

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, April 12, 1939

The Senate was called to order by the President.

Prayer by the Reverend Tom Ackley of Gardiner.

Journal of yesterday, read and approved.

From the House:

Bill "An Act relative to Court Proceedings in Relation to the Enforcement of the Inland Fish and Game Laws." (S. P. 215) (L. D. 287)

(In the Senate on March 15, passed to be engrossed as amended by Senate Amendment A.)

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

In the Senate, on motion by Mr. Burns of Aroostook, under suspension of the rules that Body voted to reconsider its former action taken on March 15, whereby the bill was passed to be engrossed as amended by Senate Amendment A. On further motion by the same Senator, the Senate voted to reconsider its former action whereby Senate Amendment A was adopted.

Thereupon, on further motion by the same Senator, House Amendment A to Senate Amendment A was read and adopted in concurrence, Senate Amendment A as amended by House Amendment A thereto was adopted in concurrence, and the bill, as amended by Senate Amendment A, as amended by House Amendment A thereto, was passed to be engrossed in concurrence.

From the House:

Bill "An Act Relative to the Use of Buckshot in Hunting Deer." (H. P. 2153) (L. D. 1130)

(In the Senate, on April 10 passed to be engrossed in non-concurrence)

Comes from the House, that body having insisted on its former action of April 5, whereby the bill was indefinitely postponed, and tsking for a Committee of Conference.

In the Senate, on motion by Mr. Elliott of Knox, that Body voted to insist and join with the House in a Committee of Conference, and the President appointed as members of

such committee on the part of the Senate, Senators, Elliott of Knox, Boothby of York, Worthen of Penobscot.

From the House:

Joint Order relating to recalling from the files to the House, (H. P. 1343) (L. D. 344) bill "An Act Establishing a Low Rate Tax on Intangible Personal Property in Accordance with Constitutional Amendment Permitting the Same." (H. P. 2218)

(In the Senate, on April 10, indefinitely postponed in non-concurrence.

Comes from the House, that body having insisted on its action of April 7, whereby the order was read and passed, and asking for a Committee of Conference.

In the Senate:

Mr. SANBORN of Cumberland: Mr. President, I move that the Senate adhere and suggest that any other motion taking precedence should be voted down.

The PRESIDENT: The Senator from Cumberland, Senator Sanborn moves that the Senate adhere to its former action whereby the bill was indefinitely postponed. Is the Senate ready for the question?

The motion to adhere prevailed.

The PRESIDENT: At this time, the Chair wishes to announce the appointment of members, on the part of the Senate, of the Committee of Conference on Resolve Authorizing Charles D. Darrington to Bring Suit at Law Against the State of Maine (H. P. 1425) (L. D. 559.) Senators Graves of Hancock, Friend of Somerset, Cony of Kennebec.

From the House:

The following Remonstrance of James C. Shute and 30 others of Naples and Casco against passage of legislation repealing the three day Fishing License. (H. P. 2220)

Which was read and ordered placed on file in concurrence.

House Committee Reports

The Committee on Judiciary on bill "An Act to Require Security for the Payment of Liability for Damages Arising out of Motor Vehicle Accidents, and to Eliminate from the Highways Irresponsible and Reckless Motor Vehicle Operators," (H. P. 1586) (L. D. 875) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Motor Vehicles on bill "An Act Exempting from the Payment of Excise Taxes Residents of States which Grant Reciprocal Privileges to Residents of this State," (H. P. 1442) (L. D. 622) reported that the same ought not to pass.

(On motion by Mr. Osgood of Oxford, tabled pending acceptance of the report in concurrence.)

The Committee on Agriculture to which was recommitted bill "An Act to Create a Horticultural Commission," (H. P. 1404) (L. D. 1154) under a new title bill "An Act Relating to Protection of Trees, Shrubs and Nursery Stock," and that it ought to pass.

The Committee on Judiciary on bill "An Act Relating to Financial Responsibility," (H. P. 1424) (L. D. 608) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Jury Commissioners," (H. P. 1593) (L. D. 692) reported the same in a new draft (H. P. 2201) (L. D. 1146) under the same title and that it ought to pass.

The same Committee on bill "An Act Relating to Arrests," (H. P. 554) (L. D. 225) reported the same in a new draft (H. P. 2207) (L. D. 1150) under the same title, and that it ought to pass.

The same Committee on bill "An Act Relating to Complaint in Cases of Neglect to Children," (H. P. 1608) (L. D. 701) reported the same in a new draft (H. P. 2200) (L. D. 1149) under the same title and that it ought to pass.

The same Committee on bill "An Act Relating to Child Welfare" (H. P. 1621) (L. D. 708) together with the following remonstrances:

House Papers: 2063, 2064, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2137, 2138, 2139, 2140, 2141, and 2142, reported the same in a new draft (H. P. 2206) (L. D. 1151) under the same title and that it ought to pass.

The Committee on Sea and Shore Fisheries on bill "An Act Relating to the Department of Sea and Shore Fisheries" (H. P. 721) (L. D. 895) reported the same in a new draft (H. P. 2202) (L. D. 1147) under the same title and that it ought to pass.

Which reports were severally read and accepted in concurrence, the

bills read once and tomorrow assigned for second reading.

The Committee on Salaries and Fees on bill "An Act Relating to the Compensation of the County Commissioners of Androscoggin County," (H. P. 1713) (L. D. 890) reported the same in a new draft (H. P. 2061) (L. D. 1097) under a new title, bill "An Act Relating to the County Commissioners of Androscoggin County," and that it ought to pass.

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

In the Senate, on motion by Mr. Harkins of Androscoggin tabled pending acceptance of the report in concurrence.

The Committee on Motor Vehicles on "Resolve Creating a Recess Committee on Motor Vehicle Legislation," (H. P. 1699) (L. D. 928) reported that the same ought to pass.

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

In the Senate, on motion by Mr. Beckett of Washington, the report was read and accepted in concurrence and the bill was given its first reading. House Amendment A was read and adopted in concurrence and the bill as amended by House Amendment A was tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on bill "An Act Relative to Fishing Licenses," (H. P. 1568) (L. D. 666) reported that the same ought to pass.

Comes from the House, report read and accepted, and subsequently the bill indefinitely postponed.

In the Senate:

Mr. CHASE of Washington: Mr. President, I move that this document, Legislative Document 666, be laid upon the table until later in the session today until I have time to examine the provisions of this bill.

The motion prevailed and the bill was laid upon the table pending acceptance of the report in concurrence.

At this point, amidst the applause of the Senate, the Senator from Cumberland, Senator Hill was escorted to the Chair, the President retiring.

The Majority of the Committee on Judiciary on bill "An Act Creating a Lien Against Certain Insurance Proceeds in Favor of Hospitals in the State of Maine," (H. P. 1416) (L. D. 606) reported that the same ought not to pass.

(Signed) Senators: Laughlin of Cumberland, Hill of Cumberland and Representatives: McGlauffin of Portland, Hinckley of South Portland, Fellows of Augusta, Thorne of Madison, Varney of Berwick.

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

(Signed) Senator: Burns of Aroostook and Representative: Weatherbee of Lincoln.

Comes from the House, Majority report read and accepted.

In the Senate, on motion by Miss Laughlin of Cumberland, the Majority report was read and accepted in concurrence.

The Majority of the Committee on Judiciary on bill "An Act Relating to Liability for Damage Caused by Motor Vehicles," (S. P. 556) (L. D. 227) together with Remonstrance (H. P. 2053) reported that the same ought not to pass.

(Signed) Senator: Burns of Aroostook and Representatives: Fellows of Augusta, McGlauffin of Portland, Bird of Rockland, Weatherbee of Lincoln, Varney of Berwick.

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

(Signed) Senators: Laughlin of Cumberland, Hill of Cumberland and Representatives: Thorne of Madison, Hinckley of South Portland.

Comes from the House, the Majority report read and accepted.

In the Senate:

Miss LAUGHLIN of Cumberland: Mr. President, although I signed the minority report, I, nevertheless, move that the Senate accept the majority report of the committee in concurrence with the House.

The motion prevailed and the majority report "Ought not to pass" was accepted in concurrence.

The Majority of the Committee on Judiciary on bill "An Act Relating to the State Police," (H. P. 1634) (L. D. 918) reported the same in a new draft (H. P. 2215) (L. D.

1153) under the same title, and that it ought to pass.

(Signed) Senators: Laughlin of Cumberland, Hill of Cumberland, Burns of Aroostook and Representatives: Weatherbee of Lincoln, Varney of Berwick, Hinckley of South Portland, Fellows of Augusta, Thorne of Madison, Bird of Rockland.

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(Signed) Representative: McGlauffin of Portland.

Comes from the House, Majority report read and accepted, and the bill passed to be engrossed.

In the Senate, on motion by Miss Laughlin of Cumberland, the Majority report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The Majority of the Committee on Judiciary on bill "An Act Relating to Civil Actions for Death," (H. P. 495) (L. D. 149) reported the same in a new draft (H. P. 2214) (L. D. 1152) under the same title and that it ought to pass.

(Signed) Senators: Laughlin of Cumberland, Hill of Cumberland and Representatives: Weatherbee of Lincoln, Fellows of Augusta, Thorne of Madison, Hinckley of South Portland, Varney of Berwick.

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(Signed) Senator: Burns of Aroostook, Representatives: Bird of Rockland, McGlauffin of Portland.

Comes from the House, Majority report read and accepted and the bill passed to be engrossed.

In the Senate, on motion by Miss Laughlin of Cumberland, the majority report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Petition

Mr. Boothby of York presented Petition of Mrs. Albert L. Holt and 3008 other citizens of the State of Maine in favor of (L. D. 933) relating to Licenses for Operation of Retail Stores. (S. P. 671)

Which was read and ordered placed on file.

Sent down for concurrence.

First Reading of Printed Bills

"Resolve Relating to Reimbursement of Licensees Whose Licenses Become Inoperative Before the End of the License Period." (H. P. 2127) (L. D. 1161)

Bill "An Act to Amend the Workmen's Compensation Act." (S. P. 660) (L. D. 1160)

Which bill and resolve were read once and tomorrow assigned for second reading.

Mr. Burns from the Committee on Judiciary on bill "An Act Relating to the Payment of Alimony," (S. P. 365) (L. D. 803) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

Which report was read and accepted, the bill read once; Committee Amendment "A" was read and adopted, and the bill as amended tomorrow assigned for second reading.

Senate Committee Reports

Mr. Wentworth from the Committee on Appropriations and Financial Affairs on Communication from the Governor Relating to the Estimated Deficiencies in the Current Appropriations of the Health and Welfare Department," (S. P. 455) reported that the same be placed on file, as subject matter is taken care of in another bill.

Miss Laughlin from the Committee on Judiciary on bill "An Act Relating to the Employment of Women and Minors," (S. P. 217) (L. D. 290) reported that the same ought not to pass.

Mr. Hill from the same Committee on bill "An Act Relating to Seizure of Motor Vehicles Transporting Stolen Property," (S. P. 371) (L. D. 798) reported that the same ought not to pass.

Mr. Burns from the same Committee on Resolution of James W. Williams Post of American Legion Favoring Act Relating to Child Welfare," (S. P. 621) reported that the same be placed on file.

Mr. Chase of Washington from the Committee on Legal Affairs on Resolution of the Maine Dept. of American Legion Favoring Development of Passamaquoddy Tidal Project, (S. P. 622) reported that the same be placed on file.

Mr. Graves from the Committee on Public Utilities in behalf of that committee submitted its Final Report.

Mr. Lewis from the Committee on State Prison in behalf of that committee submitted its Final Report.

Mr. Kennedy from the Committee on Public Relations in behalf of that committee submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Chase of Piscataquis from the Committee on Appropriations and Financial Affairs on bill "An Act Relating to State Aid for Academies," (S. P. 130) (L. D. 780) reported that the same ought to pass.

Miss Laughlin from the Committee on Judiciary on bill "An Act Permitting Blood Grouping Tests in Bastardy Proceedings," (S. P. 376) (L. D. 811) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read once and tomorrow assigned for second reading.

Mr. Wentworth from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of the Maine Division of the Women's Field Army of the American Society for Control of Cancer," (S. P. 344) (L. D. 785) reported the same in a new draft (S. P. 665) under the same title, and that it ought to pass.

Mr. Burns from the Committee on Judiciary on bill "An Act Relating to Alimony," (S. P. 366) (L. D. 802) reported the same in a new draft (S. P. 668) under the same title and that it ought to pass.

Miss Laughlin from the same Committee on bill "An Act Relating to the Commitment of the Insane; Penalty for False Testimony," (S. P. 300) (L. D. 929) reported the same in a new draft (S. P. 667) under the same title and that it ought to pass.

Mr. Beckett from the Committee on Motor Vehicles on bill "An Act Relating to the Registration and Operation of Motor Vehicles by Non-Residents," (S. P. 154) (L. D. 128) reported the same in a new draft (S. P. 669) under the same title and that it ought to pass.

Which reports were severally read and accepted, and the bills and resolve in new draft laid upon the

table for printing under the joint rules.

The Majority of the Committee on Judiciary on bill "An Act Relating to Incurable Insanity as a Cause for Which a Divorce may be Granted," (S. P. 367) (L. D. 801) reported the same in a new draft (S. P. 666) under the same title and that it ought to pass.

(signed) Senators: Burns of Aroostook, Hill of Cumberland and Representatives: McGlauffin of Portland, Varney of Berwick, Weatherbee of Lincoln, Hinckley of South Portland, Thorne of Madison, Bird of Rockland, Fellows of Augusta.

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed) Senator: Laughlin of Cumberland.

Mr. BURNS of Aroostook: Mr. President, I move the acceptance of the majority report on this bill, "Ought to Pass in new draft."

Miss LAUGHLIN of Cumberland: Mr. President, I wish to go on record as opposed to this measure, and briefly to state my reasons. First, this is a revolutionary change in the law of divorce because it makes misfortune a cause, not a fault, but a misfortune beyond the control of the person afflicted, and I do not believe that that should be a cause. When the two parties stand on equality and are able to present their own sides of the case then I believe in the utmost freedom of divorce, but this is not the case. The person in the insane asylum is absolutely helpless and cannot defend himself or herself. It seems to me that that is the time when, above everything else, there should be a spirit of protection rather than a spirit of attack, which this amounts to.

Secondly, it has been found that this opens the way to all sorts of trickery. People succeed, perhaps, in having other people put into an insane asylum, and the procedure in regard to that is disgraceful. It is very easy to get them in. It is almost impossible for them to get out, sane or insane. Even if they are sane the authorities are apt to think that their protests are hallucinations of the insane. I frequently get letters from all over the country from people in insane asylums asking me to help them and I con-

fess that although some of their requests may be well based, I cannot do anything about it. Some of those requests may be ravings of the insane, but it troubles me that some if they may be good reasons and that they are helpless. But even I say, "Well, I can't be bothered with what insane persons say."

I would like to cite one outstanding case which happened to be that of a multi-millionaire Standard Oil Officer who wanted to marry someone else. He went to Florida where there was no law permitting insanity as a cause for divorce and he succeeded in getting such a law passed, and then had his wife committed to an insane asylum—or else he had her committed before the law was passed—but she was committed as incurably insane and he got his divorce and married another woman. It was only about a year or so afterward when she was released from the insane asylum. She had not been incurably insane at all. Such trickery is permitted and encouraged, and is practised.

It struck me as rather a funny thing when one of the persons advocating this bill before the committee said that the only arguments against it were arguments of sentiment. Somehow, I had always supposed that there was some sentiment connected with marriage, but apparently he didn't think so.

One man told how his wife was committed to an insane asylum after the birth of her last child. She was still there. He was probably the only person who would be interested in getting her out of the insane asylum but he wanted to marry again so he wanted insanity to be a cause for divorce. Another man reported his wife was there after bearing six children. He evidently wants this law passed so she will stay there and permit him to get a divorce for that reason.

Therefore, as I have said, it appears to me that this, above everything else, should not be permitted as a cause for divorce. As I said, when they stand on equality and each can defend his case I do not suppose there is a member of this Senate who will go further in permitting causes for divorce, but I want them to be able to defend themselves and not to have somebody taking advantage of them.

Insanity, I will say, is a disease, whether it is incurable or not. I

suppose if somebody was crippled by infantile paralysis so that he would be totally crippled for the rest of his life that that ought to be a cause for divorce. Certainly it is in the same list as getting a divorce on the grounds of insanity.

I am, therefore, opposed to the acceptance of this majority report, "Ought to Pass in new draft", and when the vote is taken I ask for a division.

Mr. BURNS: Mr. President, for reasons which I think are obvious I do not propose to elaborate on the motion which I have made. I was in the Senate two years ago when a similar bill was introduced, was reported by the Judiciary Committee "Ought to Pass", was passed in the House and came over into the Senate and was defeated here. At that time I felt it was a good bill, and I think so now.

I want to bring this to the attention of the Senate and then I am done, that this bill had a fair hearing. The public was notified to appear. Of those who appeared before the Judiciary Committee there was no opponent to this bill. Several appeared there in support of the measure and after a thorough investigation of the issues involved by the ten members of the Judiciary Committee, nine of them reported that the bill ought to pass.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Aroostook, Senator Burns, that the majority report, "Ought to Pass in new Draft", be accepted and the Senator from Cumberland, Senator Laughlin, has asked for a division. Is the Senate ready for the question?

A division of the Senate was had.

Fifteen having voted in the affirmative and thirteen opposed, the majority report was accepted and the bill was laid upon the table for printing under the joint rules.

Mr. Friend from the Committee on Pensions on the following resolves:

S. P. 56, Resolve providing for a State Pension for Ida May Tate, of Palmyra.

S. P. 93, Resolve Providing for a State Pension for William E. Webendorfer, of Pittsfield.

S. P. 111, Resolve Providing for a State Pension for Martha H. Jewett, of Jay.

S. P. 112, Resolve Providing for a

State Pension for Vernon A. Curtis, of Hallowell.

S. P. 113, Resolve Providing for a State Pension for Annie M. Freeman, of Sidney.

S. P. 155, Resolve Providing for a State Pension for Herbert M. Brown, of Belfast.

S. P. 157, Resolve Providing for a State Pension for Winfield S. Flye, of Montville.

S. P. 158, Resolve Providing for a State Pension for Charlotte M. Armstrong, of Belfast.

S. P. 159, Resolve Providing for a State Pension for William W. Downs, of Bangor.

S. P. 160, Resolve Providing for a State Pension for Frances B. Meyhew, of Searsmont.

S. P. 162, Resolve Providing for a Pension for Charles S. Adams, of Liberty.

S. P. 166, Resolve Providing for an Increase in State Pension of Annie E. Dolan, of Augusta.

S. P. 167, Resolve Providing for an Increase in State Pension for Jessamine L. Benson, of Sidney.

S. P. 169, Resolve Providing for a State Pension for James Brown, of Athens.

S. P. 170, Resolve Providing for a State Pension for George Ricker, of Cornville.

S. P. 171, Resolve Providing for a State Pension for Alice Hilton, of Skowhegan.

S. P. 190, Resolve Providing for an Increase in State Pension for William H. Durham, of Belfast.

S. P. 191, Resolve Providing for a State Pension for Charles F. Knowlton, of Liberty.

S. P. 192, Resolve Providing for a State Pension for Horace Ripley, of Searsmont.

S. P. 193, Resolve Providing for a State Pension for Eva O. Tibbetts, of Belfast.

S. P. 224, Resolve Providing for a State Pension for Hallie W. Stone, of Portland.

S. P. 268, Resolve in Favor of Sadie E. Ballard, of Sangerville.

S. P. 292, Resolve Providing for an Increase in State Pension for Roland Cleveland, of Athens.

S. P. 329, Resolve Providing for a State Pension for Mary Kane, of Bangor.

S. P. 513, Resolve Providing for a State Pension for Charles Dowling Kidder, of Otisfield.

H. P. 12, Resolve Providing for a

State Pension for Blanche Donovan, of Augusta.

H. P. 13, Resolve Providing for a State Pension for Mary I. Ruth, of Augusta.

H. P. 14, Resolve Providing for a State Pension for Maud Bolduc, of Augusta.

H. P. 30, Resolve Providing for a State Pension for Margaret K. Cavanaugh, of Howland.

H. P. 31, Resolve Providing for a State Pension for Fred E. Ames, of Kenduskeag.

H. P. 77, Resolve Providing for an Increase in State Pension for John W. Chase, of Fairfield.

H. P. 78, Resolve Providing for a State Pension for Perley T. Giles, of Dedham.

H. P. 79, Resolve Providing for a State Pension for Robert E. Craig, of Dedham.

H. P. 83, Resolve Relating to a State Pension for Nora E. Peters, of Ellsworth.

H. P. 84, Resolve Providing for a State Pension for Carrie E. Bresnahan, of Ellsworth.

H. P. 85, Resolve Providing for a State Pension for Clarence Tripp, of Ripley.

H. P. 87, Resolve Providing for an Increase in State Pension for William H. Rankin, of Winterport.

H. P. 127, Resolve Providing for a State Pension for Irene Stilwell, of Brewer.

H. P. 128, Resolve Providing for an Increase in State Pension for George Carlisle, of Bangor.

H. P. 129, Resolve Providing for a State Pension for Fred W. Wingate, of Troy.

H. P. 130, Resolve Providing for a State Pension for Percy C. Jakins, of Winslow.

H. P. 131, Resolve Providing for an Increase in State Pension for Charita White Simpson, of Vassalboro.

H. P. 133, Resolve Providing for a State Pension for Eliza J. Washburn, of Dover-Foxcroft.

H. P. 134, Resolve Providing for a State Pension for Laura Cary, of Howland.

H. P. 137, Resolve Providing for a State Pension for Bateman C. Wentworth, of China.

H. P. 256, Resolve Providing for a State Pension for William S. Gardner, of Canaan.

H. P. 287, Resolve Providing for an Increase in State Pension for Herbert L. Hardin, of Knox.

H. P. 288, Resolve Providing for

a State Pension for Effie E. Downer, of Palermo.

H. P. 289, Resolve Providing for a State Pension for Edward H. Austin, of Rome.

H. P. 290, Resolve Providing for an Increase in State Pension for Arthur W. Hunt, of Burnham.

H. P. 292, Resolve Providing for a State Pension for Grover C. Craig, of Carmel.

H. P. 293, Resolve Providing for a State Pension for Alberta B. Sheldon, of Carmel.

H. P. 294, Resolve Providing for a State Pension for Charles L. Adams, of Vassalboro.

H. P. 295, Resolve Providing for a State Pension for Ethel M. Prime, of Vassalboro.

H. P. 296, Resolve Providing for a State Pension for Reed W. Lowell, of Stockton Springs.

H. P. 393, Resolve Providing for a State Pension for Joseph E. Wing, of Thorndike.

H. P. 395, Resolve Providing for a State Pension for Roscoe Leroy Curtis, of Monroe.

H. P. 396, Resolve Providing for an Increase in State Pension for Leroy M. Stevenson, of Dixmont.

H. P. 397, Resolve Providing for a State Pension for Etta Cilley, of Newburgh.

H. P. 398, Resolve Providing for a State Pension for Florence L. Collins, of Carmel.

H. P. 399, Resolve Providing for a State Pension for Everett F. Philbrook, of Carmel.

H. P. 401, Resolve Providing for a State Pension for Hiram Norton, of Farmington.

H. P. 402, Resolve Providing for an Increase in State Pension for Mary Wall, of Dresden.

H. P. 403, Resolve Providing for an Increase in State Pension for Charles Stuart Little, of Westport.

H. P. 434, Resolve Providing for a State Pension for Almon L. McDunnah, of Knox.

H. P. 435, Resolve Providing for an Increase in State Pension for Bertha L. Freeman, of Herman.

H. P. 436, Resolve Providing for a State Pension for Mae Chandler Ward, of Portland.

H. P. 437, Resolve Providing for a State Pension for Hattie F. Merry, of Waldoboro.

H. P. 439, Resolve Providing for an Increase in State Pension for Charles E. Walsh, of Jefferson.

H. P. 443, Resolve Providing for a

State Pension for Fred E. White, of Bath.

H. P. 444, Resolve Providing for a State Pension for Glendon Hardison, of Franklin.

H. P. 445, Resolve Providing for a State Pension for Edith M. Cole, of Sumner.

H. P. 477, Resolve Providing for a State Pension for Cora Vesta Gaynor, of Gardiner.

H. P. 448, Resolve Providing for a State Pension for Edward B. Leighton, of Gardiner.

H. P. 533, Resolve in Favor of Harland B. Webber, of Cumberland.

H. P. 569, Resolve Providing for a State Pension for Albert Rollins, of Troy.

H. P. 570, Resolve Providing for an Increase in State Pension for Lyle G. Foss, of Milo.

H. P. 571, Resolve Providing for a State Pension for John S. Philbrick, of Orneville.

H. P. 573, Resolve Providing for a State Pension for Alice Bradbury, of Hermon.

H. P. 575, Resolve Providing for a State Pension for Helen H. Curtis, of Athens.

H. P. 576, Resolve Providing for a State Pension for Agnes M. Nichols, of Hallowell.

H. P. 651, Resolve Relating to the State Pension of Malcolm Abbott, of Knox.

H. P. 652, Resolve Providing for a State Pension for Frank E. Hannan, of Searsmont.

H. P. 653, Resolve Providing for a State Pension for James H. Johnson, of Stockholm.

H. P. 654, Resolve Providing for a State Pension for Nellie Olivia Martz, of Appleton.

H. P. 655, Resolve Providing for a State Pension for Alphonso Roderique, of Augusta.

H. P. 656, Resolve Providing for a State Pension for Benjamin H. Noyes, of Augusta.

H. P. 658, Resolve Providing for a State Pension for Sadie B. Studley, of Windsor.

H. P. 659, Resolve in Favor of John E. Parker, of China, for State Pension.

H. P. 661, Resolve Providing for a State Pension for Dwight Lovell Tasker, of Gardiner.

H. P. 663, Resolve Providing for a State Pension for Joseph H. Carleton, of Dresden.

H. P. 664, Resolve Providing for a

State Pension for Edward E. Spear, of West Gardiner.

H. P. 666, Resolve Providing for a State Pension for Timothy Harrington, of Manchester.

H. P. 694, Resolve providing for a State Pension for Ernest G. Light, of Bangor.

H. P. 788, Resolve Relating to a State Pension for Ernest E. Bowen, of Morrill.

H. P. 791, Resolve Providing for a State Pension for Daisy Lane, of Sherman.

H. P. 794, Resolve Providing for a State Pension for Abbie M. Flagg.

H. P. 795, Resolve Providing for a State Pension for Mrs. Mildred White, of Belfast.

H. P. 798, Resolve Providing for a State Pension for Annie S. Patterson, of Castine.

H. P. 799, Resolve Providing for a State Pension for Elber R. Jackson, of Jefferson.

H. P. 800, Resolve Providing for a State Pension for Jessie S. Crocker, of Pittston.

H. P. 801, Resolve Providing for an Increase in State Pension for James O. Plummer, of Randolph.

H. P. 802, Resolve Providing for a State Pension for Ethelyn Stewart, of Clinton.

H. P. 803, Resolve Providing for a State Pension for Josie H. Eldridge, of Topsham.

H. P. 804, Resolve Providing for a State Pension for Alice Belanger, of West Bath.

H. P. 805, Resolve Providing for a State Pension for Neville N. Faulkner, of Houlton.

H. P. 806, Resolve Providing for a State Pension for Edward M. Conley, of Monmouth.

H. P. 807, Resolve Providing for a State Pension for Ada M. Woodsum, of Litchfield.

H. P. 809, Resolve Providing for a State Pension for Ruby S. Sprague, of Dexter.

H. P. 811, Resolve Providing for a State Pension for Maggie McGeorge, of Lubec.

H. P. 812, Resolve Providing for a State Pension for E. A. Rounds, of Mechanic Falls.

H. P. 814, Resolve Providing for a State Pension for John Bartlett, of Auburn.

H. P. 815, Resolve Providing for a State Pension for Everett E. Trask, of Nobleboro.

H. P. 837, Resolve Providing for an Increase in the State Pension of Perlle R. Gray, of Belfast.

H. P. 841, Resolve Providing for a

State Pension for Ira S. Stuart, of Windsor.

H. P. 842, Resolve Providing for a State Pension for Frances S. Lamont, of Pittston.

H. P. 1085, Resolve Providing for a State Pension for Frank C. Haskell, of Pownal.

H. P. 1087, Resolve Providing for an Increase in State Pension for Lucy M. Judkins, of Norridgewock.

H. P. 1088, Resolve Providing for a State Pension for Lettie C. White, of Thorndike.

H. P. 1090, Resolve Providing for a State Pension for Grace R. Cheeseman, of Webster.

H. P. 1091, Resolve Providing for a State Pension for Benjamin Harrison Dyer, of Charleston.

H. P. 1092, Resolve Providing for a State Pension for Sarah Webster Couillard, of West Bath.

H. P. 1093, Resolve Providing for a Special Pension for Andrew S. Merrill, of Bath.

H. P. 1096, Resolve Providing for a State Pension for Elmer L. Bonney, of Auburn.

H. P. 1098, Resolve Providing for a State Pension for Josephine M. Storer, of Westbrook.

H. P. 1190, Resolve Providing for an Increase in State Pension for Tom Greer, of Belmont.

H. P. 1191, Resolve Providing for a State Pension for George D. Garland, of Peru.

H. P. 7336, Resolve Providing for a State Pension for Adelbert Churchill, of Minot.

H. P. 1337, Resolve Providing for a State Pension for Ethelyn Trufant, of Auburn.

H. P. 1450, Resolve Providing for a State Pension for Elizabeth McNaughton, of Bangor.

H. P. 1451, Resolve Providing for a State Pension for Winn H. McIntire, of Plymouth.

H. P. 1521, Resolve Providing for a State Pension for Alice I. Thornton, of Sherman.

H. P. 1523, Resolve Providing for a State Pension for H. Rudolph Cyr, of Van Buren.

H. P. 1525, Resolve Providing for a State Pension for Ralph Crabtree, of Mariaville.

H. P. 1527, Resolve Providing for a State Pension for Ralph E. Bryant, of Bristol.

report the same in a Consolidated Resolve (S. P. 670) under a new title "Resolve Providing Pensions for Certain Soldiers and Sailors and

Dependents" and that it ought to pass.

Which report was read and accepted and the consolidated resolve tabled for printing under the joint rules.

Passed to Be Engrossed

"Resolve for Screening Outlet of Bog Lake in the Town of Northfield." (H. P. 230) (L. D. 1140)

"Resolve Regulating Fishing in Scraggly Lake," (H. P. 277) (L. D. 1141)

Bill "An Act Relating to Requisites for Old Age Assistance." (H. P. 286) (L. D. 91)

Bill "An Act Relating to Absent Voting." (H. P. 912) (L. D. 316)

Bill "An Act to Incorporate the Lincoln Water District." (H. P. 1182) (L. D. 498)

Bill "An Act Amending the Law Relative to Registration of Motor Vehicles." (H. P. 1188) (L. D. 470)

Bill "An Act Relating to the Practice of Optometry." (H. P. 1465) (L. D. 600)

(On motion by Miss Laughlin tabled pending passage to be engrossed in concurrence.)

Bill "An Act Relating to Children of Women Committed to Reformatory for Women." (H. P. 1603) (L. D. 697)

Bill "An Act Relating to the Western Hancock Municipal Court." (H. P. 2148) (L. D. 1127)

Bill "An Act Relative to Fishing in Fishways." (H. P. 2151) (L. D. 1128)

Bill "An Act Relative to Transportation of Deer within State." (H. P. 2152) (L. D. 1129)

Bill "An Act Relating to Closed Time on Deer in Islesboro and Rabbits in Vinalhaven." (H. P. 2154) (L. D. 1131)

Bill "An Act Regulating the Sale of Malt." (H. P. 2164) (L. D. 1134)

Bill "An Act Relating to Advertising Liquor, Malt Liquor, Wines and Spirits." (H. P. 2166) (L. D. 1135)

Bill "An Act Relating to Malt Liquors." (H. P. 2167) (L. D. 1136)

Bill "An Act Relating to the Discharge of Persons Committed to the Insane Hospitals." (H. P. 2169) (L. D. 1157)

"Resolve Regulating Fishing in the Various Waters of the State." (H. P. 2163) (L. D. 1133)

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

Passed to be Enacted

An Act Relating to Dealers in Motor Vehicles. (S. P. 385) (L. D. 786)

An Act Relating to Apportionment of Motor Vehicle Registration Fees Paid by Inhabitants of Swan's Island, Isle au Haut and Cranberry Isles. (H. P. 1220) (L. D. 462)

An Act Relating to Removal of Infected Persons and Goods and Securing Infected Articles. (H. P. 1601) (L. D. 912)

An Act Relating to Real Estate Brokers. (H. P. 1616) (L. D. 865)

An Act Relating to Impersonating Justices or Other Officers. (H. P. 1617) (L. D. 705)

An Act Relating to the Sale of Wood by the Load. (H. P. 1895) (L. D. 1022)

At this point the President resumed the Chair, Mr. Hill of Cumberland retiring amidst the applause of the Senate.

Orders of the Day

On motion by Mr. Boucher of Androscoggin, the Senate voted to reconsider its action taken earlier in today's session, whereby Bill, An Act Relating to Requisites for Old Age Assistance (H. P. 286) (L. D. 91) was passed to be engrossed in concurrence; and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed in concurrence.

On motion by Miss Laughlin of Cumberland, the Senate voted to reconsider its action of yesterday whereby Bill, An Act Amending the Law Relating to Embalmers and Funeral Directors (H. P. 1666) (L. D. 856) was passed to be enacted; and on further motion by the same Senator, the Senate reconsidered its action whereby the bill was passed to be engrossed.

Miss LAUGHLIN of Cumberland: Mr. President, I have moved that the Senate reconsider its action whereby the bill was passed to be engrossed in order that I might present an amendment to the bill, concerning a matter which was called to our attention subsequently to the action of yesterday. I present Senate Amendment "B" and move its adoption.

The Secretary read Senate Amendment "B":

"Senate Amendment B to Legislative Document 856, An Act Amending the Law Relating to Embalmers and Funeral Directors. Amend said bill by inserting at the end of Section 5 thereof the following: 'Provided, however, that any person who held an embalmer's license or certificate of registration, or funeral director's license issued in accordance with the laws of this state, but who failed to have such license renewed and who, solely because of such failure to renew said license, is not now entitled to engage in the business of embalming dead bodies, shall be allowed to take an examination for a license to engage in said business, and upon successfully passing such examination and paying the required fees shall be granted a license as an embalmer, and the said board of examiners is hereby authorized and directed to give such examination and grant such license to any applicant complying with the above provisions.'"

Miss LAUGHLIN: Mr. President, I wish to say that the present law provides no way for a person who failed to renew his license to get it, and a case was called to my attention of a man who had been an embalmer for a number of years successfully and because of family reasons he engaged in some other business temporarily and did not renew his license although, as I say, he had been a successful embalmer for many years. Now, he received his license before the law of 1933 went into effect changing the requirements for an application, although as I say, for a number of years he was a successful embalmer. This amendment is designed to permit such a man to take such examination, not to receive a license which he let lapse, but to permit him to take an examination before the board of state examiners.

Thereupon, Senate Amendment "B" was adopted, and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, An Act Creating a Division of Inspection and Collection in the Finance Department (S. P. 435), tabled by that Senator on February 24th pending reference.

Mr. SPEAR: Mr. President, the purpose for which this bill was in-

roduced having been taken care of by other pending legislation, I ask leave to withdraw this bill.

Thereupon, permission to withdraw the bill was granted.

On motion by Mr. Wentworth of York, the Senate voted to take from the table, House Report from the Committee on Judiciary "Ought Not to Pass" on Bill, An Act to Incorporate the York - Cumberland Development Company (H. P. 1159) (L. D. 387) tabled by that Senator on April 5th pending acceptance of the report in concurrence; and on further motion by the same Senator, the report of the committee "ought not to pass" was accepted in concurrence.

On motion by Mr. Chase of Washington, the Senate voted to take from the table, An Act Relative to Fishing Licenses (H. P. 1568) (L. D. 666) tabled by that Senator earlier in today's session pending acceptance of the report in concurrence.

Mr. CHASE: Mr. President, I find that this bill, if passed, would cut out the privilege of securing three-day licenses. I therefore move we concur with the House in the indefinite postponement of the bill.

The motion prevailed, and the bill was indefinitely postponed in concurrence.

On motion by Mr. Chamberlain of Penobscot, the Senate voted to take from the table, An Act Relating to Medical Examiners and Their Duties (H. P. 29) (L. D. 22) tabled by that Senator on March 31st pending passage to be engrossed as amended, in concurrence; and on further motion by the same Senator, the bill as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, and as further amended by House Amendment "C" was passed to be engrossed in concurrence.

On motion by Mr. Elliot of Knox, the Senate voted to take from the table, Senate Report from the Committee on Salaries and Fees, Majority Report "Ought Not to Pass," Minority Report "Ought to Pass in New Draft" on An Act Relating to the State Police (S. P. 437) (L. D. 936), tabled by that Senator on April 1st pending acceptance of either report.

Mr. ELLIOT: Mr. President and

members of the Senate, in moving the acceptance of the "ought to pass in new draft" report I would like to say a few words with respect to this bill. As it is now, as the set-up is in the State Police office, they have no salary schedule. This bill would simply set up a salary schedule which would provide a graduated increase of salary over a ten year period. The eventual salary is only \$3.00 a week more than the patrolmen now get. In the beginning, I want to make it clear that this bill does not call for an additional appropriation for the department. It calls for a transfer of funds in the department. The chief of the State Police has assured me that the increase can easily be handled by his own department by a transfer of funds.

I should like to state to the Senate my reasons for believing that the state police force should be entitled to a little more consideration. As it is now, a man becomes appointed to the state police force and after he has been in the office for three years he has reached the maximum salary it is possible for him to get. Under the new draft of this bill, a man's salary increases over a period of ten years. It gives them something to look forward to over a ten year period instead of a three year period. There are 81 patrolmen on the state police and 11 sergeants. There are six lieutenants and three captains. There are just two things for a patrolman to look forward to. One is eventual promotion or advancement to sergeant, and the other is retirement in 20 years. That is all the patrolmen have to look forward to after they have been on the force three years.

Now, as to the cost of carrying out this program: There are 27 of the patrolmen who would be entitled to increase a year from next July of \$1.50, making a total increase of \$2106.00. There are ten sergeants who would be entitled to increase at the end of the period, making an increase of \$769.60. There are five lieutenants who would be receiving an increase of \$428.00. There are two captains who would be entitled to an increase a year from next July of \$487.76, or a total of \$3,791.36.

Now there are approximately ten new men appointed to the state police force each year. That is the way the average works out. An appointee

on the force gets \$25.00 a week for the probationary period. Under the new draft he would get \$20.00 a week for the probationary period. Now, because of the fact that there are ten men appointed every year there would be a saving in six months of \$1,300. Deducting that from the total increase, it gives a total which it would cost the department a year from next July of \$2,491.36, which can be handled in the department without any increased appropriation. I have been assured by the chief of the state police that this can be handled within the department, and it has his support. I therefore move the acceptance of the report "ought to pass in new draft".

Mr. SPEAR of Cumberland: Mr. President, in defense of the minority report "ought to pass in new draft", I would like to say a few words. The original bill which was introduced by Senator Elliot was not satisfactory to the chief of the state police and it was suggested they try to work out a new draft which would be satisfactory. That was done and before we had an executive session of the Committee on Salaries and Fees on this bill, I conferred with the chief of the state police. He said this would cost something under \$3,000 as an increase but if it should pass he could effect enough economies to more than offset it and he favored the passage of the bill.

The PRESIDENT: The question is on the acceptance of the minority report of the committee "ought to pass in new draft".

Thereupon, the minority report was accepted and the bill was laid upon the table for printing under joint rules.

On motion by Mr. Hill of Cumberland, the Senate voted to take from the table, An Act Relating to Emergency Aid in Certain Organized and Unorganized Territory (S. P. 628) (L. D. 1142) tabled by that Senator on April 6th pending assignment for second reading.

Mr. HILL: Mr. President, I move the bill be given its second reading, under suspension of the rules.

Mr. BURNS of Aroostook: Mr. President, arise in opposition to this bill and against the motion of the distinguished Senator from Cumberland, Senator Hill. I wish to call, first of all, to the attention of

the Senate what I consider the crux of this bill, which is the third sentence in the new draft, which says, "No such funds shall be paid to any city, town, or plantation until the management of its affairs has been taken over by the emergency municipal finance board, as provided in said chapter 284 of the public laws of 1933, as amended." You understand that we are dealing with the question of emergency aid that has been before the legislature of the state of Maine since 1933. If I understand the wording of this bill correctly this particular sentence is aimed at the towns who in the past, through misfortune or economic conditions have been obliged to receive aid from the state of Maine. It may be said by the proponents of this bill that that is not the purpose, that emergency aid will continue to exist, but this is a measure which was presented by the economy committee and I think I am correct when I say it is an effort on their part to withdraw the emergency aid that has heretofore been given these afflicted cities and towns.

I favor gradual withdrawal of the aid which the state has given these towns, but knowing some of the conditions of these towns, being from Aroostook County, I know that it would be a most inhuman act on the part of this Senate to withdraw from the towns the relief they find so necessary. I confess it is largely an Aroostook County problem. However, in the 42 towns and cities that have received aid since 1935 there are towns and cities in other counties besides Aroostook which because of unfortunate economic conditions in those places were obliged to call upon the state for relief.

As I view this matter, it is not a case of county lines. County government cannot take care of pauper relief or relief of those who are poor and unable to take care of themselves. If that were so, the members here from the other counties might say, "Let each individual county take care of the affairs they find in their county." I regard this as a state proposition and it is the duty of the state, when people are so unfortunate because of circumstances over which they have no control, and are faced with necessity,—we are reliably told that before they received aid they faced starvation,—it becomes the duty of the sovereign state of Maine to

ameliorate this situation and render aid.

I want to arise in defense of the people in the northern section of Aroostook County, where most of this aid has been given. You have been told before that because of business conditions in Aroostook County over the past few years,—and the depression seems to have struck harder there than in other sections of the state, principally because our chief industries, the potato and the lumber industries and the pulp business have suffered,—because of this we are faced with an inordinate situation that human ingenuity can not surmount, and the people in the northern section of Aroostook are unable to cope with it.

I want to paint a picture of that particular section of the state. As I say, most of the towns are along the St. John River and they receive the larger part of the aid from the state. They are an agricultural section. They also work in the woods on pulp and long lumber in the winter time. They also work in the pulp mill at Madawaska, but due to these conditions to which I have referred, there is not sufficient employment to go around. The people, although anxious to work, do not have an opportunity to do so. They cannot earn their own livelihood. They are not in the center of industry where the wheels of industry are moving. They are confronted on the north by the province of New Brunswick and the province of Quebec, both agricultural counties. They feel the depressed condition there as much as they do in Aroostook because of the depression in the potato industry and the pulp and paper industry.

This bill provides that if any of these 42 towns have received aid,—many of you have copies of this list and I will not read it, but it starts with Addison and ends with Woodland,—if any one of these towns which have received aid in the past continue to ask for aid they immediately will be investigated and before receiving aid they must lose their government and be taken over by the emergency municipal finance board. Does the state of Maine want to bring that about? It is good state government or good town government to withdraw from these towns, because of misfortune over which they have no control, their power of self government. I know

it may be argued that they find themselves calling upon the state for aid because of poor government on their own part. I challenge that statement and I say it is not because of the inability of the town officers to take care of these individual wants, but because of this depression.

It may be said to you that the town of Houlton listed here as receiving \$3,838.51 is a town that should have not received this aid, and because of its name appearing there, there must be something the trouble with the present system. I have talked this over with Mr. Russ, who is a member of the old age pension commission of the state, and also on the board of emergency relief, and I want to pause to say Mr. Russ is a man who served in this legislature and he is a man whose word and judgement were highly regarded when he served on the committee on Appropriations and Financial Affairs. He tells me that this legislature would be making a great mistake if they passed this bill in the form of the new draft. I am proud to say that Mr. Russ, from Aroostook, regards this as a work of humanity, that he works without compensation, that he contributes his bit to helping these people work out of their difficulty and trouble. Are you, Members of the Senate, going to deny them this cooperation of the state which, if their program is carried out, in a few years will result in the rehabilitation of these people provided business conditions get on the up-grade? I am happy to say, and quoting again Mr. Russ, because of the higher prices of potatoes, the calls upon the emergency aid board have slackened, and he predicts that with improved conditions there, gradually there will be a withdrawal of this burden on the state, but it will take time and I say the program which this board and the Department of Welfare have agreed upon should not be interfered with by this legislature.

Further, about the amount of money that has been received by the town of Houlton. I was informed that approximately four or five thousand dollars was paid to the hospitals for charges that had been incurred in these hospitals in taking care of some of the state paupers and this is merely a book-keeping item, that it appears that aid having been received under the

emergency aid and the town contributed the sum of \$5,000 for state pauper cases and other cases the state could have taken care of, and it was in this way the town of Houlton was reimbursed. Assuming that is not the fact, but I believe it to be, I say further even though the town of Houlton did receive \$3,838.51 as alleged here, it is a contribution that should be returned to them for these reasons. The town of Houlton was settled by English speaking people as was most of the county of Aroostook up to and including Caribou, north. The northern part of Aroostook County has been settled by the French. Some came from the province of Quebec and some from the province of New Brunswick. Longfellow tells in his poem of "Evangeline" that because of the activities of government in Nova Scotia certain people were driven from Grand Pre, Nova Scotia, and these people migrated into the St. John River territory. These people, as I say, are confronted with economic conditions which do not permit them at the present time to earn their own livelihood. As conditions grew worse there some of them came down to the middle section of Aroostook County and some settled in the town of Houlton and the other towns.

I will say here that the town of Caribou which received \$77,632.04 of emergency aid is the buffer town because these people, because of economic conditions, have migrated southward. I say it is no fault of the town of Caribou that they are obliged to take care of these people. I can say equally it is no fault of the town of Houlton that they are obliged to take care of these families, or the town of Fort Fairfield or some other towns.

I do not stand here and say all this relief provided has been for these families who have migrated southward, but I do say a large percentage goes for that purpose. The mere fact that we, in southern Aroostook are closer to this situation should not operate as a penalty to us. We feel we should do our part. We have taken them into the town and educated the children. Some have been on our pauper lists and we have taken care of them.

I say in taking care of this situation I have referred to, the town has paid many times the amount it has received from the state, and this one instance here, the receipt

of \$3,838.51 would appear to be a stigma on this town, which we know has a valuation very high among towns in the country.

I have been told that the town of Caribou has paid \$55,000 of tax money in taking care of this situation I have referred to. Bear in mind it does not all go to families who have migrated there, but a great part does. I have been told the business men in Fort Fairfield have paid as high as \$22.00 on a thousand to take care of their relief problem. The past year they paid \$17.00 on a thousand to take care of the relief problem there to take care of these families which have become public charges. They have a tax rate of \$68.00 on a thousand this past year. I say if you throw back on the town of Caribou and the other towns this obligation, which I say is the obligation of the state, you would adversely burden the town because you are trying to get these people to carry on their own business and support their families by burdensome taxation.

This same question came up in 1935 and in 1937 and it did my heart good to see the attitude of the legislature in their willingness to cooperate with this situation, and when an effort was made to withdraw this emergency aid, that the members of the legislature in 1935 and 1937 said "No", and by their answer indicated that this is a state proposition and should not be thrown back upon the cities and towns where this misfortune prevails.

I do not know but the purpose of this may be to create jobs for individuals who will be put in command of these towns when the citizens thereof have not the ability to elect their own selectmen and municipal officers, and if such is the purpose, I wish to denounce it. I know of one instance of where the emergency municipal finance board took over a town, which they should not have done. I do not question their good faith in this particular instance because in other towns they have taken over I knew the circumstances were such that it was the proper thing to do. They took over the town of Blaine in the middle of Aroostook County, a town with a valuation of \$200,000 or \$300,000 and had a municipal debt of approximately \$50,000 of bills they could not meet. I say those people, some of them college graduates in the town,

doctors, lawyers, men of ability could have worked out their own salvation and it was not necessary for the state to spend money in this particular town. I regret this condition came about. If this bill goes through the same thing will happen to other towns receiving aid. Some lately have worked out of their difficulty and are not receiving aid at the present time. If they continue to receive it they must lose their local form of government and the state will take them over and put in a representative of the state to take care of their affairs.

I do not see any economy in this measure. I regard it as false economy. What are you going to do with the people who are unable to take care of themselves, treat them as refugees? It is worse, after you adopt these people to strike them from the rolls than to refuse them in the first place. Because of this hardship I would favor the abolishment of the Emergency Municipal Finance Board and all its works before I would favor the adoption or the passage of this measure.

In conclusion, I want to deliver a message to the Senate which I think is appropriate on this matter because we are dealing with human misery. The immortal Will Rogers said that the United States Senate in Washington opened with a prayer and ended with an investigation. I am going to reverse that order and quote to you from the scriptures.

I am going to tell you of one of the most wonderful stories that has ever been told, the parable of the Good Samaritan. According to the Scripture the Son of God in the presence of his disciples was queried by a certain lawyer who wished to confound Him and he said unto Him, "Who is my neighbor?" And the Lord answered and said that a certain man while traveling from Jerusalem to Jericho fell among thieves, that they wounded him and robbed him and left him for dead, that thereafter a certain priest passed that way, looked upon him and passed him by on the other side. Likewise a certain Levite journeyed along the highway and saw him there and passed him by on the other side. But a certain Samaritan journeying that way saw him there, had mercy and compassion on him, dressed his wounds, poured oil upon them and gave him wine, placed him upon his beast, and

took him to an inn and there took care of him. And on the morrow he gave his host two pence and said, "Take care of him and if thou needest more when I return this way again I will repay thee."

And after reciting that wonderful story He turned to those who had confronted Him and said, "Now which of those three, think you, was neighbor unto him who fell among thieves?" And they said, "He that showed mercy on him."

And because we are dealing with human misery I conclude my remarks with the final remark of the Son of God when He said unto them, "Go thou and do likewise."

Mr. HILL: Mr. President, I appreciate the able and learned remarks of the Senator from Aroostook (Senator Burns). It appears to me, however, that as this matter has progressed to the present stage somewhat of a procedural tangle may develop and I should like to inquire whether the Senator from Aroostook (Senator Burns) at the outset of his remarks made any motion or whether he now desires to make a motion.

The PRESIDENT: The Chair understands that the pending question now before the Senate is that of the motion of the Senator from Cumberland, Senator Hill, that the rules be suspended and the bill be given its second reading at this time.

Mr. HILL: That, Mr. President, was my understanding. I had not supposed that the Senator from Aroostook (Senator Burns) would enter into a debate on the merits of the bill on the motion to suspend the rules for, if I am correctly informed, the motion to suspend the rules is not debatable. I did, however, refrain from raising that point of order but, desiring to have this issue passed upon on the proper motion, I should prefer to withdraw my motion for suspension of the rules at this time and I ask, Mr. President, that leave be granted to withdraw that motion.

Thereupon, leave was granted to withdraw the motion.

The PRESIDENT: The pending question at this time is the question of assignment for second reading.

Mr. HILL: Mr. President, I move that the bill be assigned for second reading tomorrow morning at ten o'clock.

Mr. BURNS: Mr. President, I hope the motion does not prevail and when the vote is taken I ask for a division.

Mr. HILL: Mr. President, I rise to make a parliamentary inquiry. Do not the rules require that the bill be assigned for second reading on the following day?

The PRESIDENT: The Chair rules that the bill will be assigned for second reading on the second day unless challenged.

Mr. BURNS: Mr. President, inasmuch as a motion for indefinite postponement takes precedence over a motion for assignment for second reading, in order that we may pass upon the merits of the bill I move that it be indefinitely postponed.

Mr. SPEAR of Cumberland: Mr. President, when the vote is taken I ask for a division.

Mr. HILL: Mr. President, I thank the Senator from Aroostook (Senator Burns) for his motion to indefinitely postpone because I believe that places the bill before the Senate so that its merits can be considered from a more satisfactory point of view.

The subject of emergency aid involves a little history. Emergency aid is not a function of the state that has been well established and is of long standing. It is something that has developed only in recent years.

At the outset may I not frankly acknowledge and agree with the Senator from Aroostook (Senator Burns) in his statement that he believes it to be the purpose of this bill to restrict or curtail expenditures of the state for emergency aid. That certainly and definitely is the purpose of this measure. Now, for a hundred and fifteen years, since its organization, the state of Maine did without emergency aid. We all know, I think, that in that period of a hundred and fifteen years and in the many years that preceded the inception of the state in 1820 the state and its people passed through many hard times.

Looking a little to the origin of this emergency aid we turn back to 1935. Those members of the Senate who were in either branch of the legislature then will recall how suddenly this whole thing developed. On the 23rd of January, 1935, out of a clear sky a message was transmitted to the legislature by the then governor, Governor

Brann, in which the first suggestion, so far as I know, of any such undertaking as emergency aid that has been made to the legislature was presented.

The governor in his message pointed out that there was an immediate need for funds for relief in certain sections of the state and that an appropriation of \$50,000 to take care of that need should be made, and his request was that immediate action be taken by the legislature. I refer to that in order to bring out the point that this whole matter of emergency aid was started by the legislature, not after full consideration, not after public hearing, not after long continued discussion in the legislature, as ordinarily we have on most measures, but the communication from the governor requested immediate action and I would like to read one sentence from that communication which is found on page 77 of the legislative record of the Eighty-seventh legislature under date of January 23, 1935. The sentence reads: "The situation is so critical that I am obliged to suggest and recommend to the legislature the immediate passage of emergency legislation, and by 'immediate' I mean today."

Now that, I think, will demonstrate how much consideration was given to the measure at that time. My recollection is that the Senate and the House of Representatives recessed after receiving that message until four-thirty in the afternoon—and the record will bear out these facts—and that at four-thirty both branches reconvened and the bill first mentioned and suggested around noon was passed to be enacted that afternoon.

Now the proposal was that \$50,000 be expended for this purpose and that was the appropriation. Presumably that appropriation was to take care of the entire situation or was at least to cover the ensuing biennial period. But what happened? If we consult the records we find that the state actually expended \$100,637.64 before June 30th of that very same year, a period of less than six months—twice the amount that the legislature had been told was to be expended.

Now then, since that time additional sums have been expended on emergency aid totalling, all told, \$1,-

196,250.30 according to the figures from the Controller.

Now, there is no one who would want to see citizens or inhabitants of the state of Maine who have fallen into distress, there is no member of the Senate who would want to see those people starve or anything of that sort. But our question is this, whether or not the economic condition of the state is such as to make it wise for the state to continue expending this money for these purposes. Certain towns have made application under the present law. It appears, to some of us at least, that if there were not such a law those towns would themselves be providing aid for the persons within the town who are in need, and it was our feeling that unless the conditions of the towns are so extreme that they must necessarily be managed by the Emergency Municipal Finance Board, that the state of Maine ought not to be paying the bills.

It is really, after all, Mr. President, in my opinion, very much of a New Deal enterprise and very much in the nature of the way things are conducted from Washington. I don't know as I know whether, even under the Federal Administration, there is an act whereby public funds are dispensed by the federal government in any such manner as this without the federal government maintaining at least some measure of control.

Now these towns—if the Senate will bear with me for the moment—these towns, almost entirely in Aroostook County, to which emergency aid was dispensed in the period from July 1, 1937 to June 30, 1938, in the last complete fiscal year received a total of \$226,719.96 and then on the statement that I have before me there appear certain additional items of general expense bringing the total to \$237,152.82 for the last complete fiscal year.

I think the Senate will recall that a few weeks ago a communication was received from His Excellency the Governor to the effect that additional funds would have to be made available to the Department of Health and Welfare if some of its activities were to be carried on, particularly with respect to the care of state paupers and with respect to emergency aid. In the Governor's communication of March 1, 1939 we listened to the following statement:

"For emergency aid the sum of \$200,000 was provided. The unexpended balance at this date is \$60,000. It is estimated that an additional amount of \$31,000 will be necessary to complete the present fiscal year."

In other words, that means an overdraft beyond \$200,000 appropriated for emergency aid and I am wondering, Mr. President, and I think others are wondering, where this thing will lead and where it will stop. Certainly if there are towns in one county that are to be afforded emergency aid there are towns in other counties perhaps no better able to take care of their own affairs than the town of Houlton. And if towns in other counties are to make application for emergency aid and if we retain this present law that we have on our statute books where is the state of Maine going to get the money? Where is this legislature going to find the funds to carry on all of these activities, to increase old age assistance, to balance the budget, to meet all of these many demands?

Is it not an appropriate suggestion to make that in the efforts of this legislature to accomplish those purposes and to balance the budget that we look back and see whether there aren't among those towns and municipalities now receiving this relief those that can properly take care of it in their own municipalities for themselves? So it seemed to the committee that considered the bill at length in recommending its passage that there ought to be some sort of check and restraint put upon this thing. It was believed that if only those towns that are in such difficult circumstances that they had to come under the Emergency Municipal Finance Board were to receive this aid that then there would be a very great and proper saving to the state of Maine.

There has been perhaps some feeling that the bill would cause cities and towns to abandon the conduct of their own affairs, throw up their hands and apply to the Board of Municipal Emergency Finance for the sake of receiving emergency aid. That view I cannot comprehend for the reason that under the bill it does not follow that if a municipality applies to the Emergency Municipal Finance Board and is taken over by that board that it would necessarily receive

emergency aid. But the provision, and the whole sum and substance of the thing, is that only those towns that are under the protection of that board would receive such aid, and there are in the list of those towns now receiving aid only a few that are under the control of the Emergency Municipal Finance Board.

Looking into the future, Mr. President, I believe that unless this legislature, unless this state, very soon adopts some such policy as this the time will come when the state of Maine will be swamped with such applications from every one of the sixteen counties and will have a bill piling up that this state, certainly without passing some huge revenue measure, will never be able to pay.

Mr. CHAMBERLAIN: Mr. President, through the Chair I would like to ask Senator Hill a question.

The PRESIDENT: The Senator from Penobscot, Senator Chamberlain, wishes to ask through the Chair, a question of the Senator from Cumberland, Senator Hill, and that Senator may reply if he so desires.

Mr. CHAMBERLAIN: Mr. President, without prejudice when the Senator from Cumberland, Senator Hill, says that the economic condition of the state would hardly warrant continued expenditures along these lines what does he say as to the economic conditions prevailing in the sub-divisions of the state that make up the state?

Mr. HILL: Mr. President, in answer to the question of the Senator from Penobscot, Senator Chamberlain, it is my view that when adverse conditions obtain in a sub-division of the state that that political sub-division should be its own management meet those conditions unless it has complied with certain strict and rigid requirements of the state, before it turns to the state of Maine to receive aid.

Mr. CHAMBERLAIN: Mr. President, may I ask another question?

The PRESIDENT: The Senator may.

Mr. CHAMBERLAIN: The state of Maine, sovereign as it is, has greater opportunity, greater right, of raising money than the sub-divisions which are limited in their ways of raising money in the way of taxes from their citizens. There is only one way they can do it.

Mr. HILL: Mr. President, the Senator probably understands that the bill does not abolish emergency aid and that it may be made available to those communities that have demonstrated the fact that they are in need.

Mr. CHAMBERLAIN: Without prejudice, I said, Mr. President.

Mr. CONY of Kennebec: Mr. President, I have a great deal of hesitation in making a single comment after the very able expositions we have had of the two sides of this matter. My understanding of it would seem to be that I am again confronted with the same general question that we were confronted by here yesterday morning, whether or not the Economy Committee shall proceed or whether it shall be stopped at the various stages of the game by interference with its work. I don't mean by that that the committee could not make mistakes or that their attention should not be called to them or even any mistake corrected by the vote of the Senate but I feel that we should go very slowly in interfering with the work of that committee.

As I understand this particular question it is a question of whether or not, if the state makes a contribution to a town or a community, whether or not the state shall have any right to say how that money shall be spent and to supervise it. The Senator from Aroostook (Senator Burns) I am sure, interested and intrigued us with his knowledge of Holy Writ and the story of the Good Samaritan, to my mind, pertains to the fate of the Good Samaritan. I suspect that the Good Samaritan must have been a frugal gentleman as well as a kindly one and that he must have had some degree of prosperity or exercised frugality to the extent that he was able to make those donations to the man who was beaten and robbed and left for dead by the roadside. And I suggest to the Senate that it is our duty to the present time to look after that Good Samaritan and to see that he is in a condition to help the man who has been mistreated and to be of assistance to him. Otherwise I am afraid the Good Samaritan may meet the fate of the man who was robbed.

The PRESIDENT: The pending question is on the motion of the Senator from Aroostook, Senator Burns that the bill be indefinitely

postponed and the Senator from Cumberland, Senator Spear, has asked for a division.

A division of the Senate was had.

Five having voted in the affirmative and twenty-one opposed, the motion to indefinitely postpone did not prevail.

Thereupon, on motion by Mr. Hill of Cumberland, under suspension of the rules the bill was given

its second reading and passed to be engrossed.

The PRESIDENT: We are proceeding under Orders of the Day. Is there any further business to come before the Senate?

On motion by Mr. Boucher of Androscoggin

Adjourned until tomorrow morning at ten o'clock.