

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, March 20, 1935.

Senate called order by the President.

Prayer by the Rev. H. W. Brown of Gardiner.

Journal of yesterday, read and approved.

From the House:

Bill "An Act to Provide for the Surrender by Town of Kingman of its Organization." (H. P. 596) (L. D. 160)

In Senate, on March 15th, passed to be engrossed as amended by House Amendment "A" in concurrence.

In the House, having been recalled from the engrossing department by joint order; and under suspension of the rules, passage to be engrossed reconsidered; adoption of House Amendment "A" reconsidered; House Amendment "A" to House Amendment "A" adopted, and House Amendment "A" as amended by House Amendment "A" to House Amendment "A" adopted; and the bill passed to be engrossed as amended by House Amendment "A," as amended by House Amendment "A" to House Amendment "A" in non-concurrence.

In the Senate, House Amendment "A" to House Amendment "A" was read. Thereupon, under suspension of the rules the Senate voted to reconsider its former action whereby the bill as amended by House Amendment "A" was passed to be engrossed. Under further suspension of the rules the Senate voted to reconsider its former action whereby House Amendment "A" was adopted in concurrence. House Amendment "A" to House Amendment "A" was adopted in concurrence. House Amendment "A" as amended by House Amendment "A" to House Amendment "A" was adopted in concurrence. Thereupon, the bill as amended by House Amendment "A," as amended by House Amendment "A" to House Amendment "A," was passed to be engrossed in concurrence.

From the House:

The Committee on Judiciary on Bill "An Act Relating to Lights on Trucks" (H. P. 335) (L. D. 105) reported that the same ought not to pass.

In the House, the bill substituted

for the report, and passed to be engrossed as amended by House Amendment "A."

In the Senate, on motion by Mr. Burkett of Cumberland, the report and bill were laid upon the table pending acceptance of the report.

From the House:

The Committee on Legal Affairs on Bill "An Act to Provide for the Appointment of a Board of Commissioners of Police for the Town of Sanford" (H. P. 146) (L. D. 48) reported the same in a new draft (H. P. 1458) (L. D. 759) under the same title, and that it ought to pass.

In the House, the bill and report recommitted to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Blaisdell of Hancock, the bill and report were laid upon the table pending acceptance of the report.

House Bills in First Reading

(Under suspension of the rules the following bills and resolves were given their second reading and passed to be engrossed in concurrence.)

"Resolve Relating to Fishing in Great Meadow Stream," (H. P. 1171) (L. D. 762)

"An Act Creating the Port of Calais Authority," (H. P. 1730) (L. D. 761)

"An Act Relative to Qualification of Voters," (H. P. 1728) (L. D. 76)

"An Act Relating to the Sale of Prophylactic Rubber Goods for Prevention of Venereal and Other Diseases," (H. P. 1190) (L. D. 392)

The following remonstrances were received and on recommendation by the committee on reference of bills were referred to the following committee:

Legal Affairs

Mr. Fernald of Waldo presented Remonstrance of A. T. Gay and 15 others against the State Lottery Bill, (H. P. 147) (L. D. 49) (S. P. 644)

Mr. Carll of York presented Remonstrance of E. A. Demans and 63 others against the same (S. P. 643)

Sent down for concurrence.

Orders

On motion by Mr. Blanchard of Franklin, it was

Ordered, that the Committee on Taxation be accorded the use of

the Senate Chamber this afternoon, for the purpose of holding a public hearing.

Reports of Committees

Mr. Blaisdell from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Licenses for Sea and Shore Fisheries," (S. P. 431) (L. D. 474) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Blaisdell from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Time Limit on Notices in re Hearings on Licenses for Wharves and Fish Weirs," (S. P. 433) (L. D. 519) reported that the same ought to pass.

Mr. Harmon from the Committee on State School for Boys, State School for Girls and State Reformatories on Bill "An Act to Amend Section 386 of Chapter 1 of the Public Laws of 1933 Relating to Girls at State School for Girls," (S. P. 232) (L. D. 191) reported that the same ought to pass.

Which reports were severally read and accepted, the bills given their several readings, under suspension of the rules and passed to be engrossed.

Sent down for concurrence.

Mr. Blaisdell from the Committee on Legal Affairs on Bill "An Act Relating to the Practice of Dentistry," (S. P. 418) (L. D. 513) reported the same in a new draft (S. P. 641) under the same title, and that it ought to pass.

The same Senator from the Committee on Sea and Shore Fisheries on "Resolve Protecting Cod, Haddock, and Other Ground Fish in Certain Waters of and Adjacent to Hancock County," (S. P. 75) (L. D. 144) reported the same in a new draft (S. P. 642) under the same title and that it ought to pass.

Which reports were severally read and accepted and the bill and resolve laid upon the table pending printing under joint rules.

Passed to Be Enacted

Bill "An Act Relating to Clerk Hire in the Office of the Clerk of Courts of Waldo County." (S. P. 230) (L. D. 193)

Orders of the Day

The President laid before the Senate, Bill, An Act Relating to the Counting and Sealing of Ballots (H. P. 1181, L. D. 387) tabled by Mr. Winn of Androscoggin on March 13th, pending passage to be engrossed as amended by House Amendment "A," in concurrence and the Chair recognized that Senator.

Mr. WINN of Androscoggin: Mr. President, I yield to the Senator from Sagadahoc, Senator Jackson.

Thereupon, on motion by Mr. Jackson of Sagadahoc, the bill was retabled pending passage to be engrossed as amended by House Amendment "A" in concurrence.

The President laid before the Senate, Senate Report from the Committee on Judiciary, "Ought to Pass in a New Draft" (S. P. 625, L. D. 752) on Bill An Act Relating to Outdoor Advertising (S. P. 334, L. D. 643) tabled on March 13th by Mr. Hussey of Kennebec, pending acceptance of the report; and the Chair recognized that Senator.

Mr. HUSSEY of Kennebec: Mr. President and members of the Senate, I am going to ask the privilege of retabing this matter until tomorrow morning so that I can get in touch with the opponents of this bill; and I so move.

Thereupon, the bill and report were laid upon the table pending acceptance of the report and tomorrow assigned.

The President laid before the Senate, House Report from the Committee on Taxation "Ought to Pass in new draft" on Bill, An Act to Tax Games of Skill (H. P. 1415, L. D. 633), tabled on March 13th by Mr. Cowan of Lincoln pending adoption of Senate Amendment "A"; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, Senate Amendment "A" was read and adopted.

The same Senator offered Senate Amendment "B" and moved its adoption:

Senate Amendment "B" to Bill An Act to Tax Games of Skill (H. P. 1415, L. D. 633). "Amend said act by striking out in the fourth line of section 4 the words 'ten dollars' and substituting therefor the words 'five dollars'."

Mr. BLANCHARD of Franklin:

Mr. President, this bill was given a very fair hearing, I think, before the Committee on Taxation. There was absolutely no opposition presented at that hearing against a license of ten dollars upon these games of skill. I therefore move the indefinite postponement of Senate Amendment "B."

Mr. COWAN of Lincoln: Mr. President, I offered this amendment after talking with several of those who are operating these machines and I find that the average cost is, in substance, \$33.00, and while operating in the smaller towns they are obtaining very small returns. In one instance, one party operating eight machines at the present time claims that with a tax of \$10.00 and the cost of the machine being \$33.00, which machine is short lived, it would be necessary for him to take out seven of the eight machines. If the tax were to be \$5.00, the state would obtain \$40.00 on the eight machines whereas with a tax of \$10.00 on the one remaining, we would get only \$10.00 tax.

There is another side. These games of skill are drawing away from gambling devices the young men who wish to perfect themselves in the games of skill. Personally, I can see nothing morally wrong in the games of skill. To be sure, if anyone sees fit to gamble on them, they can. We know they will stand out on the street and gamble on automobile registration plates; will gamble on everything if they see fit to do it. But these games of skill are positively not gambling machines and I submit that I believe that we can obtain a great deal more revenue if we tax them \$5.00 apiece than we can if we tax them \$10.00 each.

Mr. BURKETT of Knox: Mr. President, as Senator Blanchard has said, there was no opposition to this bill at the hearing, and the distributors of these machines came before us and were willing to pay \$10.00. If they are willing to pay the \$10.00, I do not see any reason or necessity for cutting it to \$5.00.

Mr. BURNS of Aroostook: Mr. President, this bill, as I understand it, was introduced in the House by Representative John Willey of Fal-mouth. It is one of the few measures that has been introduced in either branch of the legislature which will bring additional funds into our state treasury. For that reason, each and every one of us should give consid-

eration to this measure. At the time the bill was introduced, the representatives of the distributors of these machines came here, represented by an attorney, and they thrashed the thing out with the sponsor of the bill and it was decided between them that a tax of \$10.00 would be levied and it was perfectly agreeable that that sum should be the amount of the tax.

Now, as I understand the method of placing these machines throughout the state, most of them are not sold directly to the store keeper. The title of the machines is retained in the company that distributes them and the store keeper or person who has them on the premises gets a certain percentage of the income, and I think that is the most general way of dealing with these machines, and consequently, we are not affecting the small store keeper in any way. He only pays from the income that he receives from them and I understand that in many instances the income per week is \$25.00 or \$50.00, and these machines are not taxed in any other way; consequently, I cannot see why we should not tax them in this manner and I do not think a \$10.00 tax is too heavy, and as there are around 10,000 of these machines in the state, it is figured we will get \$100,000 in this manner. I hope the amendment as offered will be indefinitely postponed.

The PRESIDENT: The question is on the motion of the Senator from Lincoln, Senator Cowan, for the adoption of Senate Amendment "B," the Chair believing that motion has precedence over the motion to indefinitely postpone.

A viva voce vote being had,

The motion to adopt Senate Amendment "B" did not prevail.

Thereupon, the rules were suspended and the bill was given its second reading, and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, House Report from the Committee on Salaries and Fees, Majority report "Ought not to pass"; Minority report "Ought not to pass" on Bill. An Act Relating to the Fees of Jurors (H. P. 14, L. D. 75), tabled on March 13th by Mr. Winn of Androscoggin, pending acceptance of

the minority report; and the Chair recognized that Senator.

Mr. WINN of Androscoggin: Mr. President, I now yield to the Senator from Lincoln, Senator Cowan.

Mr. COWAN of Lincoln: Mr. President, I ask leave to withdraw my motion to accept the minority report "ought not to pass".

Permission was given Mr. Cowan of Lincoln to withdraw his motion to accept the minority report "ought not to pass".

Thereupon, on motion by Mr. Winn of Androscoggin, the majority report "ought to pass" was accepted and the bill was given its first reading.

Upon further motion by the same Senator, the bill was laid upon the table pending assignment for second reading.

The President laid before the Senate, Bill, An Act Relating to the Use of Steam Boilers (H. P. 66, L. D. 22), tabled on March 13th by Mr. Schnurle of Cumberland, pending passage to be enacted, and the Chair recognized that Senator.

On motion by that Senator, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Thereupon, that Senator offered Senate Amendment "A" and moved its adoption:

Senate Amendment "A" to Bill, An Act Relating to the Use of Steam Boilers, (H. P. 66; L. D. 22) "Amend Legislative Document 22 by adding after the word 'rules' in the last line of Section 3, the following: 'provided, however, that before any rules or regulations are adopted a public hearing shall be held, suitable notification to be published in at least three newspapers throughout the state'. And by striking out in Section 8, Page 5, fourth line from the top, the following: 'No inspection certificate issued for a boiler inspected by a special inspector shall be valid after the boiler for which it was issued shall cease to be insured by an authorized insurance company'. And by striking out in Section 9, in the seventh line the words 'or operator'. And by adding in Section 15 under 'Definitions' the following: 'Miniature boiler. A boiler as defined by the American Society of Mechanical Engineers' Code'."

Thereupon, Senate Amendment "A" was adopted in non-concur-

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

Sent down for concurrence.

The President laid before the Senate, Bill, An Act Relating to the Sale of Intoxicating Liquors (H. P. 1530; L. D. 677), tabled on March 13th by Mr. Bissett of Cumberland, pending second reading; and on motion by that Senator, the bill was retabled pending second reading.

The President laid before the Senate, House Report from the Committee on Taxation, "Ought not to pass" on Bill, An Act to Provide for Equalization of Taxes, (H. P. 1293, L. D. 468), tabled by Mr. Pinansky of Cumberland on March 13th pending acceptance of the report; and on motion by that Senator, the bill and report were retabled pending acceptance of the report.

The President laid before the Senate, House Report from the Committee on Inland Fisheries and Game, "Ought to pass in New Draft" (H. P. 1638, L. D. 740) on Resolve Relative to Game Preserve in York County (H. P. 778; L. D. 277), tabled by Mr. Schnurle of Cumberland on March 14th pending acceptance of the report; and on motion by that Senator, the resolve and report were recommitted to the Committee on Inland Fisheries and Game in concurrence.

Sent down for concurrence.

The President laid before the Senate, Bill, An Act for placing the word "Vacationland" on all number plates on motor vehicles (H. P. 106) (L. D. 675), tabled by Mr. Blaisdell of Hancock on March 13th pending passage to be engrossed; and on motion by that Senator the bill was recommitted to the Committee on Maine Publicity in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, Bill, An Act relating to Emergency Municipal Finance Board (S. P. 57) (L. D. 719), tabled by Mr. Schnurle of Cumberland on March 14th, pending motion to indefinitely postpone; and on motion by that Senator the bill was retabled pending motion to indefinitely postpone.

The President laid before the Senate, House Report from the

Committee on Legal Affairs "Ought Not to Pass" on Bill, An Act relating to elections in the City of Lewiston (H. P. 1068) (L. D. 321), tabled by Mr. Haskell of Androscoggin on March 15th pending motion for the acceptance of the report in non-concurrence; and the Chair recognized that Senator.

Mr. HASKELL of Androscoggin: Mr. President, I will yield to the Senator from Hancock, Senator Blaisdell.

Mr. BLAISDELL of Hancock: Mr. President, the pending question is the motion for the acceptance of the report?

The PRESIDENT: The Senator is correct.

Mr. BLAISDELL: Mr. President, I ask leave to withdraw the motion for the acceptance of the report.

The PRESIDENT: May the Chair inquire whether or not that motion was made by the Senator from Hancock, Senator Blaisdell?

Mr. BLAISDELL: Mr. President, I am in doubt as to whether it was or not.

The PRESIDENT: The Chair would be of the opinion that a motion to indefinitely postpone the motion for the acceptance of the report would give the desired result.

Thereupon, on motion by Mr. Blaisdell of Hancock the motion for the acceptance of the report "Ought Not to Pass" was indefinitely postponed.

Mr. BLAISDELL: Mr. President, I now yield to the Senator from Androscoggin, Senator Haskell.

Thereupon, on motion by Mr. Haskell of Androscoggin, the bill was recommitted to the Committee on Legal Affairs, in concurrence.

The President laid before the Senate, Senate Report from the Committee on Legal Affairs "Ought Not to Pass" on Bill, An Act amending the Charter of Fort Fairfield (S. P. 317), tabled by Mr. Ashby of Aroostook on March 15th pending the acceptance of the report, and the Chair recognized that Senator.

Mr. ASHBY of Aroostook: Mr. President and members of the Senate, I was somewhat astonished when this matter came from the Committee on Legal Affairs with the report "ought not to pass." To begin with it is not a bill to amend the charter of Fort Fairfield except to provide for a town manager for

that town. It is a very simple matter that the people of Fort Fairfield wish. The amendment was drawn by a Fort Fairfield attorney. It pertains only to the town of Fort Fairfield and there was no opposition whatever to this bill before the committee. I don't know why it was reported out "ought not to pass". It calls for no appropriation and affects only the people of Fort Fairfield who wish this change. Therefore, I move, Mr. President, that the bill be substituted for the report.

Mr. PINANSKY of Cumberland: Mr. President, I am not sure whether I am within the rules in making the motion that I have in mind. I will ask the Senate, at least, for permission to have the opportunity to express myself.

I feel that perhaps there was a misunderstanding on the part of some of us on the Committee on Legal Affairs, at least there was on my part, and after receiving a further explanation from the distinguished Senator from Aroostook, Senator Ashby, I feel that justice can be done only by recommitting this matter to the Committee on Legal Affairs so that all of the members on that Committee may have the same opportunity that I have had to become acquainted with all the facts which were not presented at the hearing. And if a motion to recommit would be in order while the motion of the Senator from Aroostook (Senator Ashby) is pending, I would move that the matter be recommitted for further consideration to the Committee on Legal Affairs. Perhaps it may be necessary, in order for that motion to be accepted, that the Senator from Aroostook (Senator Ashby) withdraw his motion. I do not know.

Mr. ASHBY: Mr. President, I withdraw my motion and am perfectly willing to have this recommitted to the Committee on Legal Affairs because I can see that there must have been a misunderstanding or they would never have made this report.

The PRESIDENT: The Senator from Aroostook, Senator Ashby, withdraws his motion and the question now is on the motion of the Senator from Cumberland, Senator Pinansky that the bill be recommitted to the Committee on Legal Affairs.

The motion prevailed and the bill

was recommitted to the Committee on Legal Affairs.

Sent down for concurrence.

The President laid before the Senate, House Report from the Committee on Legal Affairs "Ought Not to Pass", on Bill, An Act authorizing municipalities to operate electric lighting systems (H. P. 1339) (L. D. 546), tabled by Mr. Blaisdell of Hancock on March 15th pending motion to reconsider acceptance of the report in non-concurrence; and the Chair recognized that Senator.

Mr. BLAISDELL of Hancock: Mr. President, this is another matter which pertains to the committee on Legal Affairs. The Committee heard all the evidence which was presented, took the matter up for consideration in executive session and after due consideration rendered the unanimous report to the Senate that the bill ought not to pass, and I oppose the motion for reconsideration.

Mr. JACKSON of Sagadahoc: Mr. President, I do not rise to discuss the merits or demerits of this measure at this time. As I understand the story going along with this measure up to now it is that the bill was reported "ought not to pass" in the House. The House, after some discussion, recommitted the bill to the Committee on Legal Affairs, and it came over to the Senate. One of our senior Senators, a man very much respected by all of us, wanted to be heard on that measure before any action whatever was taken by this body. Unfortunately he was called out of the Senate Chamber and while he was out the matter came up and unbeknown to him the report was accepted in non-concurrence with the House. He simply wanted a chance to be heard on this matter and if he had been present in the Chamber would have had his say at that time and although the Senator, the distinguished gentleman from Penobscot, Senator Potter, never has mentioned the matter to me at all I think it is only a matter of fairness and senatorial courtesy that we reconsider that motion to give him the opportunity which he should receive.

If it were you, or I, gentlemen, and we had been called out of the Chamber, surreptitiously or otherwise, I think that we would have expected the same courtesy and I hope that the motion to reconsider will be very carefully considered by the Senate.

Mr. POTTER of Penobscot: Mr. President, the Senator from Sagadahoc, Senator Jackson, has perhaps stated the situation as he understood it, but as a matter of fact I came back into the Senate just before the matter was disposed of and so I had the opportunity to have interfered, but before I got my senses together the matter was disposed of, and so I haven't had the chance to be heard on the matter before the Senate.

This bill, Legislative Document 546, is designed to have our electricity rates in the State reduced, or at least a part of them. Many of us believe that we are paying too much for our electricity. It is true that we had a partial hearing before this Legal Affairs Committee and we had expected to have present five or six proponents of this bill. It turned out, however, that only two appeared. Two of these people whom we had expected to appear had considerable information in regard to the electrical situation in the State, and in the country for that matter, but they were detained and couldn't appear and we have felt that we should have a rehearing on this bill inasmuch as the House voted that it should be recommitted to the Committee and so that is what we are asking of the Senate at this time. The only opponent of this bill was my distinguished friend of the Central Maine Power Company, Mr. Merrill. We have always had friendly differences along the line of electricity rates. Apparently he got the best of the inning in this hearing as far as it went but I feel that we are entitled to a rehearing because we didn't have the full hearing as we had expected. I hope the motion to reconsider will prevail and when the vote is taken, Mr. President, I ask for a division.

Mr. HARMON of Hancock: Mr. President, I believe that the report of the Committee "Ought Not to Pass" is a proper report on this bill because it seems to me that in lots of cases in certain municipalities there are always those who are feeling that someone is ill-used, especially by the power companies or telephone companies and I know of a similar case that came to my attention in our own town where a few became dissatisfied with the telephone company and organized a new independent company which cost the people who put their money into it something like twenty thousand dollars and it was a total loss;

the thing fell flat. I believe that this same condition should not be encouraged because there are people in various places who feel that the large companies are oppressive—although I believe they are doing the best they can—and these people try to organize local companies which would eventually be at the expense of the people who are drawn into these municipal companies and put in their money. I believe that the report of the Committee on the bill "ought not to pass" is proper.

The PRESIDENT: Is the Senate ready for the question? The question is on the motion of the Senator from Penobscot, Senator Potter, made on a previous legislative day seasonably that the Senate reconsider its former action whereby it accepted the ought not to pass report of the Committee, and the Senator from Penobscot, Senator Potter, asks for a division.

A division of the Senate was had. Fourteen having voted in the affirmative and sixteen opposed the motion to reconsider did not prevail.

Sent down for concurrence.

The President laid before the Senate, House Report from the Committee on Judiciary, "Ought to Pass in New Draft" (H. P. 1605) (L. D. 694) on Bill, An Act creating a lien on potatoes, tabled by Mr. Burns of Aroostook on March 19th pending acceptance of the report in non-concurrence; and on motion by that Senator the report was accepted in non-concurrence.

Thereupon, under suspension of the rules the bill in new draft was given its two several readings and passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, Bill, An Act relating to wholesalers of malt beverages (S. P. 347) (L. D. 397), tabled by Mr. Blanchard of Franklin on March 19th pending consideration; and on motion by that Senator the bill was retabled pending consideration.

The President laid before the Senate, House Report from the Committee on Claims "Ought Not to Pass" on, Resolve in favor of John H. Simmonds of Portland (H. P. 957), tabled by Mr. Schnurle of Cumberland on March 19th pending acceptance of the report; and

the Chair recognized that Senator.

Mr. SCHNURLE of Cumberland: Mr. President, inasmuch as this matter was tabled only yesterday and I have had no opportunity to discuss it with the Committee on Claims, I move that it be retabled.

The motion prevailed and the report and the resolve were tabled pending acceptance of the report in non-concurrence.

The President laid before the Senate, Senate Report from the Committee on Judiciary, "Ought not to pass" on Bill, An Act Relative to Courts Sitting in Equity, (S. P. 243; L. D. 216), tabled by Mr. Hussey of Kennebec on March 19th pending acceptance of the report; and on motion by that Senator the bill was retabled pending acceptance of the report.

The President laid before the Senate, Senate Report from the Committee on Temperance, "Ought not to pass" on Bill, An Act Regulating the Purchase of Liquor by the State Liquor Commission (S. P. 449; L. D. 617), tabled by Mr. Burkett of Cumberland on March 19th pending acceptance of the report; and the Chair recognized that Senator.

Mr. BURKETT of Cumberland: Mr. President, that matter was laid on the table yesterday, and if it is necessary that it come under the rule that it be taken off today, I make the motion that it be retabled.

Thereupon, the bill was retabled pending acceptance of the report.

The President laid before the Senate, Senate Report from the Committee on Judiciary, "Ought to pass in new draft" (S. P. 633) on Bill, An Act Relating to Violation of Terms of Probation (S. P. 242, L. D. 214), tabled by Mr. Burns of Aroostook on March 19th pending acceptance of the report; and on motion by that Senator, the report of the committee was accepted in concurrence and the bill was given its first reading.

Thereupon, the rules were suspended and the bill was given its second reading, and passed to be engrossed.

Sent down for concurrence.

Mr. ASHBY of Aroostook: Mr. President, I move that Senate

Paper 251, Legislative Document 210, An Act relating to the licenses of retail stores, be recalled to the Senate and be laid upon the table pending its passage to be engrossed.

The PRESIDENT: The Chair will state for the information of the Senator from Aroostook, Senator Ashby, that the papers are not in the possession of the Senate but have gone to the House and it will be impossible for the Senate to act upon them at the present time.

Mr. ASHBY: Mr. President, would

it be proper to have that bill recalled to the Senate?

The PRESIDENT: The Chair will rule upon that point that in order to recall a paper which has left the possession of the Senate it must be done by joint order. Is there any further business that can come before the Senate this morning?

On motion by Mr. Potter of Penobscot,

Adjourned, until tomorrow morning at ten o'clock.