

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

Thursday, April 20, 1939.

The Senate was called to order by the President.

Prayer by the Reverend E. P. Pressey of Augusta.

Journal of yesterday, read and approved.

From the House:

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

(In the Senate on April 18, passed to be engrossed in concurrence.)

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

In the Senate, on motion by Mr. Burns of Aroostook, under suspension of the rules, that Body voted to reconsider its former action taken on April 18 whereby the bill was passed to be engrossed. House Amendment A was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

The Committee on Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Operators' Licenses," (H. P. 1691) (L. D. 746) reported that they were unable to agree.

Comes from the House, report read and accepted.

In the Senate, the report was read and accepted in concurrence.

House Committee Reports

The Committee on Education on "Resolve in Favor of Berwick Academy," (H. P. 1313) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Robert W. Traip Academy," (H. P. 1410) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the West Lebanon Academy," (H. P. 1140) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Education on the following Resolves:

"Resolve in Favor of Corinna Union Academy." (H. P. 1145)

"Resolve in Favor of Somerset Academy." (H. P. 1149)

"Resolve in Favor of Hartland Academy." (H. P. 1146)

"Resolve in Favor of Parsonsfield Seminary." (H. P. 867)

"Resolve in Favor of Cherryfield Academy." (H. P. 271)

"Resolve in Favor of Limington Academy." (H. P. 866)

"Resolve in Favor of Freedom Academy of Freedom." (H. P. 865)

"Resolve in Favor of Ricker Classical Institute." (S. P. 87)

reported the same in a Consolidated Resolve (H. P. 2247) (L. D. 1204) under a new title "Resolve in Favor of Several Academies, Institutes and Seminaries," and that it ought to pass.

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

In the Senate:

Mr. MARDEN of Kennebec: Mr. President, appreciating the lateness of the term but for the purpose of conferring with certain interested parties on this resolve, I would like to move that the matter be laid upon the table until later in the session.

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

The Committee on Ways and Bridges on bill "An Act to Provide for the Reconstruction or Enlargement of the International Bridge at Calais, in the County of Washington, Known as the Ferry Point Bridge," (H. P. 727) (L. D. 303) reported the same in a new draft (H. P. 2248) (L. D. 1205) under the same title and that it ought to pass.

Which report was read and accepted in concurrence, and under suspension of the rules the bill was given its two several readings and passed to be engrossed in concurrence.

Senate Committee Reports

The Committee of Conference on bill "An Act Relating to the Registration and Operation of Motor Vehicles by Non-residents," (S. P. 669) (L. D. 1175) reported that they are unable to agree.

Mr. Worthen from the Committee on State Lands and Forest Preservation on behalf of that committee submitted its Final Report.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Friend from the Committee on Pensions on "Resolve in Favor of Otis Jacob Bowen, of Newport," (S. P. 225) reported the same in a new draft, (S. P. 691) under the same title and that it ought to pass.

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

Mr. Friend from the Committee on Ways and Bridges on bill "An Act to Provide for Further Issuance of State Highway Bonds," (S. P. 308) (L. D. 514) reported the same in a new draft (S. P. 692) under the same title and that it ought to pass.

The same Senator from the same Committee on "Resolve Proposing an Amendment to the Constitution to Provide for an Additional Issue of Highway Bonds," (S. P. 197) (L. D. 241) reported the same in a new draft (S. P. 693) under the same title, and that it ought to pass.

The same Senator from the same Committee on Bill "An Act to Authorize the Construction of a Bridge Across the Kennebec River," (S. P. 234) (L. D. 272) reported the same in a new draft (S. P. 694) under the same title, and that it ought to pass.

Which reports were severally read and accepted, and the bills and resolve laid upon the table for printing under the joint rules.

Mr. Graves from the Committee on Ways and Bridges on bill "An Act Relating to the General Highway Fund and Defining Highway," (S. P. 307) (L. D. 515) reported that legislation thereon is inexpedient.

Miss LAUGHLIN of Cumberland: Mr. President, I move the acceptance of the report and in connection with my motion I would like to make a few remarks. At the Eighty-eighth legislature two years ago I presented a bill identical in every respect with this bill and in arguing it on the floor of the Senate, I said that Maine would adopt a policy in that bill eventually if not now. I think my prophecy is in the way of being fulfilled because the policy that this bill outlines is in effect the policy embodied in Legislative Doc-

ument 1202, An Act Providing for Joint Financial Distribution Between the State and its Municipalities, by which it is provided that a portion of the money spent for streets and highways shall be paid for out of the highway fund—as it should be.

Referring to this bill, it provided that roads used by vehicles in towns and cities should be defined as highway, as the courts have defined them but not the statutes, and then it provided that a certain percentage of the money in the highway fund, which of course, was contributed to by the towns and cities, should be allocated to the towns and cities to pay for their highways. Hitherto money from taxes on real estate and on personal property have been used to construct and maintain the highways in the towns and cities.

We have a law that all money that comes from automobiles and gas taxes shall be allocated for highways and we cannot spend a copper of that otherwise but I think we have not realized that we have been taking money from real estate taxes and from personal property to maintain the highways in the towns and cities. So that a lot of the complaints that there might be about the taxes on real estate and personal property being too high may be answered by just that fact. We have been building the highways with that money instead of using it for other purposes, and therefore by a proper and just arrangement those highways should be paid for as well as highways between towns.

I imagine that all of us agree that State street is just as necessary for the traffic from one end of the state to the other as the road between here and Brunswick. I think I heard when they were discussing the Kennebec bridge that more traffic went through there than in any other part of the state.

Now this policy, as I said, has been embodied in Legislative Document 1202 in that there is being allocated from the highway fund to which all these towns and cities have contributed the sum of \$800,000 for the construction and maintenance of highways, which is exactly the policy embodied in this Legislative Document 515 reported here this morning. The only difference between the two bills is this difference in the amount allocated, and a difference in the basis of the allo-

cation because in this bill the basis was mileage and population and the basis in 1202 was appraised value.

So I say my prophecy of two years ago is on the point of being fulfilled because under L. D. 1202 the first step in that policy has been taken. The only difference is in procedure and amount. Therefore, for these reasons I move the acceptance of this report. The purpose of this bill and the fundamental policy has already been embodied in the policy of the state.

Mr. CHAMBERLAIN of Penobscot: Mr. President, I should like to compliment the Senator from Cumberland, Senator Laughlin, upon her remarks and also upon her efforts to have such a thing as she has spoken about go into effect. I do not believe there is a single city or town in the state of Maine where every road is not used more by people who do not live there than people who do reside there and in its broadest sense it is merely carrying out the policy that the state must maintain the highways, the whole of them, and care for them directly or indirectly just as they have done with the bridges. If they hadn't done it for the bridges, there would have been no bridges.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Laughlin, that the report "legislation inexpedient" be accepted. Is the Senate ready for the question?

Thereupon, the report was accepted.

Sent down for concurrence.

First Reading of Printed Bill

Out of order and under suspension of the rules:

Bill "An Act Relating to Exceptions of Persons Entitled to Parole." (S. P. 677) (L. D. 1206)

Which bill was read once, and under suspension of the rules, was given its second reading and passed to be engrossed.

Sent down for concurrence.

Committee Report (Out of Order)

Mr. Friend from the Committee on Pensions in behalf of that committee submitted its Final Report.

Which report was read and accepted.

Sent down for concurrence.

Orders of the Day

On motion by Mr. Spear of Cumberland the Senate voted to take from the table, House Report from the Committee on Taxation, "Ought Not to Pass," on bill, An Act Relating to Poll Taxes (H. P. 1735) (L. D. 752), tabled by that Senator on April 6th pending acceptance of the report in concurrence; and on further motion by the same Senator, the report was accepted in concurrence.

On motion by Mr. Wentworth of York, the Senate voted to take from the table bill An Act Relating to Requisites for Old Age Assistance (H. P. 286) (L. D. 91), tabled by that Senator on April 19 pending second reading; and that Senator yielded to the Senator from Aroostook, Senator Burns.

Mr. BURNS: Mr. President, yesterday at the request of a House member I introduced an amendment, Senate Amendment A, to this bill, Legislative Document 91, bill, An Act Relating to Requisites for Old Age Assistance, and at the time I introduced it I had not given it as careful study as I did later. Following the introduction of the amendment and the tabling of the measure by the Senator from York, Senator Wentworth, a telephone communication was had between the state house here and Secretary Jane Hoey of the Federal Social Security Board in Washington. Following that telephone conversation, whereby she was informed of the contents of the bill and the amendment, a night letter was addressed to the state house here at Augusta which I have before me. This advises us that Senate Amendment A to this bill is inconsistent with the terms of the Federal Social Security Act and that the federal government would not match the funds that would be raised by the provisions in this amendment.

Under these circumstances I see no other course to pursue than to indefinitely postpone the amendment. I therefore move, Mr. President, that Senate Amendment A to Legislative Document 91, bill An Act Relating to Requisites for Old Age Assistance, be indefinitely postponed.

The motion to indefinitely postpone the amendment prevailed.

Mr. BOUCHER of Androscoggin: Mr. President, I would like at this time to present Senate Amendment B to this measure and move its adoption:

"Senate Amendment B. Amend said bill by adding at the end thereof the following: 'Provided however that if sufficient funds are available aliens who have resided in this state for five or more years within the nine years immediately preceding application for assistance and have resided therein continuously for one year immediately preceding their application shall be granted assistance under this Act.'"

Mr. HILL of Cumberland: Mr. President, I can see no possible point or purpose in that amendment which, as I understand it, is designed to provide for old age assistance for aliens after all citizens have been provided for. It is perfectly apparent, under the program that has been enacted here, that there will not be, until some further legislative enactment is taken at some later time, sufficient money available to accomplish that purpose. Inasmuch as funds cannot be available until some later legislature, or at least some later session of the legislature, provides funds, it seems to me perfectly apparent that if such legislation as this amendment proposes is to be enacted it can be done at that time.

I cannot see how the amendment will accomplish any good whatever at this time and I believe that it would serve only to complicate matters in the passage of this bill. I move, Mr. President, that Senate Amendment B be indefinitely postponed.

Mr. BOUCHER: Mr. President, I want to call the attention of the Senate to the fact that when old age assistance was first introduced as a bill in this Senate there was no money available at that time but that later on the legislature took the matter up and found the available funds. In my opinion there is a possibility that before the Ninetieth Legislature is convened we may be called back here and some way found to raise available money for that purpose. So I maintain that the amendment will not do any harm and may possibly do some good at some future date, and for that reason, Mr. President, I ask the members of the Senate to support this measure and I will ask

for a division when the vote is taken.

The PRESIDENT: The question before the Senate is on the motion to indefinitely postpone Senate Amendment B and a division is asked.

A division of the Senate was had. Fourteen having voted in the affirmative and eleven opposed, Senate Amendment B was indefinitely postponed.

Mr. HILL: Mr. President, I move that the bill be passed to be engrossed in concurrence.

Mr. BECKETT of Washington: Mr. President, before the bill is passed to be engrossed I would like to offer Senate Amendment C, and in explanation I will say that in talking with the old age assistance division they say that the pensions for the month of July will probably be paid before the 15th and this bill would become operative during the latter part of July. For that reason they thought possibly there might be some difficulty with the federal government as far as the July pensions are concerned. For these reasons I would like to offer this amendment which would make the effective date August 1st:—

"Senate Amendment C to House Paper 286, Legislative Document 91, bill, An Act Relating to Requisites for Old Age Assistance. Amend said bill by inserting before the head note in the first paragraph thereof the following: 'Section 1.' Further amend said bill by adding at the end thereof the following: 'Section 2; Effective date. This act shall take effect on August 1, 1939.'"

Senate Amendment C was adopted.

Mr. BOUCHER: Mr. President, I would like to offer Senate Amendment D to the same measure and move its adoption:—

"Senate Amendment D. Amend said bill by adding after the enacting clause at the beginning of the first paragraph the words, 'Section 1.' Further amend said bill by adding at the end thereof the following: 'Section 3. No official or employee of the Department of Health and Welfare shall hold office in any political organization or otherwise engage in political activity for the purpose of promoting the candidacy of any person in any state or municipal election during his term of office or employment.'"

Thereupon, on motion by Mr. Hill

of Cumberland the bill was laid upon the table pending motion to adopt Senate Amendment D.

On motion by Miss Laughlin of Cumberland, the Senate voted to take from the table House Report from the Committee on Temperance "Ought to pass in new draft" on bill, An Act Relating to Granting Part-time Malt Liquor Licenses to Hotels (L. D. 1180) tabled by that Senator on April 14th pending acceptance of the report.

Miss LAUGHLIN: Mr. President, I move to indefinitely postpone this bill. It appears here on the calendar as Legislative Document 850 but in the new draft it is really Legislative Document 1180. Legislative Document 850 may be a trifle better bill but the bill before us is 1180.

My opposition to this is not based primarily on the question of wet or dry. It is based primarily on the fact that I do not think this legislature should nullify the vote of a city or town and what this bill provides is that when any city or town has voted, under the laws of this state, that the town or city shall be dry, that nevertheless this legislature stepped in and gives the privilege to certain summer hotels. I doubt very much if that could be supported by anyone successfully on a constitutional basis in giving a privilege to certain specified summer hotels "and those summer hotels depend on non-resident guests." I don't know the significance of that and I don't know who can determine it but it is a special class and a special privilege, which in itself is wrong.

However, what I am really interested in is that I do not believe this legislature can step in after a town has voted a certain way and overturn that vote. It is contrary to all our principles of self-government. If we can step in in this matter the state legislature can step in in any other matter. I am not saying that it cannot legally do so, because the town is a creation of the state legislature but if the state legislature can come in and nullify the vote of a town or city on any one matter it can step in and nullify the vote of a city or town on any other matter.

So it seems to me that that is the real, vital, question here and a very dangerous policy and I do not believe it should obtain. Therefore

I move the indefinite postponement of this bill.

Mr. WENTWORTH of York: Mr. President, in the first place I want to state that the title on the calendar here is entirely wrong because the bill has nothing to do with malt liquors. Secondly, I want it distinctly understood among the members here that I am not trying to get a license for myself or for any other individual. So when you come down to see me this summer, and you may take this as an invitation, do not expect any "orange blossoms" or "pink ladies" on the veranda when you arrive.

Under the local option law—and I believe in that law, it discriminates against the resort industry. In other words, when you come to the coast, if you happen to want to vote against beer saloons or cocktail lounges, that is, if you don't want to give the privilege to the townspeople how are you going to say that you are willing to give it to the resort industry? This bill only calls for a four months license and I think the resort industry is worth catering to to that extent.

If the committee report is adopted, I have another amendment which I will offer which is practically a new bill in a way. I also want to state that I found it very difficult to get everybody together on this thing. The "drys," won't listen to reason at all and then there are the "middle-of-the-road-ers" too, so I hope that the motion of the Senator from Cumberland Senator Laughlin will not prevail.

Miss LAUGHLIN: Mr. President, if I conscientiously could I would vote for this bill in consideration of a two weeks visit to the shore due to the fact that I think the Senator from York, Senator Wentworth offered to give me a job this summer at his hotel. But even in spite of that I cannot vote for this bill because I do believe there is a fundamental principle involved and I believe that in voting on it the towns should take into consideration all the conditions that obtain in that town and vote accordingly. As I said in the beginning, I am afraid this principle could be expanded indefinitely.

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

A division of the Senate was had. One having voted in the affirmative and twenty-three opposed, the

motion to indefinitely postpone did not prevail.

Thereupon, on motion by Mr. Wentworth of York, the report of the committee "Ought to Pass" was accepted in non-concurrence and the bill was given its first reading.

The same Senator then presented Senate Amendment A and moved its adoption:

"Senate Amendment A to H. P. 2233, L. D. 1180 Bill, An Act to Authorize the Liquor Commission to Grant Part time Liquor Licenses To Summer Hotels.

Amend said Bill by striking out all of the section designed "Sec. 17-A," and inserting in place thereof the following: "Sec. 17-A. Special licenses for summer hotels; penalty. Notwithstanding the majority of votes cast in any city or town be in the negative on question (2) of section 17 of chapter 157 of the public laws of 1935, as amended, the liquor commission, on application as provided in section 1 of said chapter, and after public hearing, notice thereof having been published for 2 successive weeks in a newspaper of general circulation, may, in its discretion, issue a spirituous and vinous liquor license for consumption by non-resident registered guests on the premises to a summer hotel located in such city or town and which is principally dependent on non-resident guests for its business. Such license, or licenses, shall be granted only for the months of June, July, August and September. The licensee shall be subject to the requirements of section 4 of said chapter, shall pay the same fees otherwise required for summer hotels, and shall be subject to such further restrictions and regulations as the commission may prescribe. No license shall issue to any hotel unless the same has been in operation for a period of 2 years prior to the application for such license. All licenses issued under the provisions of this act may be suspended or revoked according to the provisions provided for by section 15 of chapter 237 of the public laws of 1937."

Thereupon, on motion by Mr. Chamberlain of Penobscot, the bill was laid upon the table until later in today's session pending motion to adopt Senate Amendment A.

On motion by Mr. Boothby of York, the Senate voted to take from

the table, An Act to Provide Moral Instruction for Children in Connection with the Public Schools (H. P. 535) (L. D. 1312) tabled by that Senator on April 19th pending passage to be enacted.

Mr. BOOTHBY: Mr. President, I now move that the Senate indefinitely postpone Legislative Document 535. To substantiate my motion for indefinite postponement, I think this is unsound legislation. I think it is more or less unnecessary and I further feel that I am in about the same position as possibly two of the Senators might have been a day or two ago on the bill making Incurable Insanity a ground for divorce. Why I say that, if I remember rightly, there were two members who took an outstanding part on this bill and I do not think a divorce interested either one of them very much. I would not say Senator Burns needs a divorce and I would say he would have no use for it, and I would say the same thing for Miss Laughlin. Why I refer to that, I am in about the same position in this case. Unfortunately, I have no children of my own,—if you get the connection.

I think other states have passed legislation similar to this and have had difficulty and have built up a sort of class hatred. If I remember correctly, and it was not very long ago when I went to school I used to like Jim and John for what they were and we got along all right. We might not like them because they had freckles or otherwise, but not until time went along and we grew to the age where certain things had become apparent, did we decide if we liked this one or that one for his religious affiliations.

It seems to me if you start out with a bill like this, and I would refer at this time to Section 2 which provides that a survey of religious affiliation may be made. I will read it: "Section 2. Survey of religious affiliation may be made. The school committee of each city or town may authorize and complete a survey of the religious affiliations of all pupils attending the public schools within such city or town, and ascertain those pupils who desire, and have the consent of parent or guardian for moral instruction. On a day in each week, to be fixed by the board, it may excuse pupils for at least 1 hour, for the purpose of attending their respective places of worship, or some other suitable place, there to receive moral instruction in ac-

cordance with the religious faith of said pupils."

It seems to me that those very pupils who desire to attend these functions that may be set up by this bill, are going to be sort of set out by themselves. Someone is going to point a finger at them and say "Sissy" or otherwise. I think the very intent of the whole bill is going to work against it. I think you are going to build up a kind of class hatred at a time in the life of the child when it should not come about. Another thing I resent is the attempt at regulation. Of course, it says here it can be with the consent of the parent or guardian, but nevertheless, I think you are trying to regulate the morals of the children.

The very origin of the act, I notice is introduced by request. Not very long ago when I came to the legislature I was given to understand that if someone came to you and asked you to put in a bill and if you were sort of embarrassed by it, you put it in "by request." Now that really weakens the bill. When you put that phrase, "By Request" on, it sort of weakens the whole thing. I wonder how much faith the author or originator of this bill, who is a member of this legislature, had in it.

I won't bother you any longer, but I would say in closing that in view of the fact that on Saturday and Sunday the children can be given moral instruction, it isn't necessary to have it during school hours. I think it is enough.

Mr. OWEN of Kennebec: Mr. President, may I inquire if there is not a committee amendment which is not included in the printed bill?

The PRESIDENT: The Chair is informed that the completed bill is Legislative Document 535. In the House, Committee Amendment "A" was adopted and subsequently adopted in the Senate, which amended the bill by adding Section 7 which reads "Intent of Act. It is hereby declared to be the intent of the legislature that this act shall be permissive and not mandatory."

Mr. OWEN: Mr. President, I would call the attention of the Senators to the fact that this committee amendment makes it very specific that the bill is permissive and not mandatory in any sense of the word. There are many towns which have been carrying on for several years the program upon which this bill was based, very successfully. At the

time when the hearing was held there was a very complete attendance at the hearing and there was no opposition of any kind to the passage of the bill by any person. During the present session of the legislature I have had two periods of receiving messages, one being in connection with the chain store tax and the other was in connection with this bill. I believe I received, I could not tell you exactly how many, but it was between 130 and 140 messages from Odd Fellows lodges, I do not mean from individuals but from lodges of Odd Fellows, who are behind this bill and very much in favor of it. It is their sponsorship that has promoted it almost entirely. It was their sponsorship that was present at the hearing. The committee report was unanimously in favor of the passage of the bill. The only suggestion made at the time of the executive committee meeting against the bill was that perhaps it was not necessary, and that the program could be put into effect under the laws as they are today, but nevertheless the committee voted unanimously "ought to pass" on this bill. I trust the motion to indefinitely postpone will not prevail.

Mr. BOOTHBY: Mr. President, I hate to oppose the Senator from Kennebec, Senator Owen. It so happens that I belong to several lodges, myself, and I think a lot of them and I think that they have their place and I think they are very fine, shall we say, fraternally.

As I said before, I have no children at this time and probably never will have, and I think certain lodges are going too far when they attempt to regulate morals. I think the fact or the point that Senator Owen from Kennebec has brought out that certain lodges were behind this measure, as far as I am concerned, would be a good reason to defeat it.

I still stick to the proposition that this is just class legislation and I am against it. As a member of the Committee on Inland Fisheries and Game, I fought against the same type of legislation. Sometimes it concerned fly fishing by a certain group and other times, shall I say, it might have concerned game preserves, but the whole point I am trying to bring out is that I am against any type of class legislation being built up between one group of people and another or between one child and another. I think we

have enough things to argue about as it is. We have political differences and religious questions, anyway.

As Senator Owen has set forth, we do not need this legislation. The parents and the guardians now have the power to control the morals of the children. I would say that sometimes it seems to me that probably the children have better morals than their parents have. I think we would all be better off if our children would teach the parents moral education instead of attempting to get the parents to teach the children moral education, if you get my point. I think a child is morally sound and unsullied, and I think when children reach the proper age they can decide for themselves the course they wish to take.

Mr. CONY of Kennebec: Mr. President, I think possibly I may be as interested in this bill as anyone in the Senate. I appeared for this bill before the committee. I think possibly the committee, when the bill was first presented and arguments in its favor were unknown, might have felt as the Senator from York, Senator Boothby, seems to feel, but I think after the presenting of the arguments the committee was fully convinced that the proposed bill was a safe and sane and salutary proposition. Anyway, they made a unanimous report in its favor.

The Senator from York, Senator Boothby, has just said he didn't think it was the function of the legislature to regulate morals. This bill does not undertake for one moment to do anything of the sort. This bill is entirely permissive and subject entirely to the wishes of the parents and to the wishes of the school management. It merely, as I see it, permits a boy or girl to attend anything in the nature of a moral lecture or church service or community service, if his parents are willing and if the schools are willing, and shall not be a truant thereby. I think that is the gist of the proposition.

This bill is before the legislature of a number of the northeastern states this winter and I understand it is likely to have passage. Why? I think there is a feeling that possibly our educational system may have failed in some respects. If we look up the history of the acad-

emies and schools of this state, we will find the older institutions were founded by religiously minded people and supported by them for generations. That is true of three Maine colleges. It is true, I venture to say, of one-half or two-thirds of the academies of this state. We wondered, as I undertook to argue to the committee, at the expression of President A. Lawrence Lowell of Harvard, who said that the college bred man had failed many many times because he didn't believe in the parable of the talents. When Woodrow Wilson was at the head of Princeton he said, "This institution has sent forth its men, schooled in science, schooled to make nature a servant, schooled to prevent diseases, and all those wonderful things, but not for one moment has it done one whit to save us from ourselves. Someone else has said, "Unless your morality keeps pace with your education, then your sovereignty may be lost." We wonder if our education, and we are spending billions of dollars annually in this country, we wonder if we are not sending our young people out like an airplane with one wing.

This bill doesn't undertake to enforce the things of which I speak, in any degree. It merely permits the parent and the school, working together in the community, to permit this if they think it is for the welfare of the boy or girl and the welfare of the community. It is entirely in their hands. It has worked out in Hancock County, in particular. The only difference is that they do it voluntarily and in a technical sense that student is not a truant. It is merely a gesture. It seems to me it is a wholesome one and I see not the least danger in it but I see something that might be helpful to the communities, to the people in those communities who take an interest in the future of the boys and girls that they might go forth in life as well equipped as possible, not only in knowledge of science but in the knowledge of life and its basic principles. I hope this bill may pass. It was held up to the light in the House and I think there was opposition before these things were explained. Anyway, it has reached the enactment stage here. I hope the motion to indefinitely postpone will not prevail.

Mr. SANBORN of Cumberland: Mr. President, I have no doubt every member of this body is perfectly competent to form his own conclusion as to the merits of this measure without assistance or argument on either side. Nor do I feel it is particularly necessary that anything further be said on the part of the committee than has been so clearly expressed by the Senator from Kennebec, Senator Owen, but one thought occurs to me as entirely proper to be expressed.

It occurred, I think to the committee and I may say as far as I am personally concerned, that when this measure was first brought to the attention of the committee my own first impression was that it was a wholly useless and needless piece of legislation. But when I listened to the expressions of sentiment that were presented, and noted the sources from which they came, I am free to say my own conclusions were quite different from what I thought they would have been at the outset.

The measure was not sponsored by any religious or sectarian group. It didn't come before the committee as a move in behalf of the forwarding of any particular religious view. It came largely from individuals, not of a special religious background but the sort of people who are the average and who represent the average good common sense of the state of Maine. It is true it appeared to be sponsored by the order of Odd Fellows, an order of which I do not have the honor of being a member, but I, for one, can see no impropriety in such an order as that expressing its views to a legislature. I think it is quite to the credit of such an order that it assumes an attitude in behalf of a movement for the upbuilding of the moral calibre of the state. I think our service clubs are also to be commended in behalf of their support of things moral, spiritual, uplifting and helpful.

In the last analysis, it occurred to me and I think it occurred to the committee as a whole in the same light, ought this committee to put its seal of approval upon some legislation, the object of which is to make it easier and simpler and plainer for the youth of the state to have moral stamina instilled into their minds, or ought the committee

to stamp such a move with its disapproval? I think it is the only question for this body to settle. Do we approve of something which may be helpful, morally and spiritually, to the youth of Maine, or do we discourage it? That is all there is to it.

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

The PRESIDENT: The question is on the motion of the Senator from York, Senator Boothby, that the bill be indefinitely postponed. The Senator from Cumberland, Senator Spear, has asked for a division.

A division of the Senate was had. One having voted in the affirmative and twenty-four opposed, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be enacted.

Additional House Papers, out of order and under suspension of the rules:

The Committee of Conference on the disagreeing action of the two branches on bill, "An Act Relative to the Use of Buckshot in Hunting Deer," (H. P. 2153) (L. D. 1130) reported that they were unable to agree.

Comes from the House, report read and accepted.

In the Senate, the report was read and accepted in concurrence.

The Committee on Pensions on "Resolve in Favor of Burleigh E. Beane of Waite," (H. P. 816) reported the same in a new draft (H. P. 2249) (L. D. 1208) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, the bill read once, and under suspension of the rules, read a second time and passed to be engrossed in concurrence.

"Resolve Creating a Recess Committee on Wage and Hour Legislation," (S. P. 684)

(In the Senate, on April 19 passed to be engrossed as amended by Senate Amendment "A.")

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

In the Senate, on motion by Mr. Spear of Cumberland, that Body voted to reconsider its former action of yesterday whereby the bill

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

On motion by Mr. Spear of Cumberland

Recessed until two o'clock this afternoon.

After Recess

The Senate was called to order by the President.

Senate Committee Report

Out of order under suspension of the rules:

Mr. Friend from the Committee on Ways and Bridges on bill "An Act Reapportioning the Expenditures of the General Highway Fund," (S. P. 255) (L. D. 268) reported the same in a new draft (S. P. 695) under the same title, and that it ought to pass.

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

Passed to be Enacted

Out of order and under suspension of the rules:

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

Resolve, Authorizing the Appointment of a Committee to Study the Advisability of a Contributory Retirement System for Maine. (S. P. 672) (L. D. 1201)

An Act Assenting to the Provisions of the 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)

An Act Relating to Clerk Hire in Certain Counties. (H. P. 2072) (L. D. 1099)

An Act to Provide for Tax Equalization. (H. P. 2237) (L. D. 1188)

Resolve for the Purchase of One Hundred Copies of 'A History of Education in Maine.' (H. P. 511) (L. D. 1200)

Resolve in Favor of Robert E. Wright of Rock City, Delmar, New York. (H. P. 2236) (L. D. 1187)

Resolve, in Favor of H. L. Bruen,

of Readfield. (H. P. 2240) (L. D. 1197)

Resolve, in Favor of Joseph Michaud, of Berwick. (H. P. 2241) (L. D. 1195)

Resolve in Favor of Edith Given, of Windsor. (H. P. 2242) (L. D. 1196)

Resolve in Favor of Elvin Silsby of Aurora. (H. P. 2243) (L. D. 1198)

Resolve, Granting a Bonus to Certain Maine Veterans of the World War. (H. P. 2244) (L. D. 1199)

Memorial

(Out of Order)

Memorial to Congress Relating to Tariff Preferentials and Canadian Subsidies Adversely Affecting the Port of Portland and Other Atlantic Seaports. (S. P. 690)

(In the Senate, on April 19, read and adopted.)

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

In the Senate, on motion by Mr. Dow of Franklin that Body voted to recede and concur with the House.

Mr. SPEAR of Cumberland: Mr. President, I would like to inquire whether Legislative Document 804, An Act to Provide for the Issuance of state of Maine Improvement Bonds and the Allocation of the Proceeds from Sale, is in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator that the bill is in the possession of the Senate.

Thereupon, on motion by the same Senator, leave was granted to withdraw the bill.

Mr. SPEAR: Mr. President, I would like to inquire whether Legislative Document 805, Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue, Proceeds of Which to be Disbursed for the Construction Improvement and Equipment of State Buildings, is in the possession of the Senate.

The PRESIDENT: The Chair will inform the Senator that the resolve is in the possession of the Senate.

Thereupon, on motion by the same Senator, leave was granted to withdraw the resolve.

Miss LAUGHLIN of Cumberland: Mr. President, I rise to a question of personal privilege.

The PRESIDENT: The Senator may state her question of personal privilege.

Miss LAUGHLIN: The question of personal privilege, of which I wish to speak, is the very great privilege of representing this Senate in expressing to you, Mr. President, its appreciation of your services as President of this body. Due, perhaps, to my centuries of Scotch ancestry, words of praise do not come easily to my tongue, unless they express a very real sentiment. Therefore, Mr. President, it is with the utmost sincerity that I say to you, and I am sure that it is the unanimous sentiment of this Senate, that you have presided over this Senate ably and with the utmost fairness, which is the greatest virtue in a Presiding Officer, and you have presided with a smile on your face and at all times with courtesy and consideration. There is no greater reward than, upon the completion of a task, to hear from others the word "Well done," and that is the word I bear to you, Mr. President.

But words are fleeting things; They leave no permanent mark. Therefore, the members of this Senate wish to give to you a permanent and tangible expression of their friendship and good will, and in their behalf I present you with this watch. It is pure gold, as is the friendship of which it is a representative. As it ticks the years away, and may they be many, may it measure for you only happy hours, and recall to you pleasant memories of these weeks during which you have been our Presiding Officer. The jewels in its mechanism are symbolic of that greatest of all jewels which can be possessed by any human being, the love and friendship of others. God speed you, as you go on from here, where our trails divide.

The PRESIDENT: Senator Laughlin and my fellow members of this Senate, this gift and the very generous remarks which have just been so graciously addressed to me, make me very happy. I assure you that I shall guard and cherish them both so long as I shall live. That we are now approaching final adjournment of this session and will soon be home with our respective families is, I know, pleasing to us all. That the many, many very perplexing problems with which this legislature was faced have now been largely solved seems almost incredible. But to me it is a wonderful example of what can be accom-

plished by determined, purposeful and unselfish action.

To serve with you in this joint effort has been my very real privilege. By your constant cooperation and your many courtesies you have made relatively light for me the duties with which you honored me when we convened in January. And for this never-failing friendly understanding on your part, I am truly grateful. And for the assistance which has always been given me so cheerfully by our able Secretary and his staff, I am also deeply appreciative.

When we leave this Chamber after the final order is passed it will be my highest hope that you will each hold for one another some measure of this same feeling of proven respect and friendship which I now so strongly feel for each of you. I again thank you from the bottom of my heart for this beautiful watch.

Mr. CHAMBERLAIN of Penobscot: Mr. President, and members of the Senate, I also would like to speak on a matter of personal privilege.

The PRESIDENT: The Senator may state his question of personal privilege.

Mr. CHAMBERLAIN: Mr. President, as the time came near for me to enter this Chamber as a member it was with much trepidation. I felt that I was to mingle among giants of the law, giants in legislation, giants in experience, and I was but a freshman and could never assume to be "Jack the Giant Killer."

As the days went by I learned that it was not necessary to do so, that I had joined the giants and been accepted here, and from the early days of the session until these closing days, I have received nothing but the utmost kindness, the utmost courtesy, and the utmost helpfulness. It is something that I shall never forget.

You who are younger will, as the years go by, lose your memories of this particular Senate but we who are older, in the few or many years that we have to stay here, will never forget the gentlemen — and they are gentlemen, every one of them, including this lady — I will never forget these gentlemen and what they have meant to me, and I can

say to you all, like Tiny Tim, "God bless you, every one."

Mr. CHASE of Washington: Mr. President, the able and gracious address of the Senator from Cumberland, has moved me, not to tears but to verse.

Monday night was dark and dreary,
while I rested dry and weary,
After listening for hours to the Senate's legal lore,

While I sat there slowly sipping,
suddenly there came a tripping,
And I heard some curses ripping,
ripping at my chamber door.

"Tis another drunk," I muttered,
"Tripping at my chamber door."
"Just a drunk and nothing more."

* * * * *

But I found I was mistaken, when
my courage did awaken,
As I opened wide the door that
barred the way;

For a Senator there standing, with
an attitude commanding,
And a joint order demanding, verses
for the closing day.

"Doggerel again," I stuttered, "When
will come this closing day?"

"What a Happy, Happy Day."

* * * * *

Present a gift to Royden Brown,
parliamentarian of renown,
And we have picked out a candid
picture taker,

Something he'll be always snapping,
unsuspecting persons trapping,
Catching them when they are napping,
till he meets the undertaker.

"What a pleasant job," I sputtered,
"For a pirate verses maker"

Inspiration from a shaker.

* * * * *

To you, Dear Royden, this is due,
with vigilance your course pursue,

You, like me, have listened to the
Senate's legal lore,

With a fortitude unbending, with a
patience never ending,

Ever to your job attending, loyal to
the very core,

May you have a grand vacation, and
come back to us some more,

Quoth the Pirate—EVERMORE.

The SECRETARY: Mr. President and members of the Senate, I am very grateful to you for this very splendid gift. I feel, however, that I would be remiss if I did not give a great part of the credit for anything that I deserve to our able Assistant Secretary and the office

corps who have always cooperated and worked with me in your behalf.

I feel that this is one of the great Senates that the state of Maine has ever had. I feel that this Senate is going down in history as outstanding of all the Senates that I have served. It has been able, energetic, industrious, sound and sensible, and I do feel that it is a very able body and that it has been a privilege to have served it. And I am especially grateful for the kindness and consideration and courtesy that has been extended to me by its very superior presiding officer.

Thank you very much.

Mr. FINDLEN of Aroostook: Mr. President and members of the Senate, it has been our great pleasure to meet here together and to carry on the work set before us and we have had sort of a silent partner all the while who has been very willing and very capable in carrying out the duties set before him. He has been courteous when we needed attention, he has served this Senate well.

It gives me a great deal of pleasure indeed to present Chester Winslow, our Assistant Secretary with this camera.

The ASSISTANT SECRETARY: Mr. President and members of the Senate, I am a little bit surprised at this time to receive this gift and consequently I cannot, standing on my feet here, find words to adequately express my appreciation. That reminds me of what Senator Laughlin has said, when I stand up, "Words are fleeting," and they would seem to have left me but I have enjoyed being here this winter and if I have been of any assistance to the members of the Senate, I am very happy and I thank you very much for the gift.

On motion by Mr. Spear of Cumberland

Recessed until the sound of the gavel.

First Reading of Printed Bills

Out of order and under suspension of the rules:

"Resolve in Favor of Otis Jacob Bowen, of Newport." (S. P. 691) (L. D. 1213)

Bill "An Act to Provide for Further Issuance of State Highway Bonds." (S. P. 692) (L. D. 1211)

"Resolve Proposing an Amend-

ment to the Constitution to Provide for an Additional Issue of Highway Bonds." (S. P. 693) (L. D. 1210)

Which bills and resolve were severally read once, and under suspension of the rules, read a second time and passed to be engrossed.

Sent down for concurrence.

Bill, An Act to Authorize the Construction of a Bridge Across the Kennebec River (S. P. 694) (L. D. 1209).

Which bill was given its first reading.

Thereupon, Mr. Friend of Somerset presented Senate Amendment A and moved its adoption:—

"Senate Amendment A. Amend said bill by striking out in the 15th line thereof all the words following the word 'provided' and continuing through to the 19th line ending with the word 'highways,' and inserting in place thereof the following words, 'that actual construction starts on or before January 1, 1941'."

Senate Amendment A was adopted and on further motion by the same Senator the rules were suspended and the bill as amended by Senate Amendment A was given its second reading and passed to be engrossed.

Sent down for concurrence.

Senate Committee Reports

Out of order and under suspension of the rules:

Mr. Beckett from the Committee on Claims on "Resolve in Favor of the Children's Hospital, at Portland, for Treatment of Pearl Cormier of Mexico," (S. P. 352) (L. D. 776) reported that the same ought not to pass.

Mr. Graves from the same Committee on "Resolve to Reimburse the Town of Houlton for Support of Basil Beaulieu and Family," (S. P. 203) reported that the same ought not to pass.

Mr. Sanborn from the Committee on Education on "Resolve in Favor of Fryeburg Academy," (S. P. 136) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of the Monmouth Academy," (S. P. 209) reported that the same ought not to pass.

Mr. Owen from the Committee on Education in behalf of that committee submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

Passed to Be Enacted

Out of order and under suspension of the rules:

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

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

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

Bill "An Act to Repeal the Organization of the Plantation of Dallas." (H. P. 946) (L. D. 372)

Bill "An Act Relating to Elections in the City of Biddeford." (H. P. 1162) (L. D. 481)

Bill "An Act to Create a State Boxing Commission." (H. P. 2168) (L. D. 1145)

Bill "An Act Relating to a Bounty on Seals." (H. P. 2210) (L. D. 1162)

Bill "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." (H. P. 2231) (L. D. 1181)

First Reading of Printed Bills

Out of order and under suspension of the rules:

Bill "An Act Reapportioning the Expenditures of the General Highway Fund." (S. P. 695) (L. D. 1212)

Which bill was read once, and under suspension of the rules, read a second time and passed to be engrossed.

Sent down for concurrence.

Passed to be Enacted

Out of order and under suspension of the rules:

Bill "An Act Amending the Law Relating to the Installation of Pick Clocks in Textile Factories." (S. P. 151) (L. D. 124)

Bill "An Act in Regard to New Trials on the Ground of Newly Discovered Evidence." (S. P. 650) (L. D. 1158)

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

Bill "An Act Relating to the Salary of the Recorder of the Northern

Cumberland Municipal Court." (H. P. 687) (L. D. 260)

Bill "An Act Relating to Jury Commissioners." (H. P. 2201) (L. D. 1146)

Bill "An Act Relating to Prenatal Examination." (H. P. 2230) (L. D. 1170)

On motion by Mr. Chamberlain of Penobscot, the Senate voted to take from the table, An Act Relating to Granting Part-time Malt Liquor Licenses to Hotels (H. P. 1747) (L. D. 850) tabled by that Senator earlier in today's session pending adoption of Senate Amendment "A"; and on further motion by the same Senator, Senate Amendment "A" was adopted, and under suspension of the rules the bill was given its second reading and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hill of Cumberland the Senate voted to take from the table, An Act Relating to Requisites for Old Age Assistance (H. P. 286) (L. D. 91) tabled by that Senator earlier in today's session pending adoption of Senate Amendment "D".

Mr. HILL: Mr. President, I agree with the principle set forth in the amendment which the Senator from Androscoggin, Senator Boucher, has presented, but I think that amendment is wholly foreign to this bill and that if the proposal therein contained were to be submitted to this legislature, it should have been in a separate bill and not presented as an amendment, which would be likely to complicate consideration of the pending bill. I ask for a division on the motion of the Senator from Androscoggin, Senator Boucher.

The PRESIDENT: The question is on the adoption of Senate Amendment "D" and a division has been asked.

A division of the Senate was had.

Two having voted in the affirmative and twenty-three opposed, the motion to adopt Senate Amendment "D" did not prevail.

Mr. HILL: Mr. President, I move the bill be passed to be engrossed in non-concurrence.

Mr. BOUCHER: Mr. President, I move the indefinite postponement of the bill.

The PRESIDENT: The motion to indefinitely postpone has precedence over the motion to pass to be engrossed.

Mr. HILL: Mr. President, the matter of this bill has been debated before, extensively and at length and it would seem unnecessary to review it now. I ask for a division on the motion of the Senator from Androscoggin, Senator Boucher.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be indefinitely postponed and the Senator from Cumberland, Senator Hill, asks for a division.

A division of the Senate was had.

Four having voted in the affirmative and twenty-four opposed the motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Marden of Kennebec the Senate voted to take from the table Consolidated Resolve (H. P. 2247) (L. D. 1204), under a new title, "Resolve in Favor of Several Academies, Institutes and Seminaries," tabled earlier in today's session pending acceptance of the committee report "Ought to Pass"; and on further motion by the same Senator the report was accepted in concurrence.

The same Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment A. Amend said resolve by adding at the end thereof the following: 'It is provided further that if on December 1, 1939 and December 1, 1940, there should be a balance unexpended in the total fund provided by Section 105 of Chapter 19 of the Revised Statutes, said balance unexpended shall be equally divided between Cushman Classical Institute and Bridgton Academy.'"

Senate Amendment A was adopted and under suspension of the rules the bill as amended by Senate Amendment A was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Spear of Cumberland

Recessed until the sound of the gavel.

After Recess

The Senate was called to order by the President.

Mr. SPEAR of Cumberland: Mr. President, inasmuch as the House is recessed until seven-thirty, I move that the Senate recess until seven-thirty this evening.

The motion prevailed.

After Recess

The Senate was called to order by the President.

**Emergency Measure
(Out of Order)**

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

Which bill being an emergency, and having received the affirmative vote of 25 members of the Senate and none opposed, was passed to be enacted.

**Committee Reports
(Out of Order)**

The Committee on Appropriations and Financial Affairs on bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Thirty-Nine and the Year Nineteen Hundred Forty," (H. P. 465) (L. D. 136) reported that the same ought to pass.

Which report was read and accepted in concurrence, and under suspension of the rules, the bill was read twice and passed to be engrossed in concurrence.

Mr. Wentworth from the Committee and Appropriations and Financial Affairs on "Resolve In Favor of Clerks, Stenographers, and Messengers of the Several Committees of the 89th Legislature," (S. P. 698) reported that the same ought to pass.

Which report was read and accepted, and under suspension of the rules the resolve was given its two several readings and passed to be engrossed.

Sent down for concurrence.

Mr. Wentworth from the Committee on Appropriations and Financial Affairs on "Resolve In Favor of the Chaplains of the Senate of the 89th Legislature," (S. P. 699) reported that the same ought to pass.

Which report was read and accepted, and under suspension of the

rules, the resolve was given its two several readings and passed to be engrossed.

From the House, 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 Relating to the County Commissioners of Androscoggin County," (H. P. 2061) (L. D. 1097) reported that a majority of the Committee recommends that Senate Amendment "A" be indefinitely postponed; that House Amendment "B" accompanying this report be adopted, and that the bill as amended by House Amendments "A" and "B" be enacted.

Comes from the House, report read and accepted, engrossing reconsidered, and Senate Amendment "A" indefinitely postponed; House Amendment "B" read and adopted, and the bill as amended by House Amendments "A" and "B" passed to be engrossed in non-concurrence.

Mr. FINDLEN of Aroostook: Mr. President, I think perhaps the Senators are entitled to a little explanation with reference to the report of this committee. It seems a little odd that we would single out one county in this respect, but I think if we look over the records, we are justified in doing it. Now, I went up to the tax assessor's office this afternoon and I found in Aroostook County each county commissioner gets \$1100. In Cumberland \$1750 each; in Franklin \$500 each; Hancock \$750 each; Kennebec \$1000 each; Knox \$400 each; Lincoln \$450 each; Oxford \$700 each; Penobscot \$750 each; Piscataquis \$500 each; Sagadahoc \$600 each; Somerset \$650 each; Waldo \$500 each; Washington \$800 each and York \$1000 each. Then we come down to Androscoggin. The chairman gets \$2000 and the others get \$750 each, but bear in mind that \$500 of that salary goes to the care of county buildings in that particular county.

Now, this committee suggested that the chairmanship of the county commissioners in Androscoggin County rotate. Well, there was a little bit of objection from the Androscoggin delegation because they said, "If you are going to single out Androscoggin County, why not do the same in the other counties?" So I took the 1936-1937 report and compared it with the 1938-1939 re-

port, with this result. I found out that eleven counties follow the custom of rotating the chairmanship. Eleven. I found that in four other counties they were elected according to law. I understand the law on this matter is this, that after the county commissioners are elected they meet and select their own chairman. As I said, eleven follow the custom of rotating the chairman. The one who has been on the longest becomes the chairman. As I have explained, four of the other counties elect according to law for two reasons. I should say that five do. In the first place, we find one county elects for political purposes. The other four elect their chairman either on account of his residence in the particular place that makes him the most logical man for the chairmanship or else because of his particular efficiency as chairman of the board, and most of the men have acted in that capacity for quite some number of years.

So that brings us down to only one county, whose chairman is picked on a political basis, and that is Androscoggin; and therefore, this committee would recommend two things.

The first is that in Androscoggin County the chairmanship rotate unless there might come a time, and that is provided for in the amendment, when the chairman whose turn it is to become chairman, if he didn't want to serve as chairman they could get someone else. The other provision of the amendment changes the salary from \$1500 for the chairman and giving the other members \$1000. I think that is all I have to say on the matter. I move the committee's report be accepted.

Thereupon, the report of the conference committee was accepted, and the Senate reconsidered its action whereby the bill was passed to be engrossed. Senate Amendment "A" was indefinitely postponed in concurrence. House Amendment "B" was adopted in concurrence.

Mr. SPEAR of Cumberland: Mr. President, I move the bill be passed to be engrossed.

Mr. BOUCHER of Androscoggin: Mr. President, I move indefinite postponement of the bill.

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

Mr. BOUCHER: Mr. President,

the reason for moving indefinite postponement of the bill is that as the Senator from Aroostook Senator Findlen, has said, it would single out Androscoggin County. If this bill had been drawn up so that all counties would have the same law of rotating the chairman, I would vote in favor of it but where they pick out one county, and probably the only county in the state at this time that has some Democratic members on the commission, I think it is playing the political game too far. I really feel it is creating an injustice. It is singling out one county and leaving the other counties as they are. As the present law exists it doesn't mention one county in regard to commissioners.

I feel in doing this that this branch of the legislature will go on record as singling out Androscoggin County because it has two Democratic commissioners upon the board of commissioners. I feel it is not fair. The question of equalizing salaries was brought up by Senator Harkins in a previous amendment which was adopted in this branch and refused in the other. We are willing to equalize salaries—that is, I do not know about the other member from Androscoggin County. He can tell you himself, but I am not willing for this county to be singled out in rotating the chairmanship.

Mr. HARKINS of Androscoggin: Mr. President, I dislike very much to argue any further upon this matter but I think it is an injustice being done to the majority of the people of the county of Androscoggin. In the past years the board of county commissioners was made up of two Republicans and one Democrat and that Democratic member never served as chairman of the commission. He also received \$750. One member of the Committee of Conference was a past county commissioner and he also voiced his opinion that this was very unfair because when he was on the commission a Democrat was never considered for chairmanship of the commission. I believe if the law was made to apply to all counties it would be fair enough. As the Senator from Aroostook, Senator Findlen, has said, several counties have rotating systems, and it was a gentleman's agreement between the commissioners because the commissioners in all those counties were of one political party. I think

if I were a member of the Republican party I would vote against this unfair bill. I hope the motion to indefinitely postpone will prevail.

The PRESIDENT: The question is on the motion to indefinitely postpone the bill and the Senator from Cumberland, Senator Spear, asks for a division.

A division of the Senate was had.

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

Thereupon, the bill as amended by House Amendments A and B was passed to be engrossed, in concurrence.

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

Bill "An Act Relating to Labor Relations." (S. P. 447) (L. D. 993)

(In Senate on April 19, Report "B"—"Ought Not to Pass" read and accepted.)

Comes from the House, Report "C"—"Ought to Pass in a new draft (S. P. 689) (L. D. 1207) read and accepted, and the bill passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending consideration.

Committee Reports

Out of order and under suspension of the rules:

The Committee on Claims on certain resolves reports the same in a Consolidated Resolve entitled Resolve Providing for the Payment of Certain Pauper Claims (H. P. 2252) and that it ought to pass.

Which report was accepted and the Consolidated Resolve, under suspension of the rules, was given its two several readings and passed to be engrossed in concurrence.

House Committee Reports

Out of order and under suspension of the rules:

Mr. CUSHING from the Committee on Claims on Resolve in favor of Clyde H. Smith (H. P. 696) (L. D. 292) reported that same be referred to the 90th Legislature.

The same Committee reported "Ought not to pass" on Resolve to reimburse the town of Norridgewock for Support of Mrs. Eva Sterry (H. P. 967)

The same Committee reported

same on Resolve to reimburse the town of Anson for the Support of Parker Lewis, a State Pauper (H. P. 1303)

The Same Committee reported same on Resolve to reimburse the town of Anson for Support of Edith Lewis, State Pauper (H. P. 1302)

The Committee reported same on Resolve to reimburse the town of Norridgewock for Support of Lester Brown Jr. and Family (H. P. 1363)

The same Committee reported same on Resolve in favor of the Children's Hospital at Portland, for Treatment of Maurice Cyr of Caribou (H. P. 1350)

The same Committee reported same on Resolve to Reimburse the town of Caribou for Support of Paupers (H. P. 832)

The same Committee reported same on Resolve to Reimburse the town of Roxbury for Support and Burial Expenses of Isabell May Strout Cerenio (H. P. 1014)

The same Committee reported same on Resolve to Reimburse the town of Milo for Support of Paupers (H. P. 1101)

The same Committee reported same on Resolve to Reimburse the city of Belfast for Support of Paupers (H. P. 1360)

The same Committee reported same on Resolve in favor of the Aroostook Hospital of Houlton for Treatment of Dependent Persons Living in the town of Orient (H. P. 1267)

The same Committee reported same on Resolve for Expense of Treatment of Amelia Dubay, belonging in St. Francis Plantation (H. P. 1476)

The same Committee reported same on Resolve in favor of the Cary Memorial Hospital of Caribou for Treatment of Zephrian Corbin of Hamlin Plantation (H. P. 1244)

The same Committee reported same on Resolve in favor of Dillingham and Son of Auburn (H. P. 1784)

Resolve in favor of J. A. Donavan, M. D., of Houlton for Treatment of Dependent Persons Living in Reed Plantation (H. P. 1372)

The same Committee reported same on Resolve in favor of Dr. Blossom of Caribou (H. P. 1359)

The same Committee reported same on Resolve to Reimburse Mount Chase Pl. for Support of Sterling R. Davis, having no known Settlement in the State (H. P. 951)

The same Committee reported

same on Resolve to Reimburse the town of LaGrange for Support of Quentin A. Mitchell and Family (H. P. 1255)

The same Committee reported same on Resolve to Reimburse the town of Hartland for Support of Raymond Thompson and Family (H. P. 534)

The same Committee reported same on Resolve in favor of the town of Charleston (H. P. 1877) (L. D. 1021)

The same Committee reported same on Resolve to Reimburse the town of Washington for the Support of Elmer K. Clark, State Pauper (H. P. 71)

The same Committee reported same on Resolve to Reimburse the town of Holden for Support of Charles L. Daley (H. P. 960)

The same Committee reported same on Resolve to Reimburse the town of Vinalhaven for Aid to William H. Brown and Family (H. P. 1514)

The same Committee reported same on Resolve to Reimburse the town of Pittston for Support of Orrin Baker's Family (H. P. 1384)

The same Committee reported same on Resolve in favor of the town of Eustis (H. P. 1818)

The same Committee reported same on Resolve to Reimburse the city of Portland for the Support of John L. Carr and his Wife, Phyllis Profenno Carr (H. P. 1005)

The same Committee reported same on Resolve to Reimburse Carroll Plantation for Support of Nolan Downs and Family (H. P. 825)

The same Committee reported same on Resolve in favor of the Central Maine General Hospital at Lewiston, for Treatment of Willard Fish (H. P. 1275)

The same Committee reported same on Resolve to Reimburse Grace Patten of Connor for the Board of Antoine Gagnon, a Pauper (H. P. 368)

The same Committee reported same on Resolve in favor of Richard L. Savage, M. D., of Fort Kent, for Treatment of Dependent Persons in St. Francis Plantation (H. P. 1258)

The same Committee reported same on Resolve in favor of Marcotte Home of Lewiston, for Board and Care of Zedore Martin, a Pauper (H. P. 1021)

The same Committee reported same on Resolve to Reimburse the town of Oakland for Hospital Aid

for Rosie May Robinson (H. P. 817)

The same Committee reported same on Resolve in favor of the Children's Hospital at Portland, for Treatment of Ned Cyr of Van Buren (H. P. 1486)

The same Committee reported same on Resolve in favor of the town of Ashland for the Support of Bertha West Greeley (H. P. 703)

The same Committee reported same on Resolve to Reimburse Carroll Plantation for Mother's Aid Paid to Mrs. Virginia Moores (H. P. 1251)

The same Committee reported same on Resolve in favor of S. H. Bond and Son of Jefferson (H. P. 1478)

The same Committee reported same on Resolve in favor of Central Maine General Hospital, Lewiston, for Treatment of Mrs. Albert St. Pierre and Child, belonging in Hamlin Plantation (H. P. 976)

The same Committee reported same on Resolve to reimburse the city of Portland for the Support of Frank A. Martin, his wife, Gertrude Wallace Martin, and Children, Donald Wallace, Mary Louise Martin and Barbara Joan Martin (H. P. 1001)

The same Committee reported same on Resolve in favor of the Cary Memorial Hospital of Caribou (H. P. 1353)

The same Committee reported same on Resolve to Reimburse the town of Prentiss for Assistance to George C. Briggs, Jr., and his Family, State Paupers (H. P. 979)

The same Committee reported same on Resolve to Reimburse the town of Kingfield for the Support of Frank Smith (S. P. 1123)

The same Committee reported same on Resolve to Reimburse the city of Eastport for Support of Winfred Fisher, having no known Settlement in the State (H. P. 1260)

The same Committee reported same on Resolve in Favor of the Home Private Hospital, Inc., at Old Town for Treatment of Calvin C. Johnston (H. P. 983)

The same Committee reported same on Resolve to Provide Payment of Expenses of Tonsil Operations for Children Living in Mount Chase Pl. (H. P. 1349)

The same Committee reported same on Resolve in favor of Eastern Maine General Hospital of Bangor, for Treatment of Mrs. George C. Briggs, Jr., (H. P. 966)

The same Committee reported same on Resolve Reimbursing the town of Monticello for Supplies furnished a State Pauper (H. P. 1520)

The same Committee reported same on Resolve in favor of T. S. Dickinson, M. D., of Houlton, for Treatment of Wellman Reed of Reed Plantation (H. P. 1371)

The same Committee reported same on Resolve to Reimburse the town of Clinton for Support of Alvin T. Brown and Family (H. P. 981)

The same Committee reported same on Resolve in favor of the city of Augusta for the Support of Joe Guimond (H. P. 1037)

The same Committee reported same on Resolve in favor of Rice and Tapley of Madawaska (H. P. 1473)

The same Committee reported same on Resolve to Reimburse St. Agatha for Support of Paupers (H. P. 1474)

The same Committee reported same on Resolve in favor of Fort Fairfield Clinic, Inc. (H. P. 1356)

The same Committee reported same on Resolve to Reimburse the city of Waterville for Support of Louis and Richard Cormier (H. P. 1013)

The same Committee reported same on Resolve in favor of M. J. Pelletier of Fort Kent (H. P. 698)

The same Committee reported same on Resolve to Reimburse the town of Moscow for Support of Bert L. Clark (H. P. 1270)

The same Committee reported same on Resolve Reimbursing the town of Lisbon for Support of Paupers (H. P. 538)

The same Committee reported same on Resolve to Reimburse the town of Hodgdon for Hospital Treatment for Mrs. LeRoy C. Wilcox (H. P. 1351)

The same Committee reported same on Resolve to Reimburse the city of Lewiston for Support of Loo Harvey and Family, belonging in St. Francis Plantation (H. P. 1477)

The same Committee reported same on Resolve in favor of Dr. Gregory of Caribou (H. P. 1358)

The same Committee reported same on Resolve to Reimburse the town of Patten for Support of Sterling R. Davis, Having no Known Settlement in the State (H. P. 952)

The same Committee reported same on Resolve to Reimburse the

town of Dresden for Support of Wilmer and Arthur Bixby, Sons of Fred E. Bixby (H. P. 1044)

The same Committee reported same on Resolve in favor of Craigs Funeral Home of Old Town (H. P. 1481)

The same Committee reported same on Resolve in favor of Dr. Lindley Dobson of Presque Isle (H. P. 1357)

The same Committee reported same on Resolve to Reimburse the city of Portland for the Support of Mrs. Thelma Kierstead and her Two Minor Children, George Merrill Kierstead and Gloria Kierstead (H. P. 1120)

The same Committee reported same on Resolve in favor of the Mars Hill Hospital, Mars Hill, for Treatment of Mrs. John L. McDonald of Bridgewater (H. P. 1480)

The same Committee reported same on Resolve to Reimburse the city of Rockland for Support of the three minor Children of Edward Drinkwater (H. P. 1030)

The same Committee reported same on Resolve in favor of the Fort Fairfield Drug Co. (H. P. 1355)

The same Committee reported same on Resolve to Reimburse the town of Winterport for Support of Charles E. Reynolds and Family, Paupers (H. P. 1024)

The same Committee reported same on Resolve to Reimburse the town of Winterport for Support of Maurice Stillman and Family (H. P. 1028)

The same Committee reported same on Resolve to Reimburse the town of Easton for Support of Alexander Jenkins a Pauper (H. P. 874)

The same Committee reported same on Resolve to Reimburse the town of Prospect for Assistance to William H. Brown and Family, having no known Settlement in the State (H. P. 1023)

The same Committee reported same on Resolve in favor of Mary McDonald of Milford, for Board and Care of Charles H. Avery, having no known Settlement in the State (H. P. 1517)

The same Committee reported same on Resolve in favor of Cary Memorial Hospital at Caribou for Treatment of Vital B. Cyr (H. P. 1245)

The same Committee reported same on Resolve in favor of the city of Augusta, for the Support of Allen Mullins (H. P. 1036)

The same Committee reported same on Resolve to Reimburse the city of Portland for the Support of Kenneth W. Merrill, his Wife, Iva Hutchins Merrill and four minor children, Kenneth Wayne, Thomas Charles, Richard and Elaine J. (H. P. 1121)

The same Committee reported same on Resolve for Payment of Expenses for Mrs. Byrd McDonald of Bridgewater (H. P. 1479)

The same Committee reported same on Resolve to Reimburse the town of Sherman for Support of Fred and Arthur Humphrey, children of Mrs. Ranson R. Bradeen of Silver Ridge Pl.

The same Committee reported same on Resolve to Reimburse the town of Parsonsfield for Support of Frederick W. LaBree and family, having no known Settlement in the State (H. P. 950)

The same Committee reported same on Resolve in favor of R. W. Wight and Son of Presque Isle (H. P. 1272)

The same Committee reported same on Resolve in favor of the town of Gorham for Hospital Treatment for Dawn Randall (H. P. 526)

The same Committee reported same on Resolve to Reimburse the town of Leeds for Hospital Aid for Mary Millett (H. P. 1254)

The same Committee reported same on Resolve to Reimburse the city of Old Town for Support of Paupers (H. P. 984)

The same Committee reported same on Resolve to Reimburse the town of Farmington for Support of Richard Crocker and Richard C. Welch (H. P. 992)

The same Committee reported same on Resolve in favor of Dillingham and Son, Auburn (H. P. 1491)

The same Committee reported same on Resolve to Reimburse the town of Winthrop for Support of Richard and Florence Hallock (H. P. 536)

The same Committee reported same on Resolve to Reimburse the city of Portland for the Support of Mrs. Helen Valley, deserted wife of Alphonse R. Valley and three minor children, Alphonse, Florence and Delores Christine (H. P. 1122)

The same Committee reported same on Resolve in favor of D. F. Bennet, M. D., of Lubec for Treatment of Mrs. Harold C. Lund (H. P. 1012)

The same Committee reported same on Resolve to Reimburse the town of Orono for the Support of Mrs. Joseph S. Dall, State Pauper (H. P. 233)

The same Committee reported same on Resolve to Reimburse the town of St. Albans for Hospital Treatment of Clyde Everett Fields (H. P. 1257)

The same Committee reported same on Resolve in favor of the city of Rockland for Support of Paupers (H. P. 954)

The same Committee reported same on Resolve to Reimburse the town of Washington for Support of James Rall, State Pauper (H. P. 70)

The same Committee reported same on Resolve to Reimburse the town of Washington for the Support of Gardner Jones, State Pauper (H. P. 69)

The same Committee reported same on Resolve Reimbursing Norway Village Corporation (H. P. 1515)

The same Committee reported same on Resolve in favor of Aroostook Central Institute of Mars Hill (H. P. 375)

The same Committee reported same on Resolve to Reimburse the town of Caribou for Support of Frank Judkins and Family (H. P. 877)

The same Committee reported same on Resolve in favor of the town of Caribou for Medical Attendance and Hospital Treatment of Mrs. Ellen Jackson, of Allagash Plantation (H. P. 1243)

The same Committee reported same on Resolve to Reimburse the city of Brewer for Support of Frank Damon and Family (H. P. 844)

The same Committee reported same on Resolve to Reimburse the town of Bridgewater for Support of Paupers (H. P. 532)

The same Committee reported same on Resolve to Reimburse the city of Portland for the Support of Leland P. Johnson, his wife, Marie Woodward Johnson, and one minor child, Francis J. Johnson (H. P. 1119)

The same Committee reported same on Resolve to Reimburse the town of Benton for Support of Norman I. Burke, son of Lester P. Burke (H. P. 1367)

The same Committee reported same on Resolve to Reimburse the town of Anson for Support of Gordon Lewis, State Pauper (H. P. 1308)

The same Committee reported

same on Resolve to Reimburse the town of Anson for Support of Alfred Alvah Caron, a State Pauper (H. P. 1300)

Which reports were read and accepted in concurrence.

On motion by Mr. Hill of Cumberland, the Senate voted to take from the table, Resolve Permitting Examination of Alden Ulmer and Arthur Andrews by Embalming Board (H. P. 2155) (L. D. 1132) tabled by that Senator on April 19th pending second reading.

MR. HILL: Mr. President, I will say that this is a matter with which I have no direct concern and probably should not be speaking on it now were it not for the fact that my attention had been called to it, and for the fact that I am told that the particular persons involved in this measure are, in the opinion of the examining board, not qualified to take the examination.

We had here a day or two ago another bill relating to embalming and an amendment was adopted to that bill, I think on motion of the Senator from Cumberland, Senator Laughlin, the effect of which was to enable those who previously had had a license to practice embalming to take the examinations so that the amendment widened the scope of the law in such manner as to take care of cases of that kind. It has been pointed out to me that this is simple legislation that would take care of these two particular individuals, who I believe have served as employees in an embalming establishment or undertaking establishment, but it is my understanding that they have had none of the training that is required for the practice of that profession, so it seems to me the passage of this bill would simply be letting these two individuals in by the back door, and I move the resolve be indefinitely postponed.

MR. OWEN of Kennebec: Mr. President, I do not rise to debate this motion and I have no personal interest whatever in this matter. I would simply say this committee considered this matter very carefully and this is a new draft of the paper as it was originally introduced, and you will notice it says, "That the embalming board is hereby authorized and directed to give a theoretical examination to Alden Ulmer of Rockland, and Arthur Andrews of Rockport, to test their

practical ability to practice the profession of embalming, and their knowledge of the embalming laws. In case either or both pass the said examination, they shall be entitled to practice embalming in the state, upon the payment of the usual license fee required of licensed embalmers." And if they were qualified to pass the examination there is nothing in the Act which requires that they be given the license. It simply authorizes the Board to give them the examination and the Board can license them on its own examination. That is all I wish to take the time of the Senate for at this time.

MR. ELLIOT of Knox: Mr. President, I am quite well acquainted with these two gentlemen under discussion inasmuch as they come from my county and when the embalming law was passed a few years ago there was a provision made whereby those who had been in practice for a certain length of time prior to the passage of the law could receive a license without an examination. Now these two men were working for an embalming concern in the city of Rockland and their employer forbade them from taking their registration out at that time probably due to the fact that he was the manager of a store and he felt that his position might possibly be in jeopardy provided they took the examination and were found to be qualified.

Now this bill passed by the legislature a little earlier in the session allows those who have had an embalming license but have failed to renew it to take an examination and get their license back. This case here is a little bit different than that. These men have never been licensed but have been practising under the supervision of licensed men, which covers the law. The public health committee reported unanimously on this bill in its final draft and the draft was presented by a member of the committee who happens to be an embalmer and the committee understood from him at that time that this new draft of the bill met with the approval of the embalming board.

It simply allowed the embalming board to give these two gentlemen an examination and provided they find them qualified to issue them each a license. I see nothing vicious in it at all and I hope the motion

of the Senator from Cumberland, Senator Hill, will not prevail.

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

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

A division of the Senate was had. Eight having voted in the affirm-

ative and eighteen opposed, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Spear of Cumberland

Adjourned until tomorrow morning at nine o'clock.