

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

Tuesday, April 18, 1939.

The Senate was called to order by the President.

Prayer by the Reverend Edwin Cunningham of Augusta.

Journal of yesterday, read and approved.

From the House:

Bill "An Act Repealing the Law Relating to the Board of Barber Examiners." (H. P. 1198) (L. D. 474)

(In the Senate on April 14, Minority Report "Ought not to Pass" accepted in non-concurrence.)

Comes from the House, that body having voted to insist on its former action whereby the Majority Report "Ought to Pass" was accepted, and the bill passed to be engrossed, and asking for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Representatives: Pratt of Turner, Sleeper of Rockland, Ramsdell of Dayton.

In the Senate, on motion by Mr. Owen of Kennebec, 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 Owen of Kennebec, Spear of Cumberland, Marden of Kennebec.

From the House:

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

(In the Senate on April 12, passed to be engrossed in concurrence.)

Comes from the House engrossing reconsidered, House Amendment "A" read and adopted and passed to be engrossed as amended in non-concurrence.

In the Senate, on motion by Mr. Littlefield of York under suspension of the rules, that Body voted to reconsider its former action taken on April 12th whereby the bill was passed to be engrossed; on further motion by the same Senator, House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

House Committee Reports

The Committee on Banks and Banking on bill "An Act Relating to Interest on Loans," (H. P. 853) (L. D. 304) reported that the same ought not to pass.

The Committee on Judiciary on bill "An Act Relating to Candidacies," (H. P. 1587) (L. D. 689) reported that the same ought not to pass.

The Committee on Library on "Resolve for the Purchase of One Hundred Copies of 'History of Oxford County,'" (H. P. 284) reported that the same ought not to pass.

The same Committee on "Resolve for the Purchase of One Hundred Copies of the 'History of Greene'," (H. P. 1671) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Claims on "Resolve in Favor of Robert E. Wright of Rock City, Delmar, New York," (H. P. 64) reported the same in a new draft (H. P. 2236) (L. D. 1187) under the same title, and that it ought to pass.

The Committee on Taxation on bill "An Act to Provide for Tax Equalization," (H. P. 1771) (L. D. 939) reported the same in a new draft (H. P. 2237) (L. D. 1188) under the same title and that it ought to pass.

Which reports were severally read and accepted in concurrence, the bill and resolve read once, and tomorrow assigned for second reading.

The Majority of the Committee on Judiciary on bill "An Act Assenting to the Provisions of an Act of Congress entitled, 'An Act to Provide that the United States shall aid the States in Wildlife-restoration Projects, and for other Purposes,'" (H. P. 1590) (L. D. 909) reported the same ought to pass.

(Signed) Senators: Burns of Aroostook, and Representatives: McGlaflin of Portland, Thorne of Madison, Weatherbee of Lincoln, Bird of Rockland, 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) Senators: Hill of Cumberland, Laughlin of Cumberland,

and Representative: Fellows of Augusta.

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

In the Senate, on motion by Mr. Burns of Aroostook, that Body voted to accept the majority report of the committee "Ought to Pass" in concurrence; the bill was given its first reading and tomorrow assigned for second reading.

Mr. Friend of Somerset presented pursuant to Joint Order (H. P. 2239) the following Committee Bill:

Bill "An Act Providing for Joint Financial Participation between the State and its Municipalities". (S. P. 687)

Mr. FRIEND of Somerset: Mr. President, I wish to present a bill and move that, under suspension of the rules and without reference to a committee, the bill have its first reading at this time and I would like to say a word at this time before the bill has its first reading.

The bill has already been very clearly explained by the Governor at the joint assembly yesterday afternoon.

I believe that now everyone understands and knows that the passage of this bill would cost the towns and cities nothing as there is no question that the tax rate would not be increased in as much as every cent expended for pensions by the towns and cities would be reimbursed to them in the form of highway and bridge construction or maintenance money from the general highway fund.

This bill has been introduced at this time as a Ways and Bridges committee bill with the approval of the Maine Municipal Officers' Association, and with the strong support of the administration. It has been placed before you only as a last resort after every other conceivable method of providing the necessary funds to adequately take care of the needy old of Maine has failed. The appropriation and financial affairs committee has worked conscientiously and diligently and has done all that could be asked of them. The economy committee has effected substantial savings but there remains this fact at the present time that there will only be enough money in the treasury to take care of between seven and eight thousand pensions. In as much as there are approximately 11,500 people now re-

ceiving pensions, in the event this bill did not pass, it would be necessary to discontinue the payment of pensions to the number of about 4000 of these needy people which indeed would be a calamity. If the bill does pass, it will make it possible to take care of between 14,000 and 15,000 pensions or an increase of about 3000 over the number now taken care of. This bill by itself takes care of 7000 pensions. It is estimated conservatively that one third of those who would be taken care of under this bill are now town paupers being supported entirely by the towns. The granting of the 7000 pensions under this bill would definitely mean the saving to the towns and cities of \$500,000 in pauper bills, and please bear in mind that at no time would any provision of this bill cost the towns and cities anything.

Definitely and emphatically, there would be no diversion of highway funds under this bill. Also the passage of this bill would necessitate the curtailment of highway funds to a very slight degree. Grants to the towns and cities and all secondary road funds in the general highway fund would not be affected in any way, as the towns and cities would continue to receive the same amounts as in effect by law now.

I urge the passage of this bill in order that one of the major problems of this legislature may be solved, which is that adequate funds be provided to properly and justly take care of the needy old of the state of Maine.

Thereupon, under suspension of the rules the bill was given its first reading without reference to a committee.

Miss LAUGHLIN of Cumberland: Mr. President, has this bill been printed?

The PRESIDENT: The Chair understands that there are copies of the bill on the desks.

Mr. CHAMBERLAIN of Penobscot: Mr. President, if it has not been printed and these are the available copies, I suppose that there are other copies also available. I have been asked to send copies to various people.

Thereupon, the bill was laid upon the table pending second reading and especially assigned for this afternoon at three o'clock. On motion by Miss Laughlin of Cumberland, 500 copies were ordered printed.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on bill "An Act Relating to the Salary of the Recorder of the Northern Cumberland Municipal Court," (H. P. 687) (L. D. 260) reported that the Senate recede from its former action whereby the bill was recommended to the Committee on Salaries and Fees; that the House recede from its former action whereby the report of the Committee "Ought not to Pass" was accepted; and that both branches concur in the substitution of the bill for the report.

On motion by Miss Laughlin of Cumberland, the report of the Committee of Conference was accepted and the bill was substituted for the report. On further motion by the same Senator, the bill was given its first reading and tomorrow assigned for second reading.

Mr. Friend from the Committee on Claims on "Resolve in Favor of Cornelius E. Conley, of Lewiston," (S. P. 351) (L. D. 784) reported that the same ought not to pass.

Mr. Graves from the same Committee on "Resolve in Favor of Charles Murray," (S. P. 24) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of William B. Gibson, M. D. for Medical and Surgical Services Rendered to William Gelker, a State Pauper," (S. P. 204) reported that the same ought not to pass as taken care of in another matter.

Mr. Beckett from the same Committee on "Resolve in Favor of Vivian M. Bryant, of Jay," (S. P. 313) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of the Town of Parkman," (S. P. 441) reported that the same ought not to pass as taken care of in another matter.

Mr. Thatcher from the Committee on Banks and Banking in behalf of that committee submitted its Final Report.

Mr. Beckett from the Committee on Motor Vehicles in behalf of that committee submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Wentworth from the Committee on Appropriations and Financial Affairs Pursuant to Joint Order (H. P. 1847) begs leave to report bill "An Act Relating to Registration of Veterans' Graves," (S. P. 686 and that it ought to pass.

Mr. WENTWORTH of York: Mr. President, the Senate may wonder why such a bill has come before the Senate at this time. A few days ago Colonel Lowe and some of his brother officials in the American Legion came before our committee and explained this bill. In substance if the state puts up five thousand dollars, the Federal Government puts up anywhere from eighty to ninety thousand dollars or more into this work but to get a further explanation of this bill I am going to give way to Senator Burns of Aroostook at this time, that he may explain it further.

Mr. BURNS of Aroostook: Mr. President, as I understand it, this bill has not been printed and of course the Senate would not want to take any action without first having a chance to study the provisions of the bill. Senator Wentworth has brought out that the matter was thoroughly explained to the Committee on Appropriations and Financial Affairs by those interested in this project and they reported the bill out "Ought to Pass" following such deliberations as they made.

The project is a federal one and the purpose of it is to permit the state of Maine to participate in a certain fund of the treasury at Washington so long as that fund is used for marking veterans' graves in the state of Maine. This does not apply only to veterans of the World War. It applies to veterans of any war in which this country participated. A project of a similar nature has already been in progress in the city of Portland, being a municipal project. The National Vice Commander Quinn of the American Legion is in charge of this work and he appeared before the committee and he explained the routine of the operation. He said it worked out very satisfactorily in Portland, that the graves of veterans which hadn't been marked for a hundred years or more had now been marked and that maps and charts and files had been set up so that anyone in future years could go to the cemetery and find the location of any of

those graves and see that they were properly marked.

The spirit of participation in this particular bill is pretty broad. As the Senator from York, Senator Wentworth brought out, if the state of Maine contributes \$5,000 the federal government will furnish around \$90,000 or \$95,000. It was brought out further that this might not be the peak amount, that if this project goes along for a number of years the total amount might very well be \$250,000 and that the state of Maine's original amount might not have to be increased.

It was brought out further that the \$5,000 that the state of Maine will appropriate or furnish need not be in funds, that it might be in kind. By that I mean that those who have control of this undertaking by the state will use office space in the state house and will use the services perhaps of the Adjutant General of the state who will help and these would be given a value and that sum would be applied to whatever amount the state of Maine is going to contribute and in all probability there would be very little money actually needed to carry on this project.

It will relieve the unemployment situation in the state of Maine as it is a WPA project. It is under the supervision of Mr. John Fitzgerald, the WPA administrator of the state of Maine. He appeared before the Committee on Appropriations and Financial Affairs and explained the details of the work as applied to his department.

A good feature of the bill is that the work involved is not necessarily hard manual labor. We have in this state many who are eligible for WPA work who are unable to do hard manual labor. This might be termed as a white collar job because it gives to those in that category an opportunity to participate in these WPA projects, and as many of these people are now on the towns and being supported in whole or in part by the towns, this amount of money, \$95,000 the first year will constitute a corresponding amount of financial relief to the cities and towns in the state of Maine.

In conclusion I want to say that the Department Commander of the Legion in the State of Maine, Colonel Frank Lowe is largely responsible for the introduction of this measure and but for his timely activity, even at this late date, the state

would be without this large sum of money which will be used through the WPA in the conclusion of this work.

Thereupon, the report of the committee "Ought to Pass" was accepted and the bill was laid upon the table for printing under the joint rules.

Passed to be Engrossed

"Resolve Providing for a State Pension for Grace E. Dunn of Portland." (H. P. 1095) (L. D. 1183)

Bill "An Act Relating to Commitment of Juvenile Delinquents." (H. P. 2170) (L. D. 1136)

Which bill and resolve were read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to School Busses." (H. P. 2059) (L. D. 1095)

Which bill was read a second time and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Returns of Vital Statistics." (S. P. 327) (L. D. 589)

(On motion by Mr. Marden of Kennebec, tabled pending second reading and especially assigned for this afternoon's session.)

Bill "An Act Concerning Certain Trunk Line Highways." (S. P. 673) (L. D. 1185)

Bill "An Act Relating to Lighting the Mount Desert Bridge." (S. P. 674) (L. D. 1186)

Bill "An Act Relating to Fines Paid to Municipal Courts." (S. P. 676) (L. D. 1184)

Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for other Purposes for the Fiscal Years Ending June 30, 1940 and June 30, 1941." (S. P. 679) (L. D. 1190)

Bill "An Act Relating to Erection and Equipment of a State Police Barrack in Thomaston." (S. P. 681) (L. D. 1192)

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

Sent down for concurrence. •

The PRESIDENT: Pending notice from the Governor's office as to a possible Joint Convention we will proceed under Orders of the Day.

Orders of the Day

Mr. MARDEN of Kennebec: Mr. President, desiring to call the Senate's attention to Legislative Document 1166, An Act Relating to Penalty for Operating Motor Vehicle While under the Influence of Intoxicating Liquor or Drug, which was passed to be engrossed yesterday, I would like to move for reconsideration of that vote for the purpose of offering an amendment. This proposed amendment has been discussed with three members of the Judiciary Committee from which the bill came, and I think there is no objection to the amendment. I move reconsideration of the passing to be engrossed.

The motion prevailed and the Senate reconsidered its action of yesterday whereby the bill was passed to be engrossed.

Mr. Marden presented Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to L. D. 1166. Amend said bill by inserting the words 'at all' after the word 'or' and before the word 'under' in the second line thereof, and by striking out the words 'so that his ability to operate the motor vehicle in a proper manner has been lessened' in the third and fourth lines thereof. Further amend said bill by striking out in the twelfth and thirteenth lines thereof the words 'sufficiently to lessen his driving ability'. Further amend said bill by striking out in the thirteenth line thereof the words 'the statutory definitions of the offense' and inserting in place thereof 'this act'. Further amend said bill by striking out in the twentieth line thereof the words, 'sufficiently to lessen his driving ability'. Further amend said bill by striking out in the twenty-first line thereof the words, 'the statutory definitions of the offense' and inserting in place thereof the words 'this act'."

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

Sent down for concurrence.

On motion by Mr. Findlen of Aroostook, the Senate voted to take from the table, An Act Relating to Salaries in Certain Counties (H. P. 2073) (L. D. 1110), tabled by that Senator on April 17th pending passage to be engrossed in concurrence;

and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

On motion by Mr. Burns of Aroostook, the Senate voted to take from the table, An Act Relative to Closed Time on Deer (H. P. 2099) (L. D. 1102), tabled by that Senator on April 17th pending assignment for second reading; and upon further motion by the same Senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, An Act Defining and Prohibiting Unfair Sales Practices (S. P. 324) (L. D. 577) tabled by that Senator on April 14th pending passage to be enacted, and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Marden of Kennebec, the Senate voted to take from the table, House Report from the Committee on Legal Affairs, majority report "Ought Not to Pass"; minority report, "Ought to Pass"; on An Act Increasing the Penalty for Violation of the Sunday Law (H. P. 1652) (L. D. 922), tabled by that Senator on March 24th pending acceptance of either report; and on further motion by the same Senator, the majority report "Ought Not to Pass" was accepted in concurrence.

On motion by Mr. Sanborn of Cumberland, the Senate voted to take from the table, House Report from the Committee on Public Health; majority report "Ought Not to Pass," minority report, "Ought to Pass in New Draft" (H. P. 2238) (L. D. 1189) on An Act to Regulate the Distribution of Public Funds to Hospitals (H. P. 1706) (L. D. 873) tabled by that Senator on April 17th pending acceptance of the majority report "Ought Not to Pass;" and that Senator yielded to the Senator from Kennebec, Senator Owen.

Mr. OWEN: Mr. President, I will renew the motion I made yesterday to accept the majority report of the committee on this bill, "Ought Not to Pass" and I will state very briefly my reasons for making this motion. There are several reasons.

This bill was given very thorough consideration by the committee on Public Health and had several public hearings and several private hearings. If some of the other committees had put as much time on the bills referred to them as the Committee on Public Health put on this one, we would be here until Thanksgiving.

Now, this doesn't refer to state hospitals. It refers to private hospitals, privately incorporated, and as the bill now reads, it provides that the hospital shall furnish laboratory service to any physician who requests it, whether he be of one calling, faith or practice or another. The purpose of the laboratory in the hospital is to care for the work for the patients in the hospital and the physicians who are ordinarily practicing in the hospital, but this bill provides that the hospitals shall take all the laboratory work of other physicians provided their capacity is sufficient to take care of them. I think we can see there would immediately ensue a great quarrel as to whether their services were sufficient. In other words, this bill makes public laboratories out of private hospitals. It provides hospitals shall not receive state aid if they do not comply with the provisions of this bill.

As the bill was first introduced, it provided that hospitals should permit osteopathic physicians to practice in the hospitals and it was amended to read that they should permit all physicians to practice, and then it was amended to provide osteopaths should have laboratory work done in the hospitals, and then it was amended to provide all physicians should have their laboratory work done in the hospitals, and so on.

There are several things that might happen if this bill should pass. In the first place, those hospitals which gave the laboratory facilities to all physicians would lose their rating by the American College of Surgeons and the American Medical Association, and nurses who graduated would lose their privilege of obtaining their certificate. If they didn't choose to do it the hospitals would simply forfeit state aid. How much does it amount to? It amounts to \$1.36 a day up to \$1.55 or \$1.58 per day per patient. It would be a tremendous sacrifice because it costs a great deal more than that amount to take care of

them. In the second place, it would work a real hardship on charity patients who would not be taken into the hospital under those conditions.

Another calamity which would happen to the hospitals if the bill were passed is that the Bingham Associates would remove from the state of Maine \$100,000 which it has promised to give various hospitals of the state during the next year. \$100,000 is nothing to be disregarded by anybody. I think that covers the situation in brief. There are, of course, other arguments against this bill.

Thereupon, the majority report of the committee "Ought Not to Pass" was accepted in concurrence.

On motion by Mr. Cony of Kennebec, the Senate voted to take from the table, An Act Authorizing Peabody Law School to Confer Degrees (H. P. 6) (L. D. 13), tabled by that Senator on April 13th pending consideration; and on further motion by the same Senator, under suspension of the rules, the Senate reconsidered its action of April 4th whereby the bill was indefinitely postponed.

Mr. CONY: Mr. President, I move House Amendment "A" be adopted in concurrence.

The Secretary read House Amendment "A".

Mr. HILL of Cumberland: Mr. President, it seems to me if this amendment is adopted the bill will be considerably less objectionable and I hope, therefore, the Senate will adopt the amendment in concurrence.

Thereupon, House Amendment "A" was adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

Order (Out of Order)

On motion by Mr. Spear of Cumberland, out of order and under suspension of the rules, it was

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House for the purpose of listening to an address by Stephen F. Chadwick, of Seattle, Washington, National Commander of the American Legion.

The Secretary delivered the message and subsequently reported that

he had performed the duty assigned to him.

Subsequently a message was received from the House of Representatives, by Mr. Pease, its Clerk, concurring in the proposition for a Joint Convention for the purpose of listening to an address by Stephen F. Chadwick, National Commander of the American Legion.

Thereupon the Senate retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In the Senate

Upon the return of the Senators to the Senate Chamber, the Senate was called to order by the President.

On motion by Mr. Spear of Cumberland

Recessed until this afternoon at three o'clock.

After Recess

The Senate was called to order by the President.

From the House, out of order and under suspension of the rules:

Bill "An Act Relating to the Registration and Operation of Motor Vehicles by Non-residents." (S. P. 669) (L. D. 1175)

(In the Senate, on April 17, passed to be engrossed as amended by Senate Amendment "A")

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Osgood of Oxford, that Body voted to insist and ask for a Committee of Conference, and the President appointed as members of such committee on the part of the Senate, Senators Beckett of Washington, Osgood of Oxford, Elliott of Knox.

Joint Order from the House, out of order and under suspension of the rules:

ORDERED, the Senate concurring, that the Attorney General be and hereby is directed to investigate the records of the state-owned or reserved lands of the State of Maine as described in the Revised Statutes of 1840, with particular attention to the sale of timber therefrom and the sale of any rights thereto.

The Attorney General is further directed to report his findings to the 90th Legislature. (H. P. 2245)

Comes from the House read and passed.

In the Senate, read and passed in concurrence.

From the House, out of order and under suspension of the rules:

Communication from the Governor relative to Unemployment Compensation Commission situation in the State of Maine. (S. P. 643)

(In the Senate, on April 6, Communication read and accepted, and referred to the Committees on Judiciary and Appropriations and Financial Affairs, jointly)

Comes from the House, ordered placed on file in non-concurrence.

In the Senate:

Miss LAUGHLIN of Cumberland: Mr. President, I move that this communication be placed on file in concurrence with the House. As I understand it, this communication was in reference to the fact that because the Federal Government had used the money for other purposes there was no money for the administration in Maine but the Congress of the United States has taken up the matter and the House has passed a bill which will provide the money for the administration in Maine and the report. I have every reason to believe will be that the United States Senate will concur and therefore there will be no occasion to consider this matter by the committees and it is for that reason I move that we concur with the action of the House in placing this communication on file.

Thereupon, the communication was placed on file in concurrence.

From the House, out of order and under suspension of the rules:

Memorial to the Honorable Franklin Delano Roosevelt President of the United States, Requesting Federal Prosecution of Certain Persons."

(In the Senate, on April 14, majority report "Ought to pass in a new draft" (S. P. 682) (L. D. 1193) read and adopted.)

Comes from the House minority report "Ought not to Pass" read and accepted in non-concurrence.

In the Senate on motion by Miss Laughlin of Cumberland, that body voted to insist and ask for a Committee of Conference and the President appointed as members of such committee on the part of the Senate, Senators Laughlin of Cumber-

land, Hill of Cumberland, Marden of Kennebec.

House Committee Reports (Out of Order)

The Committee on Claims on "Resolve to Reimburse the Town of Bristol for Support of Georgia Poland," (H. P. 374) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Anson for the Support of the Children of Parker Lewis, a State Pauper," (H. P. 1304) reported that the same ought not to pass.

The same Committee on "Resolve Compensating Brunswick Hospital for Medical Aid to Clarence Rush," (H. P. 701) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the City of Eastport," (H. P. 1369) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the Town of Owl's Head", (H. P. 830) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Anson for Support of Maurice and Wilfred Weymouth," (H. P. 1306) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of L. U. Klein of Eagle Lake," (H. P. 1246) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Marcia Simonson of Limestone," (H. P. 691) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Staples Funeral Service of Gardiner," (H. P. 1484) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Harry B. Philbrick, of Sidney for Expenses of Almon S. Tilley and Wife," (H. P. 1240) reported that the same ought not to pass.

The Committee on Towns on "Petition of Wilbur J. Dunphy and 73 others of Concern in Favor of bill "An Act to Provide for the Surrender by Concord Plantation of Its Organization," (H. P. 262) reported that the same be placed on file.

The same Committee on Petition of Robert B. Taylor and 30 other legal voters of the Plantation of Lexington in favor of bill "An Act to Provide for the Surrender by Lexington Plantation of Its Organi-

zation." (H. P. 714) reported that the same be placed on file.

Which reports were severally read and accepted in concurrence.

On motion by Mr. Cony of Kennebec, out of order and under suspension of the rules, it was

ORDERED, the House Concurring, that (H. P. 1729) (L. D. 837) bill "An Act Relating to Exemptions from Taxation," shall be returned from the files to the Senate for further action thereon. (S. P. 688)

Sent down for concurrence.

Passed to Be Engrossed (Out of Order)

Bill "An Act Providing for Joint Financial Participation Between the State and its Municipalities." (S. P. 687)

Which bill was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Miss Laughlin of Cumberland, the Senate voted to reconsider its action taken yesterday whereby the report of the Committee on Library "Ought Not to Pass" on Resolve for the Purchase of "Vital Statistics of Georgetown" (S. P. 286) (L. D. 436) was accepted; and on further motion by the same Senator the resolve was laid upon the table pending acceptance of the report.

The President laid before the Senate, House Report from the Committee on Labor and Judiciary; Majority Report "Ought to Pass in new draft" (H. P. 2231) under a new title, "An Act to Protect the Industry of Packing of Fish and Fish Products and to Establish a Minimum Wage for Women and Minors Employed Therein"; Minority Report "Ought Not to Pass" on Bill, An Act for Minimum Wage for Women and Minors (H. P. 1426) (L. D. 599), tabled by Miss Laughlin of Cumberland on April 14th pending acceptance of either report, and today assigned.

Miss LAUGHLIN: Mr. President, I move the minority report "ought not to pass" be accepted and on that I wish to speak. There are two questions involved in this bill. One is a legal question whether the bill if passed would be invalid. The other is whether even if legal what the nature of the policy is. As I

view this bill, if passed, would be absolutely void, and secondly if legal, the policy is vicious. This is not the original bill. This is a new draft, and I hope the members of the Senate will turn to the new draft which is Legislative Document 1181. This bill is an entirely different one. It was not presented at the hearing. There was no hearing on it and no notice to the public about it. It appeared first at the executive meeting of the joint committees and at the very end of that meeting. It was not discussed there. There were at that joint committee meeting fourteen committee members out of a possible eighteen, one being a member of both committees and one being ill. Fourteen were present. Of the fifteen who signed the majority report, three were not present. I am informed they signed the majority report, two of them, without even looking at this new draft. So we have an entirely different bill and for that reason and all these circumstances, it seemed perhaps we ought to give a rather extended consideration to the bill in this Senate.

There may be members here who favored the original bill or promised someone to vote for it, but this is not the bill, and certainly no promises on the original bill hold good. I would read this, but if you have the new draft before you, you can read it and see the policy of this new draft. It is certainly something that appears nowhere in any statutes anywhere. It is something new under the sun, the policy in the new draft. "The industry and business of packing of fish and fish products in oil, mustard or tomato sauce, in this state, and the occupation or employment of women and minors therein, constitute an industry, business, occupation and employment of a special, seasonal and unusual nature, in which women and minors predominantly are employed and in which the industry and the hours for work are dependent wholly on the seasonal run of a certain kind of fish, over which run no person has any control; therefore"—get this, because of this it continues, "therefore it is found by the legislature that public health, safety and welfare requires the protection of the industry or business and the regulation of the employment of women and minors therein."

I do not know what the "therefore" refers to unless it is that no one knows when the fish run and therefore it requires the protection of the health and welfare of the state of Maine. I do suggest, anyway that no such monstrosity has been found on the statutes of any state, and therefore it is ridiculous, in my opinion, to put it mildly.

It was stated at the executive meeting of the committee that it was a copy of a bill in Washington. I do not question the good faith of the gentleman who made the remark but certainly he was mistaken. If you have any doubt on that, if you will refer to the Washington law, Code No. 6571 and subdivisions thereof, you will not find any such nonsensical statement as this starts with.

One basis of the decision in the Washington case was that the Washington law made the cost of living an important factor in the law. This bill declares that its object is to protect the health and welfare of the State by protecting the fish canning industry as represented in four canning factories. I suppose the purpose of the statement that this bill is like the Washington bill is to show that the Supreme Court has decided it constitutional. The decision on the Washington law by the supreme court was handed down in March, 1937, in which it overruled all decisions of the court made since the suffrage amendment was passed, the suffrage amendment which took women out of the class of minors politically, and the supreme court decision held it took them out of the class of minors in civil rights also.

Later the Washington law, which was passed in 1913, was brought before the court, and on the ground that women constitute a special class, not protected by the guarantees of the fourteenth amendment, it upheld the Washington law. And, as I said, this bill is not like the Washington law, so there is no occasion to discuss it.

In the first place, then, this law is not like the Washington law, and, secondly, and perhaps more important, under the circumstances obtaining here, the decision in the Washington case has no bearing upon this bill. The federal wages and hours act became a law in June, 1938, fifteen months subsequent to

the court decision in this law, and that federal wages and hours act controls in this case because at the hearing the representative of these four cannerymen said that most of their business was selling without the state, showing they were in interstate commerce. I asked the question for the purpose of bringing out the statement that they were in interstate commerce and subject to the provisions of the federal wages and hours act which, by its terms, applies to all interstate commerce and the Congress, of course, has the sole power to make regulations in regard to interstate commerce. As I said, I asked that question specifically and therefore, by admitted facts, the federal wages and hours act controls in this case.

It is true it has not been passed upon by the supreme court whether constitutional or not, but until and unless it declares it unconstitutional, it is law and controls. For myself, I have no doubt the supreme court, as now constituted, would uphold its constitutionality. Therefore, until then, it is the law and it makes the provisions of this proposed bill absolutely invalid. There may be something further. There is a bill before the Congress, of course, nobody knows whether it will pass or not, but there is a bill which provides that they will not permit the importation into states having a state law on this subject, which if it should pass—and no man knows whether it will or not—would be one terrible blow to this state if it passed such a law as this. That is one of the reasons why the Associated Industries in this state, by their representative, appeared against this bill. And he has since sent to me the number of this bill introduced into the House of Representatives in Washington which makes that provision, a provision which would be a deadly blow to the industries of this State, if this bill passed and became a law. He further sent statistics to show the number of states which had had a similar bill before them and which they had voted down, particularly because of the possibility that the law would pass congress and we would be cut off from interstate commerce. We have passed quite a number of bills at this session changing the law of this state. Would there be any point in someone referring to what the law was

two years ago after these laws have been passed and changes taken place? This is the situation in attempting to apply this to the Washington law. The federal law passed about fifteen months later practically makes it invalid.

Now then, this federal law—I have a copy of it here—declares that congress is acting under its powers to regulate interstate commerce. It defines employers and defines employees and it defines an employee as any individual employed by an employer. It is not like this bill in which women are in the class where apparently the makers of the bill think they belong, with minors. It says "any employee" and it provides further for federal administration and the powers of the administrator are that as soon as practical he shall appoint an industrial committee for each industry engaged in commerce. I might say the word "commerce" is defined in the bill as "interstate commerce". It provides that the federal administrator shall call a committee for each industry throughout the country. That is in section 5. In section 8 it provides that the industry committee shall recommend a universal minimum wage. The industrial committee shall recommend this. It further provides that upon the convening of the committee, the administrator shall refer to it the question of minimum wage rates, the rates fixed for the industry throughout the country. Now then, it provides further in section 8 that in the fixing of wages they must not be made on a regional basis.

We know the fight we had on this federal hours and wages act, whether they would have a different rate for the north and south on these different industries. This law provides specifically it shall not be on a regional basis, and yet they come with this proposal of appointing a committee in this state to fix the wages in a particular industry. I think that the fact that this bill picks out this particular industry, the fish canning industry, for special powers and privileges is contrary to the provision for the equal protection of the law and amendments. The bill is invalid on that ground, unless you think the fish packing industry is the most important thing in the State. This federal law provides it shall not be

on a regional basis. This law defies it.

It provides something further in which I am particularly interested. In providing it shall make classifications—not on a regional basis but on other things—it provides that no classification shall be made on the basis of sex yet that is the whole object of the bill, to make the classification on the basis of sex. That provision didn't get there by accident. It got there by intent, by the work of some fifty women's organizations who got this provision put in the bill. I know it of my own knowledge because I am in close touch. It was put in for that purpose to stop that classification of women with minors.

Section 11 provides the federal administrator shall make all investigations and gather data on wages and hours and other conditions and practices and inspect such places. This proposed bill provides that the commissioner of labor of this state shall do this in violation of this provision. It provides in the matter of child labor that the children's bureau shall make that investigation and it goes on very definitely on child labor and gives the children's bureau the necessary power.

Now then, it was said that this packing industry was exempt from this law. The only provision in this federal wage and hours act in regard to exemptions provides that certain industries including agriculture and including fish packing shall be exempt from sections six and seven, but nothing about being exempt from the other provisions I have quoted. Sections six and seven, for instance make the specific provision that the hours of labor shall be not longer than forty hours. It is true the fish packing industry is such that you cannot make a hard and fast rule. When the fish run they may work twelve or fourteen hours a day one day and none the next. Section six makes specific rates in minimum wages and the reason for the exemption is easily to be seen because largely the fish packing business is paid by piece work, so fixing the wages by the hour would not apply. The exemption is specifically limited to sections six and seven. In my garden variety of mind when I see a thing is exempt from sections six and seven I am not able to do mental gymnastics and say it means it is exempt from sections five, eight, and twelve and others.

There is not a scintilla, not a word exempting them from anything else.

This question was raised in the committee: One person said, "If it is invalid let them go to the courts and settle it." I think it is a very unfair thing for this legislature to legislate a law suit on the others in the industry in the state. Do not imagine there is a great demand for this in the state. I have a letter of protest from the Machiasport Canning Company saying they are not in sympathy and the other sardine packers are not in sympathy with this law. So we simply come back to the four cannery who asked for it. I say I believe it is invalid, and as to policy it is vicious.

Now, of course, some say "We want a minimum wage for women and minors so that they won't be crushed down." That applies to those who can't or won't think and is not true. It is like the bill giving everyone \$30.00 a week so the land would be flowing with milk and honey — it sounds mighty good but if we think of the practical side of it, we know it would not be the case. Those who do think it through and those who made a study for years know it is not an advantage to women but a disadvantage and a handicap to women. In the first place, it has been talked by labor unions, that the minimum wage tends to become maximum. Laws in states similar to this, applying to industries not in interstate commerce, have proved that the wages of all women have dropped to meet that minimum. That is the principle labor unions have talked for years and have opposed a minimum wage. The Federal wage and hour act, however, fixes a certain wage as minimum for one year and at a different wage for another year, and Congress also passed the Wagner Act for Collective bargaining.

There is another reason. We can fix minimum wages for women but there is nothing in this bill or any other that guarantees they will pay those wages or any wages or supply them with any job at all. If men competing with them underbid them the job is gone and they do not get minimum wages or any other wages. That is what has been the universal result.

I can tell something that has been exploited in the papers so much you may all be familiar with it. Women were employed to do scrubbing at Harvard University. The

minimum wage was thirty-five cents per hour. There appeared men who said they would do the scrubbing for thirty-three cents. Because the commissioner of labor said it was a minimum wage for women, they could not accept less and so the women who had been doing the scrubbing were turned out of their jobs because the men who wished to compete with them were under no such restrictions and the men took the jobs. That has been the condition everywhere. Within a week or so I got a report from a hotel in Ohio where the law applies not merely to interstate commerce but commerce within the state. This was in the Hotel Men's Association bulletin. A hotel there started out to employ women, and the commissioner of labor came in to interfere because they were paid less than the minimum wage. What happened? Did they get a minimum wage? Oh no. The hotel fired them all and employed negro waiters to take their places, and as this hotel bulletin remarked sarcastically, "that was a tremendous benefit to the women." In Ohio — the federal wage and hour act doesn't touch this for I am referring to industries not in interstate commerce — it has been shown there, when the minimum wage has applied in the dry cleaning industry the employment of women has gone right down.

In January of this year, Mary Anderson of the Women's Bureau put out a report definitely stating that available data indicates that men are encroaching in women's traditional fields, retail trade, hotels, restaurants, laundries, office work, confectionery. Women are thrown out. That is the good the minimum wages did them. On the other hand, in the state of Indiana where no such law exists, the employment increased. In New York the same thing happened, a decrease right through, after the passage of a law similar to this, applying of course to industries not under interstate commerce and not made invalid by it.

One of the larger employers of waiters in restaurants reported — and in these restaurants there were 50,000 or more women — that they were gradually being removed because men were underbidding them and taking their place. It was reported by the Ohio State Associa-

tion of Cleaners and Dyers that between 450 and 500 women had been dismissed in that industry solely because of a law similar to the one proposed here. In Minnesota the representative of the United States Department of Labor found some employers refusing to employ women because of the minimum wage law, the reason for their refusal being that they had to keep records and are subject to investigation by the labor board which had to go over their business to see what they were doing.

They have canners in Oregon, under a state law and they employed women, but they passed a minimum wage law with the result that men replaced women until the women petitioned them to cut down the wages so low that the men would not underbid them. It was stated at the hearing that the men could not underbid women in this industry because the work had to be done by women because the women had more flexible fingers. There must be some difference between Oregon and Maine. I do not know what it is that would make women's fingers so much more flexible in Maine, and men's fingers so much more flexible in Oregon than they are in Maine. Anyway, the result was that men replaced women in those industries and they take what they can get or get nothing, in the shortage of employment. Therefore, minimum wages for women only and not for the male competitors is not any advantage, as was fearfully advocated by these altruistic canners, but a disadvantage which takes their work away from them. It may be believed by the ignorant and shallow-minded that it is for their advantage but the facts are absolutely contrary to it.

I went to a meeting where working women had been displaced and they stood up and told their grievances and the trouble caused by the "uplifters." They called them "outlifters" and President Coolidge — it was during the time of his administration — the next day he referred to them as "outlifters." I say that is what they are.

Going to another point, — one of the legislators said to me, "I do not understand the position of these women who objected to this bill on the ground that women were classed with minors", so I want to say a little on that. Years ago I read a book called "Put Yourself in My

Place". I would like to suggest to every member of this Senate that they put themselves in the place where this puts women; that they imagine, if they can imagine such a thing, that men were classed with minors and women not. Suppose we put it in a way that might happen. Suppose that anyone who is a naturalized citizen was classed with minors, and legislation controlling his rights was the same as legislation passed for minors. Or suppose we put men whose parents were not American citizens, and for that reason they were put in a special class outside of constitutional guarantees, in a class with minors in matters of legislation, so that they would have no protection under the Fourteenth Amendment to the Constitution. It is not impossible. Mr. Hitler started to put women in a special class;—then he went further and put the Jews in. There is danger to any minority class, because if legislation can put women in a special class outside the protection of the United States Constitution, which guarantees equal protection to all persons, they can put other groups of citizens in a special class. The very fact that women who are citizens, voters, subject to taxes equally with men, subject to other responsibilities and other obligations, are put in a class with minors is to indicate that they belong to an inferior class. One member of this Joint Committee stated that being a minor was a form of mental incapacity. This is true! But minors outgrow it, when they come to be of age, whereas there is no provision for women to get out of that class. I ask every member of this Senate, if he were put in the class with minors, would he not resent it? Wouldn't it enrage you? It enrages me, and I resent it that I am put in the class with minors.

Years ago when women were put in the class with minors so far as the right of franchise was concerned, I left this state, my native state, to go into a state that didn't put me into the class with minors and I stayed there until by virtue of the United States Constitution I was taken out of that class even in this state. Women all over the state are feeling the same. I have found that resentment has been aroused all over this state by women who object to this classification.

There appeared before the Com-

mittee in opposition to this bill the President of the State Federation of Women's Clubs, having nine thousand members, and also the President of the State Federation of Business and Professional Women's Clubs, representing over one thousand members. The action taken by these organizations was not perfunctory. I know the history of this in the Federation of Women's Clubs. Notice of the proposed action was sent out through the Federation News some weeks before the State Convention, so that all delegates would know this matter was to be taken up. It was discussed fully and a special speaker, opposed to the action, was invited to speak, so the action taken was not just shoved through as many resolutions are in many organizations. The result was that out of three hundred delegates coming from all over the State only six voted against the resolution and opposing all laws which contained conditions or restrictions on the basis of sex rather than on the basis of actual facts. The same was true of the Business and Professional Women's Clubs. In addition I got dozens and scores of protests by mail and by wire from clubs all over the state from Fort Kent, — all through Aroostook — Presque Isle, Caribou, Houlton, by clubs there against it. I received protests from Somerset, Penobscot, Lincoln, Kennebec, Franklin, Oxford, Cumberland and York protesting against the passage of this law, by organizations of women who were opposed to it.

Of course, therefore, the issue becomes this, "Which has the more influence, four canning corporations or 11,000 organized women in this state and many others not organized?" Women feel this resentment first, at being placed in this inferior class, and then on a practical basis because if women are outside of the constitutional guarantees of the fourteenth amendment then they are at the mercy of any caprice of any legislature when a sufficiently powerful group comes up and says, "Make a law which discriminates against women." The Fourteenth Amendment has been held to apply to everyone else, negroes, aliens and everyone you could name, except women, and the only way such a law as this could be upheld is by putting women in a special class, and the basis of the Washington

decision is that they are in a special class and not under the protection of the Fourteenth Amendment. It sounds fantastic to say that the court would hold that a woman is not a person, but it is true that it did say so, and that is the implication that such a law as this is constitutional, because the Fourteenth Amendment says that no person shall be deprived of the equal protection of the law. A Massachusetts court deliberating some years ago on the case of a woman who wanted to be appointed as a notary, said that women were not persons as far as the law was concerned, and so she could not be a notary. That is practically what this bill starts to do.

As I said, the women of the state are opposing bills like this. They feel resentment against this bill, and I will say now that it is a growing resentment. I have seen it grow. As I said a little earlier, there are over 50 organizations of women, national, state and local, who are asking an amendment to the constitution in language which can not be twisted by any legal legerdemain, saying women are within these guaranties, and one interesting part of that was that in the Senate Judiciary Committee of the United States Senate, there was a tie vote in favor of that, showing how this sentiment has grown. There is this rising resentment and in a few years that resentment is going to engulf the opponents, even as the tide which culminated in the suffrage amendment engulfed some of the opponents of suffrage for women. I know it by my own personal experience and I can name a few.

I am confident the law is absolutely void as to interstate commerce and these cannors say they are in interstate commerce and so by their own statement it is void. It is certainly opposed to the traditional policy of this state. Since the earliest days, Maine has stood for equality. Certainly those pioneer women who endured the hardship and dangers to build this state, were not classed with children. Nor those women who carried on when half the men of the state sailed the seven seas or went away for three years on a whaling trip, they were not classed with minors. Their descendants of today do not care about being classed with children either.

Equality has been the traditional policy of this state.

Only once the people of the state have expressed themselves in regard to making a discrimination between men and women in the law. In 1923 it was attempted to pass, on referendum, a bill making different hours of labor for women than for men. I opposed and debated it because of the discrimination. The measure was defeated by an overwhelming majority, some counties voting seven to one against it, thus showing the attitude of the people of this state. There have been bills of the same nature as the one before us, making women a special class and subject to a special law, in every session of the Legislature since 1927, including 1927, with the exception of the Legislature of 1937. They have been defeated in every case. Hitherto the report of the Committee has always been unanimously against such legislation. In every case the unanimous report has been adopted by the Legislature. Perhaps they did not have a special representative, as the four canning companies have in this Legislature, to push the bill. Their vote was simply on the basis of reason, and argument, and justice.

As I stand here, I am speaking for 11,000 organized women. They have asked me to speak for them and I am voicing their opposition and their resentment to the enactment of this bill into law, and in their name to urge that this Senate defeat this bill.

Mr. CHASE of Washington: Mr. President, if in order, I would like to have the Secretary read the names of the signers of both reports.

The Secretary read the names of the signers of the Majority and the Minority Reports.

Mr. CHASE: Mr. President, the men who signed this majority report, eight lawyers, members of the Judiciary Committee, seven members of the Labor Committee, two of them being lawyers, should be enough to convince the members of this Senate that the majority report should prevail. But I beg the indulgence of this Senate for a few moments while I present a few facts, and may I say that I am dealing entirely with facts and not with theories.

This bill was drawn by Harold Murchie and Henry Hart and I have

great confidence in their legal knowledge.

Now, as to the intent of the bill, may I call to your attention a piece of advertising taken from a paper in Washington County, and this has been duly attested by a notary public as being a true copy. It applies to the season of 1937 when eighty-five percent of the sardine packers set a minimum wage of forty cents an hour for all hourly labor employed in their factory and went on to state, "This wage scale will remain in force until June 1, 1937 after which date if all Maine sardine packers have not raised their wages to that scale we will be forced to raise our wages to their limit." What happened? The one factory which appeared or mailed their protest against that bill cut the price of wages to the point where it established the price of sardines to such a low point that these other factories were forced to come down to their level.

Now, this morning in the Press Herald is a statement about fish being received in Eastport yesterday. The ware men are receiving forty cents per packed case, the highest price in fifteen years exclusive of last season when at the close of the season they went to the high figure for a few days. The men are taken care of under the present agreement. The women who pack the fish—and I say without fear of contradiction that this field can never be invaded by men; it is an industry peculiar to women and always will be—asked for this bill which is before you. They asked for it one hundred percent in order that their wages may be raised to a living standard.

I didn't get any protests from the people of Washington County, from the women, against this bill but I did get an almost one hundred percent endorsement of it.

I don't know that there is any need of my saying anything more. The facts which I have presented are beyond dispute. The fact that the bill as drawn was drawn by two able lawyers certainly should carry some weight, and the fact that ten lawyers have signed the majority report should be enough to convince the members of this Senate that the majority report should not be accepted, and I hope that the motion to accept the minority report will not prevail.

Mr. CHAMBERLAIN: Mr. President, I dislike very much to differ with the Senator from Cumberland, Senator Laughlin, particularly as Senator Laughlin is so wonderfully right most of the time, but in this particular instance it seems to me that her opposition to this bill has more to do with opposition to a general bill that established a minimum wage for women and minors. It also seems to me very inopportune in this state at the present time to pass a bill establishing minimum wages for women and minors, but in this particular industry, seasonal as it is, making it necessary to work only under certain conditions, the employer is anxious to obtain labor, the employee is anxious to work, and they come into conflict and there is a strong tendency for the wages to go down.

This bill does not establish any standard. It simply gives to that industry the right under certain conditions if they can agree, and probably there is a provision, I know there is a provision for agreement, to fix certain wages by which women and minors shall be employed strictly and only in that business.

Now, the legal aspect of it of course is not for me to determine. Under the wage and hour bill different industries are given the right in interstate commerce to gather together and fix if they can wages and hours subject to approval by the director of the wage and hour bill. This simply gives to those people engaged in that business, the employer and the employee and others who will become members of the Board, the right to look into it, the right to try and understand it and fix wages and that is all I conceive this bill to be. Mr. President, when the vote is taken I ask for a division.

Miss LAUGHLIN: Mr. President, the argument of the gentleman from Washington (Senator Chase) seemed to hinge on the fact of who had signed the majority report. I wish to say again that the bill before us was never discussed in the committee, either in Executive Session or public hearing. And however they may have signed at least two members never even looked at the bill nor knew what it was.

As to who drew it, well, there is quite a little history in the country by which many bills drawn by able

lawyers have nevertheless been invalid.

Mr. President, when the vote is taken, I ask that it be taken by roll-call. The women of this state will certainly want to know the vote.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Laughlin that the minority report "Ought Not to Pass" be accepted and that Senator has asked for a roll-call. To order a roll call the assent of one-fifth of the members of the Senate is necessary. Those in favor of taking a Yea and Nay vote when the vote is taken, will rise and stand until counted.

A division of the Senate was had.

One having voted in the affirmative, obviously less than one-fifth of the members assented to a Yea and Nay vote.

The PRESIDENT: The question now before the Senate is on the acceptance of the minority report "Ought Not to Pass" and a division is asked.

A division of the Senate was had.

Four having voted in the affirmative and twenty-four opposed, the minority report was not accepted.

Thereupon, on motion by Mr. Chase of Washington, the majority report "Ought to Pass" was accepted and the bill was given its first reading and tomorrow assigned for second reading.

The President laid before the Senate, the second tabled matter especially assigned for today, bill, An Act Relating to Holidays (H. P. 1430) (L. D. 631), tabled by Mr. Chamberlain of Penobscot on April 17th pending second reading, and the President recognized that Senator.

Mr. CHAMBERLAIN of Penobscot: Mr. President, this is the famous holiday bill. It has as ridiculous an aspect today as it had a day or two ago. It is really an absurdity in all parts and I say that I do not minimize in the least the desirability of having the holidays fall on Monday if it had been so ordained a hundred years ago or more.

Such a bill as this in order to be effective must have behind it almost an overwhelming public opinion and that, I believe, it has not. February 22nd, Washington's birthday, is not particularly observed by people except to have a picnic or perhaps to go ice-fishing or on a

journey to some other part of the country, work having largely ceased on that day. You might say from that that there is very little significance in regard to the birthday of Washington but I am quite sure at the moment you change Washington's birthday to a Monday instead of February 22, provided it didn't come on Monday, that the significance of that day would appear to almost everybody. And so you might go through and take all the other holidays, legal or otherwise, and consider them from that angle.

This bill comes in here advocated by a very estimable gentleman and for some reason or other received the ought to pass report of the committee but because the gentleman is an admirable man and because the committee did report "Ought to Pass" gives it no greater standing and does not remove one particle of the absurdity.

Mr. President, I move that the bill be indefinitely postponed.

Mr. BURNS of Aroostook: Mr. President, I hope that the motion of the Senator from Penobscot, Senator Chamberlain, does not prevail. The reasons have already been advanced by the proponents of the bill as to why the bill should be enacted into a law. I will not take up the time of the Senate to repeat the arguments of the proponents of the bill.

I rise at this time to oppose the Senator's motion and for one purpose only and that is to inform the Senate that if this motion does not prevail I will offer an amendment to the bill to delete Armistice Day from the provisions thereof.

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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Chamberlain that the bill be indefinitely postponed and that Senator has asked for a division.

A division of the Senate was had.

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

Mr. BURNS: Mr. President, I present Senate Amendment A and move its adoption.

The PRESIDENT: The Chair will call to the attention of the Senate that there is a House Amendment A on this bill which has not yet been acted upon by the Senate. The

Secretary will read House Amendment A.

Thereupon, House Amendment A was read and adopted in concurrence.

The PRESIDENT: The Secretary will now read Senate Amendment A:—Senate Amendment A to H. P. 1430, L. D. 631, Bill "An Act Relating to Holidays.

Amend said bill in the 4th paragraph thereof by striking out the crossed out words "November 11" and the underlined words 'second Monday in November' and inserting in place thereof the following: 'November 11'.

Further amend said bill by striking out in the 6th paragraph the crossed out words 'November eleventh' and the underlined words 'the second Monday of November' and inserting in place thereof the following: 'November 11'.

Further amend said bill by striking out in the 8th paragraph thereof the crossed out words 'November 11th' and the underlined words '2nd Monday in November' and inserting in place thereof the following: 'November 11'.

Further amend said bill by striking out in the 10th paragraph thereof the crossed out words 'November eleventh' and the underlined words 'second Monday of November' and inserting in place thereof the following 'November 11'."

Thereupon, Senate Amendment A was adopted.

Mr. CHAMBERLAIN: Mr. President, I present Senate Amendment B and move its adoption:—

"Senate Amendment B to H. P. 1430, L. D. 631, Bill, "An Act Relating to Holidays.

Amend said bill by striking out all of sections numbered 1, 3, 4, and 5 thereof.

Further amend said Bill by amending the section designated 'Sec. 2' of said bill to read as follows:

"R. S., c. 19, 127, amended. Section 127 of Chapter 19 of the revised statutes, as amended by section 1 of chapter 136 of the public laws of 1935, is hereby further amended to read as follows:

'Sec. 127. School holidays. The following days shall be observed as school holidays, namely: Patriot's day, April 19; Memorial day, May 30; Independence day, July 4; Labor day, 1st Monday in September; Armistice day, November 11; Christmas day, December 25; Thanksgiv-

ing and Arbor day, as appointed by the governor and council; provided, however that Arbor day shall not be recognized as a school holiday unless observed by teacher and pupils for the purpose for which it is designated by the Governor and Council and provided, further, that Lincoln day shall be observed by devoting some part of the day to the study of the life and character of Abraham Lincoln. All teachers of public schools in the state shall close their schools on the above named days and draw pay the same as if their schools had been in session. When any one of the above named holidays falls on a Sunday, the Monday following shall be observed as a school holiday, with all the privileges applying to any of the days above named. In addition to the foregoing, New Year's day, January 1; Washington's birthday, February 22; Columbus day, 2nd Monday in October, shall, upon vote of the superintending school committee of any town, be observed by teachers and pupils of the public schools of said town by an exercise appropriate thereto, such exercise to be held during such part of the school session as the teacher of each school may designate. The exercises shall aim to impress on the minds of the youth the important lessons of character and good citizenship to be learned from the lives of American leaders and heroes and from a contemplation of their own duties and obligations to the community, state, and nation of which they constitute a part. In the absence of any vote of the superintending school committee said days shall be observed as legal school holidays with the closing of schools."

Mr. BURNS: Mr. President, I move the indefinite postponement of Senate Amendment B.

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

Mr. SANBORN of Cumberland: Mr. President, I have found myself somewhat in sympathy with the general purpose of this bill but in the light of the tempestuous passage which it has thus far encountered in its voyage I venture to suggest that before considering further the amendment we might perhaps properly hear of the experience of a farmer in a rural community where I was brought up

a good many years ago. He had a dog that he thought a great deal of and the dog seemed to be suffering from some affliction. He consulted a veterinary who, according to the lights of those times, advised him that one thing and one thing only would effect a remedy and that was to cut off the dog's tail. The farmer was greatly disturbed at this prospect. His sympathy went out to the poor dog and while he concluded that perhaps it must be done he decided in the interest of making it easier for the dog to do it by cutting off an inch each day until the result was accomplished.

Mr. CONY of Kennebec: Mr. President, I have tried to be a good listener this afternoon to see if I could acquire further knowledge than I had at the beginning. On this particular measure I have some view on one particular aspect of it, and that is Memorial Day but after having read the proposed amendment, I am at this time rather uncertain as to what its status may be and I would like to ask the indulgence of the Senate to table this until tomorrow morning because I want to find out what the status of Memorial Day is as I may wish to make certain remarks.

Thereupon, the bill was laid up on the table pending motion to indefinitely postpone Senate Amendment B.

The President laid before the Senate the third especially assigned matter for today, bill An Act to Create a State Boxing Commission (H. P. 2168) (L. D. 1145) tabled by Mr. Marden of Kennebec on April 17th pending second reading.

Thereupon, the same Senator offered Senate Amendment A and moved its adoption:

"Senate Amendment A. Amend said bill by striking out in Section One thereof the third and fourth sentences therein and inserting in place thereof the following: 'The other two members of the commission shall each receive a compensation of ten dollars for each regular meeting which he attends.'"

Senate Amendment A was adopted and the bill as so amended was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the fourth tabled matter especially assigned for today, bill An Act Relating to Clerk Hire in Certain Counties (H. P. 2072) (L. D. 1099) tabled by Mr. Chase of Washington on April 17th pending passage to be engrossed.

Thereupon, on motion by Mr. Chase of Washington, House Amendment C was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

The PRESIDENT: The Chair will inform the Senate that there is an additional paper not on the printed calendar but especially assigned for today, Legislative Document 589, bill An Act Relating to returns of Vital Statistics, tabled yesterday by the Senator from Kennebec, Senator Marden, pending second reading, and the Chair recognizes that Senator.

Mr. MARDEN of Kennebec: Mr. President, this measure provides that in place of copies of vital statistics which are now being sent by the several towns to the Bureau here in Augusta, that the originals shall be sent by the towns to the Bureau here at Augusta. We are informed by the Bureau of Vital Statistics that while the theory of the measure is very commendable it does raise a serious problem in the matter of filing and proper protection to these records. For that reason, and prior to a motion to indefinitely postpone the measure, I have discussed it with Senator Chamberlain, the Chairman of the Committee which reported the measure out and I find no objection to such a motion. I therefore as a matter of economic expediency move the indefinite postponement of the bill.

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

Sent down for concurrence.

The PRESIDENT: The Senate is in possession of certain papers, and, out of order, and under suspension of the rules they will be considered at this time.

First Reading of Printed Bills

Out of order and under suspension of the rules:

Bill "An Act Relating to Interest on Small Loans." (S. P. 685) (L. D. 1194)

Bill "An Act Relating to Registration of Veterans' Graves." (S. P. 686) (L. D. 1203)

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

Senate Committee Reports

Out of order, and under suspension of the rules:

Mr. Hill from the Committee on Judiciary on "Report of Recess Committee on State Fund for Workmen's Compensation." (S. P. 143) (L. D. 125) reported that the same be placed on file.

Miss Laughlin from the same Committee on Report of Recess Committee on Blood Tests for Alcohol, (S. P. 419) (L. D. 950) reported that the same be placed on file.

Mr. Cony from the Committee on Insane Hospitals in behalf of that Committee submitted its Final Report.

Mr. Spear from the Committee on Salaries and Fees in behalf of that Committee submitted its Final Report.

Mr. Worthen from the Committee on Inland Fisheries and Game in behalf of that Committee submitted its Final Report.

Mr. Owen from the Committee on Public Health in behalf of that Committee submitted its Final Report.

Mr. Osgood from the Committee on Towns in behalf of that Committee submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

From the House, out of order and under suspension of the rules:

Bill "An Act Relating to Incurable Insanity as a Cause for which a Divorce may be Granted." (S. P. 666) (L. D. 1172)

(In the Senate, on April 13, indefinitely postponed)

Comes from the House, passed to be engrossed in non-concurrence.

Mr. BURNS of Aroostook: Mr. President, I move that the Senate insist on its former action and ask for a Committee of Conference.

Mr. HILL of Cumberland: Mr. President, may I inquire as to the manner in which this bill comes to the Senate?

The PRESIDENT: The Secretary informs the Chair that the bill comes from the House passed to be engrossed in non-concurrence.

Thereupon, on motion by Mr. Hill

of Cumberland, the bill was laid upon the table pending motion to insist and ask for a Committee of Conference.

Committee Report

Out of order and under suspension of the rules:—

The Committee of Conference on the disagreeing action of the two branches of the Legislature on bill "An Act Regulating the Operation of Motor Vehicles," (H. P. 2058) (L. D. 1094) report that they are unable to agree.

Which report was read and accepted.

Sent down for concurrence.

On motion by Mr. Worthen of Penobscot, the Senate voted to take from the table bill An Act Relative to Hunting and Fishing Licenses (S. P. 629) (L. D. 1143) tabled by that Senator on April 13th pending consideration; and on further motion by the same Senator the Senate voted to recede and concur with the House in the indefinite postponement of the bill.

On motion by Mr. Dow of Franklin, the Senate voted to take from the table House Report from the Committee on Towns "Ought Not to Pass" on bill An Act to Repeal the Organization of the Plantation of Dallas (H. P. 946) (L. D. 372) tabled by that Senator on March 29 pending acceptance of the report; and on further motion by the same Senator the bill was substituted for the report and given its first reading.

Mr. DOW of Franklin: Mr. President, I offer Senate Amendment A and move its adoption and I will make a few statements. Of the sixty persons or organizations in the plantation of Dallas paying a tax of seven dollars or more, ninety per cent favor this disorganization. Over ninety percent of the non-resident tax payers by valuation, favor the bill. Over seventy percent of the resident tax payers by valuation, favor the bill. Seventy-one percent by valuation of the residents favored disorganization. All the farmers in the plantation favor the disorganization. The valuation is so high that within three or four years a man's farm will be eaten up by taxes. They cannot live under the present organization and keep their farms.

The taxes are so high on the cottages in the plantation that it is impossible to sell any more lots in the plantation or to develop the plantation. The taxes are all voted by a few people in one section of the plantation, the large part of whom, a certain percentage of the year, are on relief. This is a fair measure, with the amendment, and it should be passed. The entire delegation of Franklin County is in favor of the bill.

The Secretary read Senate Amendment A:—

Senate Amendment A to Legislative Document No. 372, House Paper 946 entitled, "An Act to Repeal the Organization of the Plantation of Dallas." Amend said Act by adding the following to Sec. 3 of said Act with the further provision that said Act shall not become operative until it has been approved by the voters of said Dallas Plantation at a special meeting called for that purpose by an appropriate article inserted in the notice of said meeting; said meeting to be held on the tenth day of August, A. D. 1939; and notice of such approval as voted by the said Plantation in the form of a certified copy of the record of said meeting shall be filed with the Secretary of State; so that said Sec. 3 of said Act, as amended, shall read as follows:—

Sec. 3. Effective date. This act is subject to the provisions of chapter 73 of the public laws of 1937 and shall become effective March 31, 1940 with the further provision that said act shall not become operative until it has been approved by the voters of said Dallas Plantation at a special meeting called for that purpose by an appropriate article inserted in the notice of said meeting; said meeting to be held on the tenth day of August, A. D. 1939; and notice of such approval as voted by the said Plantation in the form of a certified copy of the record of said meeting shall be filed with the Secretary of State.

Mr. OSGOOD of Oxford: Mr. President, as one of the Committee on Towns who signed the ought not to pass report, I feel that I should make a few statements at this time. This matter was brought before the committee and was well represented on both sides by two able lawyers and after consideration the committee felt, by the figures they had obtained that that plantation might

be in fairly good financial condition and all I wish to do is to cite a few of those figures and leave it to this Senate to decide on the merits of the case.

The total assessed value of the plantation, real and personal, is \$195,155. The tax rate is forty-four mills as of 1938 and in 1935 it was fifty mills. In 1936 it was also fifty mills, a slight reduction in their tax rate in the past few years.

The valuation of the non-residents, real and personal estate, is approximately \$125,000 and that of the residents is approximately \$69,000, showing that the non-residents own a majority of the property. There are forty-four homes in the town that are taxable. The figures carried by Dallas Plantation as to valuation are practically the same as those of the state and I think that with these figures in mind the Senate may be able to determine what is to become of the bill.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A.

Mr. SPEAR of Cumberland: Mr. President, I ask for a division.

A division of the Senate was had. Twenty-one having voted in the affirmative and two opposed, Senate Amendment A was adopted.

Mr. CHASE of Washington: Mr. President, I might say for the Committee on Towns that this was the only disorganizing bill which did not carry a referendum. Since this referendum has been added by amendment I will withdraw my opposition and vote for the passage of the measure.

Mr. DOW of Franklin: Mr. President, I move that the bill be given its second reading at this time.

Thereupon, under suspension of the rules, the bill was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Burns of Aroostook, the Senate voted to take from the table bill An Act Relating to the Publication of Legal Notices, Legal Advertising and Other Matter Required by Law to be Published in a Newspaper (H. P. 2226) (L. D. 1168) tabled by that Senator on April 17th, pending adoption of Senate Amendment A.

Mr. BURNS: Mr. President, in support of my motion to adopt Senate Amendment A I want first of all

to bring to the attention of the members of the Senate that the bill in its original draft was referred to the Committee on Judiciary and following a public hearing there at which interested parties appeared, that Committee voted out the bill "Ought to Pass" by a vote of six to four. Subsequently in the House the motion there made to accept the minority report of the committee was passed so the bill comes to the Senate at this time with this negative action taken by the House of Representatives.

To meet the objections of those who opposed the bill and the arguments that were advanced by some of the opponents in the House, Senate Amendment A, which I offered yesterday and which was read, was prepared by the sponsors of the bill.

Getting back to the hearing on the bill before the Committee on Judiciary, when that committee reported the bill out, six to four, as "Ought to Pass". I wish to bring to the attention of the Senate that at that hearing there appeared in behalf of the bill and in behalf of the principle which still remains in the bill under the amendment which I have offered, the representatives of the daily newspapers of the state and the weekly newspapers of the state who told the Committee on Judiciary that they favored the bill in its original draft, and I am informed by those same representatives that the association of daily newspapers in the state and the association of weekly newspapers of the state favored the amendment also.

The principle features of the amendment—and the amendment replaces the bill, striking out all but the enacting clause—is that the legal notices and legal advertising and other matter required to be published in a newspaper shall be published in a newspaper having general circulation in the state or, if the law so provides, shall be published in a newspaper having general circulation in the county.

There is a further provision in this amendment in respect to court proceedings where the court may authorize a different form of notice than these two which I have mentioned. The bill contains a further provision, an important feature, that the newspapers in which the legal notices are published must be such newspapers as are entered in

the post office under second class postal matter.

I will say at this time that all the daily newspapers in the state of Maine now having general circulation and all the weekly newspapers in the state of Maine are entered as second class postal matter in the United States post office department, so this bill does not discriminate against any daily or weekly newspaper. The individuals who drafted this amendment also added some precautionary features and protective measures, which is the last clause of the amendment which reads as follows: "Provided that nothing herein contained shall be construed to alter or in any way affect the existing law governing the foreclosure of real estate mortgages, chattle mortgages or any conditional sales contract by publication." And a hurried reading of the law showed that the existing law as it relates to publication of these notices affecting foreclosure of real estate mortgages, and so forth is in no way altered or changed by this bill.

It was brought to the attention of the committee that under the existing law of the state of Maine today individuals could by publishing hand bills or pamphlets come within the provisions of the law as they now exist and by this form of publication give legal notices in the state of Maine. The daily and weekly newspapers thought that this was an unwise provision of the present statutory law and used that as an argument why the proposed amendment which we are considering should be passed. If this amendment is enacted into legislation it will do away with this glorified hand bill and require anyone who wishes to publish a legal notice or other proceedings required to be published, shall publish those notices in bona fide newspapers in the state.

It was said by those who opposed the bill that the daily newspapers would discriminate against the weekly newspapers. The bill in its original draft when amended by a committee amendment which I have not heretofore referred to, did away with that objection. The present amendment which is under consideration does not permit of any discrimination as to the publishing of these legal notices in favor of the weekly newspapers and against the daily newspapers or vice versa. The law remains the same in that re-

spect, so any argument that has been made or is made to this effect, that attorneys are obliged to publish legal notices in the daily paper with the additional expense it would cost their clients in having a notice published in the daily paper because their rates are generally higher than those of the weekly papers, does not obtain.

Now, I have found out that there are some instances where daily newspaper rates are not as high as weekly newspapers. In my section of the state, and I think that this is the more general rule in the state, it costs more to publish in daily newspapers than in weekly newspapers. But as I have said, that matter is taken care of in this amendment and there is no discrimination against either daily or weekly newspapers in that respect.

The principle objection to the bill came from certain individuals residing in Androscoggin County. It was brought out that there are three or four newspapers published in the French language in the state of Maine. One of these, the most important, or that having the largest circulation I believe, is published in Lewiston. Another large newspaper of French language is printed in Biddeford. Those interested in those newspapers, in fact the publishers, appeared in opposition to this measure because there is a provision in the amendment, and there was a provision in the original bill, which affected them vitally. That provision was that a legal notice, or rather the publication of a notice that had to be published, could not be inserted in a paper using the French language even though the published notice was in English. It was brought out before the committee that for some years, for a long period of time, these French newspapers had inserted in their columns legal notices which legal notices were written in English and we were told further that those have always been regarded as legal notices even though inserted in the French language newspaper.

At that time it was not brought to the attention of the Committee on Judiciary that some legal question might be raised as to the legality of a notice in English, published in a French newspaper. By custom, as I have pointed out, these have been generally inserted in these French newspapers and no objection as to their legality has been

raised. Since the bill was reported out of the committee it was brought to my attention by the sponsors of this bill that the Massachusetts Supreme Court in *Connors vs. Lowell* reported in 209 Mass., 111 at 119 and 120 held that a legal notice written in English, inserted in a French language newspaper would not be legal and would not give the notice which was undertaken by the insertion of such a notice.

We attorneys here in the Senate Chamber know that the Massachusetts Court is a Court of high standing. It is recognized throughout the United States as being a learned Court and sound in its judicial decisions. Many times in the past the state of Maine has accepted its judicial decisions as principles of law and the question comes to my mind that a condition prevails here in the state of Maine which should be corrected, and that is the proceeding heretofore of inserting in French language newspapers, legal notices in English. The Court in that decision brought out the fact that we do not have by virtue of statutory enactment or by constitutional provision any legal language. It was recognized by that Court as a matter of historical fact that at the time of the Declaration of Independence and the time this government was established the English language was recognized, by custom at least, as the legal language and the universal language of the colonies. The Court brought out further that before a person is permitted to become a citizen of the United States he must be able to read the Constitution in English. It was further brought out in this decision that all marriage ceremonies by law must be solemnized in the English language.

The significant fact of these decisions which applies to this case is that the Massachusetts Court held that a certain publication of an advertisement in a certain French newspaper in relation to a deed was not legal and declared the entire proceedings invalid because of the fact that this notice in the English language was inserted in the French newspaper. Therefore it seems to me this condition should be corrected because of the fact that it might result at some future time in a heavy loss to some person, a client no doubt, where through ignorance there was caused to be inserted such a notice in a French

newspaper and thereafter proceedings were brought and the matter taken to court and if the Maine court followed the Massachusetts decision, then those entire proceedings would be declared invalid and property rights or a large sum of money would thereby become jeopardized.

I think I have covered most of the features of the bill, and in conclusion I can only say that we the proponents of this bill feel that we have met the objections that have heretofore been raised, especially by the members in the House who opposed the bill, and for that reason I hope that the amendment will be adopted.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A. Is the Senate ready for the question?

Thereupon, Senate Amendment A was adopted.

Mr. BURNS: Mr. President, I move that the rules be suspended and the bill be given its second reading at this time.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill as amended by Senate Amendment A was laid upon the table pending second reading.

On motion by Mr. Hill of Cumberland, the Senate voted to take from the table bill An Act Relating to Incurable Insanity as a Cause for which Divorce may be Granted (S. P. 666) (L. D. 1172) tabled by that Senator earlier in today's session pending motion to insist and ask for a Committee of Conference.

Mr. HILL: Mr. President, the reason that I moved that the bill lay upon the table, a short time ago, was that a question had arisen in my mind and I desired to have an opportunity to confer with the Senator from Aroostook. I have done so and as a result of that conference I am glad to say that I am in accord with the Senator's motion that the Senate insist and ask for a Committee of Conference.

Thereupon, the Senate voted to insist and ask for a Committee of Conference.

The PRESIDENT: The Chair will

appoint the committee at a later time.

On motion by Mr. Cony of Kennebec, the Senate voted to take from the table House Report from the Committee on Salaries and Fees; majority report "Ought not to pass"; minority report "Ought to Pass"; on bill, An Act Reducing the Compensation of State Officials and Employees (H. P. 1716) (L. D. 892) tabled by that Senator on April 11th pending acceptance of the majority report in concurrence; and on further motion by the same Senator the majority report "Ought Not to Pass" was accepted in concurrence.

On motion by Miss Laughlin of Cumberland, the Senate voted to take from the table House Report from the Committee on Public Health "Ought to pass in new draft under a new title" (H. P. 2155) Resolve Permitting Examination of Alden Ulmer and Arthur Andrews by Embalming Board, tabled by that Senator on April 11th pending acceptance of the report in concurrence, and on further motion by the same Senator the report was accepted in concurrence and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Tompkins of Aroostook, the Senate voted to take from the table bill, An Act in regard to New Trials on the Ground of Newly Discovered Evidence (S. P. 650) (L. D. 1158) tabled by that Senator on April 11th pending second reading.

Mr. TOMPKINS: Mr. President, I arose to make a motion to indefinitely postpone this bill but Senator Marden has asked that it lay upon the table until tomorrow morning as he wishes to offer an amendment to the bill so I move that the bill be retabled pending second reading, and especially assigned for tomorrow morning.

The motion prevailed.

On motion by Mr. Marden of Kennebec

Adjourned until tomorrow morning at ten o'clock.