You may check with the Commission if you like. It is as I quoted. If they have changed their minds I have no knowledge of it.

Now in regard to hamstringing the department: I served on the Committee on Ways and Bridges four years; two years as House chairman and I am reasonably well informed on highway matters. I would not claim to be perfect, but I have here the highway budget recommendations and the department has asked for \$700,000 more for maintenance. Last year was the highest figure ever known for maintenance. The budget recommendations are approximately the same. They have been cut slightly. Now, I have absolutely no fear the department has asked for a sufficient amount to maintain the roads in as good condition as they possibly can be, and still in the de-

partment recommendations they include the \$150,000 and \$200,000 for R.F.D. I asked the Chairman of the Ways and Bridges Committee if he planned to appropriate those two items and he said that he did. I believe he said it would not be enough in his estimation and said he thought it would take more. Still, I understand he is deeply concerned about the financial condition of the budget. There is no more asked than at present. If the bill passes the Ways and Bridges Committee would put in the bill as much as they planned to under the present system.

He has admitted, and I have heard no words refuting it, that they do expect to put that much. It is general knowledge around the halls of the legislature, so I would not be too deeply concerned about the matter of highway finances so far as this bill is concerned.

So far as quarreling by succeeding legislatures goes, you will have it anyway. You never can supply as much money as you do for highway purposes and for bridges and the matters that come before the Ways and Bridges Committee without having some honest differences of opinion. That is why we are here. We are living in a democracy.

If I lose today, it will be with the best of grace. I urge you to vote on the merits of the bill.

When the vote is taken, I ask for a division.

Mr. DORR of Oxford: Mr. President, I think this matter has been pretty well covered on both sides. I think we are all in sympathy with mud roads. I live on one and I drive my automobile out of the mud and I know what it means. I, for one of the committee, am heartily in sympathy with that type of road. Whether or not the Highway Commission is in favor of special resolves or the Cross bill doesn't mean anything to me. I believe the committee has worked on the road matters, keeping in mind the amount of money we have got to spend, and we have considered all the bills, the Cross bill, the Dutton bill and the Howes bill, and we didn't feel, under the conditions, they should be passed at this time. They all had merits, it is true.

So far as special resolve money is concerned and so far as the appropriations are made in various towns throughout the state I would

feel sure in saying 95 per cent are placed on roads recommended by the selectmen in the various towns. Now, as a matter of fact, the Cross bill or the special resolve won't get us out of the mud. We all realize it. First, we should get out of the woods and decide where we are trying to go from there. I will be back to that again in a moment.

We have 22,000 miles of highways in the State of Maine, almost enough to encircle the globe. The surprising thing to me is we have accomplished as much as we have on ways and bridges in the State of Maine, keeping in mind the population of 800,000, the high rate of taxes, etc. It is a burden; there is no question about that.

Not many years ago the legislature authorized a planning survey and that survey was made and I am quite sure it covered all types of roads all over the State. So far as I know, that survey hasn't been put to very much use. Had it not been for the war and due to the fact the Governor in his Inaugural and also in his budget message stated very definitely that we could not have any bond issue other than the amount required in that year. I had in mind and probably would have presented to this legislature a highway program of a 15 year plan. If we could start something of that kind and get the best advice possible and the best road construction engineers, all the information available from other states in building roads—those with conditions similar to Maine—and compile that information; out of that set up a fifteen year construction and maintenance program with an objective, financed by current income and special authorization for a bond issue to be used when needed.

The only way we are going to get out of the mud is to have a plan. If we had \$20,000,000 which is set up for the two year period in normal times for our highway program, we would get the best advice possible and we would have a plan and we would have an objective.

So far as the Cross bill is concerned, should it pass you will have two bills. You will have special resolves which under the present procedure we get \$300,000 for special resolves and \$200,000 for RFD roads; so-called; and various amounts and considerable amounts when current income was flush, out of the general

highway fund under special resolves, which would probably amount to anywhere from six or seven or possibly eight hundred thousand dollars.

I am not putting up any strong argument for the system we are operating under at the moment, but before we change the system I want something presented to us that is better, in my opinion. If the Cross bill passes there may be set up, according to our income, \$500,000. Special resolves will come in just the same and if the money is appropriated to take care of them you will be appropriating about \$1,200,000. We could use nearly all the surplus and current income for maintainance this year. We have thousands of miles of state aid and third class roads going to pieces. We have invested millions of dollars in them. Are we going to maintain those at the sacrifice of roads in poorer condition, or are we going to protect our investment? These mud roads are serious and we are unfortunate that we have not the money available to repair them and rebuild them as they should be rebuilt. It can not be done under the Cross bill or under the special resolves. I prefer the special resolve because 95 per cent are allocated by selectmen of the towns and they should know where the money should go, and it is used to the best advantage. I hope the motion of Senator Cross does not prevail.

Mr. CROSS: Mr. President, I think I need the forbearance of the Senate and I will be very very very brief. I will point out once more because it seems to be a bone of contention because under the budget, and it is what the Ways and Bridges Committee follow, more money has been set up for the maintainance than by any other legislature, \$700,000 more than was spent last year, and it is a lot of money.

I do not think we are taking any chance of losing our original investment in roads. All we ask is that the same amount be equitably distributed in this bill.

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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that the bill be sub-

stituted for the "Ought Not to Pass" report of the committee.

A division of the Senate was had. Twenty-one having voted in the affirmative and nine opposed, the bill was substituted for the report; and was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Owen of Kennebec, the Senate voted to take from the table bill An Act to Provide for Scientific Investigation with Blueberries (S. P. 72) (L. D. 68) tabled by that Senator on April 2 pending passage to be enacted.

Thereupon, on motion by Mr. Washburn of Washington, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. WASHBURN of Washington: Mr. President, I present Senate Amendment A and move its adoption.

"Senate Amendment A to bill, An Act to Provide for Scientific Investigation with Blueberries (S. P. 72, L. D. 68.) Amend said bill by adding at the end thereof, the following section: 'Sec. 7 Repayment. All net revenues derived from the experimental blueberry farm shall be paid over to the Treasurer of State at the end of each year and shall be credited to the unappropriated surplus of the General Fund of the State until such time as the appropriation for such farm has been repaid to the State by such revenue.'"

Senate Amendment A was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table House Report "Ought to Pass" in New Draft (H. P. 1385) from the Committee on Taxation on bill, An Act Relating to Inheritance Taxes (H. P. 685) (L. D. 277) tabled by that Senator on April 9 pending adoption of the report in concurrence; and on further motion by the same Senator, the report was adopted in concurrence and the bill was given its first reading; House Amendment A was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table Resolve Authorizing Preparation of a Digest of the Opinions of the Law Court (S. P. 346) (L. D. 894) tabled by that Senator on April 2 pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Judiciary on bill, An Act Reallocating the Laws Relating to Private Hospitals for the Mentally Depraved (H. P. 1136) (L. D. 680) tabled by that Senator on April 4 pending adoption of the report; and on further motion by the same Senator, the "Ought Not to Pass" report of the Committee was adopted in concurrence.

On motion of Mr. Dorr of Oxford, the Senate voted to take from the table bill, An Act Relating to Snow Removal (H. P. 247) (L. D. 157) tabled by that Senator on April 5 pending adoption of House Amendment A; and on further motion by the same Senator, House Amendment A was adopted in concurrence and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table House Report from the Committee on Public Utilities "Ought Not to Pass" on bill, An Act Relating to Rural Electrification Cooperatives (H. P. 544) (L. D. 322) tabled by that Senator on April 5 pending adoption of the report in concurrence.

Mr. BISHOP of Sagadahoc: Mr. President, I move the adoption of the report. I wish to make a few remarks in behalf of that motion. It has always seemed strange to me that we recognize a need, yet are usually unable to find the mechanics whereby we may offer a solution to that problem.

In the state of Maine there are forty thousand homes and farms

without electricity. I appreciate that because for eight years I dug my living from the brown soil and spent long hours doing it. In the fall and winter especially, it sometimes took six or seven hours working in darkness, except for a kerosene lantern which I carried in one hand. I am only half a man anyway and when I have a lantern in one hand, I am only one quarter of a man!!

I lived within a mile of an electric line and I could institute nothing that would bring that line down to my home unless I paid \$20 a month for five years. The federal government, recognizing this fact, for year after year, attempted to force existing electrical companies to build these lines, or permit the setting up of cooperative electrical companies.

I have electricity now and I appreciate what it means for the other forty thousand families who do not have it. But some good has come from this legislation, or attempted legislation, as most of our big electrical companies have finally, by letter or by report or by verbal agreement, agreed to make these extensions just as soon as it is possible to get the material. That being the case, I feel that the object of this bill has been partially reached. I have here letters and statements from existing companies in the state, power companies, saying that they will extend these lines just as soon as the materials are available. That being the case and knowing we cannot build these lines until the materials are available, I think a lot has been accomplished.

I want to go on record and say that I am in favor of making it possible that folks without electricity should be promised the chance to have it in the near future. I move the adoption of the Committee report.

The motion prevailed and the "Ought Not to Pass" report of the committee was adopted in concurrence.

On motion by Mr. Sayward of York

Adjourned until ten o'clock tomorrow morning.