

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
KENNEBEC JOURNAL PRINT
1916

HOUSE.

Friday, March 30, 1917.

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

Prayer by the Rev. Mr. Robinson of Gardiner.

Journal of previous session read and approved.

Mr. FARRINGTON of Augusta: Mr. Speaker, I would move that the rules be suspended and that we at this time start in on the third article of the order of business. I think it will hasten matters if we do that.

The motion was agreed to.

The following resolve was presented and on recommendation of the committee on reference of bills was referred to the following committee:

Appropriations and Financial Affairs

By Mr. Allan of Portland: Resolve in favor of Fred F. Lawrence, for services to committee on taxation.

Orders

Mr. Baxter of Portland presented the following order and moved its passage.

Ordered, the Senate concurring, that a committee of five be appointed by the Governor, consisting of three members of the House of Representatives and two members of the Senate, to investigate and report as to the advisability of imposing an excise, franchise or other tax on the corporations within the State of Maine which generate or distribute or sell electric current for light, heat or power purposes.

The said committee shall have power to investigate and report on the general subject of taxation of the corporations above mentioned and on the taxation of undeveloped water powers wherever located and the taxation of water power and storage dams in unincorporated places.

The said committee shall receive five dollars per day for their services and shall be paid their reasonable expenses, and they shall have power to employ such clerical and legal assistance as is

necessary, all subject to the approval of the Governor and Council. Said committee shall have power to summon and compel the attendance of witnesses who shall testify under oath and to compel the production of books of account and other papers and to punish for contempt.

Said committee shall commence its investigation as soon as practicable after the adjournment of this legislature and shall report its findings to the Governor and Council on or before the first day of October, 1917, but in case that committee shall not have completed its report by said date, it shall render a partial report to the said Governor and Council on that date and shall complete its findings before January 1st, 1918.

The funds necessary to carry out the provisions of this order shall be taken from any funds in the State treasury not otherwise appropriated.

On motion by Mr. Farrington of Augusta, the order was tabled for consideration later.

Reports of Committees

Mr. Nicholas, from the committee on appropriations and financial affairs, reported "ought to pass" on Resolve appropriating money to pay Ethel M. Wade, stenographer and typist to the clerk of the House.

Same gentleman, from same committee, reported same on Resolve in favor of certain employes of the House of Representatives.

Same gentleman, from same committee, reported same on Resolve in favor of the pay roll of the House of the 78th Legislature.

(The rules were suspended and the resolve given its first reading.)

Same gentleman, from same committee, reported same on Resolve in favor of the official reporter of the House for services of assistant reporter, typewriter operator and additional assistance in the preparation and completion of the Legislative Record, including installation and rental of dictating machines.

Same gentleman from same committee on bill, "An Act to amend Sections 92, 93 and 94 of Chapter 2 of the Revised Statutes, relating to the estimated income and

expenditures of the State departments and institutions," reported same in a new draft, under same title, and that it ought to pass.

Mr. Barnes from the Aroostook delegation, on bill "An Act to authorize the county of Aroostook to enlarge and repair the courthouses at Houlton and Caribou in said county," reported same in a new draft, under same title, and that it ought to pass.

Mr. Buzzell from the committee on legal affairs reported "ought to pass" on bill "An Act to amend Section 60 of Chapter 4 of the Revised Statutes of 1916, relating to the creation of a sinking fund by cities and towns."

Mr. Garcelon from same committee on legal affairs reported same on bill "An Act allowing dentists to employ women assistants who shall be known as dental hygienists."

(Tabled by Mr. Wilson of Portland pending acceptance of report.)

Mr. Garcelon from the same committee, on bill An Act relating to qualification of judges, clerks and recorders of municipal and police courts, reported same in a new draft, under title of "An Act relating to qualification of judges of municipal and police courts"; and that it ought to pass.

Mr. Berry from the committee on military affairs on resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol, reported same in a new draft, under same title and that it ought to pass.

Mr. Emerson from the committee on pensions, reported ought to pass on resolve in favor of Rena Cooley.

Mr. Albert from same committee, reported same on resolve in favor of Mary S. Hillman.

At this point unanimous consent was given Mr. Murray of Bangor to make an announcement.

Mr. MURRAY: The city of Bangor on Wednesday next is to have a celebration, or preparedness meeting, somewhat similar to that held in Portland; and in behalf of that city I am extending an invitation to the members of this House to be present on that day. Arrangements as to trains, and so forth, will be

announced some time Monday in this House. The plans have not been all perfected yet, but I again extend to you a cordial invitation to be present at that time. The same announcement is being made at this time in the Senate. (Applause.)

The SPEAKER: The Chair would take occasion to add in addition to what the gentleman from Bangor, Mr. Murray, has said, that in regard to the matter of adjournment the Speaker has been in consultation with the President of the Senate, the secretary of the Senate, the clerk of the House, and with the executive department of the Governor; and, after canvassing the matter very thoroughly, it has seemed best to all parties concerned that the House adjourn after its session today until Monday morning at 10 o'clock. Of course it is entirely within the vote of the majority. The Chair simply wishes to announce that, when the order comes over from the Senate, it will call for an adjournment after today's session until Monday morning at 10 o'clock. That would seem to facilitate the business of the Legislature as much or more than trying to have a session tomorrow. One reason is that it seems very desirable to all the parties concerned, including the Governor, that the Legislature attend the celebration in Bangor; and, if it is to attend, it should attend in a body and do it right. We feel, therefore, that an adjournment until Monday will probably be conducive to that same purpose. After the strenuous time we have had this week we are all tired, we are exhausted and nervous, and it is the feeling, as I say, that we will do better justice to the State if we do not try to have a session tomorrow. I am simply making this announcement so that when the order comes over, if agreeable it may be settled without any discussion and without taking up any time.

The Chair wishes also to suggest to the House that when the calendar is reached—and you will note that there are several items still on the calendar to be disposed of—some decision be made in regard to limiting debate. The Chair is of the opinion that it expresses the feeling of the

majority when it says that it seems to it that some of these subjects have taken up more time than the occasion would warrant in the past. It also seems to the Chair that if we are ever to get through we must put some sort of a limit on debate. It occurs to the Chair that when a subject is reached on the calendar, if the House agrees that a certain number of minutes shall be devoted to that particular subject everybody will be just as well satisfied. This, of course, is entirely within the province of the House. The Chair does not mean to imply that any one man in the House has talked too long on any subject or too much, but is speaking in general terms. (Applause.)

Mr. DUTTON of Bingham: I believe, Mr. Speaker, that everybody in the House is desirous of transacting the business on the calendar with as much dispatch as possible. I would move you at this time that the limit on all speeches for the remainder of this week shall be five minutes.

The SPEAKER: The only suggestion about that would be that, of course, some subjects are of more importance than others. It occurs to the Chair that it might be desirable to assign a half hour to the discussion of a certain topic. One man might be more interested in that than another, and it might perhaps be for the interest of the subject under discussion that one man take up all of that time. That is the only suggestion the Chair has to offer; and, while the Chair is perfectly willing to put the motion, it occurs to the Chair that perhaps a conference of two or three men, or a committee named by the Chair, would permit the drawing up of a set of rules with regard to this thing that will be acceptable to a majority of the House. This is merely a suggestion. The gentleman's motion is that debate be limited to five minutes—each individual speech.

Mr. BARNES of Houlton: Mr. Speaker, the most important business of the session, and most of the most important business of the session, is to be presented between now and adjournment. The entire question of raising revenue, the entire temperance is-

sue—and I might go on and take five minutes in telling you about it. It is the important business of the session. Now it would be extremely unfortunate if we were limited to 30 minutes and lukewarm friends of a measure occupied that 30 minutes. I hope that the gentleman from Bingham (Mr. Dutton) will perhaps withdraw his motion. I think there is a good deal of merit in the suggestion of the Chair, that a conference committee might decide on a cloture rule like this.

Mr. DUTTON of Bingham: Mr. Speaker, I have no objection to withdrawing my motion if that is the will of the House; but I think you will all agree with me that we have been obliged on nearly every subject to listen to extended speeches, and on every subject they seem to come from about the same source. I believe there are other members of the House who desire to express their opinions on different subjects and have not had an opportunity to do so because of protracted speeches by others. That is my position in the matter; but if it is the will of the House, I withdraw my motion.

Mr. HOLLEY of North Anson: Mr. Speaker, I move you that the Chair appoint a conference committee on this matter composed of five members to draw up a set of resolutions and present them to this body.

The motion was agreed to.

Mr. ROUNDS of Portland: Mr. Speaker, it seems to me that it would have been better if this had started in the first place, but they have been holding these reports back to the last day

The SPEAKER: The Chair must remind the gentleman from Portland (Mr. Round) that there is no motion before the House.

Mr. ROUNDS: I thought, Mr. Speaker, there was a motion before the House.

The SPEAKER: The motion was carried that a committee of five be named to formulate some rules to close debate. The Chair will appoint that committee later.

On motion by Mr. Dutton of Bingham, the rules were suspended to enable the taking up out of order of a Senate order.

The SPEAKER: Evidently the Senate has overruled the Speaker of the House. The Chair will read the order.

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Monday, April 2, at 3 o'clock in the afternoon.

Mr. FARRINGTON of Augusta: Mr. Speaker, it seems to me that if we are likely to lose one day next week by the trip to Bangor, we ought to have a session tomorrow. That is my own personal view. I am not at all hidebound in my view, but it does seem to me that we are coming along with a very crowded calendar to a point where we must do business. I think we can do business on Saturday if the members understand that the measures are to be taken up and will not be laid on the table because the parties are not here. I do not of course like to go contrary to the ruling or the suggestion of the Chair.

The SPEAKER: The ruling was only a suggestion and the main thing now is whether this House wants to concur in the passage of this order of adjournment until Monday afternoon instead of ten o'clock in the forenoon.

Mr. FARRINGTON: Mr. Speaker, my position is that we ought to have a session tomorrow morning.

Mr. NEWCOMB of Scarborough: Mr. Speaker, it is quite necessary for a large number of the representatives to have at least one day in the week to attend to their own private business—I know it is with me and it seems to me that it will be better to have a session Monday at ten o'clock than to try to hold one Saturday. It will not make very much difference to the House whether I am here or not on Saturday and it would be impossible for me to be here; but there may be a whole lot of other representatives who cannot be here, and it might make some difference to the business of the House. It seems to me it would be better to lose Saturday than Monday.

Mr. PHILLIPS of Southwest Harbor: Mr. Speaker, I would like to say that the people of Washington and Hancock counties cannot possibly get here on Monday before half past four if they go home.

Mr. WILSON of Portland: Mr. Speaker, I move that the House insist and ask for a committee of conference.

The SPEAKER: The Chair would inform the gentleman from Portland (Mr. Wilson) that there is nothing to insist on. This is a Senate order for concurrence or non-concurrence.

Mr. MURRAY of Bangor: Mr. Speaker, I move that the House concur with the Senate in the passage of the order.

Mr. HUTCHINS of Mexico: Mr. Speaker, it seems to me that the suggestion of Mr. Farrington of Augusta is one that should be well considered by this House. The suggestion has already been made that we should limit debate on important matters which are to come before this House to five minutes. The suggestion, I say, has been made and a committee is to be appointed to formulate rules to that effect. Now we are here for business. We are here for the business of the State, and I believe that we should stay and do it, if necessary, tomorrow; also, if necessary to do it in a proper manner, that we should be here Monday, also. I hope the motion will not prevail.

The SPEAKER: The question is on the motion of the gentleman from Bingham, Mr. Dutton, as to concurrence with the order of the Senate.

Mr. WILSON of Portland: Mr. Speaker, I move that this be tabled until we can see what has happened to our order that was passed a few minutes ago.

The SPEAKER: The House has not passed any order about adjournment.

Mr. MESERVE of Naples: Mr. Speaker, we have been here now for three months. It is all very well and good for those who can go home two or three days a week to go. Those of us who cannot go home have to stay here

and lose that time. I think we had better stay here and attend to business. (Applause.)

The SPEAKER: Are you ready for the question? The question is on the motion of the gentleman from Bingham, Mr. Dutton, that the House concur with the Senate and that when the houses adjourn, they adjourn to meet Monday afternoon, April second, at 3 o'clock.

A viva voce vote being doubted, A division of the House was had,

Fifty-nine having voted in the affirmative, and 44 in the negative, the motion of the gentleman from Bingham, Mr. Dutton, prevailed to concur with the Senate in adjourning to Monday, April 2nd, at 3 o'clock in the afternoon.

On motion by Mr. Farrington of Augusta, the rules were suspended and unanimous consent was given to receive an order from the Senate out of order, as follows:

Ordered, the House concurring, that a printed copy of Senate Document No. 198 be substituted for the original bill which has been lost, and that the recording officers of the two branches of this Legislature be instructed to receive such substitute for the original bill for the purpose of completing their records.

The order received a passage in concurrence.

Mr. GARCELON of Auburn: Mr. Speaker, I move that the House out of order under suspension of the rules reconsider its vote whereby Senate Doc. No. 391, An Act to grant a new charter for the city of Auburn, was passed to be engrossed. I wish to offer an amendment.

The SPEAKER: The Chair would suggest that it will be necessary to get the papers here and that it would facilitate the business of the House to allow the messenger to get the documents and take the matter up later. Can the gentleman from Auburn, Mr. Garcelon, inform the Chair of the status of the bill and where it is?

Mr. GARCELON: The bill was passed to be engrossed by both houses.

On motion by Mr. Garcelon of Auburn, the rules were suspended and the vote was reconsidered whereby the House voted to pass Senate Doc. 391 to be engrossed.

Mr. GARCELON: Mr. Speaker, I offer House Amendment A and move its adoption.

House Amendment A to Senate Document 391, entitled "An Act to grant a new charter to the city of Auburn."

Article 8, Section 1, is hereby amended by adding at the end of said section the words "nothing in this article shall be taken to apply to permits granted under Section 27 of Chapter 60 of the Revised Statutes."

The amendment was adopted, and Senate Doc. 391 was passed to be engrossed as amended by House Amendment A.

Mr. Stubbs, from the committee on ways and bridges, on bill An Act to authorize the county of Piscataquis to reimburse the town of Brownville to the extent of 30 per cent. of its disbursements in the construction of a bridge across Pleasant river," reported same in a new draft, under same title, and that it ought to pass.

The reports of the committees were accepted and the several bills and resolves ordered printed under the joint rules.

Report of the committee on conference on the disagreeing action of the two branches of the Legislature, on bill "An Act to provide for the registration of resident hunters," reporting that they are unable to agree.

(Signed) Chick, Gillin, Marshall, committee on part of the Senate; Barnes, Berry, O'Connell, committee on part of the House.

Mr. BARNES of Houlton: Mr. Speaker, at the request of one of the committee members from the Senate, I move that the House ask for a second committee of conference.

The SPEAKER: The Chair would suggest to the gentleman from Houlton,

Mr. Barnes, that the report be first accepted.

On motion by Mr. Barnes of Houlton, the report of the committee of conference was accepted, and on further motion by the same gentleman, the House voted to insist on its action and ask for a new committee of conference.

The Chair named as such committee of conference on the part of the House Messrs. McNally of Ashland, Flint of Monson and Clason of Lisbon.

Mr. Brewster, from the committee on education, reported "ought not to pass" on bill "An Act in relation to truancy and the State school fund."

Mr. Gracelon, from the committee on legal affairs, reported same on bill "An Act to amend Section 25 of Chapter 18 of the Revised Statutes of 1916, relating to the appointment of board of dental examiners."

Mr. Anderson, from same committee, reported same on bill "An Act to amend Section 23, Chapter 103, Revised Statutes, relating to cigarettes and tobacco."

Mr. Buzzell, from same committee, reported same on bill "An Act to amend Sections 27 and 34 of Chapter 85 of the Revised Statutes, relating to the power of sheriffs to appoint subordinate assistants."

Mr. Chaplin from the same committee reported same on bill "An Act to amend Chapter 25, Revised Statutes, relating to collection of taxes on automobiles."

Mr. Albert from the committee on pensions, on Resolve in favor of Jennie M. Goudy of Bangor, reported that legislation thereon is inexpedient, the applicant having withdrawn.

Mr. Lawrence from same committee, on Resolve providing a State pension for Charles C. Burt, reported that legislation thereon is inexpedient, the applicant having died since presentation of resolve.

Mr. Albert from same committee reported "ought not to pass" on Resolve in favor of George A. Crowley of Topsham Maine; Resolve providing a State pension for Elizabeth A. Harrington; Resolve in favor of Olive Stevens of Hermon, in the county of Penobscot, for State pension.

Resolve in favor of Maria H. Rhoades. Resolve providing a State pension for George B. Floyd, a member of Company G, Eighth Maine, Regular Volunteer Infantry.

Resolve in favor of Susan J. Flye for State pension.

Resolve in favor of Leon S. Gilpatrick of Whiting.

Resolve providing a State pension for Pearl R. Gray.

Resolve providing a pension for Thomas J. Leathers of Corinth.

Resolve providing a State pension for Arthur G. Sawyer.

Mr. Lawrence from same committee reported same on bill "An Act to simplify the method of payment of State pensions."

Mr. Stanley from same committee, on Resolve in favor of Willis Milliken, reported that the same be referred to the Governor and Council.

Mr. Albert from the same committee on bill "An Act to benefit disabled Spanish War veterans," reported that legislation thereon is inexpedient.

Mr. Stanley from same committee, on Resolve providing for an increase for a State pension for Sarah E. Torrey, reported that legislation thereon is inexpedient, the applicant having died since presentation of resolve.

The reports were accepted.

Mr. CLASON of Lisbon: I would like, Mr. Speaker, to table the bill with reference to simplifying the method of paying pensions which has just been read. The report has been accepted and I would like to table the bill.

The SPEAKER: It would first be in order to reconsider the vote whereby the report was accepted.

On motion by Mr. Clason of Lisbon the House reconsidered its action whereby the report of the committee on pensions "ought not to pass" on bill, An Act to simplify the method of paying State pensions, was accepted. On further motion by the same gentleman the report was tabled pending acceptance.

First Reading of Printed Bills and Resolves

House 705. An Act to create the Auburn Sewerage District and transferring to it the sewer system of the city of Auburn.

(The rules were suspended and the bill was given its third reading and passed to be engrossed.)

House 706. An Act to amend Section 13 of Chapter 7 of the Revised Statutes, relating to duties of election clerks.

(The rules were suspended and the bill was given its third reading and passed to be engrossed.)

House 707. An Act to amend Section 20 of Chapter 5 of the Revised Statutes of 1916, relating to the registration of voters.

(The rules were suspended and the bill was given its third reading and passed to be engrossed.)

House 711. An Act to transfer the registration of motor vehicles from the office of secretary of State to the State Highway Commission.

(On motion by Mr. Alden of Gorham, the bill was indefinitely postponed.)

House 708. Resolve appropriating money to aid in screening lakes and ponds, and for other purposes.

(The rules were suspended and the resolve was given its second readings and passed to be engrossed.)

Passed to be Engrossed

House 704. An Act repealing paragraph six, Section 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

House 418. An Act to establish the farm lands loan commissioners of Maine and to authorize the investment of certain moneys now on deposit in the State treasury known as the reserved land fund.

House 702. An Act to amend Section 36 of Chapter 45 of the Revised Statutes, relating to seed lobsters.

House 703. An Act relating to marking lobsters in transit.

House 701. Resolve, for the publication of automobile registration.

(Tabled, on motion by Mr. Speirs of Westbrook, pending passage to be engrossed.)

House 102. Resolve, appropriating

money for the erection and equipment of a State armory for the use of the National Guard in the city of Bangor.

Senate 23. Resolve appropriating money for the erection and equipment of a State armory for the use of the National Guard in the city of Lewiston.

On motion by Mr. Farrington of Augusta, the rules were suspended and the House took up out of order a resolve in the first reading, House Document 709, Resolve in favor of the erection of a State sanatorium in the county of Aroostook for the treatment of persons suffering from tuberculosis.

On motion by Mr. Barnes of Houlton, the resolve had its two readings under a suspension of the rules and was passed to be engrossed.

Passed to Be Enacted

An Act to repeal Section 42 of Chapter 127 and to amend Section 27 of Chapter 136 and Section 1 of Chapter 137 the Revised Statutes, relating to imposing sentences.

An Act to amend Section 3, Chapter 21, of the Revised Statutes, relating to the care of ancient burying grounds.

An Act to amend Section 76 of Chapter 4, of the Revised Statutes, relating to any town raising money to secure free use of library in adjoining town.

An Act to authorize the construction of a weir in the tide waters of Little Machias bay in the town of Cutler.

An Act to correct typographical errors in Section 116 of Chapter 7 of the Revised Statutes, relating to illegal voting.

An Act to amend Chapter 35 of the Revised Statutes, relating to the live-stock sanitary commissioner.

An Act to authorize the town of Caribou to acquire the property of the Caribou Water, Light & Power Co. and to construct and maintain a system of water works.

An Act to amend Section 10 of Chapter 102 of the Revised Statutes, relating to the discharge from imprisonment in bastardy cases.

An Act to amend Sections 1, 2 and 4

of Chapter 23 of the Revised Statutes, relating to nuisances.

An Act to amend Sections 70 and 71 of Chapter 57 of the Revised Statutes, relating to disorderly conduct on railroad, steamboat or ferry property, and authorizing employes to arrest such offenders.

An Act to extend the charter of the Lubec, East Machias and Machias Railway Co.

An Act to incorporate the Brassua Stream, Dam & Improvement Co.

An Act to legalize and confirm the incorporation and doings of the Congregational parish of Weld, Maine, and to authorize the conveyance of its real estate.

An Act to incorporate the Boothbay Harbor Water District.

An Act prohibiting the sale of diseased or disabled horses.

An Act to establish the police court of the city of Belfast.

An Act to provide State aid for the construction of highways extending continuously through three or more towns.

Resolve in favor of Calais hospital.

Resolve in favor of Sisters of Charity of Waterville, Maine.

Resolve in favor of Anson Academy.

Resolve making an appropriation for cooperative agricultural work between the College of Agriculture of the University of Maine and the United States department of agriculture.

Resolve making appropriation to support the bureau of horticulture.

Resolve making an appropriation for the Maine Seed Improvement Association.

Senate papers disposed of in concurrence.

From the Senate: An Act to amend Section 16 of Chapter 7 of the Revised Statutes of 1916, relating to manner of voting, came from the Senate recommitting to the committee on judiciary.

On motion by Mr. Barnes of Houlton the House voted to concur with the Senate in recommitting the bill to the committee on judiciary.

From the Senate: An Act to fix the salary of the clerk of courts in the county

of Lincoln. Came from the Senate indefinitely postponed. In the Senate this act had previously been substituted for the House report "ought not to pass." In the House the report of the committee "ought not to pass" had been accepted.

Mr. Lewis of Boothbay moved that the House concur with the Senate in indefinitely postponing the measure.

Mr. ROUNDS of Portland: Mr. Speaker, I do not think it is right to turn somersaults on all our reports and bills. I understand there was a conference yesterday by some members and that after that conference this thing has been whirled over again. I do not like to have somebody pull the string and say "jump," and I am not going to jump for them; I am getting too old. I think after we make up our minds we ought to stick to it. I agreed at one time not to stick to one thing after I had made up my mind, but I do not want to keep doing it all the time.

The SPEAKER: The Chair will state to the House that it was in error as to the status of this bill. The House accepted the report "ought not to pass." It went over to the Senate and the Senate substituted the bill for the report and afterwards indefinitely postponed it. Now the only action for the House is either the motion to insist to adhere to its action because the bill has been killed here once. The Chair understands the motion of the gentleman from Boothbay was to indefinitely postpone, and the Chair would ask him to withdraw that motion, with the consent of the House, and the motion then would be to insist on our former action.

Mr. LEWIS of Boothbay: Mr. Speaker, I withdraw my motion and insist on our former action.

On motion by Mr. Lewis of Boothbay, the House voted to insist on its former action in accepting the report of the committee "ought not to pass."

Mr. LEWIS: Mr. Speaker, I would like a little information on that matter. What I am opposed to is raising the salary.

The SPEAKER: The bill is dead now.

Mr. LEWIS: That is what I want, Mr. Speaker, I want to be sure it is dead.

From the Senate: An Act to prevent officers and employees of life, accident and insurance institutions from making copies of records. This bill was passed to be engrossed in the House. Came from the Senate indefinitely postponed in non-concurrence.

On motion by Mr. Reed of Bangor, the House voted to recede from its former action and on further motion by the same gentleman, the House voted to concur with the Senate in the indefinite postponement of the bill.

From the Senate: An Act relating to the Knox Gas and Electric Company. In the House this bill was passed to be engrossed as amended by House Amendment A. In the Senate the bill was given its several readings, House Amendment A indefinitely postponed; bill passed to be engrossed in non-concurrence.

Mr. BAXTER of Portland: Mr. Speaker, this Knox Gas and Electric Company bill is one of the several bills which the House attached an amendment. I should like personally to take up this matter this morning and to settle it once and for all—not only this bill but the several other bills which have received the same treatment in the Senate. Some of the gentlemen who do not think as I do on this question would like to have these various matters postponed until Tuesday. I do not wish to seem insistent and do not want to force the issue at the present moment; but I wish the House to know that I am desirous of doing everything to hurry matters along. I do not feel like asking the House to wait until Tuesday, but if it is opposed to this measure, of course I should yield. What I would really like to do is this: I should like to have the House consider these various amendments. One debate will settle the fate of all the amendments, either one way or the

other. Then I should like to have the House take up the consideration of the bill which is entitled "A bill to establish the Maine Water Power Commission." I should like to see that settled today. The gentleman from Eliot, Mr. Cole, has a bill which bears his name and which permits the transmission of electric current outside of the State. I would like to see all these three questions settled today if it were possible to do so. There is a good attendance here this morning, better than I expected, and I would ask the Speaker if he would obtain the opinion of the House as to what it wishes to do. I will be guided by the result whether it is to settle the thing today or postpone it. I would like to hear from the gentleman from Eliot, Mr. Cole, so that everybody may have a chance to express their views as to just when we ought to settle these matters. Personally, as I say, I would like to do it right here and now; but I will yield if it is desired.

The SPEAKER: The Chair would suggest that either a motion to table the matter or a motion to postpone to a day certain, or a motion to insist, would, as it supposes, give a test of the feeling of the House.

Mr. BAXTER: Mr. Speaker, in order to bring the matter before the House I move you that we adhere to our former action, with the understanding that it 's to be open to discussion as to whether or not we will act upon it now or later. Will that bring the matter before the House, Mr. Speaker?

The SPEAKER: The Chair is of the opinion that there might be a little doubt as to the effect of a motion to adhere if carried. A motion to adhere to our former action, if carried, would preclude further action on the matter, as the Chair understands it.

Mr. BAXTER: I do not wish, Mr. Speaker, to make a motion myself to lay the matter on the table, because I do not want it laid on the table. Any way to bring it before the House so that everybody will understand it is satisfactory to me. I yield to the gentleman from Eliot, Mr. Cole.

Mr. COLE of Eliot: Mr. Speaker, I do not think the gentleman from Portland (Mr. Baxter) and myself are very far apart in our general purpose on these matters. It is rather to the method of putting them in operation. It is more a matter of method than it is of the results to be obtained. We are both striving for the same results. Now if the members will look upon their Senate calendar they will find at the very bottom of it that Senator Davies has introduced a resolve in favor of the appointment of a hydro-electric power investigating committee. The gentleman from Houlton (Mr. Barnes), as I have been informed, has also a resolution looking to the same end but by a different method. Now all three of those gentlemen are striving to obtain the same result but by different methods. The bill which is known as the Cole bill also relates to the same subject matter, looking at it from a different standpoint, but not at variance with the final result. It would seem to me that it would be saving the time of this House if we could assign all of these matters for Tuesday, because by that time the resolve of the senator from Cumberland, Senator Davies, will be here for our consideration. The resolve of the gentleman from Houlton, Mr. Barnes, will be in by that time for our consideration; and in one day—one half day—we can settle everything. If, however, we take up the matters that are before us this morning, when the matter of Senator Davies comes back, or when the matter of the gentleman from Houlton, Mr. Barnes, comes up, it would be unfair to them to settle the matters of the gentleman from Portland, because they would be entirely left without a hearing if we prejudged their bills and at once settled on a policy; although I have seen the House reverse itself in five minutes on occasions before and it might do that again. The matters of the water storage committee or the Public Utilities Commission or Hydro-Electric Commission, or whatever you choose to call it, will be before us the first of the week with reference to three different measures looking to the same end; and as the matters which stand in my name are all intimately involved, it seems to be that it would save the time

here to take them all up at once rather than use up part of the time this morning and then have to go all over the matter again with reference to the resolution of the gentleman from Houlton, Mr. Barnes. To put all these matters over until Tuesday would seem to me to be saving time, and we could then go on with the present calendar this morning and be losing no time; because whatever time we use up this morning will reduce the unfinished business just so much.

Mr. DEARTH of Dexter: Mr. Speaker, there seems to be only one question and that is whether we shall take up these matters today or on Tuesday next. I suggest that the members who favor taking up the matter next Tuesday rise.

The SPEAKER: The gentleman from Dexter, Mr. Dearth, suggests that all those in favor of taking up all these matters next Tuesday and devote the rest of this day to the calendar, rise.

Mr. LARRABEE of Bath: Mr. Speaker, will you please state the motion?

The SPEAKER: There is no motion. The suggestion is that the discussion of the water power matters as outlined by Mr. Cole of Eliot and Mr. Baxter of Portland, all be tabled and discussed next Tuesday; and those who are in favor of postponing it and taking it up on Tuesday are asked to rise.

Mr. HALL of Wilton: Mr. Speaker, as I understand it, those matters are not all before the House at the present time?

The SPEAKER: They are not, one is before the House; and if the vote is in the affirmative they will simply be postponed for discussion until next Tuesday.

Mr. BRUSSABARGER of Lubec: Mr. Speaker, may I inquire what we will do with Mr. Farrington's rule that we adopted not to postpone anything more than 24 hours?

The SPEAKER: The matter tabled today being the last day of the week, Monday is the next legislative day when such matters can be brought up.

Mr. BAXTER: Mr. Speaker, in view of that fact, I move that the rules be

suspended and that these matters be laid over until Tuesday and that they all be brought up as the first item of unfinished business. Then we can all count on the exact hour when they will be brought up and we will get through with these matters. The other matters later on will have to take their chances.

The motion was agreed to.

Mr. CUSHMAN of Auburn: Mr. Speaker, I would like permission to make a suggestion in regard to these matters at the present time, if in order.

The SPEAKER: You have that permission.

Mr. CUSHMAN: Mr. Speaker, every member in this House has a copy on his desk of the Legislative Record. On Page 585 of that Record is an opinion by an eminent judge of the supreme court of the State of Maine as to the ownership of these water powers. I do not think that this opinion would be questioned at all in the State of Maine. If it is —

The SPEAKER: The Chair is of the opinion that the gentleman is out of order. This matter, of course, that we have been discussing is more or less informal and not necessarily a part of the record. We are simply deciding informally as to our method of procedure for this week and next—as to the method most conducive to getting the business off our hands. We are discussing simply methods, and not the question; and I shall have to rule the gentleman from Auburn, Mr. Cushman, out of order unless his suggestion has to do with the method of proceeding which we have adopted.

From the Senate: An Act to incorporate the Grand Isle Light and Power Company. This bill was passed to be engrossed as amended by House amendment A. It comes from the Senate with House amendment A indefinitely postponed and bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled and specially assigned for Tuesday next.

The SPEAKER: The Chair will name as the committee to formulate a set of rules for procedure in regard to debate, Messrs. Holley of Anson, Farrington of Augusta, Dutton of Bingham, Cole of Eliot and Murray of Bangor; and would suggest that, if possible, a few simple rules be drawn up for the afternoon session in regard to the matter of debate.

From the Senate: An Act to extend the charter of the Washington County Light and Power Company. In the House passed to be engrossed as amended by House amendment A. Came from the Senate House amendment A indefinitely postponed, and the bill was passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled and especially assigned for next Tuesday.

From the Senate: An Act relating to the Clark Power Company. In the House passed to be engrossed as amended by House amendment A. Came from the Senate House amendment A indefinitely postponed and the bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled and especially assigned for Tuesday night.

From the Senate: An Act to authorize Blaine S. Viles and Guy P. Gannett to erect dams and water storage basins on Bog Brook and tributaries in Dead River plantation in Somerset county. In the House, the House voted to reconsider the vote whereby the bill was passed to be engrossed. House amendment A adopted. Bill passed to be engrossed as amended by House amendment A. Came from the Senate, that body reconsidering the vote whereby the bill was passed to be engrossed. House amendment A indefinitely postponed. Bill passed to be engrossed as amended by House amendment A. Came from the Senate, that body reconsidering the vote whereby the bill was passed to be engrossed. House amendment A indefinitely postponed. Bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled and especially assigned for Tuesday next.

From the Senate: An Act to authorize the Oxford Electric Company to extend its lines to and within the town of Hebron and to purchase the equipment and franchises of trustees of Hebron Academy. In the House the House voted to reconsider its action whereby this bill was passed to be engrossed and House amendment A adopted. Bill passed to be engrossed as amended by House amendment A. In the Senate, that body reconsidered the vote whereby the bill was passed to be engrossed. House amendment A indefinitely postponed and the bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled and especially assigned for Tuesday next.

(Mr. Murray of Bangor in the Chair.)

From the Senate: An Act relating to the Vassalboro, China and Windsor Light & Power Co. This bill was passed to be engrossed in the House as amended by House Amendment A. In the Senate House Amendment A indefinitely postponed. Bill passed to be engrossed.

On motion by Mr. Baxter of Portland, tabled and especially assigned for Tuesday next.

From the Senate: An Act to amend the charter of the Central Maine Power Co. In the House passed to be engrossed as amended by House Amendments A and B. In the Senate, House Amendments A and B indefinitely postponed and bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled and especially assigned for Tuesday next.

From the Senate: An Act to amend Section 10 of Chapter 117 of the Revised Statutes, relating to stenographers of the supreme judicial court. This bill was passed to be enacted in the House March 6. Went to the Senate, that body reconsidering the vote whereby the bill was passed to be en-

grossed, and adopting Senate Amendment A. The bill was then passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Baxter of Portland, the House reconsidered its action whereby this measure was passed to be enacted March 6. On further motion by the same gentleman, the House voted to reconsider its vote whereby this measure was passed to be engrossed.

The SPEAKER pro tem: The question now before the House is the adoption of Senate Amendment A.

Mr. BANTER of Portland: I move, Mr. Speaker, that we adopt it in concurrence with the Senate.

Mr. FARRINGTON of Augusta: Mr. Speaker, may we not have the amendment read?

Senate Amendment A to Senate Document 205.

Amend Senate Document No. 205 by striking out the words "two thousand" wherever the same occur, and inserting in lieu thereof the words "eighteen hundred."

The SPEAKER pro tem: Is it the pleasure of the House that Senate Amendment A be adopted?

Senate Amendment A was adopted in concurrence and the bill was passed to be engrossed as amended by Senate Amendment A.

From the Senate: An Act to enlarge the powers of the Western Maine Power Co. In the House this bill was passed to be engrossed as amended by House Amendment A. In the Senate, House Amendment A was adopted in concurrence, and Senate Amendment A adopted, and the bill was passed to be engrossed as amended by House Amendment A and Senate Amendment A.

On motion by Mr. Baxter of Portland, tabled and especially assigned for Tuesday next.

From the Senate: Report of the Committee on Salaries and Fees reporting "ought not to pass" on bill, An Act to amend Chapter 337 of the

Public Laws of 1915, relating to the amount to be paid for clerk hire in Knox County. In the House the bill was substituted for the report of the committee "ought not to pass" and given its three several readings as amended by House Amendment A and passed to be engrossed. The Senate accepts the report of the Committee on Salaries and Fees "ought not to pass" in non-concurrence with the House.

On motion by Mr. Wilson of Portland, the House voted to recede and concur with the Senate in accepting the report of the committee.

From the Senate: Resolve proposing an amendment to the Constitution in regard to the apportionment of representatives in accordance with population. In the House this resolve was indefinitely postponed. In the Senate the resolve was given its two several readings and passed to be engrossed, and the Senate now insists on its former action and appoints a committee of conference. The committee of conference on the part of the Senate is as follows: Senators Holt of Cumberland, Butler of Franklin and Bartlett of Kennebec.

Mr. BREWSTER of Portland: Mr. Speaker, in this matter of the apportionment of representatives several members have suggested since the debate the other day that the amendment was so drafted that it would be impossible for there to be any other construction by the legislature or by any citizen that Portland's representation could ever be increased except in the event of South Portland annexing Portland, in which event they would simply have the representation of the two cities; that they had no doubt that would meet with favorable action. It was to answer that question that this committee of conference was suggested to see whether that could be done, and I would move you that we concur with the Senate and join in the committee of conference.

The SPEAKER pro tem: It will be necessary for the House to recede before it can do that.

On motion by Mr. Brewster of Portland, the House voted to recede from its former action.

Mr. FARRINGTON of Augusta: Mr. Speaker, do I understand from the gentleman from Portland (Mr. Brewster) that he wishes a conference committee appointed?

Mr. BREWSTER: Yes, sir.

Mr. FARRINGTON: The proper motion would be, would it not, to insist and join in the committee of conference?

The SPEAKER pro tem: I think that is correct.

On motion by Mr. Brewster of Portland, the House voted to insist and that a committee of conference be appointed.

The SPEAKER pro tem: The Chair will appoint that committee later.

From the Senate: An Act to incorporate the St. Croix Water Company. In the House this bill was passed to be engrossed. In the Senate the bill was given its two several readings and Senate Amendment A adopted. The bill was passed to be engrossed as amended by Senate Amendment A.

Mr. BAXTER of Portland: Mr. Speaker, I would ask the Chair to read Senate Amendment A. I do not think it has anything to do with the power question, and, if it has not, it might help along business to concur with the Senate.

The SPEAKER: Senate Amendment A to House Document No. 172.

Amend said bill by adding thereto the following section:

"Section 8. Nothing herein contained is intended to repeal, or shall be construed as repealing, the whole or any part of any existing statute; and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of Chapter 55 of the Revised Statutes."

Mr. BAXTER: I think, Mr. Speaker, that it does relate to the power situation, and consequently, I move that it

be tabled along with the other measures.

The motion was agreed to.

From the Senate: Report of the committee on judiciary on An Act to prohibit the carrying of dangerous or deadly weapons without a license, reporting the same in a new draft under same title and that it ought to pass. The report comes from the Senate accepted. Bill read twice and Senate Amendment A adopted. Bill passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Barnes of Houlton the report of the committee on judiciary was accepted in concurrence.

The bill then had its two several readings.

Senate Amendment O to Senate Doc. No. 339, entitled "An Act to prohibit the carrying of dangerous or deadly weapons without a license," is hereby amended by striking out from the second section of said act the words "whose business or occupation require the carrying of such weapons for protection," beginning in the fourth line of said section, and also the words "for protection beginning in the eighth line of said section.

On motion by Mr. Barnes of Houlton Senate Amendment A was adopted in concurrence. On further motion by the same gentleman the rules were suspended, the bill received its third reading and was passed to be engrossed as amended by Senate Amendment A.

From the Senate: Majority and minority reports of the committee on judiciary. Majority report. The majority of the committee on judiciary on bill, An Act to amend Chapter 65 of the Private and Special Laws of 1899, entitled "An Act to incorporate the Bath Trust Company," have had the same under consideration and ask leave to report that the same ought to pass. Signed Gurney, Deering, Gillin, Dearth, Farrington, Barnes, Cole. Minority report of same committee on same subject matter reporting ought not to pass. Signed Davies.

The SPEAKER pro tem: The question is the acceptance of either report.

On motion by Mr. Dearth of Dexter, the majority report of the committee on judiciary was accepted. On further motion by the same gentleman under suspension of the rules the bill had its three several readings and was passed to be engrossed.

From the Senate: Report of the committee on sea and shore fisheries on petition of Frank A. Babbidge and 16 others, petition of A. A. York and 18 others, petition of L. V. Joyce and 38 others, praying that Chapter 85 of the Private and Special Laws of 1915, entitled "An Act establishing a close time on lobsters in certain waters of Hancock county" be repealed, reporting on bill, entitled "An Act to amend Section one of Chapter 85 of the Private and Special Laws of 1915, entitled An Act establishing a close time on lobsters in certain waters of Hancock county. In the Senate report read and accepted, the bill given its two several readings and Senate amendment A adopted, and the bill passed to be engrossed as amended by Senate amendment A.

The report of the committee was accepted in concurrence and the bill given its two readings.

On motion by Mr. Farrington of Augusta the reading of Senate Amendment A was dispensed with and on further motion by the same gentleman the House voted to accept Senate Amendment A in concurrence.

On motion by Mr. Barnes of Houlton the rules were suspended and the bill given its third reading and passed to be engrossed as amended by Senate amendment A in concurrence.

Senate Bills on First Reading

Senate 376. An Act to amend Sections 20 and 21, Chapter 8 of the Revised Statutes, relating to land reserved for public uses.

On motion by Mr. Bussabarger of Lubec the rules were suspended and the bill given its three readings and passed to be engrossed in concurrence.

(Speaker Bonney in the chair.)

Senate 409. An Act to provide for the establishment of a bureau of markets and to provide for marketing farm products and purchasing farm supplies.

On motion by Mr. Cole of Elliot the rulse were suspended and the bill was given its three readings and passed to be engrossed in concurrence.

From the Senate: Report of the committee on legal affairs on An Act providing for the use of school buildings for holding meetings of a social center or community forum, reporting "ought not to pass."

On motion by Mr. Allan of Portland, the report was tabled pending acceptance.

From the Senate: Final report of the committee on railroads and expresses.

The report was accepted in concurrence.

Mr. DUTTON of Bingham: Mr. Speaker, I would like to take up out of order the matter of the reconsideration of a vote.

The SPEAKER: The gentleman from Bingham, Mr. Dutton, moves that the House reconsider its action whereby "An Act to amend Chapter 9, Revised Statutes, relating to the taxation of insurance companies," was considered under suspension of the rules by unanimous consent and referred to the committee on taxation. Is it the pleasure of the House?

The motion prevailed.

Mr. DUTTON: Mr. Speaker, I now move that we indefinitely postpone the bill.

Mr. ALLAN of Portland: Mr. Speaker, that matter is a matter involving revenue which this state needs so much. This body of men do not know even the contents of the bill if it not having been printed. Would it not be more fair, at least, to make a motion to lay it on the table for printing. Let's see what it is and consider it later. I make that motion.

Mr. DUTTON: Mr. Speaker, this is a matter, as the gentleman from Portland, Mr. Allan, has stated, of a great deal of importance. It comes in here at the eleventh hour. It is something that affects every home and every man, woman and child in Maine. It seems to me that it is wrong to railroad through here any measure of such vast importance without sufficient time for a hearing to be advertised and the people of Maine to have an opportunity to be heard thereon; and it is by reason of the attempt to put through the measure in that sort of manner that I feel justified in asking that the matter be indefinitely postponed, and I hope that motion will prevail.

Mr. COLE of Eliot: Mr. Speaker, will the gentleman from Bingham explain the substance of the bill. I do not think that anybody understands what we are voting on one way or the other, except to table something.

The SPEAKER: The motion of the gentleman from Portland, Mr. Allan, if seconded, will have to be decided without debate.

Mr. BARNES of Houlton: Second the motion.

The pending question being on the motion of the gentleman from Portland, Mr. Allan, to table for printing,

A viva voce vote being doubted,
A division of the House was had.

Thirty-one voting in the affirmative and 33 voting in the negative, the motion of the gentleman from Portland, Mr. Allan, to table the bill for printing, was lost.

The SPEAKER: The pending question before the House is the motion of the gentleman from Bingham, Mr. Dutton, to indefinitely postpone the bill.

Mr. BREWSTER of Portland: Mr. Speaker, may I inquire what the substance of this bill is?

The SPEAKER: It is "An Act to amend Chapter 9 of the Revised Statutes relating to the taxation of insurance companies", and it is a bill of two pages.

Mr. COLE of Eliot: Mr. Speaker, is there not some member here who in

two minutes can explain just what is in that so we shall know?

Mr. DUTTON of Bingham: Mr. Speaker, I think I can tell you in a way the contents of this measure. It came in here yesterday morning. It had its birth within the province of a member of the Senate who did not have the crust to introduce it in that body, but sent it in here and asked a gentleman to introduce it in his stead, and the gentleman who introduced it knew absolutely nothing about the contents of the measure.

Now the proposition is simply this, to increase the tax on every dollar of insurance that you gentlemen pay for the fire insurance on your homes, on your goods and on your clothing. It provides to increase the tax on every dollar of insurance that you gentlemen pay for the protection of the loved ones whom you are obliged to care for. It provides, gentlemen, an additional tax on every dollar that you pay for the protection of yourself in case of sickness or accident.

Now, gentlemen, the companies are not the people who are going to be affected by this act. It is you, gentlemen, every one of you who sit here, every one of the loved ones whom you have got at home that you are obliged to protect by what legal savings the people of the State of Maine can raise by means of insurance. If this were coming out of the corporations or some wealthy individuals, then, gentlemen, before we voted to indefinitely postpone it, we might well hesitate, but, gentlemen, when it is of such far-reaching importance, when it extends to every line of business in Maine, when it extends from the wealthy mansions to the humblest huts within the State, when it extends, gentlemen, with its scope, from the richest to the humblest in Maine, I submit to you, gentlemen, that it is not a square and it is not a fair proposition to bring it in here at the eleventh hour when all of our committee matters have been held up and brought in here all in a bunch or to consider such a matter without sufficient time for advertising in order that the people in the State of Maine, so vitally affected, may have a chance to

be heard. That is the proposition, pure and simple, and I hope, Mr. Speaker, that the motion to indefinitely postpone will prevail.

Mr. BARNES of Houlton: Mr. Speaker, may I inquire through the Chair if the gentleman from Bingham knows whether this bill was drafted by a member of the Taxation Committee or at his request?

Mr. DUTTON: Mr. Speaker, I understand that the bill was drafted by a man who is a member of the taxation committee.

The SPEAKER: That answers the question.

Mr. BARNES: Mr. Speaker, it is unfortunate perhaps that I have to make any suggestion relative to this at all, but, if this is an honest effort on the part of the taxation committee chosen by the Senate to draft revenue measures, it ought not to be so summarily handled. I suspect, but I do not know, for I have not had an opportunity to read the bill—I suspect that this increases in a very tiny way the tax on the gross earnings of insurance companies.

Now, is this the court, the general court of Maine, or is this a parcel of school boys? Are you going to turn down, without reading or looking at or thinking over, a paper prepared by the committee which is charged with getting the revenue for the State? If this is the legislature of Maine—

Mr. DUTTON: Mr. Speaker, I desire to make a correction. The paper has never been passed by that committee. It comes from a member of that committee.

Mr. BARNES: Mr. Speaker, it is a paper prepared by a senator on the taxation committee. If this is the Legislature of Maine, I hope before we vote to indefinitely postpone a matter that we will read it and I hope this motion now to indefinitely postpone will not be carried.

Mr. ALLAN of Portland: Mr. Speaker, let me say this, that I am responsible for the introduction of this measure into this House. The ques-

tion of raising revenues for the State has been and is being considered by the committee on taxation. This with others has been talked over among the members of the taxation committee. No official action of any kind has been taken upon the matter. This act was drawn in accordance with the desire to see if it were possible to obtain revenue from corporations and other sources at the request of the draftsman of the bill. I introduced it in the House with the feeling that measures of that kind should originate in this House instead of in the Senate.

Mr. DUTTON: Mr. Speaker, I would like to inquire why the necessity of having this introduced into the House instead of the Senate.

Mr. BARNES: Mr. Speaker, does not the Constitution provide that all revenue measures must originate in the House?

The SPEAKER: The Chair would prefer to put questions rather than answer constitutional questions. The Chair's opinion would be that the gentleman is right according to the Chair's memory of the constitution. The Chair would state that the importance of this measure has been set forth clearly to the House and that another motion to table is in order at this stage.

Mr. BREWSTER of Portland: I do not know anything at all about the nature of this measure. The only thing I know about taxation is that various measures have been introduced in this House from the beginning of the session and have been referred to the committee on taxation in almost every instance. After hearing the people who were affected, they decided that they were unwise if not unjust to the individuals concerned and in some instances that they were unconstitutional. Now at this eleventh hour they come in apparently with other proposals affecting other individuals who cannot possibly have any opportunity for a fair hearing on this matter, and it would seem as though the individuals or corporations who

were neglected in the original matters introduced are now to be made the goats at this eleventh hour, and it does seem to me that they are entitled to some hearing in this matter more than they can possibly have at this time, if there is going to be any substantial alteration made in our taxation measures. I want to second the motion of the gentleman from Bingham.

Mr. REED of Bangor: Mr. Speaker and gentlemen of the House: It has been the well settled policy of this State, although we were told on the floor of this House the other day that the State has no settled policy on anything, to tax all forms of public service corporations to raise revenue, and little infinitesimal mites have been added to every form of insurance in this State since they began to tax insurance companies; and now they propose to come in here at the eleventh hour and to give the insurance companies that are paying into the treasury of the State another gentle roast at the last hour of the session. This bill will have to be printed; it will take a couple or three days or a week to dispose of it after it gets back to this House in the printed form. The life insurance companies in this State, twenty-four in number, already pay into the treasury of this State, \$67,982.72. \$8000 of that is paid by the Union Mutual Life Insurance Company of Portland. In this respect I beg to submit that I have no consideration for the Union Mutual Life, but it is paying taxes enough I think. Fifty-two miscellaneous casualty companies are paying \$15,740.00 more. The total amount paid by all insurance companies in the State of Maine is \$158,809.53. Do we want to put some more on? If we do, let's have this bill printed, take a week to discuss it, and dispose of it.

Mr. COFFIN of Freeport: I rise to move that the bill be tabled for printing.

Mr. MERRILL of Gray: I second the motion.

A division of the House being had, Sixty voting in the affirmative and

forty-five in the negative, the motion prevailed and the bill was tabled for printing.

On motion by Mr. Farrington of Augusta, unanimous consent was given and under suspension of the rules, the order introduced by the gentleman from Portland, Mr. Baxter, early in the morning session, was taken from the table and on further motion by the same gentleman, five hundred copies were ordered printed.

The SPEAKER. On House Bill 423, on motion by the gentleman from Portland, Mr. Brewster, the House insisted on its action and asked for a committee of conference. The Chair will appoint for that committee on the part of the House Messrs. Brewster of Portland, Chaplin of Bridgton and Dearth of Dexter.

On motion by Mr. Cole of Eliot, a recess was taken until two o'clock this afternoon.

After Recess.

Mr. CLASON of Lisbon: Mr. Speaker, I should like to ask for a reconsideration of the vote this morning whereby House Bill No. 711 was indefinitely postponed. That happened at a time when I was out of the House for a moment.

The SPEAKER: The gentleman from Lisbon, Mr. Clason, moves a reconsideration of the vote whereby the House voted this morning to indefinitely postpone House Document No. 711, An Act to transfer the registration of motor vehicles from the office of Secretary of State to the State Highway Commission. That is debatable.

Mr. CLASON: Mr. Speaker, this bill was introduced and received a unanimous report of the committee "ought to pass." For some time there has been an agitation that this registration of automobiles should be under the direction of the Highway Department. The Highway Department spends the money received for automobile fees and from the money received the expenses of the clerk hire are paid. It is the

hope of those interested in good roads in the state of Maine that if this should come under the direction of the Highway Department, eventually a police patrol would be established whereby we could see that our state aid and highway roads would have better protection, and it might be done with the aid of the patrol which would look after the repairs a little, and that could be done with practically no expense. That could be developed providing this act was passed and became a law so that the Highway Department could have charge of this. I think there is a lot of merit in it. It was a unanimous report from the committee, and in the hearing that we had the Secretary of State expressed himself as having no objection to it and at the same time as being willing to do the work. At the same time he was also willing that it should be transferred to the Highway Department if the Legislature so voted. I believe it should be done.

Mr. ALDEN of Gorham: Mr. Speaker, I was in there when that hearing was going on. Of course you would not expect the Secretary of State to say that he wanted to do the work, but he said he could not stay there in his office if it was going to be transferred to the Highway Department. I am surprised to think that anyone should come here and attempt to tell us that the Highway Commission can collect this money in and spend it without its going through the State Treasury. Our Secretary of State has had this work under his charge for a good while. They have plenty of room there, he is perfectly willing to do it. Whenever we have sent in there for anything, we have been used courteously and right. The Highway Department have all they can handle, and my idea is to leave well enough alone.

Mr. CLASON: Mr. Speaker, I did not mean to imply that this money did not go through the hands of the Treasurer. I thought everyone knew that it did, so far as that goes. In regard to the time in the bill, there is no specified time set as to when this shall take effect, and my idea was, if the bill was favorably acted upon, that we suggest beginning with 1918 or 1919.

The SPEAKER: Is it the pleasure of the House that the vote be reconsidered?

A viva voce vote being taken,

The motion of the gentleman from Lisbon, Mr. Clason, was lost.

Mr. PACKARD of Newburg: Mr. Speaker, I move that we consider the vote whereby we indefinitely postponed a bill in regard to cigarettes.

The SPEAKER: The gentleman from Newburg, Mr. Packard, asks the House to reconsider its vote whereby it voted to accept the report from the Committee on Legal Affairs, the report being "ought not to pass" on an act the title of which relates to cigarettes and tobacco. The bill has never been printed. It is a short bill and the Chair will read it:

"Said Section 23 is hereby amended by striking out the words 'under the age of twenty-one years' so that said section as amended shall read as follows: 'Whoever by himself, clerk, servant or agent directly or indirectly sells, offers for sale, has in his possession with intent to sell, or gives away to or in any way obtains for any person any cigarette, cigarette paper so-called, or tobacco such as is used for making any cigarette, shall be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding sixty days. Trial justices and municipal and police courts shall have jurisdiction of offenses arising under this section. All acts and parts of acts inconsistent herewith are hereby repealed.'"

The pending question being on the motion of the gentleman from Newburg, Mr. Packard, that the House reconsider its vote whereby it accepted the report "ought not to pass,"

A viva voce vote being taken,
The motion was lost.

Mr. GRANT of Hope: Mr. Speaker, I should like to take from the table a bill tabled when I was not here in relation to clerk hire in the probate office of Knox county.

The SPEAKER: The clerk will give the status of the bill. It is somewhat

involved and he can read his own endorsements better than the Chair can.

The CLERK: In the House this act was substituted for the report of the Committee on Salaries and Fees reporting "ought not to pass" on An Act to amend Chapter 337 of the Public Laws of 1915, relating to the amount to be paid for clerk hire in Knox county. The matter then went to the Senate. The Senate adopted the report of the committee "ought not to pass" in non-concurrence with the House. This morning the House voted to recede and concur with the Senate in the adoption of the report "ought not to pass."

Mr. GRANT: I move that we reconsider the vote whereby the House receded and concurred with the Senate in accepting the report of the committee "ought not to pass."

The SPEAKER: Is it the pleasure of the House that this motion prevail?

A viva voce vote being taken,
The motion was lost.

Mr. FARRINGTON of Augusta: Mr. Speaker, I rise to inquire if the House is about to start in now upon the unfinished business as stated on the calendar?

The SPEAKER: The Chair understands that the unfinished business is the next thing.

On motion by Mr. Murray of Bangor, the rules were suspended and the House received out of order the following order from the Senate:

Ordered, that the Legislature of Maine urge the Maine members of the Congress to be assembled to use their best offices to urge unqualified protection of American rights and universal training and that the President of the Senate be instructed to convey this action by wire to our senators and representatives in Washington.

In the Senate, read and passed March 30th, sent down for concurrence.

In the House, on motion by Mr. Murray of Bangor, the order received a passage in concurrence.

The SPEAKER: The Chair lays before the House An Act to amend Chapter 127, Revised Statutes, to make plain the penalties imposed under certain sections thereof, being House Document No. 312, tabled by the gentleman from Portland, Mr. Allan, the pending question being third reading.

Mr. Pattee of Harmony offered House Amendment A and moved its adoption.

The SPEAKER: The amendment is long and unless the House wishes to hear it read, the Chair will not read it.

Mr. PATTEE of Harmony: Mr. Speaker, I will say that it is mostly to correct clerical errors.

The amendment was adopted.

On motion by Mr. Allan of Portland, the bill was given its third reading and passed to be engrossed as amended by House Amendment A.

The SPEAKER: The Chair lays before the House An Act to amend Chapter 35, Sections 10, 17 and 18, Revised Statutes, relative to the importation of horses and cattle and also to the testing of pure blooded cattle to be sold for breeding purposes, tabled by Mr. Allan of Portland, pending its third reading, being House Document No. 427.

Mr. Hart of Holden offered House Amendment A and moved its adoption.

Mr. HART of Holden: Mr. Speaker, this is simply to correct an omission in copying.

The SPEAKER: If that explanation is satisfactory to the House, the Chair will not read the amendment.

The amendment was adopted.

On motion by Mr. Allan of Portland, the bill was given its third reading and passed to be engrossed as amended by House Amendment A.

The SPEAKER: The Chair lays before the House House Report of the Committee of Conference on House Document No. 104, and Senate Amendment A to same, An Act relating to municipal elections in the town of Mount Desert, tabled by Mr. Barnes of Houlton, pending the acceptance of re-

port. The Chair will read the report of the committee on conference:

"The committee of conference on the disagreeing action of the two branches of the legislature on House Document 104, An Act relating to municipal elections in the town of Mount Desert, with Senate Amendment A, have had the same under consideration and ask leave to report that they have unanimously agreed that Senate Amendment A be rejected and that the act be passed as reported from the House. Signed, Ames, Wood and Peterson on the part of the Senate; Chaplin and Barnes on the part of the House."

On motion by Mr. Phillips of Southwest Harbor, the report was accepted.

The SPEAKER: The Chair lays before the House majority and minority reports of the committee on inland fisheries and game, majority reporting "ought to pass" and minority reporting "ought not to pass" on Senate Doc. No. 210, An Act to create the office of commissioner of inland fisheries and game and to abolish the office of commissioners of inland fisheries and game, tabled by Mr. Allan of Portland, pending the acceptance of either report.

Mr. ALLAN of Portland: Mr. Speaker, I yield to Mr. Berry of Waterville.

Mr. BERRY of Waterville: Mr. Speaker, I move that this be indefinitely postponed, and I don't care anything about taking up the attention of the House unless the House so insists.

The SPEAKER: The Chair would state that the only question is on the acceptance of one of the reports.

Mr. BERRY: Mr. Speaker, I move you that the minority report "ought not to pass" be accepted.

Mr. FARRINGTON of Augusta: Mr. Speaker, I understand the minority report there is "ought not to pass" and that the majority report is "ought to pass."

The SPEAKER: Evidently there was a mistake on the calendar. The minority report "ought not to pass" is signed by Messrs. Hastings and Wood; the

majority report "ought to pass" is signed by Messrs. Stanley, Chick, Flint, McNally, Merrill, Babb and O'Connell.

Mr. FARRINGTON: Mr. Speaker, I trust that the motion to accept the minority report will not prevail.

Mr. BERRY of Waterville: Mr. Speaker, there are some things perhaps that we understand, and there are some things that we do not clearly understand. The gentleman from Augusta has very well stated probably what is a fact when he said but a little interest was manifested in this bill, as only one man appeared before the committee. I want to state to the members of this House that I do not know the object of this bill or of the supporters of this bill, and I wish to state that not a single person appeared before the committee for or against this measure. But the chairman of the inland fish and game commissioners was present and he was asked what he thought of the bill. His reply in substance was, "I do not know how it would work out; if you had a good commissioner, the work of the office and the department might be better performed; however, that is a matter for your own decision." I said to him, "What would happen if you did not have a good commissioner?" and his reply was, "That is something you will have to decide."

Now, gentlemen of this House, I am going to submit just this question to you: In the last fifteen or twenty years haven't the game interests and the interests of the tourists in connection with the inland fish and game department been nicely taken care of? Are they not in a successful condition today? And have they not been under a commission formed of three?

Now in these times I do not know what is gained by abolishing a commission this way and making a commissioner of one man. If there is any cat in the meal—if there is any pussy that wants to come forward for our entertainment—I want to know about it and I want someone to explain to me the reason why. It is a well known fact that there are three commissioners. The majority of the work perhaps is done by the chairman of that

commission. The third man on that commission is the forest commissioner and I suppose he is drawing his pay from some other source. The second man draws one thousand dollars. By this bill you will find that the chairman or the commissioner to be created will draw \$2500, where he now draws \$3000. Thereby there will be a saving of \$500. If you pass this bill, he may appoint necessary additional clerks in his office. For what purpose? In order to perform the work of that office. Now I am going to leave this question right in your hands for you to do just as you feel about it, but the way I feel about it is this, that even though you knew, which you do not, that you were to save \$500, I do not believe the grand, big State of Maine, with its successful manipulation of the affairs of that office bringing into this State from twenty-seven to thirty million dollars a year, can afford to monkey with or change the policy of that office at this time. As I have stated before, if there is some motive behind it that has not appeared on the surface, then I want to hear it and have it explained to me. It hardly seems consistent, that is, House Bill 430 and Senate Bill 210, where you abolish one commission and put in a commissioner and in the next breath you abolish the commissioner and put in a commission. It hardly seems to me along the same lines, and I feel the minority report of the committee should be accepted.

In making up this report, I am going to be frank to state that this committee was a divided committee until the next morning. Just exactly what took place is nothing but past history, and I guess there are other committees in this room that have had during this session the same experience that I, yours truly, have had.

The pending question being on the motion of the gentleman from Waterville, Mr. Berry, that the minority report "ought not to pass" be accepted.

A viva voce vote being taken,

The motion prevailed.

The SPEAKER: The Chair lays before the House, House Document No. 464, An Act to amend section 6, para-

graph 4, chapter 50, Revised Statutes, relating to compensation for personal injuries for employees, tabled by the gentleman from Portland, Mr. Anderson, pending third reading.

On motion by Mr. Anderson of Portland, the bill was given its third reading and passed to be engrossed.

The SPEAKER: The Chair lays before the House majority and minority reports of committee on judiciary, majority reporting "ought not to pass" and minority reporting "ought to pass" on Senate Document No. 82, "An Act to make uniform the law of negotiable instruments," tabled by the gentleman from Island Falls, Mr. Sisson, pending acceptance of minority report in concurrence.

Mr. SISSON of Island Falls: Mr. Speaker, I move that we concur with the Senate in the acceptance of the minority report "ought to pass."

The SPEAKER: The Chair will read the minority report. The minority report is "ought to pass" on bill entitled "An Act to make uniform the law of negotiable instruments." "Signed, Gillin, Dearth and Deering for the Committee." Is it the pleasure of the House to give the motion of the gentleman from Island Falls, Mr. Sisson, a passage?

The motion prevailed.

Mr. FARRINGTON of Augusta: Mr. Speaker, I move to reconsider the vote whereby the minority report was accepted in concurrence. I supposed there was to be debate. Mr. Sisson was on his feet.

Mr. SISSON: Mr. Speaker, there are several who wish to be heard on this bill.

The SPEAKER: The gentleman from Augusta, Mr. Farrington, moves that the House reconsider its action whereby it accepted the minority report on House Bill No. 82. Is it the pleasure of the House that the motion prevail?

The motion prevailed.

Mr. SISSON: Mr. Speaker and Fellow-Members of the House: I ask your

patience this afternoon and your tolerance as I rise to advocate the acceptance of the bill known as the unification of the negotiable instruments act, numbered Senate Document 82. When this document was received it could not have escaped your notice, for it has 56 pages, and because of certain capitalized chapter headings and sections it is easily differentiated from any other bills. Within these 56 pages are the codified laws pertaining to bills and notes as recommended by the National Unification of State Laws Commission, and this code has already been accepted by 45 states of the Union.

I do not pose before you as an expert on negotiable instruments. Neither do I claim any legal attainments. I stand solely as a citizen of this state who desires to make the laws of this state equal to if not superior to those of every other state in the Union. I likewise stand as a citizen who is always ready to aid any trade, business or profession and the men who pursue their duties, and I stand today in behalf of the bankers and merchants in great number who desire that this unified law be accepted in this state.

Since the drafting of this code of laws by the Commissioners—and I might as well state that that Commission is made up of three from every state in the Union, three able lawyers appointed by their governors, and these able men, after subjecting all their material to criticism, have recommended the adoption of this very set of laws to the **states of the Union**; and, as I say, since their recommendation 45 states one after another have accepted this set of laws. Maine has not, and today I ask you why. I ask you why Maine should be peculiar—why different than the other states.

There are those who are to follow me who will likely express to you the advantages of this particular bill. As I say, I make no pretence to being an expert on negotiable instruments, but I submit to you that when as many gentlemen as there are gathered here, composed of the ablest minds from all the states of the Union, present such a bill to you, it certainly should weigh in your judgment. I am a great believer

in the combined decision of expert men. From one end of the Nation to the other today you will find the same authority on the law books, except in the State of Maine.

To show that this is necessary I would like to read a few words from the General Counsel of the American Bankers' Association, a quotation. "The great need in this country for a uniform set of rules as provided by this act is self-evident. The country is commercially one. Our actual money, coin and paper which is regulated by Congress is uniform in value and governed by one law the country over. The bill, the note and the check, on the other hand, which are substitutes for actual money and which have so large an inter-state use, are governed by the laws of the respective states. In proportion to actual money such substitutes are used over nine times to one as a medium of payment or settlement of wholesale transactions, and also to a very large extent in retail payments. The bank check is a safe and convenient method"—but of this I will not speak for this particular bill refers to bills and notes. "How necessary is it, therefore, that the states should all unite in providing uniform rules governing the validity, negotiability and legal effect of these substitutes for money which pass in such vast volumes throughout the country and not impair their effects and cause loss to the holders by maintaining conflicting laws or permitting their laws to remain uncertain on many vital points."

Now, Mr. Speaker, every lawyer in this State knows that the reports of the State of Maine are filled with squabbles over the liability and negotiability of bills and notes, and everyone knows who has tried to look up a section regarding bills and notes in our statute books, if such a section is not there, you look through your Revised Statutes for a chapter on bills and notes and you cannot find it; but here is offered a whole chapter to be placed in there so that when in the future lawyers throughout our State and throughout our land, want to know the law of Maine, they can find it in an adaptable and available form.

I would call your attention to the fact that all the law schools in our land today are teaching that these laws contained in Senate Document No. 82 are the laws of the land on bills and notes, and I would like to know why it is that our U. of M. Law School must longer say, "But in the State of Maine there is an exception." If the law schools teach that this is the law, I say let it be the law in the State of Maine so that our law school can teach it without modification.

Of course, Mr. Speaker, this act has its opposition just exactly as nearly every other has. There are lawyers who object to this codified law—some of them—because they see less possibility of litigation in our State, and wherever there is little litigation, of course there are fewer fees. But right here I want to say, Mr. Speaker, that I have traveled and been thrown among lawyers in good numbers ever since a child. I want to say that there are very, very few lawyers who really object to this bill because it would mean less litigation. Of all the professions with whom I have come in contact, I find none any more to be honored, any more to be favored, than the lawyers of our land. As a profession they stand high and as honorable men, and the Press can use capital letters here. I would like to have all the lawyers in this House brought to the front that we might give them all signal honor for their services in this Seventy-eighth Legislature, and I cast aside that objection, which I did hear—the fact that this code of laws would mean less litigation and less fees.

But when the objections are really simmered down, they can be simmered down into two—just two objections. One of them is that this codified system, where it has been adopted, has likewise been somewhat amended, and that there have been judges who have given unfavorable decisions in regard to this law. But I ask you to note that you cannot avoid unfavorable decisions on any law ever made. Those of you who read about the decisions of the greatest tribunal of our land know that rarely is there any great matter treated and decided but there are dissenting

opinions. As to the great Adamson Law, which meant so much both to capital and to labor in our land, when the decision was rendered as to its constitutionality, five only said it was constitutional, and four said it was not. Just one more added to the minority and that law would have been declared unconstitutional. So I say that merely because there have been adverse criticisms and decisions from the courts in other states, is no reason why we should not make it our law here.

The second reason why they object to this in the State of Maine is because Maine has a peculiar precedent in regard to what constitutes a maker or promissor of a note and what constitutes an endorser of a note. This law as incorporated in this act makes it absolutely clear that the one whose name is on the front of the note is the promissor or maker, and the one who affixes his name to the back of the note is always an endorser, whether his name was affixed before or after delivery of the note to the payee.

Mr. Speaker, if in this state we have to make this slight change, what of Massachusetts? What of the State of New York? They already had their codes and had to change them far more when they accepted this.

I claim these two reasons are not worth keeping the merchants and bankers of our State from the availability of such a chapter in our statutes. I believe that when the 140 or more commissioners, appointed because of their ability, sent down their unanimous decision that such and such should be the law in the many states, their wisdom should greatly influence our judgment. I believe that the legislatures of other states are not inferior to this, but compare very favorably with this, and that they have not been hoodwinked into accepting any humbug law. I believe that the American Law Bar Association when it recommended and endorsed this bill knew what it was doing. I believe that when the American Bankers Association endorsed this bill they knew what they wanted. And I believe, Mr. Speaker, that we in this State cannot afford to look behind further, and, as

the merchants and bankers of our state in the vast majority demand it, we today should make it possible that this state shall be numbered 46. That is why I move that we concur with the Senate in acceptance of the minority report.

The SPEAKER: Is the House ready for the question?

Mr. COLE of Eliot: Mr. Speaker, I am one of those who signed the majority report "ought not to pass" on this, but I am not particularly interested one way or the other. I do not think it matters a particle whether the legislature passes this or not, except that it will use up some 40 or 50 pages of good white paper.

It is the codification of laws, many of which are laws in Maine today, and as the gentleman has said who has just spoken, it charges but one material thing in the present law of bills and notes which amounts to anything, because negotiable paper is a contract subject to certain laws—some under the law of merchant—some which have been regulated by our own so-called common law, and some which are regulated by statute, as "days of grace."

Whether a man is a co-maker or endorser depends in the State of Maine upon the facts at the time of signing. This legislature in about four short lines in one section could change that without accepting 56 pages of a bill, if it were necessary to do so.

The law of Maine is well established; every banker knows what it is; every merchant knows what it is, and it is not very much different from this so-called codified law, which is a collection of laws. We could go through our books and collect the laws without putting them on our statutes, because reports of the supreme court become law when they are passed upon, and they are just as firmly established until the supreme court sees fit to change them with the growth of time and conditions as if the legislature pass the law.

I can just as well illustrate the law of bills and notes by a little simple illustration which perhaps will serve the purpose. The law of bills and

notes, as I have said, is simply the law of business. It has grown up from established customs and has been set forth by the courts according to the various facts which have come before those courts. If you change the present laws of Maine, as they may be changed instantly in small points in this manner you have not really gained anything except that you have come under the same law which the other states are under, provided the courts of the other states have not already rendered an adverse decision upon any section of this so-called uniform law.

But as a matter of fact, wherever this uniform law has been in force for any number of years and facts have arisen which have gone before the supreme court of those states which have it, one supreme court has viewed it one way and a supreme court in a different state has viewed it in a different way, and, consequently, it has not been uniform law in those states where adverse decisions have been rendered.

The same might be said of Maine and Massachusetts. When we were separated from Massachusetts, we formed our statutory law upon the law then in force in Massachusetts and we took hold of the common law as it was in force in Massachusetts, but our supreme court, as it became constituted, from time to time did not view things in the same light as did the supreme court of Massachusetts, and, consequently, we have a few decisions in our reports which are different from the reports of Massachusetts. You can well understand that the interpretation of any law depends upon the point of view of the court which interprets it. Now, if you accept this law and a year from today one of you should have a matter arising under it, and you understand the interpretation of law must depend upon the state of facts in each case, and you should go to our supreme court, it is just as even a guess that they would decide altogether different from the state of Massachusetts has decided on the same question, because they would do it from a different standpoint. So it is absolutely impossible to ever say you have got a uniform law which is

going to be the same all over the country until the courts are all run in one mould. If you want to go to the railroad station, it does not matter very much whether you go down Water street to get there or whether you go down State street and down over the hill; you are going to the same end by different streets. We have been going along one way along the line of bills and notes for almost a hundred years. Whenever a new proposition has arisen or a new state of facts has arisen and has gone up to our court, they have passed upon them, and the people who have done business and are interested in the banking business have known what that law is. Now, if by one stroke of the pen you propose to change all existing law to law different from what men have known in all their lifetime of experience and business, you are simply going to wipe it out of existence and make them learn it all over again on one day sometime about the first of July or about 90 days after we adjourn.

Think of that, gentlemen! If this is a change of all existing laws, it is going to be pretty hard work for the merchants and bankers of the State of Maine to forget all they know and all they have learned during the years they have been doing business and to run to this statute to find out about everything that comes up, and they will have to do that or be on the wrong side according to the words of the gentleman who has spoken. It is for you to say, gentlemen.

The majority of the committee, not caring particularly or having any hostile interests to this bill, felt we were going along fairly well. There was a merchant who came before us and said he was dissatisfied, but there was not a banker came before us and said he was dissatisfied, except the officers of the Massachusetts Bankers Association or the Maine Bankers Association—I forget which. They were men connected with great banking institutions, but our own men were unrepresented except by one man who has recently come into the state from Massachusetts and who represents an organization of bankers.

That is the proposition upon which you gentlemen have to vote.

Mr. LARRABEE of Bath: Mr. Speaker, I most heartily agree with Mr. Cole of Eliot. The laws of our State, as far as our national banks and as far as the business of any national institutions are concerned, are clearly defined; they are clearly mapped out, and any man who has had anything to do with national banks knows well just what they are, and if a proposition comes up, he knows in an instant whether to consider it or not. It is just so with men connected with savings banks. They know it just as well and just as plainly. It is as clearly marked out as can be—as if a black line was drawn across the paper. Any man that lets any money or that is in the habit of putting it out, knows well just what, where, when and how it can be obtained back again. Any man doing a large business knows it. I care not what other states do. Let them do as they please. But let's do as we please. Now for years and years these lines have been clearly defined. Why should we change them now? For my part the law is just as it should be.

Mr. BREWSTER of Portland: Mr. Speaker, the Committee on Debate has not reported yet, but I will announce I have limited myself to five minutes. I do want to speak about this measure because I have been interested in it for a long time. I realize the brevity of my experience in both the law and banking, although I have been connected for the last two or three years with a national bank, so that I have been interested in that phase of the work as well as in the purely legal one.

First, they state that the law at present is well settled and is clear and that for a hundred years it has been gathering this settled attitude. That law today is comprised almost entirely in 114 volumes of the Maine Reports, and if you want to find out a point about bills and notes, you go to the 114 volumes of the Maine Reports and there you will find the law so far as it has been settled. In place of the 114 volumes they offer you today one volume, and in that volume is comprised this entire law and all the decisions affecting

it up to two years ago in all the states of the Union. So, you can see how it is as a comparative matter.

Now about the change which it will make in our existing law. As the gentlemen have pointed out, it really makes only one change. That is in the manner or effect of a man's signing on the back of the note before the note is delivered. At present he is held to be a co-maker, and you do not have to notify him if the man on the front of the note does not pay. That is a good proposition for the man who is taking the note because he does not have to protest it. But the law of protest has been worked out for the protection of men who endorse notes. The first difficulty is that the man that has his name on the back there never receives any notice; the maker of the note, who ought to pay the note, does not pay it, and it goes along perhaps for one month or six months, perhaps for four years, and the man on the back of the note never receives any notice, and then he has to pay the note, and he may have to lay for him to recover from the man on the front of the note who is in almost every instance responsible to him because he was simply endorsing as security. That is the first difficulty.

The other is a question of fact that your note is made properly on the front. Then you turn it over, and the payee of the note, that is, the one to whom the note runs, to the First National Bank or to a private party, should endorse on the back there. If he happens to endorse in the middle of the note, and the man who later has the note endorses above him, he becomes, not an endorser, but a maker and the one who receives no notice because to all intents and purposes and for all that he could ever say, he signed that note before the gentleman who was really the payee.

I realize that it is rather a complex case to discuss, but I think the attorneys here will understand the nature of that and the difficulty you often have in the matter of evidence. However, it is a slight change, but it is a change, as my brother has said, the injustice of which no one disputes, that

is, that it certainly is not wrong to do it.

Leaving out that, however, so far as the changes are concerned, why should we enact 56 pages of law for the sake of getting one change? Because, while you do not change the existing law by this statute, you do provide definite rules of conduct and of law governing the hundreds of cases which have never arisen in this state. By that I mean that the law in this state so far has simply developed at the expense of various individuals who have had to find it out through the law court, and it has not yet come anywhere near covering all the possible contingencies that may arise. For instance, there are 197 sections in that law covering thousands of instances that may arise. Several hundred of those during the past few years have arisen in this state and have been settled. Hundreds of others have not been settled; they remain to be settled, and they will be settled at the expense of the various individuals who should not be burdened in this way. If you enact that law, they can then turn to that statute and find those contingencies.

The only thing my opponents may say is that practically all the cases have been covered, so I took occasion to look back over the last ten years, and I found there have been 22 cases on bills and notes in the state of Maine for ten years for determination. So, you can see the same old grist is grinding right along, and we are studying law as rapidly as we can, but at the expense of various individuals.

The last thing. It is true that where you have this law questions arise as to its construction, and those will be settled by the court, and we may have no fewer cases in the future on the construction of this, but we do dispose of multitudinous opportunities for litigation when you enact that into law, and you do place our merchants on a par with the merchants and bankers of all other states at a time when Maine is feeling the quickening impulses of national association and when we are feeling, all the way from Imperial Aroostook down to Democratic York, that we are a part of this

Union and that we want to do business in the way that they have found satisfactory over a trial of 20 years. Now, if it had been a failure in all these other states, why have they gone along until we are practically at the tail of the pig with only one sister state left in our class?

Mr. FARRINGTON of Augusta: Mr. Speaker, a few days ago we heard the gospel expounded in this House, and I was very glad to vote with my good Brother from Island Falls (Mr. Sisson) on this Sunday hunting proposition, but I did not know or expect that we should have the law expounded by the same gentleman, and I cannot agree with his exposition of that.

Now, I am reminded that I belong to the legal profession, and I can see, if this law were to pass, a great many more cases of litigation along this line than we are getting at the present time. I grew up alongside of the negotiable instruments law in my study of the law in law school, and perhaps that is where I got my prejudice against it, but I have found upon examination—and I took a whole noon hour to go into the library to establish this fact to myself—I found that the states which have adopted this negotiable instruments law were immediately called upon to decide questions of construction of this law and, instead of lessening the litigation, it has increased it in large measure. They have found it necessary to amend, and still the litigation has gone on, and we might find that in the State of Maine, that a case of construction, if this law were adopted, would be held on an entirely different decision from what obtains in other states. There is absolutely no demand for this law. The only demand that has appeared coming from the floor appears to be coming from the bankers.

My good Brother from Portland (Mr. Brewster) has said in speaking of the anonymous endorser that it was difficult to understand, and then he turned and said, "Of course, we lawyers understand it," but that the rest of you did not. I can see that just the moment this law might come into force, there is not one of you who might have

these 56 pages available before you who would dare to trust your idea of them, and you would be coming in to see us lawyers to ask us to explain it, and pretty soon we would have to go to the court to ask the court to explain it.

I am satisfied in my mind—and it is nothing to me personally whether the House excepts one report or the other—but I have satisfied myself beyond question of doubt in my own mind that, the State of Maine law being established all these years so clearly and being so nicely and perfectly well defined, we do not need any change in our law on bills and notes. We do not want to lumber up our statute books with 56 pages of new law, when we have absolutely a well defined and established law in our midst. I am inclined to think that the gentlemen from the farming sections of the State of Maine at the present time know about as much about the law of bills and notes as we lawyers know and they do not need much of our assistance in these things as they come up, but if the negotiable instruments law should pass, you would not dare to do a single thing without consulting some of my profession.

My good Brother from Island Falls says, "Why should Maine be peculiar and not be the forty-sixth state?" The reason why she should be peculiar and not be the forty-sixth state in my mind is this: All the rest of the states where this thing originated were code states, the younger states which have grown up and established a code, and it was the natural way of things, like in hats, gowns or anything else. Those things have their advocates who try to spread them. But I want you to remember this significant fact, that there is a man in this House whose name is upon the majority report "ought not to pass" and who is serving on the commission for uniformity of legislation, and he signed the majority report. I cannot see any advantage in lumbering up our statutes with 56 pages when our law is so perfectly clear, and I trust that the motion to accept the minority report will not prevail.

Mr. DEARTH of Dexter: Mr. Speaker and Gentlemen of the House: I am going to say something that will please you, because I shall not detain you but a few minutes, but I certainly hope that the minority report of the committee on this bill will be accepted in concurrence with the action of the Senate.

I want to say to you at the outset that we attorneys, as attorneys, are inclined to be prejudiced against any change in the law for the reason that we know the law or suppose we know it and we dislike to unlearn that law, in other words to get it out of our head and get some new law in place of it. But the law is enacted not for the profession of law only, but it is for the laymen and for the bankers and the business men of the state; and for that reason when we enact laws we should have their interests and their convenience in mind.

Now I am not going into a detailed discussion of this law. I will state that the purpose of it is that the states of this Union shall have the same law, so that when you know the law of your own state on bills and notes or matters that you are meeting every day in your business relations, you will know that that is the law in every other state and you will not have to go to an attorney and pay him from one to five dollars to tell you what the law is in some other state.

For instance, supposing two Maine men, residents or citizens of this state, were in the state of New York or in any other state of this country and there closed a contract which required the giving of a note by one of those parties to the other: The law governing that contract is the law of the state where that contract was made, and not the law of the state where the two parties live, which is known in our profession as *lex loci*, the law of the place. Suppose those two men come home from that state awhile after entering that contract to their own state and some question arises in the attempt to enforce the note as to what the law is to govern them, they may be perfectly familiar with the law of

their own state and yet know nothing of the law of the state where that contract is made or where that note was signed—the law that they must be governed by in enforcing their rights under that contract. Therefore they have to go to an attorney and ask him what the law is in that state where that note was signed and the contract made and entered into. He tells you and then, of course, charges you for it.

Now if you have a uniformity of law such as this bill asks for and if they know the law of their own state, they will know that that is the law of New York state or that state where this contract was entered into and they are not obliged to go to some attorney to find out what the law is and to pay him for it. That is the purpose of this uniformity of law and when these gentlemen tell you that the law is fixed in this state for any statement or condition of facts that may arise in the future, they are telling you something that is not so. The law is fixed in this state on facts that have reason, but I want you to understand that cases are arising every day which have not been determined by the law court for the reason that they have in them some elements that were not in those cases which have been determined by the law court and have become the law of the state. I do not care how long you live—you will find that these questions will arise in any law that you might enforce or enact, and the court must determine those questions. So, when these gentlemen tell you as an argument against this law that in several of these 45 states some questions of construction have arisen and the question has been submitted to the court, that is nothing against the law because it is true of every law.

Why, gentlemen, if I know absolutely nothing about the operation of the law, if I knew absolutely nothing of it, I would ask no further endorsement of it than the fact that it is now in force in 45 states of the United States and in every one of the important states. In the state of Massachusetts, it has been in force now almost 20 years, and yet they are under that law and are pleased with it. Massachusetts, the

mother of Maine! Ah! A law that is right for Massachusetts I claim is right and proper and desirable for her offspring, the good old state of Maine. I beg of you, vote for the minority report of the committee in this case and place your own state, the state that you love so well, with the other 45 states in the Union in this matter and take it away from this little group of three or four states trailing behind all the other states in this matter. Do not let those states point to us as being backward—old-fashioned. Ah! Say to them that we are up to date! Do not let all these gentlemen say to you, as the old fellow said when he was approached to put electricity in his house—don't say to them "My house is lighted from garret to cellar with the old candle and I do not want to change." Ah! That is the parallel in this case.

Gentlemen, I might discuss this all the afternoon with you but I do not want to take up your time. I will say, if you are not convinced in your own mind how we should vote on this question, you will be perfectly safe in relying upon the fact that this law is supported by the National Bar Association, an association composed of the brightest legal lights from every state in this country. It is furthermore supported by the National Bankers' Association. Every banker in the country wants it; every business man in the country wants it, and it is only lawyers who do not want it. Now think twice and vote for the minority report and concur with the Senate where this question was fully and ably discussed but a day or two ago and this minority report was overwhelmingly adopted. (Applause.)

Mr. COLE of Eliot: Mr. Speaker, as I say, I have no personal interest in the matter either as a member of the bar or anything else, but I want to put one point to every member here. When you enact this into law, it becomes a statute just as the other laws which you are enacting. Let me put a personal application to you. You have all been in business and you have all done business with the other fellow and certain difficulty has arisen or difference

of opinion over that business. You have gone to one lawyer and the other fellow has gone to another. Both lawyers viewed the case. The lawyer you hired has guessed in your favor in interpreting the statute and the lawyer that the other fellow hired has guessed in his favor in interpreting that same identical statute; and before you have got through the Supreme Court had a guess at it and one of you were licked and paid the costs. That is just what is going to happen again if you enact this, because you are only going to enact a statute by which your troubles will be decided, and you would go to one lawyer, my brother Dearth, for instance, and he would interpret this statute according to his viewpoint if the Supreme Court of Maine has not already interpreted it, and you would go to my brother Farrington, the fellow on the other side, and he would perhaps take an entirely different view from my brother Dearth, and he would advise the fellow who was fighting you to go to it and that he is right. Both of you think you are right. You go up to the Supreme Court just as you have gone up on roads and everything else. When you get your new Revised Statutes after this general court has adjourned, you open that book and following each section of the statutes you will find annotations which will say 15 Maine 46, 98 Maine 72, or 104 Maine 36. Now the layman may not know what that means, but it simply means two fellows got into a fight as to what that statute meant and they went up to the Supreme Court and they made a decision on it, and one or the other was wrong or it would not have been that way. Some lawyer guessed wrong when they went up there, and it is going to happen the same way again. Human nature has never yet made a law that there cannot be a difference of opinion over it. God Almighty has never made a law yet that people don't differ over in interpretation of, and I do not believe this legislature will pass one.

Mr. MURRAY of Bangor: Mr. Speaker, I dislike very much to get into these arguments with the opposite

side, but I have been looking over this matter and honestly I can't see any reason why anybody except the lawyer should object to it. I want to be fair and I am speaking as a member of the bar. This act, if passed, is so plain that any man who can read anything need not get into a lawsuit, and if he cannot read, all he will have to do is to get someone to read the book for him. I have not heard a single argument why it should not be passed. I will be frank—I would like to vote against it, but my conscience will not allow me to. (Applause.)

Mr. FARRINGTON: Mr. Speaker, it seems to me that the statement made by the gentleman from Portland, Mr. Brewster, that there have been only 22 cases in Maine in the last ten years on this point is most eioquent on what we may expect if this should become a law. I went down to the library and looked up the decisions in our mother state of Massachusetts and I found so many new decisions on this matter that had grown out of the negotiable instruments law that I wearied of hunting for them, and I went to the other states and found the same condition. I just want to clear lawyers in this matter and to say we are going to get more business out of this law and you fellows are going to pay for it if you pass it.

Mr. BUZZELL of Belfast: Mr. Speaker, I wonder at this time just what may be going through the heads of the laymen of this House. When lawyers have different opinions and express them in your presence, what must be your state of mind! There has been an illustration of the difference in the way men think, but it seems very clear and convincing to me that we are entitled to a change of the law in the State of Maine, and for once I want to join hands with my distinguished colleague from Aroostook (Mr. Sisson) and go along with him or rather have him go along with me; we will be together so far as this law is concerned and in the course of ten years he will join me again. I want to say right here that I believe

that this law in relation to negotiable instruments will work out well in the State of Maine. We lawyers cannot agree and it has been demonstrated on the floor of this House within half an hour. Now if this proposed law becomes a law, we can all sit down and start in at the beginning and read it from that time and learn it good, and then in the event that there are any laymen who do not understand the conditions in connection with it, they can call upon us and we will peddle out the law to them for a consideration.

Our reports are solid full of decisions and those decisions commence in the early days in connection with the lawmaking history of this State, and they have continued down to the present time, some of them one way and another decision the other way. And right here let me say that it is barely possible for the law court of the State of Maine to make mistakes; they are not above it. I say let's start here with this new law and give it a try. Or shall we say, to the westward here are 45 states that have taken the wrong phase of this situation but we want to still continue to jump up and down in the same little old peck measure. Let's keep step with progress and adopt this law.

Mr. MERRILL of Gray: Mr. Speaker, I am afraid, representing the poor laymen, that if we have to listen to this much longer, we shall not be able to vote. I move the previous question.

A sufficient number having arisen the previous question was ordered.

The pending question being the motion of the gentleman from Island Falls, Mr. Sisson, that the House concur with the Senate in adopting the minority report, "ought to pass."

A division being had,

Sixty-one having voted in the affirmative and nineteen in the negative, the motion prevailed.

On further motion by Mr. Sisson of Island Falls, the rules were suspended and the bill was given its three several readings and passed to be engrossed.
ter.

The SPEAKER: The Chair lays before the House Majority report of the committee on taxation on bill, An Act to amend Section 26 and Section 37 of Chapter 9 of the Revised Statutes of 1916, relating to State taxation of railroads, telephone and telegraph companies, the pending question being on concurrence with Senate in adoption of report.

Mr. BARNES of Houlton: I move that the House insist on its action and call for a committee of conference.

The motion prevailed.

The SPEAKER: The Chair will announce the committee before the close of the afternoon session.

The SPEAKER: The Chair lays before the House House Report of committee on state prison, reporting "legislation inexpedient" on concurrent order relating to compensation to time convicts for labor performed while in prison, tabled by Mr. Boman of Vinalhaven, pending acceptance of the report.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I would request the attention of the House a few moments while this matter is disposed of. I introduced the order in regard to this matter and it was referred to the committee on state prison.

The SPEAKER: The Chair would suggest that there is no motion before the House. Will the gentleman indicate what motion he wishes to make?

Mr. BOMAN: Excuse me, Mr. Speaker, I move that the committee report be accepted, and I wish to make a few remarks in regard to it. This order, Mr. Speaker, was introduced from a merely humanitarian point of view. I think now as I did four years ago that something ought to be done.

(Mr. Baxter assumes the Chair.)

Mr. BOMAN: Mr. Speaker:

The SPEAKER pro tem: The gentleman from Vinalhaven, Mr. Boman.

Mr. BOMAN: Mr. Speaker, I believe something ought to be done for the poor unfortunates after they leave the State Prison, and knowing that there were many in this House who were in sympathy with my ideas I took the liberty of having this order reported by the committee placed upon the table in order to let those gentlemen express themselves.

Under the present system, Mr. Speaker and gentlemen of the House, a man leaving the State's prison, has served his time, be it four, five or six years at the prison either in the harness shop or in the blacksmith shop. I know that some men will look at this very lightly. When he leaves, the door is opened for him and he is given a five dollar bill. Now gentlemen, I ask you if any member of this House should leave the House this afternoon with five dollars in his pocket and no friends, where would he be?

Now, gentlemen, I claim this, that if a man is incarcerated in that abominable place at Thomaston and his health is ruined, I think that we ought to try to make a better man of him, not perhaps to a considerable degree, but help him to become a better man.

Now if that man has worked in prison in the shop and has earned more than it takes to maintain him, why shouldn't he have a small part of that earning when he leaves the prison? If there is a wife or child depending upon him, he cannot assist them while he is in prison, but this helps him in a way. That is the reason why we introduced this order. I know that anything of this kind will receive very little support, but I brought the matter to your attention for the reason that you might perhaps think the matter over and if this ever comes up again, you would be better prepared. With those few remarks, Mr. Speaker, I will close, as I think there are others who would like to say something in regard to it.

Mr. BUSSABARGER of Lubec: Mr. Speaker, as I understand the motion by the gentleman from Vinalhaven was to accept the report of the committee. May I ask what would be the result of accepting that report?

Mr. BOMAN: Mr. Speaker, allow me to say a word more in regard to it. I was told by the committee in the first place that they, so far as they knew, had never had any hearing in regard to the matter. I was told by one of the committee the other day that there was something said in regard to the fact that the Prison Commission thought that this matter ought to be left with them, but I learned from the Record that instead of that, instead of making any recommendation whatever, they reported inexpedient on the order. Of course, I have to submit to that report.

The SPEAKER pro tem: The gentleman from Vinalhaven moves that the report be accepted?

Mr. BOMAN: That is all I can do, Mr. Speaker.

The motion prevailed and the report accepted.

The SPEAKER pro tem: The Chair lays before the House An Act to amend Section 34, Chapter 55, Revised Statutes, relating to public utilities and free transportation on same, House Document 622, tabled by Mr. Allen of Portland, pending concurrent action with the Senate.

Mr. WILSON of Portland: Mr. Speaker, I move that we concur with the Senate. This is simply a matter of correcting a clerical error in the bill, and the Senate amendment was added for that purpose. It makes no change in the bill as it was reported or as it was intended to be reported by the committee.

On motion by Mr. Wilson of Portland, the House reconsidered its vote whereby this bill was passed to be engrossed as amended by House Amendment A and on further motion by the same gentleman the House voted to recede from its position whereby House amendment A was adopted and on further motion by the same gentleman, the House concurred with the Senate in the indefinite postponement of House Amendment A.

Mr. WILSON: Mr. Speaker, the fact of the matter is just this. Last week House Amendment A was added for the

purpose of combining two bills. This was one of the bills, and the other was of the same effect. This one is for free transportation and the other was for sprinkler service in buildings. When it got over to the Senate, the Senate discovered that the phraseology of the sprinkler part was inserted in the wrong line. What is intended to be done is to do away with House Amendment A and add Senate Amendment A which puts the sprinkler phrase in the proper place.

On further motion by Mr. Wilson of Portland, Senate Amendment A was adopted in concurrence and on further motion by the same gentleman, the rules were suspended and the bill was given its three several readings and passed to be engrossed as amended by Senate Amendment A.

The SPEAKER pro tem: The Chair lays before the House House Document 688, An Act amending Section 14 of Chapter 41 of the Revised Statutes in relation to the license fee for itinerant vendors, tabled by the gentleman from Portland, Mr. Allan, pending third reading.

Mr. MESERVE of Naples: Mr. Speaker, it seems to me that if any bill has ever been introduced at this session of the legislature in the interests of the large corporations, this is certainly the one and I move it be indefinitely postponed.

Mr. WILSON of Portland: Mr. Speaker, I think the gentleman from Naples has got the wrong impression of this bill. If I am not mistaken, this is the bill which is the result of the concurrent action of the Chambers of Commerce and Boards of Trade all over the State, and its purpose is to prevent large corporations from Boston coming down into our cities and towns and selling goods in competition with our local merchants and not being under the expense of paying rent. At present the law allows them to come in to Portland, Augusta and all the cities and sell goods, fancy goods, ladies' dress goods, which can be brought in in valuable quantities in a small trunk or something. This bill, if passed, is aimed entirely at those people. This bill is not aimed at the ordinary peddler and does

not apply to residents in this State. If I understand it, a resident of Augusta, dealing in any kind of business, can go to Portland, or Bangor and sell his goods as readily as he could at home, but the citizens of Massachusetts, if this passes, cannot come into Augusta and go to the Augusta House and hire a room at three dollars a day and sell two or three thousand dollars' worth of dress goods to the ladies of Augusta and go away again and be under no obligation to pay any license to the State of Maine or the cities or towns. I think this bill should pass.

Mr. FARRINGTON of Augusta: Mr. Speaker, I am quite sure the gentleman is mistaken in regard to the bill. I think he has in mind the hawkers and peddlers bill, so-called, which was reported from the committee "ought not to pass." I think he is mistaken if I am not in error.

Mr. BUSSABARGER of Lubec: Mr. Speaker, I think the impression is general among certain members of the House that this is aimed at the peddlers and hawkers. I thought so myself until a fellow member of the House called my attention to the bill and I compared it with the Revised Statutes and the statutes that apply to this specifically exempt the ordinary peddler and hawker from this provision. For once I am glad to say I agree with what the gentleman from Portland, Mr. Wilson, has said.

The pending question being on the motion of the gentleman from Naples, Mr. Meserve, to indefinitely postpone the bill,

A viva voce vote being taken,
The motion was lost.

On motion by Mr. Wilson of Portland, the bill was given its third reading and passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House majority and minority reports of the committee on judiciary, majority reporting "ought to pass" and minority reporting "ought not to pass" on House Document 32, An Act to regulate the practice of osteopathy, creating a board of ex-

amination for those desiring to practice the same and providing penalties for violation of the same, tabled by Mr. Allan of Portland, pending acceptance of either report.

Mr. CLASON of Lisbon: Mr. Speaker, I was requested by the representative from Sidney, Mr. Longley, who was called away on the noon train on account of a bridge washing out, to have this bill retabled until Monday, and I move that the bill be retabled and assigned for Monday next.

The motion prevailed.

The SPEAKER pro tem: The Chair lays before the House majority and minority reports of committee on salaries and fees, majority reporting "ought not to pass" and minority reporting "ought to pass" on House Document 40, An Act relating to compensation of judges of probate.

Mr. BUZZELL of Belfast: Mr. Speaker, I move that the majority report be accepted.

The SPEAKER pro tem: The Chair will read the two reports. The majority report is "ought not to pass," signed by Messrs. Grant, Conant, Howard, Jenkins, Holt, Leavitt. The minority report is "ought to pass in new draft" signed by the gentleman from Portland, Mr. Rounds. The gentleman from Belfast, Mr. Buzzell, moves the acceptance of the majority report "ought not to pass."

Mr. ROUNDS of Portland: Mr. Speaker, we have had bills come in here to increase the salaries of people that do not have to work because they have got a life income of \$2500 a year, in one case trying to increase it \$833. Now we have a little bill here where men after years of work, for they have to be the same age as these gentlemen getting \$2500 now, ask for \$500. It looks to me as though after a man has handled your property for twenty years—and mind you once in thirty years all the property of this State changes hands—it seems to me we should, after these men reach old age, give them a little pension and I move you that you be against the majority report passing.

Mr. BUZZELL of Belfast: Mr. Speaker, perhaps there is a slight explanation due from me at this time in view of the action and attitude of the gentleman from Portland, Mr. Rounds. I presented this bill to this House and it provided half pay for judges of probate who had served their county faithfully for twenty years or more as judges, and it received an unfavorable report from the committee, and following that—I knew something about the way that these small matters were going—feeling that I could see the handwriting on the wall altogether too plain and feeling that this House and possibly the other House was being watched, and watched jealously, by the watchdogs who are looking after the Treasury so nicely, I felt that I would succumb to the inevitable and moved that the majority report be accepted. And as I have just said, in view of the action of Mr. Rounds of Portland, perhaps this House is entitled to an apology from me, and I will withdraw my motion at this time and perhaps go into the details in connection with this case very briefly.

This law would only apply as near as I can find out to two or three men in the State of Maine, men who have served their counties faithfully for twenty-odd years. The one in Waldo county that this would apply to is the Honorable George E. Johnson, who has been a probate judge for 26 years. I believe there is another one in Bangor. It would only effect the State Treasury so far as the gentleman from Belfast is concerned to the sum of \$350 a year. Now that would neither make nor break the great State of Maine. It would not affect them half so much as it would to pass slipshod some petition or some act that was going to carry with it an appropriation of fifteen or twenty thousand dollars. But it would simply take care of those men under their present conditions who have followed along in the path of duty which they have pursued for twenty-odd years, and have not taken to the practice of law instead, where they might have made a great deal more money, but have simply served their county, served it well for all those years and looked after the interests and the property of those for

whom they had the handling of it. We take care of the judges of the supreme court; we make provision for them when they have served a certain period, and none of us take exceptions to that; they serve us faithfully and well, but at the same time, shouldn't we take care of the judges of the probate court? I leave this to you. Take such action as you see fit, but if one is entitled to it, the other certainly is. Mr. Speaker, I withdraw my motion.

Mr. ROUNDS of Portland: Mr. Speaker, I move that the minority report be substituted for the majority if that would be in order. I will say that this Senate has been called and has been into caucus twice within two days, and I do not propose to turn somersaults for anybody, as I said hear this morning and I think it is time that we asserted our rights to see where we are in the House and that we get together and pass these things and put them up to the gentleman if he wants to veto them. (Applause.)

Mr. WILSON of Portland: Mr. Speaker, before the motion is put, let's clearly understand this matter. As I understand this bill from the little I can gather from the records, the bill provides an amount for the judges of the probate court not exceeding five hundred dollars. The theory of that is based upon a practice which has been in force in this state for a good many years of pensioning judges of the Supreme Court on their retiring after a certain number of years' service, but as I understand the situation the cases are not parallel. The judges of the Supreme Court are absolutely debarred from any practice of law and give their entire time to the bench. The judges of probate are not debarred from the practice of law, and in only one county I think in the state, possibly two, do the judges of probate refrain from practicing law. One of the judges of probate in one of our largest counties is credited with having the second largest law practice in his city, and he has been before this legislature and his friends have been, asking to have his salary as judge of probate in-

creased. I think we should be a little careful. I do not wish to take the position of opposing any worthy motion for a pension, but we are adopting a precedent, gentlemen. The cases are not similar. We should be a little careful before we vote.

Mr. BUZZELL: Mr. Speaker, in reply to the gentleman from Portland, I will say that precedent has already been established, and what he has said does not apply to this case. He, as well as the other lawyers in this House, very well know that when an attorney accepts a judgeship of a municipal court or a judgeship of a probate court or any one of those offices, he might as well close his doors to all lucrative practice so far as receiving anything from it at all. There may be one exception to that in the state of Maine; there may be one judge of probate who does a very good law business, but this gentleman from Portland (Mr. Wilson) knows that when a man accepts a judge of probate office he cannot practice before his own court and people generally shrink from him after they find that out, and it is a matter of common knowledge that he does not get an opportunity to practice law much of anywhere else.

This law simply interests the state of Maine so far as the probate court of Belfast is concerned to the extent of some three hundred and fifty dollars. If he gets one-half his salary after twenty years, he is provided a chance to live as he has lived on an annual income of \$700. There is another gentleman in Bangor who has been a most excellent judge of probate, as I understand it, for twenty years who would come under this head. There is a third gentleman in this state—I do not know who he is but I understand that there is another one. But now are we going to draw the line on this proposition? Let's act as we should and not draw the line. The precedent has already been established.

Mr. WILSON: Mr. Speaker, I don't like the attitude of the gentleman, very well. I did not attempt to be unfair or to state anything that was not a fact, and I don't think I did. I know

from my own personal experience in the city of Portland and the county of Cumberland, which I think pays the largest salary of any county in the state to the judges of probate, that until the last two incumbents every one of those judges has maintained his office outside the probate court. I don't know how much business they did. At the present time I understand all judges of the probate court have offices outside as any other lawyer does except the judge in Cumberland county. The present judge of probate there does not feel obliged to do any other business with the salary of \$4,000 that he has now. I have no quarrel with the gentleman from Belfast or his principal. I simply want the facts understood by the members before they vote. It makes no difference to me whether these two or three old judges of probate have a pension or not. In fact it is not exactly great when it is considered that they have to give their entire services to the state for \$700 a year, but they are not obliged to accept the office if they do not think it pays enough.

Mr. BARNES of Houlton: Mr. Speaker, I guess the House all know what county I represent. (Laughter and applause.) Judges of probate in Aroostook county, Judge Strickland, Judge Stearns, Judge Smith, Judge Fessenden—they have all passed over but Judge Fessenden, Nicholas Fessenden of Fort Fairfield. Judges of probate hold the most responsible positions that can be granted under the Constitution of Maine. Judges of probate hold the positions that touch us nearest when probity and rectitude and intelligence and wisdom are most needed. They live long past the date of their retirement as we usually have them in Aroostook. Do not let's talk about the State of Maine because Maine does not pay their salaries. We pay beggarly pittance compared with the amount the men should earn. I assume, although I don't know anything about men outside of Aroostook county, but in Aroostook county the judge of probate may be a first selectman of the town he lives in, but he does not do any law business further than that.

Perhaps sometimes he acts as trial justice. We take, demand and use all his time, and I hope, since the pension system has been established, that counties like mine which ask for good service and are only too glad to pay for it, may be allowed to pension their retiring judges of probate if they have served that county to their satisfaction for a term of twenty years.

The pending question being on the motion of the gentleman from Portland, Mr. Rounds, that the minority report "ought to pass" be accepted,

A viva voce vote being had,
The motion prevailed.

On further motion by Mr. Rounds of Portland, the rules were suspended, the bill was given its three several readings and passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House majority and minority reports of committee on taxation, majority reporting "ought not to pass" and minority reporting "ought to pass" on House Doc. 92, An Act to amend Paragraph 1, Section 14, Chapter 10, Revised Statutes, relating to the taxation of personal property, tabled by the gentleman from Houlton, Mr. Barnes, pending the acceptance of either report.

Mr. BARNES of Houlton: Mr. Speaker, I move that the minority report "ought to pass" be accepted. This bill, gentlemen, applies to pulp wood, cord wood and logs which are situated on the first day of April in towns or organized plantations. There is a later bill relative to similar property which on the first day of April is situated in unorganized townships. In the month of January of a certain year pulp wood or cord wood or logs are standing as trees; they are real estate. It may be that on the first days of April they have been cut and are piled in towns or organized plantations, and they are under the present law subject to tax where the owner resides. Now if assessors of cities and assessors of towns were diligent in attempting to find out what property existing in Maine is taxable in their cities and towns, and if, after exercising dil-

igence in ascertaining that, they levied taxes on property taxable in their cities and towns, this question would never have arisen. Experience has taught us that as a rule logs, cord wood and pulp wood, piled or landed in towns and organized plantations, are not taxed in the city or town where the owner lives; and since the statute now claims they cannot be taxed in the town where they are piled or landed, they escape taxation. Why a woodlot of spruce timber standing should be taxed in the town where it stands, and why when that timber or wood is cut and piled, and is worth so much more piled or landed in a town or organized plantation, it should not be taxed, is of course something that cannot be explained except that it has been overlooked. This amount of property should bear its proportional part of the burdens of the State. I do not know that it is true, but I have every reason to believe that a certain drive that was hung up last summer—and all men who know anything about rivers know what that means—was sold two months ago for \$24 a thousand. Think of the value of the half million logs or four or five million logs if they are worth in the woods \$24 a thousand or \$14 a thousand. This property should not escape taxation. There is a method by which it does escape taxation which is old in the history of logging in Maine. Under a contract it may not be considered to be the property of the man who lives elsewhere until it has been delivered in a certain boom or has passed under a certain bridge or has arrived at a certain railroad yard; and assessors may be led to believe that they could not tax the property. I suppose it is evident to every one of us here that the cities and towns of the State need all the aid they can get from taxation. The papers say a spirited debate took place here two or three weeks ago when the question of taxation was discussed, and men differed with me because they said that the organized towns and cities should not be deprived of their taxes. Now this is an act to make it possible that the organized towns and the cities where lumber is piled may tax the lumber; so you have voted against the other proposition and

it is a peculiar dilemma this afternoon. To be consistent you must agree with me that the minority report "ought to pass" should be accepted. Fix it, gentlemen, so that the great piles of pulp wood, the great quantities of pine that are now cut in the southwestern part of the State and the enormous amounts of spruce that are cut and that are on landings or yards in organized towns and plantations shall not escape taxation any more than your automobiles or your horse or any other bit of your personal property. I hope that when we vote that the majority will vote that the minority report "ought to pass" shall be sustained.

Mr. JOEDAN of Baileyville: Mr. Speaker, as the committee on taxation is now in session up in the State assessors office, as I understand it,—I guess though they have adjourned now—it seems to me that this matter of taxation of logs and lumber or logs and pulp wood which is now, or will be very soon, afloat, the majority of the lumber being landed way out on the lakes and in the middle of the rivers and absolutely beyond the reach of the local assessors as to taxation; and owing to the great antiquity of the law which this bill attempts to change, it seems to me that instead of improving the condition, we are only going to complicate affairs more seriously. Therefore I sincerely hope that the majority report of the committee will prevail.

Mr. FARRINGTON of Augusta: Mr. Speaker, when the House is considering the situation with reference to logs, pulp wood and cord wood being in the town, and the justice of the claim that it should be taxed in the town where it is on April first, ask yourselves who has furnished the money that makes the change and makes them more valuable than when they are standing, and then ask yourselves if it would be a fair thing that they should be taxed on that increased value in a town where they are on April first.

Another thing that strikes me is this: it is conceivable, and I think probably there are instances on record where some of these logs are afloat on the first of April. That may not be pos-

sible, but it is a conceivable situation. It seems to me that this would be a very unjust bill to pass; and I trust the motion will not prevail to accept the minority report.

The SPEAKER pro tem: The question before the House, is on the motion of the gentleman from Houlton, Mr. Barnes, who moves that the minority report be accepted. The Chair will read the two reports. The majority report, reports "ought not to pass" and is signed by Messrs. Swift, Holt, Merrill, Allen, Jordan, Gannett and Holt. The minority report is that the bill ought to pass, signed by Messrs. Charles, Turner and Greenlaw.

A viva voce vote being doubted,

A division of the House was called for.

Mr. BARNES of Houlton: Mr. Speaker, I regret to do it, but many of the members interested in this are absent and I raise the point of a quorum.

Mr. FARRINGTON of Augusta: I move that the reports lie on the table, Mr. Speaker.

The motion prevailed.

Mr. ALLAN of Portland: If there is no quorum present I move that we adjourn.

Mr. BARNES: Mr. Speaker, I trust the motion will not prevail. There is no occasion for us to lose our heads. There are many things we can do on the program. Let us not adjourn.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Portland, Mr. Allan.

Mr. ROUNDS of Portland: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tem: The gentleman will state the question of privilege.

Mr. ROUNDS: It is to reconsider a bill that was passed here yesterday. If it goes by today there will not be time to get it back.

The SPEAKER pro tem: The Chair would inform the gentleman from Port-

land, Mr. Rounds, that he is out of order, and there is a motion pending.

Mr. ALLAN: I withdraw my motion, Mr. Speaker.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS: I wish, Mr. Speaker, to reconsider the vote passed here yesterday amending Section 124 of Chapter 87 of the Revised Statutes, House Doc. 616, whereby that document was indefinitely postponed in concurrence with the Senate.

A viva voce vote being had,
The motion prevailed.

On motion by Mr. Rounds, the bill was tabled until Monday next.

Mr. JORDAN of Baileyville: Mr. Speaker, I would like to make the motion that we reconsider our vote whereby we passed to be engrossed this morning House Doc. No. 704, and I ask for a suspension of the rules for that purpose.

A viva voce vote being had,

The motion of Mr. Jordan of Baileyville was lost, and the House refused to suspend the rules for the reconsideration of House Doc. No. 704.

Mr. WILSON of Portland: I move that we proceed, Mr. Speaker, with the unfinished business.

The SPEAKER pro tem: The Chair lays before the House majority and minority reports of committee on judiciary, majority reporting "ought not to pass" and minority reporting "ought to pass" on House Doc. No. 322, An Act to amend Section 10, Chapter 99, Revised Statutes, relative to leases, tabled by the gentleman from Eliot, Mr. Cole, pending the acceptance of either report. The Chair will read the two reports. The majority report "ought not to pass," is signed by Dearth, Barnes, Farrington, Deering, Gillin, Hutchins, Baxter. The minority report "ought to pass" is signed by Davies, Cole, Gurney.

On motion by Mr. Wilson of Portland,

both reports were tabled until Monday, April 2nd.

Mr. PATTEE of Harmony: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tem: Will the gentleman state the question and privilege?

Mr. PATTEE: I wish to give notice, Mr. Speaker, at the present time that at the proper time, under suspension of the rules, I wish to move the reconsideration of House Doc. 641—I think it is—the famous fertilizer bill.

The SPEAKER pro tem: The Chair lays before the House House report of committee on agriculture, reporting "ought not to pass" on House Doc. 510, An Act to amend Paragraph 6, Section 6, Chapter 10, and Section 16, Chapter 9, Revised Statutes, relating to the exemption of live stock from taxation, tabled by the gentleman from Baileyville, Mr. Jordan, pending acceptance of the report.

Mr. JORDAN of Baileyville: Mr. Speaker, I move you that the bill be substituted for the report.

Mr. HALL of Wilton: Mr. Speaker, this is a bill from the agriculture committee and as some of the committee are absent I would prefer that this be tabled.

The pending question being on the motion of the gentleman from Baileyville, Mr. Jordan, that the bill be substituted for the report,

A viva voce vote being had,

The motion of Mr. Jordan was lost.

On motion by Mr. Wilson of Portland, the report of the committee was accepted.

Mr. JORDAN of Baileyville: Mr. Speaker, I move you that we now adjourn.

Mr. FARRINGTON of Augusta: Mr. Speaker, I hope that motion will not prevail. We have got some things that we can turn off here. Many undoubtedly will go back on the table, but we

have got a tremendous lot of work ahead of us.

Mr. PURINGTON of Mechanic Falls: Mr. Speaker, I did not understand the motion of the gentleman from Baileyville (Mr. Jordan).

The SPEAKER pro tem: The gentleman from Baileyville moves that the House do now adjourn.

Mr. PURINGTON: Mr. Speaker, I would like the indulgence of the House for about three minutes before any such action is taken. I have a measure here which I think would expedite the business of the House.

The SPEAKER pro tem: Under the rules the motion is not debatable, and unless the motion is withdrawn, it will be necessary to put it to a vote.

Mr. JORDAN: Mr. Speaker, I withdraw my motion.

Mr. BARNES of Houlton: Mr. Speaker, I hope we will be able to get twenty more of these matters off the docket, but there will be some as to which there will be more or less discussion inevitably. Now referring to the next one in order, An Act to amend Section 3, Chapter 130, Revised Statutes, relating to the sale of milk, I move that that be tabled.

On motion by Mr. Barnes of Houlton, both reports were tabled pending printing in the new draft.

On motion by Mr. Hall of Wilton, the rules were suspended and the matter was assigned for consideration on Tuesday, April 3d.

Mr. ALLAN of Portland: Mr. Speaker, would it be possible to pass to No. 652, An Act to create a board of harbor commissioners for the Harbor of Portland? I think that could be disposed of quickly.

The SPEAKER pro tem: The Chair will inform the gentleman from Portland, Mr. Allan, that it will be necessary to suspend the rules to do this.

The SPEAKER pro tem: The Chair lays before the House An Act to amend Section 65, Chapter 126, Revised

Statutes, relating to the appointment of cruelty officers, tabled by the gentleman from Mexico, Mr. Hutchins, on its passage to be enacted. The Chair recognizes the gentleman from Mexico, Mr. Hutchins.

Mr. HUTCHINS of Mexico: Mr. Speaker, I am going to make the motion there to indefinitely postpone and explain the situation. I wish to say in connection with this bill that I am reminded of the situation of a neighbor of mine who sent his father's picture away to have a crayon made of it. The slick agent came back with the picture of another man somewhat older, but he proceeded to convince the man that that picture was the picture of his father, and separated him from his money. After he looked it over a little while he said "Oh, my father, how you have changed!" Now this bill has been redrafted and amended until the proponents of the measure do not care anything about it, the opponents of the measure are disinterested in it. The committee is not proud of it and the father of the bill does not recognize it. (Laughter) I move that it be indefinitely postponed.

The motion prevailed.

The SPEAKER pro tem: The Chair lays before the House Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements, House Doc. No. 613, tabled by the gentleman from Harmony, Mr. Pattee, pending the adoption of Senate Amendments B, C and D in concurrence.

Mr. PATTEE of Harmony: Mr. Speaker, I move the adoption of the several Senate Amendments in concurrence with the Senate.

The SPEAKER pro tem: The Chair would state that it will be necessary for the House to act upon each amendment separately, and understands that the gentleman from Harmony, Mr. Pattee, moves that Senate Amendment B be adopted in concurrence. Does the gentleman from Harmony wish the amendment read?

Mr. PATTEE: I am familiar with it Mr. Speaker.

Mr. FARRINGTON of Augusta: Mr. Speaker, was not that bill passed to be engrossed as amended by House Amendment A?

The SPEAKER pro tem: The point of the gentleman from Augusta, Mr. Farrington, is well taken, and it is necessary to reconsider the vote whereby the resolve was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Pattee of Harmony, the House voted to reconsider its action whereby this resolve was passed to be engrossed as amended by House Amendment A.

On further motion by the same gentleman, the House voted to adopt Senate Amendment B in concurrence.

Mr. WILSON of Portland: Mr. Speaker, there does not seem to be anybody here who knows about these matters and I move that the whole business be tabled.

Mr. BARNES of Houlton: Mr. Speaker, I think my brother from Portland, Mr. Wilson, does not mean that seriously. Let me state, if he will allow me, and you, that this is the general bill in favor of academies. We raised it for Lee Academy and the Senate raised it for St. Joseph's in Portland, St. Mary's college at Van Buren and for Freedom Academy. Now if we can avoid putting any more amendments on it, it probably will go through all right. With that explanation, I hope the gentleman from Portland, Mr. Wilson, will not insist on his motion.

On motion by Mr. Pattee of Harmony, the House voted to adopt Senate Amendment C in concurrence with the Senate. On further motion by the same gentleman, the House voted to adopt Senate Amendment D in concurrence with the Senate.

On motion by Mr. Allen of Sanford, the resolve was passed to be engrossed as amended by House Amendment A and Senate Amendments B, C and D in concurrence with the Senate.

Mr. BOMAN of Vinalhaven: Mr. Speaker, this seems to me more like a

funeral than a session of the legislature and I move that we adjourn.

Mr. WILSON of Portland: Mr. Speaker, I have been waiting three days for the next bill to come up, and I wish the gentleman would withdraw his motion long enough for me to get that before the House.

The SPEAKER pro tem: Does the gentleman from Vinalhaven withdraw his motion?

Mr. BOMAN: Yes, Mr. Speaker.

Mr. GRANT of Hope: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tem: The gentleman will state it.

Mr. GRANT: I would like to give notice, Mr. Speaker, that at the proper time I shall take from the table the bill about the Knox county register of probate and suggest that it be indefinitely postponed.

The SPEAKER pro tem: The motion of the gentleman from Hope, Mr. Grant, will not be in order as he did not vote with the majority.

Mr. MURRAY of Bangor: I voted with the majority, Mr. Speaker, and I will substitute my name for his and his motion for mine.

The SPEAKER pro tem: The Chair will make a note of it and get the bill later on.

Mr. FARRINGTON of Augusta: Mr. Speaker, this involves a matter of a difference of opinion between the two branches, and it seems to me that if we could get a committee of conference on this one matter, it would probably iron out a lot of others and would really facilitate the work of the legislature.

The SPEAKER pro tem: The Chair lays before the House An Act to create a board of harbor commissioners for the city of Portland, tabled by the gentleman from Portland, Mr. Wilson.

Mr. WILSON of Portland: Mr. Speaker, I offer House Amendment A.

This amendment concerns some clerical changes in the bill and has the

approval of the whole Portland delegation. I hardly think it necessary to read the amendment and I move its adoption.

The amendment was adopted, and the bill had its third reading and was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Tuttle of Caribou, the rules were suspended and House Doc. No. 677, An Act to improve the public highways of Maine by regulating the width of tires upon wagons and carts for carrying heavy loads was taken up out of order.

Mr. TUTTLE of Caribou: I present House Amendment A and move its adoption.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Tuttle, presents House Amendment A to House Doc. No. 677, being An Act to improve the public highways of Maine by regulating the width of tires upon wagons and carts for carrying heavy loads. Amend Section 1 of said act by striking out the word "exclusively" in the third line of the second paragraph of page two of said act. Further amend Section 2 of said act by striking out the words "or other material of not greater load-carrying capacity" in the second and third lines thereof.

The amendment was adopted, the bill had its third reading and was passed to be engrossed as amended by House Amendment A.

(Speaker Bonney in the Chair.)

Mr. WILSON of Portland: Mr. Speaker, I move that the rules be suspended and that we take from the table a bill entitled "An Act to incorporate the Van Buren Light and Power District."

The SPEAKER: Is it the pleasure of the House that the rules be suspended and that we consider what bills can be reasonably disposed of this afternoon?

The motion prevailed.

The SPEAKER: The Chair lays before the House, on motion of the gen-

tleman from Portland (Mr. Wilson), new draft of An Act to incorporate the Van Buren Light and Power District, the pending question being passage to be engrossed.

On motion by Mr. Wilson of Portland, the bill was passed to be engrossed.

On motion by Mr. Baxter of Portland, it was voted to take from the table House Doc. 671, An Act to incorporate the Calais Water & Power Company. On further motion by the same gentleman, the bill was passed to be engrossed.

On motion by Mr. Hutchins of Mexico, it was voted to take from the table House Doc. 673, An Act to amend Paragraph 19, Section 45, Chapter 117, Revised Statutes, relating to clerk hire in Oxford county offices, the pending question being the third reading.

On further motion by the same gentleman, the bill was given its third reading and passed to be engrossed.

On motion by Mr. Rounds of Portland, it was voted to take up out of order under suspension of the rules House Doc. 682, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to the amount to be paid for clerk hire in the municipal court in the city of Portland, the pending question being the third reading.

Mr. Rounds of Portland offered House Amendment A and moved its adoption, as follows:

House Amendment A. Amend by striking out all of the act after the word "follows" in the sixth line of the act as printed and substituting therefor the following: "Cumberland county for clerks in the office of register of deeds, two thousand seven hundred dollars.

For clerks in the office of register of probate twenty-one hundred dollars;

For clerks in the office of clerk of courts twenty-two hundred dollars;

For clerks in the office of the recorder of the municipal court fourteen hundred and four dollars."

The amendment was adopted.

The bill then had its third reading and

was passed to be engrossed as amended by House Amendment A.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to take from the table House Document No. 552, Resolve in favor of the town of Phillips, tabled by me pending action by the House and I want to make a statement to this House. The Governor told me that he would take care of this bill in another way. As I understand it, the Senate moved to indefinitely postpone. Is that right?

The SPEAKER: I think the clerk had better give the exact action of the bill from his own endorsements.

Clerk ROIX: This resolve came up in the House on its final passage on March 27th and the House indefinitely postponed the resolve. It then went to the Senate, and that body voted to adhere to its former action March 22 at which time the resolve was passed to be engrossed in the Senate.

Mr. ROUNDS: I move you that we adhere and indefinitely postpone the measure.

Mr. HALL of Wilton: Do I understand Mr. Speaker that this matter will be taken care of in another way?

The SPEAKER: The Chair so understands it. It is a matter of recollection of the Chair that when the matter came up, the gentleman from Phillips, Mr. Stubbs, requested that the matter be indefinitely postponed.

The motion of Mr. Rounds that the House adhere to its former action prevailed.

Mr. TUTTLE of Caribou: Mr. Speaker, I move to take from the table Resolve in favor of the town of Washburn, House Doc. 575, a matter very similar to the last one acted upon.

The SPEAKER: The Chair will ask the clerk to give the exact situation of the papers.

Clerk ROIX: This resolve in favor of the town of Washburn came up in the House March 27 on its final passage and

the House voted to indefinitely postpone the resolve. The Senate voted to insist on its former action of March 22, at which time they passed the resolve to be engrossed.

Mr. TUTTLE of Caribou: Mr. Speaker, this matter is fully taken care of, I understand, and I move you that we adhere to our former action in indefinitely postponing the measure.

The motion prevailed.

Mr. REDMAN of Ellsworth: Mr. Speaker; I move that we take from the table House Document No. 698, An Act relative to the operation of traction engines, motor and other vehicles, upon highways and bridges. This is the matter which I explained to the House the other morning, and I move that it have its several readings at this time.

On motion of Mr. Redman of Ellsworth, the bill was given its three several readings under suspension of the rules and was passed to be engrossed.

The SPEAKER: The Chair takes this opportunity to appoint the members of the committee of conference on the majority report of the committee of taxation on bill. An Act to amend Section 26 and Section 37 of Chapter 9 of the Revised Statutes of 1916, relating to State taxation of railroads, telephone and telegraph companies, and names Messrs. Barnes of Houlton, Charles of Lovell and Meserve of Naples.

Mr. CLASON of Lisbon: Mr. Speaker, as I have got to leave in a few moments, I would like to have House Document No. 678, retabled at the request of the gentleman from Biddeford, Mr. Desco-teaux, I understand he wants to talk on that.

The SPEAKER: The Chair would simply suggest that it is not necessary to make any motion to table it. The Chair will protect him.

Mr. BARNES of Houlton: Mr. Speaker, on the table and unassigned is House

Document No. 417, An Act to provide for the division and management of the school fund from the sale of timber and grass, and from trespasses on reserved lands, and amending Sections 20 and 21, Chapter 8, Revised Statutes. I wish to propose an amendment, and would any motion be necessary before it is in an amendable stage?

The SPEAKER: It is now in an amendable stage, pending passage to be engrossed.

On motion by Mr. Barnes of Houlton, House Doc. 417 was taken from the table.

Mr. BARNES: I will read the amendment: House Amendment A. "Amend said bill by adding after the word 'which' in the tenth line of Section one, the words 'after the expenditures provided by Sections 115 and 116 of Chapter 16 of the Revised Statutes.'"

The amendment was adopted.

On further motion of the same gentleman, the bill as amended by House Amendment A was passed to be engrossed.

On motion by Mr. Spiers of Westbrook, House Document 701 was taken from the table, being a resolve for the publication of automobile registration.

Mr. SPIERS: I wish, Mr. Speaker, to offer an amendment and to move its adoption. I would explain that this document allows the secretary of State to make arrangements with "some person, firm or corporation" to publish a list of the automobile registrations. This amendment allows more than one.

The SPEAKER: The gentleman from Westbrook, Mr. Spiers, offers House Amendment A to House Document 701; and is the House satisfied with the explanation of the amendment by the gentleman? If so, the Chair will not read it.

The amendment was adopted.

On further motion by Mr. Spiers, the rules were suspended, the resolve was given its second reading and passed to be engrossed as amended by House Amendment "A".

On motion by Mr. Barnes of Houlton, House Document No. 646, An Act to prohibit the selling or giving away of air rifles to children under fourteen years of age, was taken from the table.

The SPEAKER: This comes from the Senate indefinitely postponed.

On motion by Mr. Barnes, the House voted to insist and appoint a committee of conference.

The Chair appointed as such committee of conference Messrs. Cushman of Auburn, Hutchins of Mexico and Flint of Monson.

Mr. MURRAY of Bangor: Mr. Speaker, I would like to make a motion out of order. I move that we reconsider the vote whereby we concurred with the Senate on bill relating to clerk hire of the Register of Probate for Knox county.

The SPEAKER: Rule 41, by which we are governed, says: "When a motion for reconsideration has been decided, the vote shall not be reconsidered. A motion to reconsider shall not be in order more than once on the same question." By unanimous consent, of course, that vote can be reconsidered.

Mr. FARRINGTON of Augusta: Mr. Speaker, I trust that in this case unanimous consent will be given. I think this brings out the point of disagreement between the two branches, and will really hasten action on other matters.

The SPEAKER: The Chair is very glad to listen to that suggestion, and, unless objection is made, will entertain the motion. The gentleman from Bangor, Mr. Murray, moves that we reconsider the vote whereby the House concurred with the Senate on bill relating to clerk hire of the Register of Probate for Knox county.

The motion was agreed to.

On further motion by the same gentleman, the House voted to insist and ask for a committee of conference.

The Chair appointed as such committee on the part of the House, Messrs. Grant of Hope, Murray of Bangor and Hall of Wilton.

Mr. JORDAN of Baileyville: Mr. Speaker, I wish to take from the table at this time Senate Document No. 360, An Act for the safeguarding of employees in factories, mills and workshops against danger from fire.

The SPEAKER: This comes from the Senate indefinitely postponed.

Mr. JORDAN: Mr. Speaker, I move that the House insist and ask for a committee of conference.

Mr. FARRINGTON of Augusta: Mr. Speaker, may I inquire what the action of the House was?

The SPEAKER: It was a Senate report, read once and assigned for its second reading, and then indefinitely postponed. It never has had action in the House.

Mr. FARRINGTON: Certainly, Mr. Speaker, if the House has not taken any action, a motion to insist would hardly yield much. I move that the House concur in its indefinite postponement.

Mr. JORDAN: Mr. Speaker, I object.

The SPEAKER: Between the two Houses the only question is concurrence or non-concurrence. This bill has never had any action in the House, so the Clerk informs me. It was simply introduced and referred to a committee in concurrence—the committee on mercantile affairs and insurance; and being a Senate bill, of course it was reported in the Senate, and the action taken on it which the Chair has stated—read once, assigned for the second reading, and on the second reading indefinitely postponed. It came into the House and was tabled pending action.

Mr. JORDAN: Mr. Speaker, I move that we non-concur with the Senate.

Mr. FARRINGTON: My motion, Mr. Speaker, was that we concur.

The SPEAKER: And, of course, that motion will have to be put first.

A viva voce vote being had,

The motion of the gentleman from Augusta, Mr. Farrington, was lost.

The SPEAKER: The Chair thinks now that, having got that matter straightened out, the proper course of the gentleman from Baileyville, Mr. Jordan, is to move that we accept the report which comes from the Senate, "ought to pass."

On motion by Mr. Jordan of Baileyville, the House voted to accept the report in concurrence.

Mr. FARRINGTON of Augusta: Mr.

Speaker, I move that the bill be tabled pending its first reading.

A viva voce vote being had,

The motion prevailed, and the bill was tabled pending its first reading.

On motion by Mr. O'Connell of Millinocket,

Adjourned until Monday afternoon, April 2nd, at 3 P. M.