

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, April 4, 1949

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

Prayer by the Rev. Mr. Barr of Fairfield.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Bridge Repairs" (S. P. 640) (L. D. 1411)

Came from the Senate received by unanimous consent and referred to the Committee on Legal Affairs.

In the House, was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in Favor of Andre Pelletier, of St. Basile Mad., New Brunswick (S. P. 114)

Report of same Committee reporting same on Resolve in Favor of Josephine Stewart, of West Medford, Massachusetts (S. P. 54)

Report of the Committee on Education reporting same on Bill "An Act Relating to Admission to Normal Schools and Teachers' Colleges" (S. P. 480) (L. D. 943)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Covered by Other Legislation

Report of the Committee on Judiciary on Bill "An Act Relating to Ballots in Elections" (S. P. 47) (L. D. 29) reporting "Ought not to pass" as it is covered by other Legislation.

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

Ought to Pass

Report of the Committee on Counties reporting "Ought to pass" on Bill "An Act Relating to County Jail Costs for Certain Violations" (S. P. 500) (L. D. 1001)

Report of the Committee on Legal Affairs reporting same on Bill "An Act Relating to State Owned Cars" (S. P. 489) (L. D. 1173)

Report of same Committee reporting same on Bill "An Act Extending the Period for Which the Board of Finance in the City of Waterville is Established" (S. P. 459) (L. D. 911)

Report of same Committee reporting same on Bill "An Act Relating to Investigation of Fire Hazards and Causes of Fires" (S. P. 391) (L. D. 706)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice and tomorrow assigned.

Recommended

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act Relating to Clerk Hire in Office of Clerk of Courts, Androscoggin County" (S. P. 508) (L. D. 1007)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, Report was read and accepted in concurrence and, on motion by Mr. Brown of Durham, was recommended to the Committee on Salaries and Fees in non-concurrence and sent up for concurrence.

Ought to Pass with Committee Amendment

Report of the Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court" (S. P. 277) (L. D. 450) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with 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 read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 277, L. D. 450, Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court".

Amend said Bill by striking out the underlined figures "\$1,800" in the 5th line thereof and inserting in place thereof the underlined figures '\$1,500'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow morning.

Tabled

Report of the Committee on Temperance on Bill "An Act to Provide for the Creation of a Liquor Research Commission" (S. P. 470) (L. D. 922) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, on motion by Mr. Bubar of Blaine, tabled pending acceptance of the Committee Report in concurrence.

Report of the Committee on Temperance on Bill "An Act Relating to Certificate of Approval for Brewers" (S. P. 531) (L. D. 1061) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with 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 read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 531, L. D. 1061, Bill "An Act Relating to Certificate of Approval for Brewers."

Amend said Bill by striking out in the 5th and 6th lines the underlined words "**including contracts and dealings with wholesalers**"

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow morning.

Ought to Pass with Committee and Senate Amendments

Report of the Committee on Salaries and Fees on Bill "An Act Relating to Salary of Register of Deeds and Clerk Hire in Office of Register of Deeds, Androscoggin County" (S. P. 440) (L. D. 791) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" was read by the Clerk as follows,

COMMITTEE AMENDMENT "A" to S. P. 440, L. D. 791, Bill "An Act Relating to Salary of Register of Deeds and Clerk Hire in Office of Register of Deeds, Androscoggin County."

Amend said Bill by striking out all of Sec. 1.

Further amend said Bill by striking out in the 1st line of Sec. 2 the underlined words "**Sec. 2.**"

Committee Amendment "A" was adopted in concurrence.

Thereupon, Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to S. P. 440, L. D. 791, Bill "An Act Relating to Salary of Register of Deeds and Clerk Hire in Office of Register of Deeds, Androscoggin County."

Amend said Bill by striking out of the title the words "Salary of Register of Deeds and"

Senate Amendment "A" was adopted in concurrence and the Bill was assigned for third reading tomorrow morning.

Recommended

Report of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Register of Probate and Clerk Hire in Office of Register of Probate in Androscoggin County" (S. P. 554) (L. D. 1177) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, report was read and accepted in concurrence and, on motion by Mr. Brown of Durham, was recommitted to the Committee on Salaries and Fees in non-concurrence and sent up for concurrence.

At this point, the House voted to take up an additional paper just received from the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that to expedite legislative consideration of general fund appropriations and revenue measures, one or more members of the Committee on Appropriations and Financial Affairs, in each branch of the Legislature, be requested to present to their respective branches on Wednesday, April 6, a brief summary of the General Fund appropriation bill and related subjects, with such other comments as they may wish to make. (S. P. 649)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

House Reports of Committees Ought to Pass in New Draft

Mr. Jones from the Committee on Federal Relations on Bill "An Act

Amending the Unemployment Compensation Law as to Benefit Eligibility Conditions" (H. P. 1388) (L. D. 721) reported same in a new draft under same title (H. P. 2028) (L. D. 1421) and that it "Ought to pass"

Mr. Hill from the Committee on Inland Fisheries and Game on Bill "An Act Relative to Night Hunting" (H. P. 490) (L. D. 165) reported same in a new draft under same title (H. P. 2029) (L. D. 1422) and that it "Ought to pass"

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules and tomorrow assigned for third reading.

Ought To Pass Printed Bills Tabled and Assigned

Mr. Fuller from the Committee on Education reported "Ought to pass" on Bill "An Act to Equalize the Educational Load of Municipalities" (H. P. 1949) (L. D. 1322)

(On motion by Mr. Fuller of Buckfield, tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 7.)

Mr. Bearce from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Relative to Closed Time on Deer" (H. P. 1035) (L. D. 451)

Same gentleman from same Committee reported same on Resolve Closing Lake Cobbosseecontee in Kennebec County to Fishing Through the Ice for Salmon and Trout (H. P. 1777) (L. D. 1116)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Brassua Lake in the County of Somerset (H. P. 1148) (L. D. 605)

Mr. Carville from same Committee reported same on Resolve Providing for a Fish Screen at North Pond, in the Town of Woodstock, in the County of Oxford (H. P. 1041) (L. D. 525)

Same gentleman from same Committee reported same on Resolve

Regulating Fishing in Long Pond, in the County of Franklin (H. P. 1037) (L. D. 521)

Mr. Hayward from same Committee reported same on Resolve Relating to Stewart Pond in the Town of Belgrade, Kennebec County (H. P. 1778) (L. D. 1117)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Mayfield Pond, in the County of Somerset (H. P. 573) (L. D. 1423)

Mr. Hill from same Committee reported same on Resolve Regulating Fishing in Sand Pond in the County of Oxford (H. P. 991) (L. D. 422)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Kemankeag Pond, in the County of Franklin (H. P. 1039) (L. D. 523)

Mr. Plummer from same Committee reported same on Bill "An Act Relating to Closed Season in Certain Waters in Oxford County" (H. P. 1132) (L. D. 540)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Certain Somerset County Waters (H. P. 1482) (L. D. 839)

Mr. Wight from same Committee reported same on Bill "An Act Regulating Fishing in Big Magalloway River in Oxford County" (H. P. 1133) (L. D. 541)

(On motion by Miss Cormier of Rumford, House Rule No. 25 was suspended for the remainder of today's session in order to permit smoking.)

Mr. Wight from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in and Closing Tributaries to Lake Maranacook and Narrows Pond, in the County of Kennebec (H. P. 1484) (L. D. 841)

Mr. Clements from the Committee on Pensions reported same on Resolve Providing for an Increase in Retirement Pension for Harry H. Watson of Prospect (H. P. 304) (L. D. 1424)

Same gentleman from same Committee reported same on Resolve in Favor of Mrs. Josephine Scribner, of Newport (H. P. 1883) (L. D. 1428)

Mr. Patterson from same Committee reported same on Resolve Granting a Pension to Grace Merrill Cutts, of Saco (H. P. 848) (L. D. 1425)

Same gentleman from same Committee reported same on Resolve Providing for a Pension for Harvard L. Copp of Trenton (H. P. 1416) (L. D. 1426)

Same gentleman from same Committee reported same on Resolve in Favor of Lillis B. Goodwin, of East Corinth (H. P. 936) (L. D. 1427)

Reports were read and accepted, and the Bills and Resolves, having already been printed, the Bills were read twice under suspension of the rules, the Resolves read once and tomorrow assigned.

Ought to Pass With Committee Amendment Tabled

Mr. Fuller from the Committee on Education on Bill "An Act Relating to Secondary School Tuition" (H. P. 1951) (L. D. 1324) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

The SPEAKER: The Chair recognizes the gentleman from Buckfield, Mr. Fuller.

Mr. FULLER: Mr. Speaker, I know that the sponsor of this bill is absent and I would move that House Paper 1951, Legislative Document 1324, Bill "An Act Relating to Secondary School Tuition" with accompanying papers lie upon the table pending acceptance of the report.

Thereupon, the motion prevailed.

Tabled and Assigned

Mr. Marsans from the Committee on Education on Bill "An Act to Increase State Aid to Towns for the Support of Salaries of Teachers" (H. P. 1771) (L. D. 1110) reported "Ought to pass" as amended by

Committee Amendment "A" submitted therewith.

(On motion by Mr. Marsans of Monmouth, tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 7.)

Mr. Ricker from the Committee on Education on Bill "An Act Relating to the Valuation of the Town of Dedham for the Apportionment of State School Funds" (H. P. 1131) (L. D. 539) 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" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1131, L. D. 539, Bill "An Act Relating to the Valuation of the Town of Dedham for the Apportionment of State School Funds."

Amend said Bill by inserting in the 3rd line from the end after the figures "45%" the following words 'of the valuation of the Lucerne-in-Maine Village Corporation'

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

Mr. Payson from the Committee on Federal Relations on Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classification" (H. P. 1391) (L. D. 724) 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" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1391, L. D. 724, Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classification."

Amend said Bill by striking out the underlined figures ".09%" in the last line thereof and inserting in place thereof the underlined figures '.09%'

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

Mr. Beece from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Big Fish Lake, in the County of Aroostook (H. P. 1143) (L. D. 603) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1143, L. D. 603, Resolve Regulating Fishing in Big Fish Lake, in the County of Aroostook

Amend said Bill by adding in the 4th line thereof after the word "ponds" the words, 'Carr Pond Stream, Fish River.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading tomorrow morning.

Mr. Hayward from the Committee on Inland Fisheries and Game on Resolve Authorizing Commissioner of Inland Fisheries and Game to Sell Certain Buildings at Marshfield to Orris Bowker (H. P. 1147) (L. D. 549) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1147, L. D. 549, Resolve Authorizing Commissioner of Inland Fisheries and Game to Sell Certain Buildings at Marshfield to Orris Bowker.

Amend said Resolve by adding at the end thereof the following:

'All funds received from said sale to be credited to the funds of the department of inland fisheries and game.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading tomorrow morning.

Mr. Plummer from the Committee on Inland Fisheries and Game on Resolve Authorizing the Sale of Hatcheries and Feeding Station Property (H. P. 1040) (L. D. 524) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1040, L. D. 524, Resolve Authorizing the Sale of Hatcheries and Feeding Station Property.

Amend said Resolve by adding at the end thereof the following:

'All funds received from said sale to be credited to the funds of the department of inland fisheries and game.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading tomorrow morning.

Passed to be Engrossed

Bill "An Act to Construct a Bridge Between Old Town and Indian Island" (S. P. 638) (L. D. 1409)

Bill "An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns" (H. P. 1255) (L. D. 538)

Bill "An Act Relating to Notice in the Small Claims Law" (H. P. 1633) (L. D. 986)

Bill "An Act Amending the Uniform Veterans' Guardianship Act" (H. P. 1634) (L. D. 987)

Bill "An Act Amending the Charter of the City of Portland re Form of Ballot" (H. P. 1649) (L. D. 956)

Bill "An Act Relating to Lobster Licenses" (H. P. 720) (L. D. 262)

Bill "An Act Relating to Sirens on Motor Vehicles Used by Deputy Sheriffs" (H. P. 1938) (L. D. 1312)

Bill "An Act to Require Stop Lights on School Buses" (H. P. 2023) (L. D. 1412)

Bill "An Act Relating to Overtaking and Passing School Busses" (H. P. 2025) (L. D. 1414)

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

Tabled

Bill "An Act Relating to the Financial Responsibility Law" (H. P. 2027) (L. D. 1416)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Eastman of South Paris, tabled pending third reading.)

Amended Bills Tabled

Bill "An Act Relating to Definition of "Teacher" Under State Employees' Retirement Law" (H. P. 1783) (L. D. 1122)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Williams of Auburn, tabled pending third reading.)

Bill "An Act Relating to Welfare Claims Against Estates" (H. P. 1910) (L. D. 1273)

Bill "An Act Creating the Development Credit Corporation of Maine" (H. P. 1970) (L. D. 1358)

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

Orders of the Day

The SPEAKER: Unless there be objection, the Clerk has a communication which he would like to read.

The CLERK (reading) the following communication:

March 28, 1949

Mr. Harvey R. Pease
Clerk of the House of Representatives
State House
Augusta, Maine

Dear Mr. Pease:

I herewith submit my resignation as Journal Copy Clerk of the House of Representatives, due to my requested return to Portland by Union Mutual Life Insurance Company, effective today.

Very truly yours,

(Signed) RUTH B. FICKETT.

Was read, the resignation accepted, and ordered placed on file.

On motion by Mr. Bubar of Blaine, the House voted to take from the table Item 13, Report of the Committee on Temperance on Bill "An Act to Provide for the Creation of a Liquor Research Commission" (S. P. 470) (L. D. 922) reporting "Ought to pass" as amended by Committee Amendment "A", tabled by that gentleman earlier in today's session pending acceptance of the committee report.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. White.

Mr. WHITE: Mr. Speaker, I move that S. P. 470, L. D. 922 be indefinitely postponed.

The SPEAKER: The gentleman from Auburn, Mr. White, moves that Bill "An Act to Provide for the Creation of a Liquor Research Commission" (S. P. 470) (L. D. 922) be indefinitely postponed.

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

Mr. ROUNDY: Mr. Speaker, before we vote on what seems to be an important matter, it seems to me that in all our minds we should have just what this bill is that we are talking about, so I desire to read two or three sentences in relation to it.

"Liquor Research Commission Created"—that is Section 1.

"The governor, with the advice and consent of the council, shall appoint a liquor research commis-

sion consisting of 7 members and shall designate its chairman. Consideration in naming the commission shall be given to all interests concerned."

Now in regard to the duties, in the second section:

"Such commission shall make as complete and accurate a study as possible of the physiological, psychological, economic and social effects of the use of alcoholic beverages in this state. It shall study the latest methods used in the treatment and rehabilitation of alcoholics. It shall study and determine what institutions should be used or established for the care and rehabilitation of alcoholics. It shall study and determine what educational methods and programs should be used in the schools concerning alcohol."

It seems to me that if there is any reasonable proposition in the field of temperance that comes before us it is this one. It takes all interests into account. It gives to the Governor and Council the determination as to who shall be appointed on the commission that is to be appointed. The cost is at a minimum of \$10,000. It was first reported as \$5,000. This would be largely used by some special person under the direction of the commission who would find out the facts to be studied.

It seems to me at the present time when we are receiving a considerable amount of money from the sale of liquor in this State that we may well use a small amount of it to wisely and carefully and thoroughly, using time, make a study as to just what should be the future procedure so far as people like ourselves in the next Legislature shall find reasonable after this commission has made its careful and, I believe, valuable report.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. White, that the report of the committee be indefinitely postponed.

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

Mr. DOW: Mr. Speaker, I just ask for information. Does that motion come ahead of the motion to table?

The SPEAKER: The gentleman is entitled to make a motion to table, if he sees fit.

Mr. DOW: Mr. Speaker, has not the motion to table already been put?

The SPEAKER: The Chair understands, Mr. Dow, that a motion to table was carried, but the gentleman who made the motion took the matter from the table, whereupon a motion to indefinitely postpone was made by the gentleman from Auburn, Mr. White, which is the pending question.

As many as are in favor of the motion of the gentleman from Auburn, Mr. White, that the "Ought to pass" report of the committee be indefinitely postponed, will say aye; those opposed no.

A viva voce vote being taken, the motion to indefinitely postpone did not prevail. Thereupon the "Ought to pass" report of the committee was accepted, and the Bill, having already been printed, under suspension of the rules was given its first reading.

The SPEAKER: The Chair recognizes the gentleman from Fort Fairfield, Mr. Dorsey.

Mr. DORSEY: Mr. Speaker, I move that S. P. 470, L. D. 922, Bill "An Act to Provide for the Creation of a Liquor Research Commission" and accompanying papers lie on the table and be specially assigned for Thursday morning.

The SPEAKER: The Chair will state that the rules have already been suspended, therefore we will have to proceed before entertaining the motion of the gentleman from Fort Fairfield.

Thereupon, the bill was given its second reading.

On motion by Mr. Dorsey of Fort Fairfield, the Bill and accompanying papers were tabled pending assignment for third reading.

On motion by Mr. Campbell of Garland, the House voted to reconsider its action of April 1st whereby it adopted Committee Amendment "A" to S. P. 321, L. D. 514, Bill "An Act Relating to the Salaries of Various County Officers of Franklin County."

On further motion by the same gentleman, Committee Amendment "A" was indefinitely postponed.

Thereupon the Bill was given its third reading and passed to be engrossed in concurrence.

On motion by Mr. Campbell of Garland, the House voted to reconsider its action of April 1st whereby it adopted Committee Amendment "A" to S. P. 319, L. D. 512, Bill "An Act Relating to the Salary of the Judge of the Franklin Municipal Court."

On further motion by the same gentleman, Committee Amendment "A" was indefinitely postponed.

Thereupon the Bill was given its third reading and passed to be engrossed in concurrence.

On motion by Mr. Campbell of Garland, the House voted to reconsider its action of April 1st whereby it adopted Committee Amendment "A" to S. P. 320, L. D. 513, Bill "An Act Relating to the Salaries of the Judge of Probate and Register of Probate, Franklin County."

On further motion by the same gentleman, Committee Amendment "A" was indefinitely postponed.

Thereupon the Bill was given its third reading and passed to be engrossed in concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. If there are no further items of business to come before the House, the Clerk will read the notices.

On motion by Mr. Hanson of Machiasport,

Adjourned until 10:00 o'clock tomorrow morning.