

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

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AUGUSTA, MAINE

**HOUSE**

Thursday, March 2, 1939.

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

Prayer by the Rev. Dr. Wood of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills in First Reading**

Bill "An Act relating to Ricker Classical Institute" (S. P. 89) (L. D. 53); in new draft (S. P. 438) (L. D. 989) under same title.

Bill "An Act relating to the Resignation of Attorneys-at-Law" (S. P. 320) (L. D. 590)

**Senate Report Tabled**

From the Senate: Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the Emergency Municipal Finance Board" (S. P. 214) (L. D. 286)

(On motion by Mr. Stilphen of Dresden, tabled pending acceptance of the committee report)

From the Senate: Bill "An Act relating to Clerks in the Offices of Register of Probate and Clerk of Courts in Hancock County" (H. P. 405) (L. D. 110) which bill was recalled from the Governor to the Senate by Joint Order.

Comes from the Senate, recommended to the Committee on Salaries and Fees.

In the House: The House voted to recede from its former action whereby it passed the bill to be enacted and to further recede from its former action whereby it passed the bill to be engrossed.

The House then concurred with the Senate in the recommitment of the bill to the Committee on Salaries and Fees.

From the Senate: Bill "An Act relating to the County Treasurer of Hancock County" (H. P. 404) (L. D. 109) which bill was recalled from the Governor to the Senate by Joint Order.

Comes from the Senate, recom-

mended to the Committee on Salaries and Fees.

In the House: The House voted to recede from its former action whereby it passed the bill to be enacted and to further recede from its former action whereby it passed the bill to be engrossed.

The House then concurred with the Senate in the recommitment of the bill to the Committee on Salaries and Fees.

From the Senate: Bill "An Act relating to Clerk Hire in Somerset County" (H. P. 580) (L. D. 205) which bill was recalled from the Governor to the Senate by Joint Order.

Comes from the Senate, recommended to the Committee on Salaries and Fees.

In the House: The House voted to recede from its former action whereby it passed the bill to be enacted and to further recede from its former action whereby it passed the bill to be engrossed.

The House then concurred with the Senate in the recommitment of the bill to the Committee on Salaries and Fees.

**Senate Report Tabled**

From the Senate: Report of the Committee on Salaries and Fees on Bill "An Act to Provide Compensation for Indian Representatives to the Legislature" (S. P. 172) (L. D. 188) reporting same in a new draft (S. P. 417) (L. D. 879) under same title and that it "Ought to pass."

Comes from the Senate, report read and accepted and the bill recommended to the Committee on Salaries and Fees.

In the House:

Mr. HINMAN of Skowhegan: Mr. Speaker, I move that this bill be indefinitely postponed in non-concurrence.

The SPEAKER: The gentleman from Skowhegan, Mr. Hinman, moves that the report of the Committee on Salaries and Fees on Bill "An Act to Provide Compensation for Indian Representatives to the Legislature" (S. P. 172) (L. D. 188) reporting same in a new draft (S. P. 417) (L. D. 879) under same title and that it "Ought to pass" together with the accompanying bill be indefinitely postponed in non-concurrence. The

Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. McGLAUFFLIN: Mr. Speaker, I move that this report be tabled.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the report, together with the bill, lie on the table pending the motion of the gentleman from Skowhegan, Mr. Hinman, that the bill and report be indefinitely postponed in non-concurrence. Is this the pleasure of the House?

The motion prevailed, and the bill and report was so tabled.

### Senate Report Tabled

From the Senate: Report of the Committee on Salaries and Fees on Bill "An Act relating to the Lincoln Municipal Court" (S. P. 272) (L. D. 441) reporting same in a new draft (S. P. 444) (L. D. 988) under same title and that it "Ought to pass."

Comes from the Senate, report read and accepted and the bill recommended to the Committee on Salaries and Fees.

In the House, on motion by Mr. Weatherbee of Lincoln, report tabled pending further consideration.

The SPEAKER: The Chair at this time will invite the gentleman from Berwick, Mr. Varney, to the Chair, and designate him as Speaker pro tem.

Mr. Varney was then conducted to the Chair by the Sergeant at Arms, amid the applause of the House, Speaker Philbrick retiring.

The following petitions and remonstrances were received, and upon recommendation of the Committee on Reference of Bills were referred to the following committees:

### Appropriations and Financial

#### Affairs

Petition of Archie Annis and 18 others of Carmel and vicinity in favor of proposed Bill to provide State Services for the Blind (H. P. 1826) (Presented by Mr. Fernald of Levant)

Petition for Androscoggin County Association for the Blind, Lewiston District of Maine, Council of Catholic Women, in favor of same (H. P. 1827) (Presented by Mr. Winslow of Auburn)

Sent up for concurrence.

### Taxation

Petition of George Gardner and 97 others in favor of H. P. 1758, L. D. 933, Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 1828) (Presented by Mr. Babin of Frenchville)

Petition of Alfred D. Soucy and 40 others of Pt. Kent in favor of same (H. P. 1829) (Presented by same gentleman)

Petition of G. E. Hartt and 11 others of St. Francis in favor of same (H. P. 1830) (Presented by same gentleman)

Petition of Omer Soucy and 12 others of Grand Isle in favor of same (H. P. 1831) (Presented by Mr. Violette of Van Buren)

Remonstrance of Joseph F. Lamontagne and 578 others of Biddeford and Saco opposing any increase in the Gasoline Tax (H. P. 1832) (Presented by Mr. Donahue of Biddeford)

Sent up for concurrence.

### Orders

On motion by Mr. Dow of Norway, it was

ORDERED, that there be printed 500 additional copies of H. P. 1595, L. D. 910, Bill "An Act relating to Jurisdiction on Divorce Libels."

On motion by Mr. Peakes of Milo, it was

ORDERED, that the use of the hall of the House be granted to the Committee on Inland Fisheries and Game for the afternoon of Wednesday, March 15th, 1939.

On motion by Mr. Williams of Bethel, it was

ORDERED, that there be printed 500 additional copies of L. D. 550, Statement from Controller showing Automobile Mileage.

### Reports of Committees

#### Ought Not to Pass

Mr. Churchill from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Fred N. Babcock of Litchfield (H. P. 537)

Mr. Cushing from same Committee reported same on Resolve in favor of Mrs. Lena Dunton of Augusta (H. P. 1250)

Mr. Fogg from same Committee reported same on Resolve in favor of Carl Simpson of Auburn (H. P. 463)

Mr. Melanson from same Committee reported same on Resolve in favor of L. S. Grant of Leeds (H. P. 1253)

Same gentleman from same Committee reported same on Resolve in favor of Alice Page of Leeds (H. P. 1252)

Mr. Brown from the Committee on Inland Fisheries and Game reported same on Resolve for Screening Outlet of Long Pond in Bowdoin College Grant (H. P. 1125)

Reports were read and accepted and sent up for concurrence.

#### Report Tabled

Mr. LaFleur from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Establishing a Game Preserve in Yarmouth in Cumberland County" (H. P. 1411) (L. D. 552)

(On motion by Mr. Maxim of Portland, tabled pending acceptance of committee report)

Mr. LaFleur from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relative to Game Preserve in Hancock County" (H. P. 1552) (L. D. 650)

Mr. Peakes from same Committee reported same on Bill "An Act relative to Hunting Near Highways in Unorganized Townships" (H. P. 380) (L. D. 101)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Colcord and Bickford Ponds (H. P. 889) (L. D. 346)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Moose Pond (H. P. 888) (L. D. 345)

Mr. McGlauffin from the Committee on Judiciary reported same on Bill "An Act to Make Admissible Testimony of Surviving Parties and Declarations of Decedents in Actions by or against Representatives of Estates of Deceased Persons and Declarations of Testators or Testatrices in Proceedings for the Probate of Wills" (H. P. 1619) (L. D. 707)

Mr. Noyes from same Committee reported same on Bill "An Act relating to Payment of Taxes in Installments" (H. P. 1730) (L. D. 836)

Mr. Richardson from same Committee reported same on Bill "An Act Amending the Method of Assessments of Town Taxes" (H. P. 1738) (L. D. 831)

Mr. Worth from same Committee reported same on Bill "An Act relating to Taxes Assessed upon Homes" (H. P. 1731) (L. D. 834)

Reports were read and accepted and sent up for concurrence.

#### Report Tabled

Mr. Starrett from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve for Repairing Screen and Dam at Outlet of Great Embden Lake (H. P. 1126)

(On motion by Mr. Thorne of Madison, tabled pending acceptance of committee report)

Mr. Welch from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve for Screening Certain Waters in Lincoln County (H. P. 1580)

Report was read and accepted and sent up for concurrence.

#### Refer to the Committee on Pensions

Mr. Race from the Committee on Claims on Resolve in favor of Harland B. Webber of Cumberland (H. P. 533) reported that same be referred to the Committee on Pensions.

Report was read and accepted and sent up for concurrence.

#### Leave to Withdraw

Mr. Larrabee from the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Legal Size of Lobsters" (H. P. 1341) (L. D. 525) reported leave to withdraw.

Report was read and accepted and sent up for concurrence.

#### Ought to Pass in New Draft

Mr. Churchill from the Committee on Claims on Resolve to reimburse Certain Exhibitors at the Penobscot and Piscataquis Fair (H. P. 1140) (L. D. 381) reported same in a new draft (H. P. 1833) under same title and that it "Ought to pass"

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act relative to Game Preserve in York County" (H. P. 273) (L. D. 83) reported same in a new draft (H. P. 1834) under same title and that it "Ought to pass"

Mr. Noyes from the Committee on Taxation on Bill "An Act relating to Taxation of Radios" (H. P. 1214) (L. D. 475) reported same in a new draft (H. P. 1835) under same title and that it "Ought to pass"

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

#### Ought to Pass

Mr. Brown from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Establishing a Game Preserve in Piscataquis County" (H. P. 540) (L. D. 214)

Mr. Hanold from same Committee reported same on Bill "An Act relative to Trapping in the Winthrop and Wayne, Standish and Rangeley Game Preserves" (H. P. 1130) (L. D. 408)

Same gentleman from same Committee reported same on Bill "An Act relating to the Standish Game Preserve" (H. P. 1131) (L. D. 409)

Mr. Starrett from same Committee reported same on Bill "An Act relative to Trapping on Game Preserves" (H. P. 1129) (L. D. 407)

Mr. Welch from same Committee reported same on Bill "An Act relating to Hunting in the town of Castine" (H. P. 541) (L. D. 215)

Mr. McGlaflin from the Committee on Judiciary reported same on Bill "An Act relating to Judicial Notice of Foreign Law" (H. P. 1618) (L. D. 706)

Mr. Varney from same Committee reported same on Bill "An Act to provide for Alternate Jurors" (H. P. 1592) (L. D. 691)

Mr. Batchelder from the Committee on Public Utilities reported same on Bill "An Act to Extend the Rights, Powers and Privileges of the Sabattus Water and Sewer District" (H. P. 1171) (L. D. 477)

Mr. Noyes from same Committee reported same on Bill "An Act to Amend the Charter of the Camden and Rockland Water Company" (H. P. 710) (L. D. 263)

Reports read and accepted.

#### First Reading of Printed Bill and Resolve

Bill "An Act to Define the Pre-emptive Right of Stockholders" (H. P. 1825) (L. D. 995)

Resolve relating to Close Time on Lobsters in Certain Waters (H. P. 1207) (L. D. 420)

Bill was read twice, Resolve read once, and tomorrow assigned.

#### Passed To Be Engrossed

Bill "An Act providing Penalties for Boarding Freight Trains Without Right" (S. P. 95) (L. D. 58)

Bill "An Act relating to the Use and Maintenance of the Kennebec or Carlton Bridge" (S. P. 114) (L. D. 79)

Bill "An Act Authorizing the Board of Registration of Nurses to Give Examinations to Certain Persons" (S. P. 226) (L. D. 431)

Bill "An Act relative to Charter of the Fort Kent Telephone Company" (H. P. 32) (L. D. 24)

Bill "An Act to Amend the Fair Trade Act" (H. P. 557) (L. D. 228)

Bill "An Act relating to the Provident Loan Company" (H. P. 854) (L. D. 313)

Bill "An Act relating to Payment to the County Law Library of York County" (H. P. 900) (L. D. 356)

Bill "An Act relating to Loan and Building Associations" (H. P. 1139) (L. D. 454)

Bill "An Act Amending the Law relating to the Issuance of Preferred Stock by Trust Companies" (H. P. 1820) (L. D. 991)

Bill "An Act relating to the Treasurer of the University of Maine" (H. P. 1821) (L. D. 992)

Sent up for concurrence.

#### Amended Bill

Bill "An Act Amending the Law relating to the Width of Motor Vehicles" (S. P. 264) (L. D. 443)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent up for concurrence.

At this point Mr. Varney of Berwick, retired amid the applause of the House and Speaker Philbrick resumed the Chair.

#### Passed to Be Enacted (Emergency Measure)

An Act to Incorporate the Town of Princeton Lighting District (S. P. 184) (L. D. 235)

On motion by Mr. Dow of Norway, the House voted, under suspension of the rules, to reconsider its former action whereby this bill was passed to be engrossed and further voted to reconsider its former action whereby House Amendment "A" was adopted.

The House then voted to indefinitely postpone House Amendment "A" and the bill was passed to be engrossed in non-concurrence and sent up for concurrence.

The **SPEAKER**: The Chair will announce that Item (C1) (H. P. 1215) (L. D. 460) "An Act relating to Roads in Unincorporated Places," is being returned to the Engrossing Department for correction.

#### Passed to Be Enacted

An Act relating to the Town Manager Form of Government for the town of Dover-Foxcroft (H. P. 283) (L. D. 90)

An Act to Permit Charles Hayden Foundation to be and become a Limited Partner in Hayden, Stone & Co. and to Authorize said Firm to Conduct Business under Said Name (S. P. 62) (L. D. 35)

An Act relating to Registration of Motor Vehicles (H. P. 512) (L. D. 165)

Resolve relating to the Taking of Clams in Bluehill (H. P. 1206) (L. D. 419)

Resolve Regulating Digging of Clams Within the Limits of the towns of South Bristol and Boothbay (H. P. 1208) (L. D. 421)

Resolve relating to the Taking of Clams in Surry (H. P. 1235) (L. D. 392)

Resolve Regulating the Taking of Smelts from Smelt Brook in the town of Perry (H. P. 1781) (L. D. 945)

#### Orders Of The Day

Mr. **PIKE** of Bridgton: Mr. Speaker, I ask unanimous consent to address the House.

The **SPEAKER**: The gentleman from Bridgton, Mr. Pike, asks unanimous consent to address the House. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. **PIKE**: Mr. Speaker and members of the House: If I did not know the friendliness and the patience of the members of this House I should hesitate to ask the privilege of addressing you at this time. I am doing it for a society of old men to whom you can extend some help, I think. It is through no fault of my own that this was not done sooner. The Preachers' Aid Society of the Maine Conference of the Methodist Episcopal Church is a society formed or incorporated under the laws of this state, the laws of 1923, and its main purpose is to provide pensions for retired ministers of that society. The man who is in charge of this, the secretary, John M. Arters, who some of

you may know, is a very sick man now, residing in Bangor, and is unable to attend to business in the ordinary sense of the word. It was called to my attention that the name of this society should be changed in the same way in which the name of the general society of the church was changed by a former bill which has been passed to be engrossed.

I ask now the privilege of introducing this bill out of order and under suspension of the rules.

The **SPEAKER**: The gentleman from Bridgton, Mr. Pike, asks unanimous consent of the House to introduce a bill, notwithstanding the joint closing order. Is there objection? The Chair hears none and the bill is introduced. The Clerk will read the title of the bill.

Bill "An Act Changing the Name of Preachers' Aid Society of the Maine Conference of the Methodist Episcopal Church."

On motion by Mr. Pike, the bill was referred to the Committee on Legal Affairs, 500 copies ordered printed and sent up for concurrence.

Mr. **VARNEY** of Berwick: Mr. Speaker: I ask unanimous consent to address the House.

The **SPEAKER**: The gentleman from Berwick, Mr. Varney, asks unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. **VARNEY**: Mr. Speaker, yesterday I received in the mail a petition addressed to myself as representative, signed by seventy-three residents of the town of South Berwick, one of the towns which I represent, asking me, if possible, to introduce an Act to Incorporate the South Berwick Water District. It seems that for some reason this matter did not come up until the present time, and, as I believe it will not slow up the procedure of the Legislature in any degree, I now ask unanimous consent to introduce this bill by request.

The **SPEAKER**: The gentleman from Berwick, Mr. Varney, asks unanimous consent to introduce a bill at this time, notwithstanding the joint closing order. Is there objection? The Chair hears no objection and the bill is introduced. The Clerk will read the title of the bill.

Bill "An Act to Incorporate the South Berwick Water District" (Presented by Mr. Varney by request)

Mr. VARNEY: Mr. Speaker, I move that this bill be referred to the Committee on Legal Affairs and 500 copies be printed.

Mr. NOYES of Franklin: Mr. Speaker, I move that this bill lie on the table pending the motion of the gentleman from Berwick, Mr. Varney, that the bill be referred to the Committee on Legal Affairs.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the bill lie on the table pending the motion of the gentleman from Berwick, Mr. Varney, that the bill be referred to the Committee on Legal Affairs. Is this the pleasure of the House

The motion prevailed, and bill was so tabled.

The SPEAKER: The Clerk has in his possession a report of a Conference Committee, which is highly privileged, and is in order at this time, which he will read.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to grant a new charter to the city of Gardiner" (H. P. 682) (L. D. 266) report that they have had the same under consideration and ask leave to report that the Senate recede and concur with the House. The report is signed by the gentleman from Norway, Mr. Dow, the gentleman from Gardiner, Mr. Slosberg, and the gentleman from Camden, Mr. Dwinall, of the committee on the part of the House; the Senator from Kennebec, Senator Marden, the Senator from Cumberland, Senator Hill, and the Senator from Aroostook, Senator Tompkins, on the part of the Senate.

Thereupon, the House voted to accept the report of the Conference Committee.

On motion by Mr. Weatherbee of Lincoln, the House voted to take from the table report of the Committee on Salaries and Fees on Bill "An Act relating to the Lincoln Municipal Court" (S. P. 272) (L. D. 41) reporting same in a new draft (S. P. 444) (L. D. 988) under same title and that it "Ought to pass," which report was tabled by that gentleman earlier in today's session pending further consideration; and

on further motion by the same gentleman the bill was recommitted to the Committee on Salaries and Fees in concurrence.

On motion by Mr. McGlauffin of Portland, the House voted to take from the table report of the Committee on Salaries and Fees on Bill "An Act to Provide Compensation for Indian Representatives to the Legislature" (S. P. 172) (L. D. 188) reporting same in a new draft (S. P. 417) (L. D. 879) under same title and that it "Ought to pass," which report was tabled by that gentleman earlier in today's session, pending the motion of the gentleman from Skowhegan, Mr. Hinman, that the bill and report be indefinitely postponed in non-concurrence.

Mr. McGLAUFFIN of Portland: Mr. Speaker, the American Indian was formerly the most feared and the most hated individual perhaps on earth. He finally became the most picturesque figure not only in American history but perhaps in the whole world. His feathered war bonnet; his painted face, his blood-curdling war-whoops; his dance about the fire in the woods in the night-time; his victims staked out to be tortured; his raids upon the frontier, leaving homes in ashes, and taking away his victims to his distant wigwam; his bow; his arrow; his tomahawk and scalping knife; his birchbark canoe and his unique method of handling the same; his blankets, his beads, his ability to endure hardship,—all create in the mind and the imagination pictures that cannot be erased. Where is the boy who does not thrill to reading the story of the American Indian, and where is the boy who has not imagined himself as an Indian killer or an Indian Chief?

Now the American Indian probably has been the most robbed individual on earth. Why I am speaking at this moment is this: It is exceedingly easy to throw things, as we say, out the window without any consideration. This measure seems to have a favorable report from the committee, and I think that we should give the matter consideration before we indefinitely postpone it. (Applause)

Mr. WHITNEY of Bangor: Mr. Speaker, I hesitate to rise and say anything after the very fine talk by the gentleman from Portland, Mr.



McGlauffin. However, this particular matter, it seems to me, has been handled very peculiarly.

The original bill, Legislative Document 188, was referred to the Committee on Appropriations and Financial Affairs and reported out by that committee as "Ought to pass." For some unknown reason this matter then got before the Committee on Salaries and Fees, and that committee in turn objected to the bill reported out by the Committee on Appropriations and Financial Affairs. The House some time ago voted on this bill and voted to pass the bill reported out by the Committee on Appropriations and Financial Affairs. This bill later on was tabled in the Senate, and now we are confronted with another bill reported out by the Committee on Salaries and Fees under Legislative Document 879.

As the matter now stands, the House accepted the report with the recommendations of the Committee on Appropriations and Financial Affairs, and now we are asked to accept another report, disregarding the recommendation of the Committee on Appropriations and Financial Affairs, and are asked to accept another bill coming from the Committee on Salaries and Fees. Certainly, to my mind, it is a peculiar way to work this matter. I certainly hope that the motion of the gentleman from Skowhegan (Mr. Hinman) prevails.

Mr. HINMAN of Skowhegan: Mr. Speaker and members of the House: I do not know what has been said, and I hope I will not repeat.

I simply want to say this: First of all, I would like to have anybody tell me where there is any sound reason in paying a man for coming to this Legislature a few days, perhaps one or two and perhaps a week or two at the most, a man who has no authority or right to take part in the activities, the lawmaking of this body, who comes here as a matter of courtesy, as it were, a courtesy which we are very glad to extend, but a courtesy which I take exceptions to when an attempt is made, to my mind, to abuse it. I submit to the members of this House that there is no sound reason why this man should be allowed to take from this Legislature the same amount of money as those of us take who spend our time here and do the work. It is not sound

procedure to begin with. If there is anything wrong in the setup or the rights which are accorded these gentlemen, that is a matter for legislative action or law, but it is not right for this Legislature to set up an equal salary when equal service cannot be required under the law that we now have.

I submit to the members, that this having been called to your attention before, and the Committee on Appropriations and Financial Affairs having presented to you a bill which gave them the amount of money which they were entitled to, and you having favorably acted upon that bill, because somebody chooses through another channel to present to this body another means of getting from this Legislature money to which I submit they are not entitled, I say that is not worthy of the several various considerations which may be found by legislative action for consideration. We are spending more time on this matter than the merits of the case would justify, and I hope that my motion may be supported.

The SPEAKER: The question before the House is on the motion of the gentleman from Skowhegan, Mr. Hinman, that the report of the Committee on Salaries and Fees, and accompanying bill, be indefinitely postponed. All those who are in favor of the motion of the gentleman from Skowhegan, Mr. Hinman, will say aye; those opposed no.

Mr. DOW of Norway: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Norway, Mr. Dow, asks for a division.

All those who are in favor of the motion of the gentleman from Skowhegan, Mr. Hinman, that the report and bill be indefinitely postponed will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

One hundred and two having voted in the affirmative and 25 in the negative, the motion prevailed and the report and bill were indefinitely postponed in non-concurrence and sent up for concurrence.

On motion by Mr. Noyes of Franklin, the House voted to take from the table Bill "An Act to In-

corporate the South Berwick Water District" (Presented by Mr. Varney by request), which was tabled by that gentleman earlier in today's session pending the motion of the gentleman from Berwick, Mr. Varney, that the bill be referred to the Committee on Legal Affairs.

Mr. VARNEY: Mr. Speaker, I now ask leave to withdraw my motion that this bill be referred to the Committee on Legal Affairs.

The SPEAKER: The gentleman from Berwick, Mr. Varney, asks

leave to withdraw his motion that the bill be referred to the Committee on Legal Affairs. Is this the pleasure of the House?

The motion prevailed, and on motion by Mr. Varney, the bill was referred to the Committee on Public Utilities, 500 copies ordered printed and sent up for concurrence.

On motion by Mr. Erswell of Brunswick,

Adjourned until ten o'clock tomorrow morning.