

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

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## SENATE

Tuesday, March 12, 1935

Senate called to order by the President.

Prayer by Rev. Willis A. Moore of Gardiner.

Journal of Friday, March 8th, read and accepted.

From the House:

The Committee on Judiciary on Bill "An Act Relating to Use of Posters at Polling Places," (H. P. 588) (L. D. 167) reported that the same ought not to pass.

In Senate on March 7th, report of committee "Ought not to Pass" accepted in non-concurrence.

In the House, that body voted to insist on its former action whereby the bill was recommitted to the Committee on Judiciary, and asked for a Committee of Conference, the Speaker having appointed as members of such a committee;

Mrs. Kilroy of Portland  
Mr. Tupper of Calais  
Mr. Richardson of South Portland

In the Senate:

Mr. BURKETT of Cumberland: Mr. President, this is the bill which I discussed briefly in the Senate last week when, on my motion, the Senate voted to accept the "ought not to pass" report of the Committee in non-concurrence, the House having voted to substitute the bill for the report. The bill comes back here now after the House has appointed a Committee of conference and voted to insist.

I am going to move at this time, Mr. President, that the Senate adhere. The bill, as I explained the other day when I spoke about it, is a simple one that would stop anyone from distributing or circulating any posters, cards, and so forth, in a polling place, on the sidewalk or within a hundred feet of the polling place. There has been no evidence presented to the Judiciary Committee, which reported unanimously "ought not to pass" on this bill, that there had been any harm done or that anybody had been injured or wronged by the practice of standing around polling places and handing out literature and cards and placards. If this bill should pass here is what would happen: if any one of you who was a candidate for office in your respective city or town wanted to stand

around yourself or have your wife or your children or a friend hand out cards with your picture on them or some information about your political experience or some poster advertising your candidacy they would be criminals.

I don't believe the practice of doing that is wrong. In fact, if we were going to pass any legislation on that subject I would make it just the opposite from what this bill provides and I would draft a statute like this—it would not pass, of course, it might not have any merits in it, but I would say this, if we wanted to legislate on it at all, that no person shall be permitted to cast his ballot at any polling place in the State of Maine until he has proved to the satisfaction of the election officials that he has been inside a distance of one hundred feet from the polling place for at least fifteen minutes during which time he has talked with every candidate for political office there present, talked with people there interested in candidates and discussed the matter with other people there voting. That would apply to a lot of people who rush up to a polling place, vote for someone they are particularly interested in and mark the rest of their ballot according to the alphabetical position of the names. It would mean that those people would have to stop and take some interest in politics and learn something about the candidates, and that would be good legislation whereas I think that this is ridiculous legislation, to say that at the place where people are supposed to go to cast their ballots there shall not be anyone there within a hundred feet who can give them any information about any candidate or pass out any literature about any candidate and that anyone who tries to do it is a criminal.

I renew my motion, Mr. President, that the Senate adhere.

The motion to adhere prevailed.

From the House:

The Committee on Inland Fisheries and Game on "Resolve Relative to Ice Fishing in Eagle, Square and St. Froid Lakes" (H. P. 1056) reported the same in a new draft (H. P. 1604) (L. D. 691) under a new title, "Resolve Relative to Ice Fishing in Eagle and St. Froid Lakes", and that it ought to pass.

In the House, the report was accepted and the resolve given its several readings and passed to be engrossed.

In the Senate, on motion by Mr. Burns of Aroostook, the report and resolve were tabled pending acceptance of the report in concurrence.

#### House Bills in First Reading

"An Act Relative to Dogs Hunting Moose, Caribou, Deer or Elk or Worrying Domestic Animals," (H. P. 776) (L. D. 275)

"An Act to Authorize the Erection and Maintenance of a Dam Across Spruce Creek in the Town of Kittery," (H. P. 1128) (L. D. 327).

"An Act Relating to Corporations Without Capital Stock," (H. P. 1213) (L. D. 460).

"An Act Relative to the Salary of the Recorder of the Yorkshire Municipal Court," (H. P. 854) (L. D. 693).

#### First Reading of Printed Bills

Bill "An Act Relating to Clerk Hire in Penobscot County," (S. P. 552) (L. D. 714)

Bill "An Act to Extend the Charter of Kennebec Reservoir Company," (S. P. 238) (L. D. 715)

"Resolve in Favor of the First National Bank of Houlton, Maine." (S. P. 271) (L. D. 722)

"Resolve Relative to Open Season on Pheasants." (S. P. 277) (L. D. 718)

"Resolve Relating to Ice Fishing for Perch in Orneville Ponds or Boyd Lakes." (S. P. 281) (L. D. 717)

"Resolve Relating to Ice Fishing in Summet Pond." (S. P. 282) (L. D. 716)

Bill "An Act Relating to Deputy Clerk of Courts in Penobscot County," (S. P. 304) (L. D. 713)

"Resolve in Favor of Edwin T. Clifford." (S. P. 325) (L. D. 721)

(On motion by Mr. Hussey of Kennebec, tabled pending assignment for second reading.)

Bill "An Act to Authorize the Acceptance of a Surety Company Bond in Lieu of Bail-Bonds or Other Sureties." (S. P. 50) (L. D. 712)

Bill "An Act Relating to Offenses Against Habitations and Other Buildings." (S. P. 551) (L. D. 711)

Bill "An Act Relating to the Transportation of Poultry." (S. P. 554) (L. D. 720)

"Resolve Relating to Plug Fishing in Howard's Lake." (S. P. 555) (L. D. 723)

Bill "An Act Relating to Exemptions." (S. P. 556) (L. D. 724)

Bill "An Act Relating to Emergency Municipal Finance Board." (S. P. 557) (L. D. 719)

(On motion by Mr. Fernald of Waldo, tabled pending first reading.)

#### Reports of Committees

Mr. Haskell from the Committee on Claims "Resolve in Favor of Bucksport and Prospect Ferry Company," (S. P. 31) reported that legislation thereon is inexpedient.

Which report was read and accepted.

Sent down for concurrence.

Mr. Friend from the Committee on Claims on "Resolve in Favor of Harold F. Wing of Bingham, Maine," (S. P. 275) reported that the same ought to pass.

Which report was read and accepted and the resolve laid upon the table pending printing under joint rules.

Mr. Worcester from the Committee on Interior Waters on Bill "An Act Relating to Incorporating the Madawaska Log Driving Company," (S. P. 284) (L. D. 315) reported that the same ought to pass.

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

#### Passed to be Engrossed

"Resolve Relating to Fishing in Tributaries to Walker's Pond," (H. P. 787) (L. D. 690)

"Resolve to Open for Fishing Three Mile Brook in the Town of Prentiss." (H. P. 792) (L. D. 689)

Bill "An Act to Amend the City Charter of Bangor." (H. P. 1529) (L. D. 674) as amended by Senate Amendment "B" in non-concurrence.

Sent down for concurrence.

Bill "An Act to Provide for an Excise Tax on Certain Types of Oleomargarine." (H. P. 1543) (L. D. 678)

Bill "An Act Relating to the Duties and Functions of the Maine State Pomological Society." (S. P. 319) (L. D. 351)

"Resolve Proposing an Amendment to the Constitution to Authorize the Use of Voting Machines in Elections." (S. P. 114) (L. D. 25)

Sent down for concurrence.

### Orders of the Day

Mr. TOMPKINS of Aroostook: Mr. President, I have a bill which I would like to ask the unanimous consent of the Senate to introduce. It has to do with a bank, the Aroostook Trust Company of Caribou, Maine. This bank was chartered in 1889, which would be forty-six years ago, and they have outgrown the building in which they are doing business and the officers of the bank didn't discover until just a few days ago that part of their charter reads, "Said Corporation may hold real estate such as may be necessary for the immediate accommodation and the transaction of business, not exceeding thirty thousand dollars in value." Now, as I say, they have outgrown their present quarters and must buy some real estate, another building in which to do business, and they are ready to buy and have a building all selected but under the present charter they cannot buy it. This bill which I would like to present simply deletes the last part of the bill which reads, "Said corporation shall hold real estate not in excess of thirty thousand dollars." They didn't discover this in time or this bill would have been presented on time and I would like to have unanimous consent to present it.

The Secretary read, bill, An Act to amend the charter of the Aroostook Trust Company.

Thereupon, unanimous consent was granted for the introduction of the bill and on further motion by the same Senator the rules were suspended and the bill was given its two several readings and passed to be engrossed without reference to a committee.

Sent down for concurrence.

On motion by Mr. Ashby of Aroostook the Senate voted to take from the table. House report from the Committee on Judiciary "Ought Not to Pass" on bill, "An Act relating to registration of pleasure cars by paupers (H. P. 1135) (L. D. 380), tabled by that Senator on March 7th pending acceptance of the report.

Mr. ASHBY of Aroostook: Mr. President I would like to make a little explanation here. I was told that no one appeared in opposition to this bill. I didn't think it was necessary. I think I was sitting on

the Committee of Ways and Bridges that afternoon and I supposed that Mr. Findlen, who introduced the bill, would be there and make an explanation, and while I know it is permissible for the employes of all departments to own their own private cars I didn't think the committee would think it necessary for paupers to have the same privilege. Now, it may be that that is not done anywhere else except in Aroostook County but I know it is there. I have known of cases where paupers have gone to the town manager, or to the selectmen as the case may be up there and obtained supplies in the way of food and coal, and so forth, and have gone out and sold them for money with which to purchase tires or gasoline or what not for their cars. Of course the registration fees don't amount to much because they usually have some old wreck that they have pulled out of a junk pile somewhere and it doesn't cost much to register those but it is the upkeep of the car that is expensive and in many cases the C. W. A. or N. R. A. workers who receive Federal aid use some of those supplies for the upkeep of their cars. Therefore, I am going to move that the bill be substituted for the report.

Mr. BURNS of Aroostook: Mr. President, being a member of the Judiciary Committee I think probably a word of explanation is due from me. I subscribe to a great deal that the Senator from Aroostook, Mr. Ashby, has said in regard to the fundamental principles involved in this bill but the question before the Senate goes beyond that. The bill, as has been said, was advertised and a hearing on it was held before the Judiciary Committee and anyone who cared to appear in favor of, or opposed to, the bill, of course had an opportunity to go there and do so. And I think probably the majority of the committee would feel the same as my colleague, Mr. Ashby, and myself feel toward the fundamental principles involved in the bill, but it wasn't explained to us and one of the members examined it and found that it apparently was not drawn correctly because at the very outset there is an objection to it. It says that no "person" shall be permitted to register an automobile, excepting trucks, if they have been receiving aid from a city. Now obviously a "person" who desires a registration does not

register it himself. It is the state, the Secretary of State's office, that registers an automobile, and with the bill as drawn, I think, if anyone carefully reads it, he will find that the principle involved is not properly explained nor set forth. And there are also certain objections to the administrative phases of the bill. There is nothing in the bill which would prohibit the Secretary of State from issuing a license, as the bill now reads.

And for those reasons, Mr. President, I object to the bill being substituted for the report.

Mr. ASHBY of Aroostook: Mr. President, you know I was expecting something like this from the Judiciary Committee because, you know, the King can do no wrong and that is one committee that is infallible, but, however, since my Brother Burns says this is drawn wrong I ask permission to withdraw my motion from the Senate.

Permission was given and the motion to substitute the bill for the report was withdrawn.

Mr. ASHBY: Now, Mr. President, I move that this bill be resubmitted to the Judiciary Committee so that they can fix it up in due legal form and so that it will pass inspection, and report on it then.

The motion prevailed and the bill was recommitted to the Committee on Judiciary in non-concurrence.

Sent down for concurrence.

On motion by Mr. Schnurle of Cumberland the Senate voted to take from the table, "Resolve Appropriating Money to Complete the Fishway at Aroostook Falls (H. P. 1487) (L. D. 664) tabled by that Senator on March 8th pending final passage.

Thereupon, on further motion by that Senator the Senate voted to reconsider its former action where-by the resolve was passed to be engrossed and the same Senator offered Senate Amendment "A" and moved its adoption: "Senate Amendment 'A' to House Paper 1487, Legislative Document 664, Resolve appropriating money to complete the fishway at Aroostook Falls. Amend said resolve by inserting at the end thereof the following: 'any and all acts done in compliance with this resolve in the Province of New Brunswick shall be with the consent and approval of said Province.'"

Senate Amendment "A" was adopted and the resolve as amend-

ed by Senate Amendment "A" was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Tompkins of Aroostook, the Senate voted to take from the table, "An Act to provide for Annual Audits in Cities, Towns, Plantations and Village Corporations," (S. P. 457) (L. D. 653) tabled by that Senator on March 6th pending adoption of Senate Amendment "A".

Mr. TOMPKINS of Aroostook: Mr. President, I am going to move the indefinite postponement of the bill and the amendment. Now, I know that some senator or senators will say that this ought to pass and certain towns ought to be audited and certain cities ought to be audited and they cannot get them audited without the passage of this bill. But I do not believe such a bill is necessary. We have sufficient laws upon our statute books at the present time. If the municipal officers of any town want an audit all they have to do is call upon our auditing department and they get it. If there are towns where the municipal officers will not do this, all the voters in that particular town have to do is have an article put in the town warrant, asking for such an audit and they will get it. I know that this is a department bill and I have all the admiration in the world for the state auditor, a splendid fellow, and all of his office force have always been very courteous, but I believe the passage of this bill will build up a large department here in the auditing department, that will require a large number of auditors to audit all the plantations, towns and cities in the State of Maine, and do it every year. but who will pay for this? We, in the towns have all that we can do to pay expenses now and more than we can do, and of course, the expenses of these audits will be paid for by those of us who are left who are paying taxes. The cost, no doubt, will be considerable. We do not know how much. I know of one town in Aroostook County that had the state auditor there. I would not tell you the expense of it because I do not believe it would be fair to use in this argument, but it was all out of reason. I know that this bill does not stipulate that certified public accountants shall

do the work, but can you imagine anyone else being called in to do it? I think as far as the auditing goes in our towns and cities, it is our own business in our own towns and I think this whole bill takes away the authority from the towns and cities and it will tend toward a further centralization of things in Augusta, and Mr. President, I move that the bill and the amendment be indefinitely postponed.

Mr. JACKSON of Sagadahoc: Mr. President, may I ask the Senator from Aroostook, Senator Tompkins, a question through the Chair?

The PRESIDENT: The Senator from Sagadahoc, Senator Jackson, wishes to ask a question of the Senator from Aroostook, Senator Tompkins, through the Chair, and that Senator may answer if he desires.

Mr. JACKSON: The Senator stresses the cost to the town or to the state of this annual audit. Would he not admit that there is a possibility of aving some money by having an annual audit by competent auditors, of the town's affairs?

Mr. TOMPKINS: Mr. President, I cannot see where it would save anything to insist that we have an annual audit and force upon the state the providing of something like 500 sets of books that would necessarily come with it. I appeared before this committee at the hearing and offered to go along with them if they would have such an audit once every three years as it seemed to me that would be often enough.

Mr. BURKETT of Cumberland: Mr. President, the bill, as the Senator from Aroostook just suggested, was a bill that came into this legislature from the department of auditing. We gave the matter quite a lot of serious attention and re-drafted the bill several times and it seemed to meet the approval of everyone on the committee and a number of House members who were not on the committee but who were sincerely interested in the bill. I have no idea but what some day, perhaps not in this session of the legislature, we will be able to work out, in this state, a system of financing under which all of the revenue necessary for conducting the state's governmental functions will be raised by indirect revenue and the towns and cities then per-

mitted to conduct their own financial affairs as they please. When that time comes all these questions that are so troubling us this session about inequality of assessments and the collection of state taxes, etc., will be done away with, greatly to the relief of those who attend sessions of the legislature after that time. But as long as we continue the present system of collecting from the cities and towns a state tax, and as long as we continue as we are doing now, to return to the cities and towns money for their roads, their schools, and other governmental functions out of the money we collect from the cities and towns from indirect revenue, it seemed to me and to the committee that the state did have an interest in seeing that the financial affairs of the towns and cities were properly conducted.

We were careful to put in the bill a provision that outside auditors could be called in. We felt that the words used in the bill "qualified public accountants" would give the towns and cities a chance to select their own accountants and that there would be no need of limiting the auditing of cities and towns to certified public accountants.

We were impressed by the facts and figures given to us by the state auditor, showing that out of every four towns examined by his department last year serious shortages were shown in those towns, mainly due, it will have to be admitted, to faulty bookkeeping, and carelessness on the part of the town officials, resulting in many cases in large losses to those cities and towns. We believe the cost, taking his figures, would be small in proportion to the good results secured. I won't attempt to quote the figures which he gave and I haven't them here with me this morning. But it seemed to us that it would be a very small item in the budget of any town, and if any one town or city is to be obliged to have this audit everyone should be obliged to have it and all put on the same basis.

We considered quite seriously the suggestion made, I think, by the Senator from Aroostook, Senator Tompkins, that the compulsory auditing be limited to once in three years, but we left it out of the bill because the state auditor told us in his opinion it would cost a very little more to make an audit every

year than it would to make one in three years. Taking all those things together, we felt, it was a pretty good bill and would not harm any city or town and would result in the more careful bookkeeping on the part of the cities and towns and would be to the benefit of everyone looking at the problem as we did, that it was a state wide proposition that we were all interested in so long as the present system of taxation continues. I trust the motion to indefinitely postpone does not prevail.

Mr. HUSSEY of Kennebec: Mr. President, I believe this bill in its entirety should be accepted in that I think every town, village or city will get a return on the amount they invest in employing auditors to go over their books. In those small towns for which the objections have been raised the audits will not cost a great deal but certainly will be of great help to the selectmen in their town meetings and we know they have a great deal of trouble in making statements to conform with the original books. The state now has auditing of state institutions and state departments which receive aid or assistance from the state, and as the Senator from Cumberland, Senator Burkett, has stated, we are paying back to the towns and cities large sums of money towards their schools, etc., and they should be audited just as much as the amounts which we have returned to the institutions which I have stated. I believe this bill is very just and will work out to the benefit of all the towns and cities in the state.

Mr. ASHBY of Aroostook: Mr. President, I am heartily in favor of this bill. Now I know in my own town, like the celebrated speech of Mark Twain's which was not delivered, I have had a suspicion for a long time that only town officials and the Lord knew how our town has stood financially, and now I believe that only the Lord knows. I would like to know just how it stands financially and I do not think we will ever get an audit unless it is compulsory; consequently I am heartily in favor of this bill.

Mr. BURNS of Aroostook: It seems to me that this bill is a step toward good government. As I look at it, a town, city or plantation is nothing more or less than a big business corporation and anyone who has anything to do with corporations knows that they insist upon

audits, and I fail to see why any town, city or plantation should have an exception made, in the interest of good government. As has been said, the state contributes in some instances to towns more than perhaps they receive from the towns or plantations and it is only proper that where they are spending the state's money, the state should know and realize that the money is spent properly and for governmental purposes.

Now, you can look at the bill from a local standpoint, you can look over the affairs of your own town and you may be satisfied that the financial affairs of the town are properly run and that so far as it applies to you there is no necessity for annual audits; but that does not occur universally. I know for a fact that there are towns and plantations in the state where there has not been an audit made for over 15 years and the illustration that was used by the Senator from Aroostook, Senator Tompkins, a little while ago, I think I surmise his illustration of the town where the expense of an audit was so great, was because for 15 or 20 years there had not been an audit and when it came time to make an audit naturally it was a stupendous job and it took a long time to do it and there were several auditors doing it and the expense was great. If I am not citing his case, I cite this case of my own, in a certain town where the expense of an audit was great, they found a defalcation of \$50,000, which obviously brings out the reason for an audit. I know of several other cases in the state where a certain group were in control for a period of years and opposed an audit for the entire term they were in power. In one case I know of a plantation where eighty per cent of the taxes were paid by wild lands owners and they were insistent that they be informed where the money they were paying for taxes was being expended but they could not get an answer, until after allowing the matter to go for a number of years, they had an audit made and they found there was a shortage and the treasurer had made a defalcation of \$6,000 and he was, of course, arrested and sent to prison.

The main purpose of the bill, as I say, is a step in the right direction. In some towns it might be a hardship but when you take into consideration that they would not



do more than a corporation which is well and properly run is doing, there is no reason why they should not submit to this practice, and it would clear up an unwholesome condition which exists in some towns where financial affairs are not properly run.

Mr. TOMPKINS: This seems to be Aroostook day, Mr. President. I feel that the town is one thing and our state institutions another,—two separate things altogether. I do not think they should enter into this discussion at all. When the vote is taken, I ask for a division.

Mr. COWAN of Lincoln: Mr. President, there was a time as I remember it, when the towns of the state had some rights. These rights, through sessions of the legislature, have been given up, one here and one there and then again, until today it has gotten to the point where the towns have very little of self-government. About all they have to do is elect a board of officers and those officers are dictated to by the state of Maine. I believe that the towns should retain their local self government. That is the thing which to me, as a country man, has been a thing I have cherished. If we cannot properly govern ourselves I believe we should sacrifice our town incorporation acts and go back to a province and let the state of Maine govern us. This is a proposition where if towns desire an audit they can have it. Most of the towns in the state have people who are alert and people who know what is going on in the town even if they are not officials, and if conditions are such that they require an audit they can come forward and say to the people of the town that they desire it and they usually get it. I am heartily in favor of the indefinite postponement of the bill and the amendment which I offered.

Mr. WINN of Androscoggin: Mr. President, I heartily agree with the Senator who has just spoken, Senator Cowan of Lincoln. It seems to me that the lack of interest we have in many of our towns, and I guess in some cities, in town affairs, that it is due to the fact that there is too much interference from the state. I am a firm believer in home rule and I recall some years ago when I was in the House of Representatives, when this bill went through there was some opposition

to it and I said, "I can readily see now what will happen in a few years. Where the word 'may' appears they will take it out and put in the word 'shall'." It evidently has come to that stage today. I believe that usually you get just one side of the case. I am sorry I have not had time to check up on some of the things we have heard from other towns. I know of one town not far from here where the citizens have told me they expended something like \$500 in auditing accounts when they were sore in need of it at home, and they found little or nothing. It seems to me we get the bad cases but we do not get the reports of the cases where they go into towns and cities where business is conducted in a proper manner. I believe we should strive for home rule in the interests of good government.

Mr. BISSETT of Cumberland: Mr. President, at the beginning of this session there were appointed to the several committees three senators and seven members of the House, whose duty it was to hear all arguments pro and con on bills in matters of this kind. This bill comes up from the Judiciary Committee "ought to pass" and I think the judgment of those men should be considered. I certainly hope that the motion to indefinitely postpone will not prevail.

Mr. COWAN: Mr. President, I have a great deal of admiration for the Judiciary Committee but I believe that even if they have expressed their judgment, that government of our various towns should be considered in place of their judgment. I believe as the Senator from Androscoggin, Senator Winn has said, that the interest of the people in our towns has gotten down to almost nothing simply because they have no rights. If they retain their rights they should have in local self government, then they have an interest, otherwise they don't. As I say, I have all due respect for the judgment of the Judiciary Committee, and while perhaps a whole lot of evidence was presented to them, why we should have towns audited, I believe we who are not on the Judiciary Committee have our opinions and have a right to try to represent the people who sent us here.

The PRESIDENT: Is the Senate ready for the question? The ques-

tion is on the motion of the Senator from Aroostook, Senator Tompkins, that the bill and Senate Amendment A be indefinitely postponed, and the same Senator asks for a division.

A division of the Senate was had. Twelve having voted in the affirmative and fifteen opposed, the motion did not prevail.

The PRESIDENT: The question is now upon the adoption of Senate Amendment A.

Mr. BODGE of Kennebec: Mr. President, I would like to know what Senate Amendment "A" is. The Secretary read Senate Amendment "A."

Mr. BURKETT of Cumberland: I voted with the majority of the Senate, Mr. President, not to postpone this bill and I would like to say again, as I said the other day that I don't want you to feel that because the Judiciary Committee report out a bill that there is any sanctity to the report. If you don't like the reports of the Judiciary Committee, feel perfectly free to defeat them and no one on the Committee will take any offense. But I do feel that on this particular amendment you might as well kill the whole bill as to adopt the amendment because if there are any towns where a compulsory audit is necessary it is those towns with under a thousand population and in the case of those towns the Committee felt there was more need of audits than in other towns. The cost is very small and I do not think it is fair to set up a system to compel one town to have an audit because it has a thousand and fifteen population and not compel another town to have it because it has only nine hundred and eighty-five population. There is no sense to it and I hope the motion to

adopt the amendment will not prevail.

A viva voce vote being had, Senate Amendment "A" was not adopted.

Thereupon, the bill was tomorrow assigned for second reading.

On motion by Mr. Burns of Aroostook, the Senate voted to take from the table, House Report from the Committee on Legal Affairs "Ought Not to Pass" on bill, An Act providing for municipal planning, etc. (H. P. 1332) (L. D. 540), tabled by that Senator on March 8th pending acceptance of the report in concurrence; and on further motion by the same Senator the report was accepted in concurrence.

On motion by Mr. Hussey of Kennebec, the Senate voted to take from the table, Senate Report from the Committee on Appropriation and Financial Affairs "Ought Not to Pass" on, Resolve relating to the celebrating of the three hundredth anniversary of the beginning of York County (S. P. 320) (L. D. 353), tabled by that Senator on March 7th pending acceptance of the report.

Mr. HUSSEY of Kennebec: Mr. President, I move the acceptance of the "ought not to pass" report of the Committee and in explanation I will say that the matter has been taken care of in another way.

Thereupon, the report of the Committee "ought not to pass" was accepted.

Sent down for concurrence.

On motion by Mr. Blaisdell of Hancock.

Adjourned, until tomorrow morning at ten o'clock.