

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, March 17, 1943.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Dr. Wood of Augusta.

Journal of the previous session read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that free additional telephone service be provided for each member and officer of the Senate and House to the number of twenty-five (25) calls, of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified to by the Secretary of the Senate and Clerk of the House, respectively, charge for this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates (S. P. 447)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Parties in Interest in the Trial of Causes" (S. P. 290) (L. D. 447)

Report of the Committee on State Lands and Forest Preservation reporting same on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Danforth S. Hersey of Portland (S. P. 60)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Transferring Money from the Sinking Fund Reserve to the Penobscot Indian Trust Fund, the Passamaquoddy Indian Trust Fund, and the Indian Township Administration Fund (S. P. 85) (L. D. 12)

Report of the Committee on Military Affairs reporting same on Bill "An Act Permitting Men in the Armed Services to Make Valid Transfers of Property" (S. P. 434) (L. D. 752)

Came from the Senate, the Reports read and accepted and the Bill and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bill read twice, the Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Public Utilities on Bill "An Act relating to Certain Carriers under the Financial Responsibility Act" (S. P. 366) (L. D. 638) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate, the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Bill was read twice.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 366, L. D. 638, Bill "An Act Relating to Certain Carriers under the Financial Responsibility Act."

Amend said bill by striking out the underlined words "**engaged as a common carrier, contract carrier or private carrier**" in the 3rd and 4th lines of the 2nd paragraph of said bill.

Further amend said bill by striking out in the 5th and 6th lines of the 2nd paragraph of said bill the underlined words "**or the interstate commerce commission of the United States.**"

Thereupon, Committee Amendment "A" was adopted and tomorrow assigned for third reading of the Bill.

Report of the Committee on Salaries and Fees on Bill "An Act relating to the Salary of the Judge of Probate for Androscoggin County" (S. P. 166) (L. D. 767)

Came from the Senate, the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Bill was read twice.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 166, L. D. 767, Bill "An Act Relating to the Salary of the Judge of Probate for Androscoggin County."

Amend said Bill by striking out the underlined figures "\$3,000," in the 4th line thereof, and inserting in place thereof the underlined figures "\$2,500,"

Committee Amendment "A" was then adopted and tomorrow assigned for third reading of the Bill.

On motion by Mrs. Leidy of Fort Kent, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking. (Applause)

House Reports of Committees

Leave to Withdraw

Mr. Pearson from the Committee on Agriculture on Bill "An Act requiring the Licensing of Creamery Companies" (H. P. 761) (L. D. 426) reported leave to withdraw.

Mr. Flagg from the Committee on Banks and Banking reported same on Bill "An Act relating to Investment of Deposits in Mutual Savings Banks" (H. P. 1231) (L. D. 731)

Mr. Small from the Committee on Education reported same on Resolve Granting a Pension Status to Payson Smith of Orono (H. P. 1198)

Mr. Leavitt from the Committee on Federal Relations reported same on Bill "An Act relating to Employing Units Under the Unemployment Compensation Law" (H. P. 1128) (L. D. 583)

Reports were read and accepted and sent up for concurrence.

Inexpedient

Mr. Perkins from the Committee on Judiciary on Petition of a Committee for the town of Cape Elizabeth Concerning the Constitutional Rights of said Town to Representation in the Maine House of Representatives (H. P. 453) reported that proposed legislation is inexpedient at this time.

Mr. Hawes from the Committee on Welfare on Bill "An Act relat-

ing to Appropriations for Private and Public Hospitals for Medical and Surgical Treatment" (H. P. 1196) (L. D. 669) reported that legislation is inexpedient.

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Day from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act Regulating the Propagation and Keeping of Bees; the Suppression of Contagious Diseases Among Bees; Providing for the Registration and Regulation of Apiaries" (H. P. 621) (L. D. 374)

Mr. Davis from the Committees on Appropriations and Financial Affairs and Inland Fisheries and Game jointly reported same on Bill "An Act relating to Damage by Deer to Crops and Orchards" (H. P. 1075) (L. D. 564)

Mr. Rollins from the Committee on Banks and Banking reported same on Bill "An Act relating to Inactive Saving Accounts of Former Inmates of the State School for Boys" (H. P. 336) (L. D. 214)

Reports were read and accepted and sent up for concurrence.

Tabled and Specially Assigned

Mr. Dow from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Teachers' Pensions" (H. P. 177) (L. D. 120)

(On motion by Mr. Maxwell of Bangor, tabled pending acceptance of Committee Report and specially assigned for tomorrow morning)

Mr. Rankin from the Committee on Education reported "Ought not to pass" on Bill "An Act Amending the Teachers' Pension Law" (H. P. 176) (L. D. 121)

(On motion by Mr. Webber of Mapleton, tabled pending acceptance of Committee Report and specially assigned for tomorrow morning)

Miss Bangs from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Permitting Employees of the Public School System to Obtain Pensions" (H. P. 1201) (L. D. 688)

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, I move that Item 11 lie on the table

pending acceptance of the Committee Report, and in making this motion I would say that—

The SPEAKER: The motion to table is not debatable. Will the gentleman assign a day for bringing the matter up for consideration?

Mr. WEBBER: Yes, Mr. Speaker. I will assign Wednesday, a week from today.

Thereupon, the matter was tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 24th.

Mr. Barnes from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Prostitution" (H. P. 1109) (L. D. 575)

Mr. Grua from the same Committee reported same on Bill "An Act relating to Maine Cash Sickness Compensation" (H. P. 1211) (L. D. 698)

Reports were read and accepted and sent up for concurrence.

Tabled and Specially Assigned

Mr. Robinson from the Committee on Judiciary reported "Ought not to pass" on Resolve proposing a Constitutional Amendment Changing the Times of Meetings of the Legislature (H. P. 1243) (L. D. 743)

(On motion by Mr. Rollins of Greenville, tabled pending acceptance of Committee Report and specially assigned for Tuesday morning, March 23rd.

Mr. Williams from the Committee on Judiciary reported "Ought not to pass" on Resolve proposing an Amendment to the Constitution relating to the Election of the Governor's Council by the People (H. P. 1242) (L. D. 742)

(On motion by Mr. Rollins of Greenville, tabled pending acceptance of Committee Report and specially assigned for Tuesday morning, March 23rd.

Mr. Donahue from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects." (H. P. 1179) (L. D. 657)

Report was read and accepted and sent up for concurrence.

Tabled and Specially Assigned

Mr. Benn from the Committee on Towns reported "Ought not to pass" on Bill "An Act to Divide the town of Ashland and to Create Sheridan Plantation" (H. P. 347) (L. D. 196)

(On motion by Mr. Brewer of Presque Isle, tabled pending acceptance of Committee Report and specially assigned for Tuesday, March 23rd.)

The SPEAKER: The Chair will make this observation: That any of these matters requiring a lengthy study should certainly be assigned far enough ahead so there will be an opportunity to go into all the details, but if they are minor measures that do not require an unlimited amount of study, if the members could assign them for some day later this week, when the calendar is not as full as it is going to be after the special order goes into effect, as will be the case next week, it will materially assist in promoting the progress of the Legislature.

Mr. House from the Committee on Towns reported "Ought not to pass" on Bill "An Act relating to Appropriations by Towns for Salaries of Superintendents of Schools" (H. P. 1170) (L. D. 625)

Mr. Buzzell from the Committee on Welfare reported same on Bill "An Act Authorizing the Department of Health and Welfare to Regulate Public and Private Institutions" (H. P. 823) (L. D. 377)

Reports were read and accepted and sent up for concurrence.

Tabled and Specially Assigned

Mr. Leavitt from the Committee on Welfare reported "Ought not to pass" on Bill "An Act relating to Claims Against Estates of Persons who have received Old Age Assistance" (H. P. 124) (L. D. 66)

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker, I move that we substitute the Bill for the Report of the Committee on H. P. 124, L. D. 66.

The SPEAKER: The gentleman from Bethel, Mr. Boyker, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee. Is this the pleasure of the House?

The Chair recognizes the gentleman from Portland, Mr. Leavitt.

On motion by Mr. Leavitt, the Report, with accompanying Bill, was tabled pending the motion of the gentleman from Bethel, Mr. Boyker, that the Bill be substituted for the "Ought not to pass" Report of the Committee, and was specially assigned for Thursday, March 18th.

Ought to Pass in New Draft

Mr. Day from the Committee on Agriculture on Bill "An Act relating to the Protection of Bees" (H. P. 763) (L. D. 408) reported same in a new draft (H. P. 1282) under same title and that it "Ought to pass"

Mr. Doughty from the Committee on Appropriations and Financial Affairs on Resolve relating to Payment of Special Legislative Pensions from Appropriations for same (H. P. 768) (L. D. 412) reported an Act under title of "An Act relating to Payment of Special Legislative Pensions from Appropriations for Same" (H. P. 1283) and that it "Ought to pass"

Mr. Flagg from the Committee on Banks and Banking on Bill "An Act relating to the Bank Commissioner's Office" (H. P. 236) (L. D. 185) reported same in a new draft (H. P. 1284) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Ought to Pass with Committee Amendment

Mr. Flagg from the Committee on Banks and Banking on Bill "An Act relating to Regulation of Loans by Trust Companies" (H. P. 55) (L. D. 55) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 55, L. D. 55, Bill "An Act Relating to Regulation of Loans by Trust Companies."

Amend said bill by adding after the underlined word "loans" in the 22nd line of that part of said bill designated as "Sec. 77." the following underlined words: 'made before July 1, 1945'.

Committee Amendment "A" was adopted and tomorrow assigned for third reading of the Bill.

Mr. Downs from the Committee on Salaries and Fees on Bill "An Act relating to the Salary of the Recorder of the Portland Municipal Court" (H. P. 119) (L. D. 73) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 119, L. D. 73, Bill "An Act Relating to the Salary of the Recorder of the Portland Municipal Court."

Further amend said Bill by inserting after the Enacting Clause "Sec. 1", the following paragraph:

'Sec. 2. Limitation of act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which the present statute shall return to full force and effect.'

Committee Amendment "A" was then adopted and tomorrow was assigned for third reading of the Bill.

The SPEAKER: At this time the Chair will designate the gentleman from Rockland, Mr. Sleeper, as Speaker pro tem. The Sergeant at Arms will conduct the gentleman to the rostrum.

Thereupon, Mr. Sleeper was conducted by the Sergeant at Arms to the rostrum, where he assumed the Chair amid the applause of the House, Speaker Richardson retiring.

First Reading of Printed Bills

Bill "An Act relating to Investment of Teachers' Retirement Fund" (H. P. 1275) (L. D. 795)

Bill "An Act relating to Investments of Permanent Trust Funds" (H. P. 1276) (L. D. 789)

Bill "An Act relating to the Teachers' Retirement Annuity Fund and Appropriation of Money Thereof" (H. P. 1277) (L. D. 790)

Bill "An Act Amending the Law relating to Deposits of State Funds" (H. P. 1278) (L. D. 791)

Bill "An Act relating to Terms of the Northern Aroostook Municipal

Court at Fort Kent for the Trial of Actions of Forcible Entry and Detainer" (H. P. 1279) (L. D. 792)

"Bill "An Act Regulating the Sale of Horse Meat" (H. P. 1280) (L. D. 793)

Bill "An Act to Provide for the Surrender by Milton Plantation of its Organization" (H. P. 1281) (L. D. 794)

Bills were read twice and tomorrow assigned.

Passed to be Engrossed

Bill "An Act to Increase the Salary of the Register of Probate of Washington County" (S. P. 246) (L. D. 765)

Bill "An Act relating to Taxation of Trust and Banking Companies" (S. P. 313) (L. D. 521)

Bill "An Act relating to Reports, Publications, Etc. of Departments" (H. P. 162) (L. D. 104)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Tabled and Specially Assigned

Bill "An Act to Provide a Town Manager Form of Government for the town of Brunswick" (H. P. 187) (L. D. 129)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Brown of Brunswick, tabled pending third reading and specially assigned for Thursday, March 18th.)

Passed to be Engrossed (Cont'd)

Bill "An Act to Establish a Board of Trustees of Public Cemeteries for the city of Waterville" H. P. 561) (L. D. 299)

Bill "An Act to Amend the Act providing a Pension for Members of the Police and Fire Departments of the city of Waterville" H. P. 562) (L. D. 300)

Bill "An Act to Provide for the Issuance of Refunding Bonds of the State" H. P. 1069) (L. D. 558)

Bill "An Act relating to Revolving Fund for the Payment of Taxes in Certain Cases by the Department of Health and Welfare" (H. P. 1171) (L. D. 626)

Bill "An Act Permitting Towns to Raise Money for Hospitals" (H. P. 1202) (L. D. 687)

Bill "An Act relating to the Taking of Sea Moss from the Shores

Bordering the Territorial Waters of the State" (H. P. 1264) (L. D. 773)

Bill "An Act relating to the Maine Development Commission and the State Geologist" (H. P. 1266) (L. D. 775)

Bill "An Act relating to Employees in Military Service" (H. P. 1269) (L. D. 780)

Bill "An Act to Incorporate the Kingman Water Power Company" (H. P. 1270) (L. D. 782)

Bill "An Act relating to Tuition in Secondary Schools" (H. P. 1274) (L. D. 783)

Resolve for the Purchase of One Hundred and Twenty-five Copies of "Greater Portland's Community Survey" (H. P. 192) (L. D. 140)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Joseph David of Edmundston, N. B. (H. P. 346) (L. D. 219)

Resolve Appropriating Money for Control of the Fruit or Blueberry Fly in Maine (H. P. 929) (L. D. 482)

Resolve Authorizing the Commissioner of Institutional Service to Transfer Certain Land (H. P. 1190) (L. D. 667)

Resolve relating to Dredging Quahaugs in Maquoit Bay (H. P. 1271) (L. D. 781)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act providing for Taxation of Annuity Premium Considerations" (H. P. 107) (L. D. 64)

Bill "An Act relating to the Salary of the Judge of the Municipal Court of Portland" (H. P. 120) (L. D. 74)

Bill "An Act relating to Clerk Hire in the Cumberland County Clerk of Courts Office" (H. P. 262) (L. D. 170)

Bill "An Act relating to the Powers of the Court in Juvenile Cases" (H. P. 946) (L. D. 540)

Bill "An Act relating to the Salary of the Recorder of the Sanford Municipal Court" (H. P. 976) (L. D. 547)

Bill "An Act relating to the Salary of the Judge of the Sanford

Municipal Court" (H. P. 977) (L. D. 548)

Bill "An Act Revising the Military Law (H. P. 1245) (L. D. 746)

Resolve providing for Purchase of Land for the State School for Girls (H. P. 471) (L. D. 266)

Resolve relating to Transfer of Money for Working Capital of the Liquor Commission (H. P. 769) (L. D. 462)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Fred J. Lovejoy, of West Bethel (H. P. 1164) (L. D. 619)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Somerset County to Marie E. Munster of Rockwood (H. P. 1165) (L. D. 620)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed as amended and sent to the Senate.

At this point the gentleman from Rockland, Mr. Sleeper, was conducted by the Sergeant at Arms to his seat on the floor of the House, amid the applause of the members, and Speaker Richardson resumed the Chair, and presented a gavel to the Speaker pro tem.

Passed to be Enacted Emergency Measure

An Act relating to the Dumping of Waste Potatoes (S. P. 155) (L. D. 175)

The SPEAKER: This bill having had its three several readings in the House, and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the

monitors have made and returned the count.

A division of the House was had.

One hundred and twelve having voted in the affirmative and none in the negative, 112 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to the Operation of the Normal Schools During the War (H. P. 1095) (L. D. 567)

The SPEAKER: This bill having had its three several readings in the House, and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-one having voted in the affirmative and none in the negative, 121 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act relating to Proposed Standard Valuation Law (S. P. 133) (L. D. 95)

An Act relating to Proposed Standard Non-forfeiture Law (S. P. 132) (L. D. 94)

An Act relating to the Termination of Organization of Towns or Plantations (S. P. 360) (L. D. 642)

An Act relating to Trapping for Beaver (S. P. 258) (L. D. 455)

An Act relating to Expenses of County Commissioners (S. P. 182) (L. D. 241)

An Act relating to Towns Having no Free High Schools (S. P. 210) (L. D. 322)

An Act relating to Vehicle Parking on Ways (S. P. 432) (L. D. 749)

An Act relating to Relief of Veterans of All Wars, and their Dependents (S. P. 430) (L. D. 747)

An Act relating to Emergency Municipal Finance Board (S. P. 341) (L. D. 515)

An Act relating to Disposal of Poll Taxes Paid by Electors in Unorganized Territory (S. P. 340) (L. D. 514)

An Act relating to Annual Registration of Osteopathic Physicians (S. P. 303) (L. D. 433)

An Act to Control and Eradicate Venereal Diseases (S. P. 235) (L. D. 338)

An Act to Provide General Public Health Services (S. P. 234) (L. D. 337)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Tabled and Specially Assigned

An Act relating to Examination and Registration of Osteopathic Physicians (S. P. 304) (L. D. 432)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Miss Clough of Bangor, tabled pending passage to be enacted and specially assigned for Friday, March 19th)

Passed to be Enacted (Cont'd)

An Act relating to the Madison Water District (H. P. 140) (L. D. 109)

An Act to Confer Additional Rights and Powers upon East Branch Improvement Company (H. P. 560) (L. D. 286)

An Act relating to Hunting Rabbits in Oxford County (H. P. 1099) (L. D. 569)

An Act relating to Trial Terms of the Superior Court in Aroostook County (H. P. 1107) (L. D. 573)

An Act relating to Enforcing Orders for Payment of Alimony, Support Money and Counsel Fees in Divorce Actions (H. P. 1108) (L. D. 574)

An Act relating to Marriage Certificates (H. P. 1120) (L. D. 585)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Tabled and Specially Assigned

An Act relating to Search for Lost Persons (H. P. 1257) (L. D. 759)

The SPEAKER: The Chair recognizes the gentleman from Parkman, Mr. McKUSICK.

Mr. McKUSICK: Mr. Speaker, at the request of the Committee on Appropriations, in order to give more time to the study of the expense involved, I move you, Sir, that Item 23 "An Act relating to Search for Lost Persons (H. P. 1257) (L. D. 759) lie on the table and be specially assigned for next Tuesday.

The SPEAKER: The gentleman from Parkman, Mr. McKUSICK, moves that Legislative Document 759 be laid on the table pending passage to be enacted and be specially assigned for next Tuesday, March 23rd. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled and so assigned.

Passed to be Enacted (Cont'd)

An Act Authorizing the Issuance of Free Fishing Licenses for Soldiers and Sailors (H. P. 1256) (L. D. 758)

An Act relating to Temporary Insurance Agency Licenses (H. P. 1258) (L. D. 760)

An Act relating to Charges for Examinations of Foreign Insurance Companies (H. P. 1259) (L. D. 761)

An Act relating to the Furnishing of Lists of Wild Lands for Taxation Purposes (H. P. 102) (L. D. 85)

An Act relating to Apportionment to Towns for Teaching Positions (H. P. 238) (L. D. 186)

An Act relating to Aroostook County Law Library (H. P. 786) (L. D. 415)

An Act to Authorize the Charging off of Uncollectable Accounts due Counties (H. P. 1106) (L. D. 572)

An Act relating to Adoption of Children (H. P. 591) (L. D. 372)

An Act relating to Jurisdiction of Violations of the Potato Tax Law (H. P. 1248) (L. D. 750)

An Act relating to Appeals from Magistrates (H. P. 945) (L. D. 491)

An Act relating to Parole of Inmates of Reformatory for Men (H. P. 942) (L. D. 488)

An Act relating to Military Accounts (H. P. 807) (L. D. 464)

An Act relating to Fees for Eating and Lodging Places (H. P. 763) (L. D. 411)

An Act relating to the Salary of the Recorder of the Houlton Municipal Court (H. P. 329) (L. D. 200)

An Act relating to the Organized Townships Fund (H. P. 765) (L. D. 410)

An Act to Provide for Town Elections for the Town of Millinocket (H. P. 104) (L. D. 63)

An Act relating to Expenses of the State Racing Commission (H. P. 764) (L. D. 409)

An Act relative to Widows and Widowers Sharing in Estates (H. P. 943) (L. D. 489)

An Act relating to a Bond for Town Clerks (H. P. 629) (L. D. 371)

An Act to provide for the Appointment of a Board of Commissioners of Police for the City of Augusta (H. P. 558) (L. D. 297)

An Act relating to Hunting and Trapping Bobcats (H. P. 87) (L. D. 79)

An Act relating to Costs of Tax Deeds (H. P. 955) (L. D. 535)

An Act relating to the Determination of Profits and the Working Capital of the State Liquor Commission (H. P. 767) (L. D. 461)

Finally Passed

Resolve in favor of the Maine Historical Society (S. P. 91) (L. D. 751)

Resolve Designating the Baxter State Park Road (H. P. 326) (L. D. 207)

Resolve in favor of Fort McClary (H. P. 523) (L. D. 306)

Resolve in favor of Knox Memorial Association, Inc. for Support and Maintenance of "Montpelier" (H. P. 770) (L. D. 413)

Resolve relating to Ice Fishing in Dyer's Long Pond, in Jefferson (H. P. 784) (L. D. 762)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, House Report "Ought to pass in New Draft" (H. P. 1273) (L. D. 779) of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Mutual Fire Insurance Companies" (H. P. 1140) (L. D. 605), tabled by the gentleman from Houlton, Mr. Barnes, on March 12th, pending acceptance.

On motion by Mr. Barnes the "Ought to pass in New Draft" Report was accepted, and the New Draft having been printed, under suspension of the rules the Bill had its two several readings and was assigned for third reading tomorrow morning.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, House Report "Ought to pass in a New Draft" (H. P. 1272) (L. D. 778) of the Committee on Welfare on Bill "An Act to Abolish the Old Age Assistance Commission" (H. P. 1110) (L. D. 552), tabled by the gentleman from Livermore Falls, Mr. Grua, on March 12th, pending acceptance.

On motion by Mr. Grua the "Ought to pass in New Draft" Report was accepted, and the New Draft having been printed, under suspension of the rules the Bill had its two several readings and was assigned for third reading tomorrow morning.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, Majority Report "Ought Not to Pass" and Minority Report "Ought to Pass" of the Committee on Education on Bill "An Act Providing Authority to Board of Trustees of the Maine Maritime Academy to Confer Degrees." (H. P. 14) (L. D. 19) tabled on March 12th by Mr. Rankin of Bridgton, pending motion of Mr. Dow of Falmouth to accept Minority Report, "Ought to Pass,"

and the Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, the Committee on Education voted "Ought not to Pass" by a vote of 6 to 4, after careful study. This was a vote on the part of those who are very friendly to this institution. I am. I have tried to follow its course, and I have followed it with interest and, I may say, with enthusiasm. The Committee, I am sure, unanimously wishes well to this institution. It hopes and believes in a bright future for it. But the majority of the members of the Committee felt that the action which is proposed in this measure is immature. The Academy is not now in a position to grant degrees; it has not the faculty; it has not the facilities; it has not the laboratories; it is not an institution of college degree. It is proposed to make it such, and with that I am sure we are all in agreement. In fact, it is the ambition of the gentleman from Portland, Mr. Leavitt, and of the trustees of the institution, as I understand it, to make it eventually as soon as possible, a first-class engineering college, and of course then it would be in a position to grant degrees, and I am sure no Legislature would do anything else but cordially vote to that effect. But that is not the status of the institution at this time.

The institution is doing splendid work today of which we are all proud. That is to say, it is offering a course of sixteen months, as I recall, to fit men to go primarily into the merchant marine, and a fine group of boys and young men are there taking this course. That course will last as long as the country lasts, and after that it is expected the institution will develop as I have indicated, and I am sure we all hope so. But I venture to say that a request of this kind is without precedent. I wonder if any legislature anywhere ever was asked to vote that an institution should be authorized to grant degrees when it is not giving a course to that effect. An excellent course has been outlined, but that is in the future, and we do not know what the future of this Academy is going to be. It has so far been subsidized by the State and by Washington, by the national government due to the present war emergency situation, but we do not know what this state is going to do; we do not know what later legisla-

tures will do; we do not know what aid will be secured or what interest there will be in this institution in the future.

Suppose, for example, such excellent institutions as Westbrook Junior College or Hebron Academy should say: "We plan eventually to make a college out of this institution; we are going to offer courses leading to college degrees; we want authority to grant degrees when the time comes,"—I venture to say this Legislature would vote with practical unanimity in saying that such legislation should not be granted. But an exception, I presume, is made in this case because it is a fine academy, that Castine has a special public status due to the fact it has taken special interest in it, and due to the fact it is subsidized by the government—but as to its authority for granting degrees, I say it is no different in its present status than Westbrook Junior College or Hebron Academy.

A prominent gentleman this morning, who said he was a member of the board of trustees of a well-known and excellent academy, was asking me about this bill. He said he didn't quite understand it, and I explained it as best I could. He said, "I am sure the trustees of our academy, no matter what their future ambitions might be, would never ask for anything of this sort."

So that, in brief, is the position of the majority of the members of this committee. I repeat: We unanimously wish this academy well; we have great enthusiasm for it.

It has been argued that it would help the school now. I do not think it would. I think it would tend somewhat to cheapen it. I think all of us can remember a quarter of a century ago many institutions in this country were granting advanced degrees, such as the degree of Doctor of Philosophy, on the basis of a correspondence course. That was absurd and ridiculous. This institution will never be in that class; but it seems to me the motion to authorize it to grant degrees at this time rather tends in that direction. So it seemed to the Committee it would be wise to wait for two years at least. Even if the war should end today—no one knows when it will end—but if the war should end today this institution would not be in a position to grant degrees for two years or more. So, with entire good

wishes for this academy and for its future as a first-class engineering college, the majority of the Committee on Education, six members of it, felt that it was not expedient at the present time to authorize the Maine Maritime Academy to confer engineering degrees.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, for acceptance of the Minority Report "Ought to pass."

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of this House: I hesitate to inject my argument into this bill,—I, an unpolished, uneducated woodsman of the North. I realize that it is no matter of concern of mine to judge the opinion of these highly educated men who have signed the Majority Report "Ought not to pass", but I have the courage and conviction of that light in the wilderness. Perhaps I have engaged in that paternal instinct. I, perhaps, have the honor of being the only man in the House who has a son in that Academy. For that reason, I stand before you to fight for what is mine.

Twenty-five years ago, as the gentleman from Bridgton, Mr. Rankin, mentioned, many colleges were passing out several degrees, in one thing or another. It recalls to my memory twenty-five years ago. I, as an orphan, had come along and had worked a few years and saved money enough and I thought that I could gain an education. I was registered at the University of Maine Law School, where I intended to gain higher education, but the war came on, and I enlisted in the defense of my country. I went to France. I went through some experiences—nothing I guess to what the boys go through today—but I never did readjust myself and I never did acquire that education.

Now, my association with the wild life, and with the singing brooks of the wilderness, has taught me many things. One is, I believe some in the Scripture "Judge not that ye be not judged." I am not setting up here a judgment of the ability, or what not,—I hesitate to do that, but I am thinking of those parents; I am speaking for those parents. There are some two hundred boys down there; there will be 200 more; and there will be 200 more before

this thing is over. It is just wishful thinking that this war is going to be over in a week or in a year. It will be fortunate if it is over in three years. Many of those boys are going out to do their duty. A great many of them will never return. Those who do return will be in the same condition as many were from the First World War. It takes time to readjust themselves. A very small percentage ever did readjust themselves and continue on and gain an education.

Personally, myself, I have been handicapped through life because I did not have a degree. There are thousands of jobs in this country that I have no question in my mind that I could do but I am barred from even applying for them, because I have not the accredited degree that is necessary. That is in the forefront of everything today, more than ever; and after this war it is going to be supreme.

Now, I appeal to you members of the House—do you want to refuse to those few boys who will return, that opportunity in life, in the future, to at least attempt to have an opportunity to receive gainful employment?

Mr. Speaker, I hope that the motion of the gentleman from Falmouth, Mr. Dow, for the acceptance of the Minority Report, "Ought to pass," prevails.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: As one of the signers of the Minority Report "Ought to pass", I will say only that I could not see where this privilege would harm any person or any individual; and I feel that it would be a definite encouragement to those who are working so hard for the success of the school. That was my personal position in the matter.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker and Members of the House: As one of the signers of the Minority Report, I would like to state my stand on this matter. I have given it careful consideration, and I have sought all possible sources of information in order to arrive at a decision that would be in the best interests of all

concerned. The following conclusions tempered my decision:

First of all, pupils of the school, the Maine Maritime Academy, would have to be graduates of an approved secondary school, usually a high school, approved in other colleges. This is a status that other institutions of higher learning require and which the Maine Maritime Academy would require. Also, they would have to complete 128 hours of collegiate grade subjects. Almost every institution of higher learning has these same requirements. It is true that at present the school is not offering this course even in its entirety; it is still in a state of flux and has to be, because of the exigencies of the present day. The school is now offering a telescoped sixteen months' course with these subjects which would be basicly in the curriculum of the three-year course. This present act would enable the Board of Trustees, nine in number, men from various walks of life, who have the good wishes of the school uppermost in their mind, men who are sea captains, business men, and our Commissioner of Education, who would be the last ones to do anything harmful to the Maine Maritime Academy, to confer degrees.

The government at the present time thinks enough of the work of the school to give the students \$65 a month to help them on their clothing bills, and has given the school thousands of dollars in money, thousands of dollars in equipment, and has offered to those who complete the course the rating of Ensign in the Naval Reserve in addition to their rating of either third engineer or third mate. If the students wish, at the present time they can disregard these things and become regular Ensigns in the regular United States Navy.

This is an enabling act and is not to be used at present. They do not want it for the present. The school at present could not offer those degrees in the line of work they are now doing. But I would just like to show you the type of work that would be included in the course which is now being given. There is one semester's work in Navigation (Advanced), Seamanship, International Rules of Road, Mathematical Astronomy, Naval Science, Handling and Stowage, Spherical Trigonometry, and Physi-

cal Education. That is just one-half year's work. That is toward the rating of Bachelor of Marine Science. We have another department, the rating of Bachelor of Marine Maintenance Engineer, where one-half year's work would include Intermediate Physics, Differential Calculus, Mechanical Drawing, Naval Science, Shop Work, Electricity and Magnetism, Steam Engineering (Advanced) and Physical Education.

In looking over the curriculum of other schools of this type, I find that their studies in this school compare very favorably in capacity and extent.

I believe it would be to the best interests of the school and the pupils and for the State of Maine to have the trustees have this power to use when the time comes and when they see fit. I believe it is a little bit of help we can give the school at this time, to be used in the future, and so I ask for your consideration of the Minority Report "Ought to Pass."

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that the Minority Report "Ought to pass" be accepted.

The Chair recognizes the gentleman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker, I signed the Majority Report "Ought not to pass." I very sincerely signed that report, in the interest of the boys in that school, the boys at the present time, and the boys who, I am sure, will go there in the future. There is a little historical background that has not been brought out at the present time.

This school was created out of a dire need of the boys, our boys here in Maine who have the salt water in their blood; but they find it very difficult to go out of the State of Maine and find a job on a boat. The State realized the need of taking care of these boys. The backbone of the State has been the old sea captains, who have gone down to the sea—without degrees of that kind—and they got by just as well. I will admit, that education has advanced. They are now granting degrees in the Nautical School in California. That is the only one in the United States at the present time.

We have a school that has just started. It is growing. Sometimes

I get calls from some of the mothers who would like to put their boys in there. I realize that part of the growth of this school at the present time is the realization that if that boy is in that school, he will be there for sixteen or eighteen months, deferred.

Now, I do not like to see a school grow on that fact. That was not the purpose of the school. Not all of the boys are in there for that purpose, but some of them are. The boys who are in there now and who will be coming out in—I have forgotten just how many months—will not be able to receive their degree until after the war is over. The boys who are in that school at the present time are going to be the yard-stick by which you will measure the school. Give them a chance to go out and prove what that school has given them. I feel that if we give these boys a chance, they will prove that they have something down there. At the present time, Mr. Gilson, the Commissioner of Education, will tell you that this educational background is not stable. They are having to change it. They will start out with a program one day, and the next day it has been changed. That program may go through and it may not. That is why these boys are having a hard time right now. They are going to have more of a hard time. The Trustees of the school have been given to understand that if this bill does not go through now, they will not have another chance to grant degrees. They will have. Give the school its chance to grow normally and they will have the same right to come back that all other schools have and do—after they have proved that they have what it takes to make a seaman.

That is all we are asking. I am afraid that if this is granted today, that the boys who come along later will be handicapped to some extent. Let them go along and prove what they have. I have seen other things grow, and that is one argument,—as I say, it is growing so rapidly. The South Portland Shipyard has grown very rapidly, too rapidly. For the sake of the school, and for the sake of the future, let it grow, and then, when it is on its feet and the program is stable, give them the right to grant degrees, but, at the present time, let them go along.

I hope that the motion to accept the Minority Report "Ought to pass" does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Palmouth, Mr. Dow, that the Minority Report "Ought to pass" be accepted.

The Chair recognizes the gentleman from Portland, Mr. Leavitt.

Mr. LEAVITT: Mr. Speaker and Members of the House: Of course, everybody here knows that I am vitally interested in this Maine Maritime Academy; in fact, I am so interested in the Maine Maritime Academy that my statements might be considered to be biased. I had hoped that the statements made about this school would be such that it would not be necessary for me to stand here and deny some of the statements which have been made.

The first statement that has been made is that one of the opponents of this measure has a very great regard for the school, and does not want anything to happen to the school that would hurt it. Ladies and Gentlemen, for a year and a half or two years, I have spent most of my time working for that school. I have interviewed hundreds of mothers and fathers; and I do not know how many boys. I have probably had in my office a thousand boys the last two years and a half to see about this school. I have advised some of them not to come; and I have advised others to come. I ask you as a matter of common-sense who is more interested in that school, or who—I will put it this way—who in this Legislature has more regard for that school than myself?

I have got so that I love that school, and I want that school to be a success. I would not ask this Legislature or anybody to do one thing for that school that would not be for its advancement. I ask you if tomorrow morning the papers of this State come out with the fact that this Legislature has denied the trustees the authority to some day give degrees at that school, whether that will be better publicity for the school, than if the papers come out tomorrow morning and say, "The Maine Maritime Academy may give degrees just as soon as the Trustees feel that they are deserved by the boys who are there"?

To go back into history, two years ago when this Legislature granted the right to establish that school, they gave \$15,000 for its operation. We were talking then about giving the boys an opportunity, and with \$15,000 we could give, perhaps, ten, fifteen or twenty boys an opportunity. At the Special Session, upon the statement of the various members of the Board of Trustees and myself, the Appropriations Committee saw the bigger field which was presenting itself, the government helped, and they gave us \$50,000 for that school. As I said here, two years ago I would have been perfectly satisfied with that \$15,000, if I could have given twenty-five boys an opportunity, but the school has grown, and we have now 156 boys in the State of Maine in that school. Talk about opportunity. We have given opportunity to at least six times as many boys as my colleague from Bath and my friends envisioned at that time, and I feel that we are giving opportunity.

There has been one statement that has been made, not only here but in other places,—that we are running a draft dodgers' school. Ladies and gentlemen, if there is any service in this whole United States that has taken bravery, that has taken courage and fortitude, it has been to be a member of the United States Merchant Marine in any capacity. The records will show that a larger percentage of men in the Merchant Marine have died during this war than have died in any other service in the war. These boys are going to this school because of the fact that they want to be of service, and the only way they can be of the greatest service is to be good officers in the allied Merchant Marine which we are building. I wish to say that any person who says that these boys are draft dodgers does not know what they are talking about, and I resent it, and I think every person in this State should resent any such implication.

It has also been stated that the Commissioner of Education does not feel that we should have this at the present time—or words to that effect. I do not know quite what the quotation is, but, with the permission of the Speaker, I will read a letter which I received yesterday from the Commissioner of Education:

"Dear Ralph:

Please be advised that I favor the proposed legislation whereby the Board of Trustees would be empowered to grant degrees to graduates of the Maine Maritime Academy. My reasons for favoring this legislation are as follows:

1. The process of selection by which students are admitted to the Academy insures an enrollment on a par with that of other institutions granting degrees.

2. The courses of study normally required are certainly equal to those of a majority of colleges.

3. Under less favorable employment conditions, the possession of a degree will be a distinct advantage to graduates of this Academy seeking positions.

4. Placing the Academy on a degree status will also be an advantage to students desiring to transfer to other institutions of higher learning.

I feel certain that confidence can be placed in the Board of Trustees of the Maine Maritime Academy to grant privileges only under circumstances favorable to the state and to the school. It is understood, of course, that the granting of degrees will be subject to the requirement of a minimum of 128 hours of approved college study or the equivalent."

And that is the end of the quotation.

We Trustees of this Academy intend that no degree will be given until 128 semester hours of accredited college work have been completed.

Another of the opponents of this measure stated that this was unprecedented. Now, I will admit that I have not been through the history of the formation of all the colleges of this country, but when a college or a school incorporates itself with the idea of giving higher learning, in its charter it asks for the power to give degrees. It may be years before they get to the position where they can give degrees, and, although it may be changed, it may be of interest to the gentleman from Bridgton (Mr. Rankin) that Westbrook Junior College has the power in its charter to give college degrees. The only thing is that they are running a Junior College, and naturally do not give a degree after

two years—it used to be known as Westbrook College—and—well, I do not know—I thought that I knew the whole title—but I guess I do not—but it was a college at one time and it still has the power to give degrees.

The Maine Maritime Academy will only give degrees when the boys have completed their 128 hours, or better, of educational opportunity. I, therefore, ask you, Ladies and Gentlemen, to allow the Academy, whose Board of Trustees are asking for this, the right to give these degrees, and I hope that you will vote in favor of the motion of Mr. Dow.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, may I go on record as favoring the acceptance of the Minority Report?

Reference has been made to these academies and it has been said it would be absurd for them to ask power to grant degrees, that it would be absurd for them to ask the power to grant degrees when the work was not complete. We have in Aroostook County a very fine institution, Ricker Junior College, and I believe it already has authority to grant degrees and it is not going to abuse that power. Kent's Hill Seminary has the power. The Maine Maritime Academy, if given the power, I am sure would not abuse the privilege; therefore I am in favor of it being granted the power to confer degrees.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that the Minority Report, "Ought to Pass," be accepted.

The Chair recognizes the gentleman from Gray, Mr. Doughty.

Mr. DOUGHTY: Mr. Speaker, when the vote is taken, I ask for a division of the House.

The SPEAKER: The gentleman from Gray, Mr. Doughty, asks for a division.

The Chair recognizes the gentleman from Phippsburg, Mr. McIntire.

Mr. MCINTIRE: Mr. Speaker and Members of the House: I dislike to enter into this discussion, but I believe I am the only licensed Merchant Marine officer in this House, and I have held a license for twenty-eight years. I am neither for nor

against this motion, and I am not against the Maine Maritime Academy. In the beginning I was very much in favor of it. I am now. I was disappointed in the qualifications that were required of these boys when they went into this academy, because I believe on the coast of Maine you have got hundreds of young seamen, and all they need is to be taught navigation in this academy. They do not require any degree to go to sea. There are two degrees they will have to establish after they go to sea or they will be in hot water: they have got to establish the degree of latitude and the degree of longitude. I believe if a degree is given to a good many of these boys it will qualify them to come ashore and get a job rather than to take a job on a ship. I just want to bring that out. I just want the members of the Legislature to understand this is not a qualification which is necessary in order to go to sea—and I intend, as soon as this Legislature adjourns, to go there myself. I just want to bring that out to establish the fact it is not required.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that the House accept the Minority Report "Ought to Pass." The gentleman from Gray, Mr. Doughty, asks for a division.

All those in favor of the motion of the gentleman from Falmouth, Mr. Dow, that the Minority Report "Ought to Pass," be accepted, will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. Ninety-two having voted in the affirmative and 12 in the negative, the motion prevailed and the Minority Report "Ought to Pass" was accepted.

Thereupon, this being a printed bill, under suspension of the rules, the bill was given its two several readings and tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, Bill "An Act Relating to Incurable Insanity as a Cause for which a Divorce May be Granted" (H. P. 185) (L. D. 124), tabled on March 12th by the gentleman from Bangor, Mr. Maxwell, pending its third reading.

The Chair recognizes the gentleman from Bangor, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I move that Bill "An Act Relating to Incurable Insanity as a Cause for which a Divorce May be Granted" (H. P. 185) (L. D. 124) be given its third reading.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Miss Bangs.

Miss BANGS: Mr. Speaker, I move at this time that the bill be indefinitely postponed.

The SPEAKER: The gentlewoman from Brunswick, Miss Bangs, moves that Legislative Document 124 be indefinitely postponed.

The Chair recognizes the gentlewoman from Westbrook, Mrs. Roberts.

Mrs. ROBERTS: Mr. Speaker and Members of the House: It is most unfortunate when a man or woman marries a person who later becomes mentally ill. Whether it be a man or a woman, the patient is helpless, and the husband or wife should take the greatest care of his or her mate in any sickness. A divorce eliminates this wholly. No care can be taken following divorce.

This bill may be very well for a selfish individual but it certainly will not be used by a person who has a conscience.

There have been cases with which I have been familiar in regard to incurable insanity. These are days where there is so much science in the air and at the close of the war there will be so much we will know about that we have not already found out.

How does one know when a person is incurably insane? This is not a married person but I think it is a good example of doctors saying that a person is incurably insane. I read a letter last summer sent to a mother here in Maine by doctors from an insane hospital, saying that her boy had been brought from an eastern camp to that hospital, and they had found out that he was incurably insane. His mother went to that hospital. She was frantic. She went and remained there several weeks, and then she came back feeling better. Afterwards, she went again and stayed several weeks longer, and when she went home she seemed quite encouraged. Four months ago, that boy was released from that hospital cured. Of course,

he was not kept there for five years, as is required under this bill. That just shows that they are not always sure of that term.

I know of another case, of a woman whom I know very well, herself a physician. Her husband, a physician, sent her to a hospital for the insane as incurably insane. For seven years she remained there, but she is out of that institution now, perfectly well, so far as anybody knows. I do not think her husband knows that, but every one else does.

There are cases where it does seem so unwise for us to inject this into any bill in our Legislature; and I, as a woman, want to protest against such a bill, and also to bring the protest of many, many women from another section of the State with whom I have talked since this bill appeared.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Brunswick, Miss Bangs, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: Much of the material that I might have mentioned has been covered in the previous debate. As a signer of the "Ought not to Pass" report, I want to go on record as being opposed to this bill.

On the previous day of debate, the proponents suggested that we should not consider sentiment, and went on to paint the picture of a poor man with, in one case, perhaps two children, and in another with four children, and his wife in an insane hospital. That is truly a regrettable condition and we ought to sympathize with the family. It was pictured that a divorce would end these difficulties and that the family might live happy ever after. I question this line of reasoning for several reasons. As a practicing attorney, it has not been my experience or observation that divorce where there were children bettered the condition of those children. In many instances if there is a remarriage it is no more successful than the prior one.

Then there is this question: Here is a man—and our previous speaker is the only one who has indicated that a man might be insane—and I am following the line of the previous speakers—they indicated that

this man, if he were allowed to get a divorce, would be able to get married again and to make a happy home for these children. That might be possible. On the other hand, it seems to me that any individual would be reluctant to step into a situation like that and assume the responsibility of bringing up a family of small children where the mother was incurably insane. That is assuming that we can determine when a person is incurably insane, which most of us doubt.

There is one other point that seems to me to merit serious consideration and that is the effect upon this person who is sick. Now if you have an invalid or a cripple because of some disease, every member of this House would agree that was no occasion for a divorce, regardless of the hardship, financial or otherwise. Now we have a person who is mentally ill and confined to a state institution or some institution for the insane, yet we would make an exception and grant a divorce in this particular case. What would the effect be upon this patient? Some have said that the person who is insane in a lucid moment would say, "Yes, get a divorce." Last night I attended a hearing where a person was committed to the State Hospital. The day previous I helped arrange for the emergency commitment, and on the same day I saw another member of the same family taken to the State Hospital for observation. In the past six or eight months I have seen some eight or ten people committed. I know that these people have moments—or perhaps some of them at all times are conscious of their predicament, where they are going and why, but they have an obsession on some one or two points that may or may not be incurable.

Now assuming that either the man or the woman is committed and they know that the other spouse may get a divorce if they are committed and confined for five years, what will the effect of this be upon that particular individual who is already in mental difficulties? It seems to me that it will increase the likelihood that they will remain in the State Hospital and perhaps become as near to an incurable case as you can get.

In closing, I want to mention the history of such a measure that was introduced in this House on a previ-

ous occasion. I do not know when it was first introduced, but I do know in 1903 it was introduced to cover a particular case, and this bill is introduced to cover some one or two cases that some members of this House know about. That bill was defeated in 1903. In 1905 it would have been introduced again, but there was so much opposition developed that it was not introduced. In 1907 it was passed. This bill has the so-called "safeguards," and in that bill it was required that a person be confined for fifteen years and pronounced incurable. Yet, after that bill had accomplished its purpose, our Legislature reversed itself in 1913 and repealed this law.

Now I say to you members of the 91st Legislature: We should not again pass a measure granting divorce for insanity unless we are firmly convinced that the people of the State of Maine want such a bill. Let us not pass a bill today and have it repealed next week or two years from now. I hope the motion of the gentlewoman from Brunswick, Miss Bangs, prevails.

The SPEAKER: The question before the house is on the motion of the gentlewoman from Brunswick, Miss Bangs, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker and Members of the House: I like oratory only when it is based on the truth and common sense. Now we have on our statute books today divorce laws for everything except one, and that one is contained in this bill, the last straw. It designates insanity—incurable insanity, as a cause for which a divorce may be procured.

Go with me to the hospitals in the city of Lewiston, to those in the city of Portland, to the private institutions, and to the home, and I will show you a mother who has been on her sick bed for a number of years and the doctors say she may live six months longer. She cannot speak for herself, but the gentleman from Livermore Falls, Mr. Grua, tells us that she has broken her contract and therefore the husband is entitled to a divorce. But the husband does not want a divorce. He remembers his contract, "until death do us part." Take me to that man who dares to say that a person committed to an insane asylum lives on

forever. Go with me to that institution and I will show you a mother who has been committed there for a period of years, and the doctors say she may live another year. She cannot speak for herself, but the gentleman from Livermore Falls, Mr. Grua, tells us that she has broken her contract and therefore the husband is entitled to a divorce. Let the husband in this case also remember his contract, "until death do us part."

The gentleman from Houlton, Mr. Barnes, has told us of a family of children whose mother was in the insane asylum and the husband cannot get a housekeeper. If the husband cannot get a housekeeper for that house full of children, he may not be able to get a wife, and perhaps the husband is somewhat to blame for this mother being in the insane asylum. We men are not angels.

Another thing: The Welfare Department of our State or perhaps the relatives of those parents will care for those children, and give me the Welfare Department of our State or the relatives of the parents in preference to any stepmother that this gentleman from Houlton, Mr. Barnes, might be able to produce.

Another gentleman told us that he would be ashamed to look his children in the eyes if he had divorced their mother for insanity—if the mother was in the hospital on account of insanity. I say to that gentleman that I would be ashamed to look my children in the eyes if I had divorced their mother on account of insanity.

The gentleman from Livermore Falls (Mr. Grua) tells us that this bill is a bill for the whole State of Maine. That is not so. This bill is a bill that the State of Maine does not need; it is a bill that the State of Maine does not want, and if this bill is passed by the present Legislature, it will be an act for ourselves and ourselves alone, and not for the citizens back home who have not at this time the opportunity to speak for themselves.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Brunswick, Miss Bangs, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Brunswick, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the Legislature: Is this Legislature going on record as favoring any action that just reeks with unfairness—any action that can be used and will be used to take unfair advantage of the helpless? I just cannot believe that we will do this.

Most of us have given this bill a lot of thought since last week, and while at first this proposed legislation looked fairly reasonable and right to some, when we dug into the heart of the matter, and when we did a little more thinking of our own, we found something tainted—worse still—rotten.

We who have considered the marriage contract sacred have heard it made little of—pooh poohed at. Just what do you think of a person who makes a business contract in good faith and then if it goes against him, not through fault of the other party, breaks it? You do not like him, and you are justified; but when he turns around and makes the same contract with another party, you will like him less, and you have a mighty low opinion of anybody or any body (and will that mean the 91st Legislature?) that made it possible for him to get away with such a deal.

Divorce under any condition is bad enough. Divorce obtained under this bill would be contemptible. When a man takes a woman for his wife, or when a woman takes a man for her husband, the vows are made for life. Still, as time passes on and it is proven that a married couple have such definitely different dispositions that it is impossible for them to live together; that there is constant friction and quarrel,—then perhaps a separation and an abrogation of their wedding vows might be permissible even if not excusable. However, both parties can have their day in court.

Our present laws take care of such situations well and good, so let the present law stay as it is.

Consider the workings of this new bill. It seems unbelievable that this body of fair minded men and women, if they know what they are doing, could sanction such an act by their approval. This bill gets in its unfair dirty work only when one of a married pair is helpless,—unable to put up a personal defense. A married couple may have lived

together for years. Both of them have had plenty of problems and worries in their efforts to carry on. Perhaps these very worries and hardships are the real cause of the mental breakdown that lets this bill get in its nefarious work. I firmly believe if this bill becomes a law, that only a few, a very few men and fewer women in this state would ever avail themselves of the cowardly way out that this would open up for them. And the ones who would take advantage should not be permitted to.

We hear that a person has a right to the enjoyment of family life, a right to companionship. There are thousands today who have never enjoyed such a companionship: the old bachelors and the old maids. Do we ever give them a thought? Do we have much sympathy for them? Well, if we do, we do not show it. Little is asked.

It is said that a person considered incurably insane is practically the same as dead. In these days of new discoveries in medicine and science, is there such a thing as incurable insanity? Have we reached the limit of our progress?

Picture a woman who was a faithful wife for years, but from trials through which she had to pass, she reaches a point where a mental breakdown occurs. She is sick, very sick. If ever she needed the protection and care of a husband, now she has arrived at that point. With this bill enacted into a law, the door is opened for the faithless polecat of a husband to sneak out. And that is stating it mildly.

For all purposes, by all reasoning, she is the same as dead. Abandon her.

You, too, the first few years of your infancy were just as helpless, but did your mother consider you the same as dead? Did she walk out on you?

For all purposes, by all reasoning, the woman is dead. If this bill becomes a law, why should we not go farther and make a real work of art of it and finish the job? We have had all kinds of bills offered in previous legislatures that called for sterilization, emasculation or dismemberment of its victims. Why not go farther in this case,—execute the incurably insane person,—and to make it fair and just, let the husband who has his eye on a new bird

—I beg your pardon—bride, after the five year period has elapsed,—let him be the executioner. To save him any annoyance in enjoying the companionship of his new wife, perhaps he had better kill off any of his children under fourteen years of age.

After five years, probably shortened a couple of years for good behavior, this husband can marry another woman. Then, advanced surgery or medicine cures that incurably insane abandoned wife. Would you like to be in her place? Would you like to be that husband? Would you like to meet that cured insane wife some day when you are in the bank with your new wife? You are going to spend some of that hard earned cash which, saved by years of skimping and self-denial, helped to put your first wife in the insane hospital.

Those who favor the passage of this bill try to point out that the opponents call for their defense on misplaced pity, sob sister stuff, mistaken and misguided sympathy. Sympathy? True,—but not mistaken, not misplaced, not misguided.

Ah! Then in the next breath they plead for sympathy for the poor man with a family of three or four children, with a wife in the insane hospital—the poor man who should not be made to hire a housekeeper, but should be given another wife to support along with the one in the insane hospital. What a mess!

Let me ask you a question. If this man did take a second wife and later found out that he could not swing the extra financial burden of supporting a wife in the hospital and another in his home, which woman's expenses will he repudiate? Let me answer that question for you. The bills incurred by the woman in the hospital are the ones he will try to evade. That means that the public, you and I, will have to foot the bills while he is raising a second crop of children to support, if not oust, the children by his first wife. A man who could drive one woman insane could repeat the performance, too.

I have used some pretty plain language today, but that is what we need—it speaks for itself and we know just what it means.

The proponents themselves fear this bill. Deep in their hearts, if they could drop the pleasure and satisfaction they get out of the smoke of a legal battle, they would

admit that this is a dangerous bill. Else why all the safeguards they are trying to place in it? In this bill there is dynamite ready to explode. The safe way out is clear. Let us kill the bill and postpone the explosion indefinitely.

Ninety-nine per cent of our people would cleave firmer than ever to their husbands and wives in times of sickness. They would not take advantage of this bill—or any other similar to it. This bill just prepares a way for that one percent—the double-crossing cowardly sneak to get out from under his own rightful burden, doubtless brought on by his own actions, and, worse still, give him another opportunity to start the same thing all over again with another woman.

As to safeguards, any man or woman who has been married once and has a family of three or four children and a wife or husband in the insane hospital, and is looking for another mate, does not need any safeguards. We, the people, need the safeguards; he or she needs a keeper. Put both of them in the crazy house.

I do not believe that the 91st Legislature wishes to carry the stigma that goes with this bill. Postpone it indefinitely.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Leavitt.

Mr. LEAVITT: Mr. Speaker, before the vote is taken on this bill, there are two things that ought to be brought to the attention of the House. The first is that a Supreme Court decision which has been recently handed down states that a divorce obtained in any state in the Union is good in all states. There are at the present time, I believe, twenty-eight states which allow divorce on the ground of insanity. Therefore, any person in the State of Maine who has money enough to go to another state may get a divorce for insanity. The second point I want to bring out is in regard to the number. When you take out an insurance policy, the insurance policy is based by actuaries on the number of people involved. They do not say "You will do that," or "so and so will do that," but they say, "Out of so many people so many will die next year; and so many will be hurt."

I have talked with the doctors who are taking care of our insane

and they state twenty-five per cent of all people who become insane for any reason are incurable. Now of course of the seventy-five per cent who are not incurable, they are moving out of our State Hospitals all the time, a few of them at a time, and some of them are coming in, but in our insane hospitals in the State of Maine sixty per cent of all the inmates are incurably insane. I am not talking about individual cases; I am just talking about the group as a whole. We have in our insane hospitals at the present time in the State of Maine about 2700 people. Sixty per cent of those is a little over 1600. Of course if there are 1600 people in the insane hospitals there are at least 1600 people out of the hospital who are involved because of the fact a person is in the hospital. Of course when you reduce that to husbands or wives you can reduce it down to five or six hundred. So we are talking not of one isolated case here or even ten isolated cases, at least I am not; I am talking about five or six hundred husbands or wives who have incurably insane husbands or wives in the insane hospitals, and those people can either go to other states, or, if they are too poor, they must stay married to them for all the rest of their lives.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, the hour is getting late and in my opinion I think that this is a very important measure, and I have not much doubt that there are several more who would like to speak, and speak rather lengthily, on this important question.

Now, we have several important committee meetings this afternoon, so I move you, Mr. Speaker, that when we adjourn, that we adjourn to 9:30 o'clock tomorrow morning, and when I say 9:30 o'clock tomorrow morning, I add an extra half hour, because we have several important measures to come off the table tomorrow morning that are specially assigned.

So I move you, Mr. Speaker, that when we adjourn, that we adjourn until 9:30 o'clock tomorrow morning.

The SPEAKER: The Clerk will read the notices.

The SPEAKER: The Chair would remind the House Chairmen of any committees that are holding executive sessions, where the notices have not been given here, that they are holding the Clerk's office open until six o'clock tonight, and as late as the members want to bring them in tomorrow night, in order

that those matters may be reported in on the Journal for the succeeding day.

On motion by Mr. Sleeper of Rockland,

Adjourned until 9:30 o'clock tomorrow morning.