

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

HOUSE.

Thursday, Feb. 18, 1909.

Prayer by Rev. Mr. Russell of Pittsfield.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

An Act creating a State board of charities and corrections, came from the Senate indefinitely postponed.

On motion of Mr. Davies of Yarmouth the bill was tabled pending action on the report.

Senate Bills on First Reading.

An Act to amend Chapter 18 of the Revised Statutes relating to the State board of health.

Resolve for the purpose of operating fish hatcheries and feeding stations for fish and for the protection of fish. (Senate Amendment A, making the resolve an emergency measure, adopted in concurrence on motion of Mr. Sleeper of South Berwick.)

Mr. BURLEIGH of Augusta: Mr. Speaker, I would inquire if there is an additional section in the bill providing when it should take effect?

The SPEAKER: The Chair will inform the gentleman from Augusta that there is no additional section in the resolve providing when it shall go into effect. The only thing touching upon that matter is the amendment adopted by the Senate.

On motion of Mr. Burleigh the bill was tabled pending second reading.

An Act to exempt certain public bonds from taxation. (Tabled pending second reading on motion of Mr. Rounds of Portland.)

An Act for the assessment and taxation for certain public service companies, came from the Senate with the report "ought not to pass." (Tabled pending acceptance of the report in concurrence on motion of Mr. Montgomery of Camden.)

An Act relating to the compensation of county commissioners for Androscoggin county, came back from the Senate referred to the committee on salaries and fees in non-concurrence.

On motion of Mr. Frost of Lewiston the House receded and concurred with the Senate in its reference.

An Act to amend specification 10 of Section 6 of Chapter 9 of the Revised Statutes relating to the exemption from taxation of lands set apart for the protection of forest trees, as amended by Chapter 169 of the Public Laws of 1907, came back from the Senate referred to the committee on taxation and forest preservation and water supply in non-concurrence.

On motion of Mr. Colby of Bingham the House receded and concurred with the Senate in its reference.

The following petitions, bills, etc., were presented and referred:

Judiciary.

By Mr. Patterson of Solon: Petition to amend the Act to establish a municipal court in the town of Madison and to extend the time for the organization of the same.

By Mr. Thurlow of Cutler: Petition for passage of An Act to amend the charter of the Machiasport bridge.

By Mr. Burse of Pittsfield: Petition for Woman Suffrage by Virgil P. Hall and 55 others of Somerset county.

By Mr. Buswell of Stetson: Petition for Woman Suffrage by Arthur Jones and 104 others.

By Mr. Pike of Eastport: Petition of the Mayor of Eastport and 26 other citizens and business firms for the passage of the Optometry bill.

By Mr. Burse of Pittsfield: Petition of R. F. Greenleaf and 26 others of Fairfield for same.

By Mr. Thompson of Skowhegan: Petition of A. K. Butters and 20 others of Skowhegan for same.

By Mr. Wing of Auburn: Petition of J. B. Clouture and 33 others for same.

By Mr. Pinkham of Lincoln: Petition of Charles F. Plumley and 47 others for same.

By Mr. Higgins of Starks: Petition of L. R. Folsom of Norridgewock and 7 others for same.

By Mr. Cummings of Manchester: Petition of Charles A. Fuller and 64 others of Hollowell for same.

By Mr. Strickland of Bangor: Petition of H. H. Crane and 19 others for same.

By Mr. Bemis of Harmony: Remonstrance of T. A. Linn and 11 others

of Hartland against bill to prohibit the use of automobiles on Mt. Desert Island.

By Mr. Trafton of Westbrook: Remonstrance of H. A. Craigee and 8 others against same.

By Mr. Gilbert of Litchfield: An Act to incorporate Litchfield Electrical Company.

By Mr. Wing of Kingfield: An Act to grant additional powers to the Rangeley Light and Power Company.

By Mr. Conner's of Bangor: An Act to amend An Act entitled "An Act authorizing the city of Bangor to construct a bridge over Kenduskeag stream near the European and North American Railroad Bridge."

By Mr. Rounds of Portland: An Act to amend Chapter 364 of the Private and Special Laws of 1905 relating to the Portland Bridge District; also An Act granting additional privileges to Peaks Island Gas Company.

Legal Affairs.

By Mr. Davies of Yarmouth: Petition of Easton Grange, Easton, Aroostook county, of 330 members, in favor of the bill regulating lobbying.

By Mr. Thompson of Skowhegan: An Act to incorporate the Skowhegan Water District.

My Mr. Spear of South Portland: An Act to amend the charter of the Municipal Light and Power Company.

By Mr. Higgins of Starks: An Act to provide for the taxation of the property of the Madison Village Corporation located in the towns of Norridge-wock and Starks.

By Mr. Kelley of Boothbay: An Act to amend Section 31 of Chapter 93 of the Revised Statutes as amended by Chapter 110 of the Public Laws of 1905 relating to liens on buildings and lots, wharves and piers.

Education.

By Mr. Wing of Kingsfield: Petition of L. A. Norton and 60 others in favor of the passage of An Act for the improvement of free high schools in regard to standing.

By Mr. Sawyer of Dexter: Petition of C. F. Emery and 29 others of St. Albans for a normal school in central Maine; of Mrs. Ada E. Waugh and 22

others of Corinna for same; of Charles L. Palmer and 36 others of Corinna for same; of F. L. Haseltine of Ripley and 16 others for same; of Charles C. Simpson and 39 others of Kenduskeag for same.

By Mr. Higgins of Starks: An Act to amend Section 64 of Chapter 15 of the Revised Statutes relating to the tuition of pupils in secondary schols.

Railroads and Expresses.

By Mr. Porter of Mapleton: Petition of E. K. Young and 24 others of Ashland in favor of the Hall mileage bill.

By Mr. Harvey of Sullivan: An Act to extend the charter of the Winter Harbor and Eastern Railway Company.

Telegraphs and Telephones.

By Mr. Burleigh of Augusta: An Act to prevent monopoly in the control of telephone companies; also An Act to protect the rights of holders of preferred stock of telephone companies.

Banks and Banking.

By Mr. Merrill of Bluehill: An Act to extend the charter of the Bluehill Trust and Banking Company.

Interior Waters.

By Mr. Chase of Sebec: An Act to authorize the building of a dam at the outlet of Sebec Lake.

By Mr. Blanchard of Wilton: Resolve in aid of navigation on the Rangeley Lakes.

State Lands and State Roads.

By Mr. Harrington of South Thomaston: Resolve authorizing the land agent to make deed for purpose of curing defect in title to Dog Fish Island in Penobscot Bay.

Ways and Bridges.

By Mr. Allen of Jonesboro: Petition of D. H. Vance and 16 others of Wesley in favor of the Chase bridge bill.

By Mr. Patterson of Solon: Petition of Fred Magoon and 49 others for passage of Resolve in favor of towns of Solon and Emden of William McDonough and 29 others for same.

By Mr. Dorr of Dresden: Resolve in favor of the town of Dresden in aid of the repair and maintenance of bridges.

By Mr. Pike of Eastport: Resolve in favor of State aid for support of the Eastport bridge.

Inland Fish and Game.

By Mr. Holt of Clinton: Petition for close time on trout in Twelve Mile stream and tributaries.

By Mr. Bigelow of Portland: Petition of W. B. Holway and others for regulations upon fishing in Moxie pond, Semerset county.

By Mr. Bartlett of Stoneham: Petition of H. M. Elliott and 32 others of Waterford and Stoneham for law regulating fishing on Great Brook in Stoneham.

By Mr. Sleeper of Berwick: Petition of G. A. Earle and 46 others asking for regulations on fishing in Warrens pond, South Berwick.

By Mr. Lord of Vassalboro: Petition of W. F. Hawes and 25 others in favor of an appropriation for a screen at outlet of China Lake; of W. S. Bradley and 26 others of Vassalboro and vicinity for same.

By Mr. Edwards of Lewiston: Petition of William Barlow and 17 others of Lewiston for Resolve for \$50,000 for hatcheries and fish protection.

By Mr. Bigelow of Portland; Petition of E. H. Caswell and 20 others for same.

By Mr. Cousins of Standish: Petition of William O. Nason and nine others of Sebago for same.

By Mr. Cook of Unity: Petition of Edward D. Sylvester and 14 others of Eustis for same; of Dr. S. Z. Nash and others of Somerset county for same.

Mr. Bigelow of Portland: Remonstrance against winter fishing in Little Sebago lake, by George C. Barrows and 39 others.

By Mr. Varney of Lebanon: An Act to prohibit trout fishing in Boding brook, so called, and its tributaries in towns of Lebanon and Acton, county of York; also An Act to prohibit trout fishing in Keay brook, so called, and its tributaries in the town of Lebanon, county of York.

By Mr. Burse of Pittsfield: An Act to prohibit the throwing of sawdust and oth-

er mill waste into Main stream, a tributary to Moose pond, which pond is situated in the town of Harmony, Somerset county, or in any of the tributaries to said Main stream.

By Mr. Quinn of Millinocket: Resolve in favor of Samuel Asher of Sherman, Maine.

By Mr. Quinn of Millinocket: Resolve in favor of James C. Millmore of Benedicta.

Shore Fisheries.

By Mr. Hodgkins of Damariscotta: Petition of Alex Thompson and 18 others of Bristol in favor of the law for the better protection of lobsters; of Lincoln W. Parsons and 15 others of Bristol for same.

By Mr. Kelley of Boothbay: Petition of L. W. Newcomb, Jr., and 54 others of Boothbay and Boothbay Harbor for same.

By Mr. Thurlow of Cutler: Petition of F. S. Stevens and 17 others for same; also remonstrance of A. P. Thompson and 69 others against any change in the lobster law.

By Mr. Bowley of Swans Island: Remonstrance of Willis B. Watson and 121 others of Tremont against act relating to licensing of lobster fishermen; also remonstrance of same against amendment of law of 1905 relating to seizure of short lobsters in cars, etc.

By Mr. Merrill of Bluehill: An Act regulating the taking of alewives in Ratten's pond stream in the town of Surry, Hancock county.

By Mr. Havey of Sullivan: An Act to regulate the taking of eels in Taunton bay, town of Franklin; also An Act to amend Section 44 of Chapter 41 of the Revised Statutes, relating to the taking of smelts. (Tabled for printing pending reference to the committee on motion of Mr. Davies of Yarmouth.)

By Mr. Havey of Sullivan: An Act to amend Section 1 of Chapter 357 of the Private and Special Laws of 1907, relating to a close time on lobsters in the bays and towns of Harrington, Milbridge, Steuben and Gouldsboro.

Claims.

By Mr. Hodgkins of Damariscotta: Resolve in favor of the town of Nobleboro.

Insane Hospital.

By Mr. Bowley of Swans Island: An Act to amend Section 4 of Chapter 144 of the Revised Statutes, relating to insane hospitals.

State School for Boys.

By Mr. Cook of Unity: Resolve in favor of J. E. Cook, secretary.

Temperance.

By Mr. White of Wayne: Petition of E. W. Gordon and 34 others of Wayne favoring the retention of the Sturgis law.

By Mr. Libby of Amity. Petition of J. W. Stetson of 30 others of Auburn for same; of Bertram C. Ames and 16 others of Fort Fairfield for same; of Mrs. E. C. Folsom and 19 others of Bridgewater for same; of I. M. Robinson and 34 others of Smyrna for same; of H. R. Getchell and 32 others for same.

By Mr. Allen of Jonesboro: Petition of George H. Boone and 9 others for same.

By Mr. Bradford of Livermore: Petition of C. A. Bonney and 40 others of Turner for same.

By Mr. Lambert of Orono: Petition of W. F. Jackson and 55 others of Orono for same.

By Mr. White of Wayne: Petition of E. W. Gordon and 33 others of Wayne favoring mandatory imprisonment for the liquor seller.

By Mr. Libby of Amity: Petition of J. W. Stetson and 52 others of Auburn for same; of Bertram C. Ames and 32 others of Fort Fairfield for same; of E. B. Morton and 28 others of Bridgewater for same; of Henry A. Noyes and 28 others of Island Falls for same; of I. N. Robinson and 40 others of Smyrna for same; of H. B. Getchell and 39 others for same; of 60 members of Lewiston W. C. T. U. and A. T. Salley and 15 others for same.

By Mr. Allen of Jonesboro: Petition of 60 members of Lewiston W. C. T. U. and Rev. H. T. Holt and 21 others for same.

By Mr. Libby of Amity: Petition of George B. Fields and 12 others of Auburn for same; of Mrs. George B. Cross and 26 others of Lewiston and Auburn for same.

By Mr. Burse of Pittsfield: Petition of F. W. Vining and 41 others for same.

By Mr. Redlon of Portland: Petition of B. S. Dunn and 64 others for same.

By Mr. Havey of Sullivan: Petition of G. W. Tracy and 24 others of Winter Harbor for same;

By Mr. Tibbetts of Orrington: Petition of A. P. Smith and 48 others for same.

By Mr. Bradford of Livermore: Petition of C. A. Bonney and 41 others of Turner for same.

By Mr. White of Wayne: Remonstrance of H. M. Swift and 36 others of Wayne against the resubmission of the prohibitory amendment.

By Mr. Libby of Amity: Remonstrance of the Court Street Baptist church of Auburn against same; of Free Baptist conference in attendance at Lewiston against same; of Bertram C. Ames and 32 others of Fort Fairfield against same; of E. B. Morton and 27 others of Bridgewater against same; of I. N. Robinson and 34 others of Smyrna against same; of E. W. Churchill and 14 others against same; of H. R. Getchell and 40 others against same; of Henry H. Noyes and 27 others of Island Falls against same.

By Mr. Burse of Pittsfield: Remonstrance of C. J. Worthem and 26 others of St. Albans against same.

By Mr. Bradford of Livermore: Remonstrance of C. A. Bonney and 44 others of Turner against same.

By Mr. Redlon of Portland: Remonstrance of J. R. Libby and 78 others against same.

By Mr. Havey of Sullivan: Remonstrance of G. W. Tracy and 28 others of Winter Harbor against same.

Taxation.

By Mr. Kelley of Boothbay: An Act to amend Section 13, Paragraph 11 of Chapter 9 of the Revised Statutes relating to taxation of personal property.

Reports of Committees.

Mr. Burleigh from the committee on judiciary reported "ought not to pass" on bill, An Act relating to the operation of motor vehicles on public streets and ways.

Mr. Andrews from same committee, to which was referred petition for the prohibition of the use of automobiles in Solon and Athens, reported "leave to withdraw."

Mr. Wing from same committee on

bill, An Act relating to hawkers and peddlers, reported that the same be printed and recommitted.

Mr. Jones from the committee on railroads and expresses reported "ought to pass" on bill, An Act relating to street railways.

Mr. Clark from the committee on interior waters reported same on bill, An Act to incorporate the Penobscot River Power Co.

The reports were accepted.

Mr. Peters from the committee on judiciary reported "ought to pass on bill, An Act to prohibit the use of automobiles in the towns of Eden, Mt. Desert, Tremont and Southwest Harbor, on the Island of Mt. Desert.

Mr. Wing from same committee reported same on bill in new draft, An Act in relation to the Gardiner municipal court of the city of Gardiner.

Mr. Strickland from the committee on appropriations and financial affairs, reported same on Resolve in new draft Resolve in favor of the Old Town hospital.

Mr. Bisbee from same committee reported same on Resolve to correct certain entries in the books of the State treasurer.

Mr. Kavanough from the same committee reported same on Resolve in favor of the city of Auburn.

Mr. Bussell from same committee reported same on Resolve authorizing the compilation and publication of the insurance laws of Maine.

Mr. Hyde from same committee reported same on bill, An Act to provide for the payment of premiums on bonds required of the treasurer of State and clerks in the State treasury department.

Mr. Bisbee from same committee reported same on Resolve in new draft, Resolve in favor of the Waldo County General hospital.

Mr. Jones from the committee on railroads and expresses reported same on bill, An Act relating to the issuance of mileage books by railroad corporations.

Mr. Bragdon from same committee reported same on bill in new draft, An Act to extend the authority of the

Rockland, South Thomaston & St. George, Railway.

Mr. Clark from the committee on interior waters reported same on bill in new draft, An Act to authorize the Kellogg Lumber Co. to erect and maintain piers and booms at the mouth of Moose river and in Long pond.

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

An Act to extend the charter of the Mutual Fire Insurance Co.

An Act to extend the charter of the Eastport bridge.

Resolve in favor of the town of Howland in Penobscot county.

Resolve providing for the repair of the highway in Washington plantation and Perkins plantation in Franklin county.

Passed to be Engrossed.

An Act to provide antitoxin by the local boards of health for diphtheria and other contagious diseases.

An Act relating to the charter of the Hancock County Railway Co.

An Act to extend the charter of the Cumberland County Power and Light Co. (Tabled, pending third reading on motion of Mr. Rounds of Portland).

An Act amending Section 38 of Chapter 61 of the Revised Statutes, relating to the registration of vital statistics.

An Act to regulate fishing in Saddleback stream, sometimes called Pease stream, in Franklin county.

An Act to regulate fishing in the tributaries to Little Sebago lake, Cumberland county.

Resolve in favor of Webster plantation, in the county of Penobscot.

Resolve in favor of John M. Taylor.

An Act to change the name of Augusta City hospital.

An Act to extend the charter of the Rumford Falls & Bethel Street Railway.

An Act for the better protection of oysters in Sheepscoot and Dyers rivers, Lincoln county, Maine.

An Act to extend the charter of the Waldo Street Railway Co.

An Act to amend Section 21 of Chapter 51 of the Revised Statutes, relating to increase of stock of railroad corporations.

An Act relating to the choice of assessors in towns. (Tabled, pending third reading on motion of Mr. Montgomery of Camden).

Resolve providing for the purchase and distribution of Savage's Supplemental Digest of the Maine Reports.

Resolve in favor of the town of Paten in Penobscot county.

Passed To Be Enacted.

An Act to extend the time of construction of the Boothbay Railroad.

An Act to amend the charter of the Maine Sportsmen's Fish and Game Association.

An Act to extend the charter of the Fairfield & Skowhegan Railroad Co.

An Act to extend the provisions of Chapter 241 of the Private and Special Laws of 1903 entitled, "An Act to supply the town of Lisbon with pure water."

Finally Passed.

Resolve in favor of Mrs. Rebecca W. Carroll, widow—formerly widow of Enoch Lurvey, Jr., 1st sergeant, Co. H, 4th Regiment of Infantry, Maine Volunteers, with subsequent service in the U. S. navy, who was lost at sea Dec. 24, 1867.

Orders of the Day.

On motion of Mr. Smith of Berwick Senate Doc. No. 109, resolve in aid of the Piscataquis County Historical Society was taken from the table.

Senate Amendment A was adopted in concurrence, the resolve was read a second time and was passed to be engrossed as amended in concurrence.

Mr. BURLEIGH of Augusta: Mr. Speaker, upon my motion this morning Senate Doc. No. 168, resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, was tabled. There was an amendment adopted in the Senate which made this an emergency measure. I seriously question whether this is properly an emergency measure within the meaning of the Constitution, but if it is an

emergency measure there should be added I think a clause making it take effect upon approval. At the request of the gentleman from Waterville (Mr. Pattangall) I have called it up at this time as I understand that he wishes to present the question as to whether this is really an emergency measure. I move to take the resolve from the table.

The motion was agreed to.

Mr. PATTANGALL of Waterville: Mr. Speaker, I desire to move that the House reconsider its vote whereby it concurred with the Senate in adopting Senate Amendment A by which Senate Doc. No. 167 was made an emergency measure and without detaining the House but a moment I will state my reasons for that motion.

The adoption of the Initiative and Referendum last year incorporated a provision in our State Constitution which forbade any law or bill taking effect until 90 days after the adjournment of the session excepting under certain peculiar circumstances. I hold a copy of the resolve in my hand and it reads as follows: "No act or joint resolution of the Legislature, except such orders or resolutions as pertain solely to the facilitating of the performance of the business of the Legislature or either branch or of any committee or officer thereof, or of appropriating money therefor, or for the payment of salaries fixed by law, shall take effect until 90 days after the recess of the Legislature passing it, unless in cases of emergency." And then the resolve defines what is an emergency and says, "An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health or safety."

Now without antagonizing this resolve in any way or attempting to obstruct its passage properly I submit that if the Legislature can construe the regular appropriation for the fish and game department for the maintenance of hatcheries as being an emergency affecting the public peace, health or safety, then every appropriation bill that goes through here can be called an emergency bill. In the

statement of facts accompanying the resolve it is said that the men who work in the hatcheries are poor men who must be paid every month. That remark can be applied to every single appropriation that goes through here, to every college appropriation that goes through, and I presume to every hospital appropriation. In other words, if we tack an emergency clause onto an appropriation bill carrying the ordinary expenses of any department or any institution we simply nullify the constitution. Now in this particular matter it might not amount to very much, but pass this as an emergency bill and you create a precedent for future Legislatures which it seems to me is dangerous. I appreciate the situation that the fish and game department would like to get this money at once. I have no doubt that a proper appropriation will pass the Legislature, and it is unfortunate perhaps that the constitutional provisions did not give a little more leeway on emergencies; but the resolve passed by the last Legislature is a part of the constitution. We must obey it if we live up to our oaths as legislators, and it would be most unbecoming in the very first session after the passage of the initiative and referendum to violate not only the letter but the spirit of the law by passing a large appropriation bill and naming it an emergency measure when it does not come within the meaning of the word emergency as defined in the resolve itself.

The question being on the motion to reconsider the vote whereby the House adopted Senate Amendment A in concurrence,

The motion was agreed to.

On motion of Mr. Pattangall Senate Amendment A was rejected.

On motion of Mr. Rounds of Portland, Senate Doc. No. 152, An Act to exempt certain public bonds from taxation, was taken from the table.

Mr. MARSHALL of Portland: Mr. Speaker, this bill was reported by the senator from Kennebec (Mr. Macomber) in the Senate and an amendment to that was offered by the senator from Cumberland (Mr. Wheeler). That amendment, as I understand it, is before the House at the

present time. It provides, in Section 1 of the printed bill, that the date on which the bonds referred to shall be operative shall be July 1, 1909. I have in my hand an amendment which I shall offer later providing that that shall be March 1, 1909, and for reasons which I will now explain.

The Portland Water District has outstanding now a large amount of notes amounting to nearly \$2,000,000, as I understand it. Those notes must be taken care of in April. If the proposed amendment offered and adopted in the Senate goes into effect these notes, or the bonds which must be issued and which it is proposed to issue in lieu of these notes, will not come within the provisions of that act. I understand there are other public obligations which may be affected in like manner. If these bonds can come within the provisions of the amendment which I shall offer, it will save to the municipalities, as we expect, many thousand dollars. Therefore I move that the House reject Senate Amendment A.

I will state further that I have conferred with the senator from Cumberland (Mr. Wheeler) and he sees the object of my amendment and concurs therein.

Mr. BEYER of Portland: Mr. Speaker, I move that the bill lie on the table and that all the amendments be printed.

The SPEAKER: The Chair would inform the gentleman from Portland (Mr. Beyer) and the House that the gentleman from Portland (Mr. Marshall) desires to withdraw the motion to reject the amendment and he is now preparing an amendment to Senate Amendment A which it seemed to the Chair would simplify the proceeding. He is to amend Senate Amendment A by striking out the word "July" and inserting the word "March," so it will cover the proposition that he has submitted. Then the Chair will recognize the gentleman from Portland (Mr. Beyer) to make a motion to table if he desires.

Mr. MARSHELL: Mr. Speaker, I desire to withdraw my motion for the present until I can prepare my amendment.

There was no objection and the amendment was withdrawn.

On motion of Mr. Beyer the matter was laid upon the table.

On motion of Mr. Hall of Caribou,

House Doc. No. 130, An Act authorizing William W. Connery to construct and maintain wharves in Mill Cove in the waters of Jericho Bay, was taken from the table.

Mr. HALL: Mr. Speaker, I understand that the gentlemen who desired this legislation have been down to Jericho and they did not fall in with thieves; they have come back with great peace of mind desiring no legislation. I therefore move that the bill be indefinitely postponed.

The motion was agreed to.

On motion of Mr. Chase of York An Act to authorize the construction of a highway in the tide waters of York county, was taken from the table.

Mr. CHASE: Mr. Speaker, this bill was referred in the Senate to the committee on legal affairs. There seems to be something a little out of the ordinary course in this matter. The title of the act as presented here is an act to authorize the construction and maintenance of a highway into the tide waters of York county, when, as a matter of fact, it is an act to authorize the construction and maintenance of a highway in the tide waters in the town of York. As I said, this has been referred to the committee on legal affairs and it does not contain the slightest element of a legal proposition. It is for the construction of a way, and it should be referred to the committee on ways and bridges. The committee on legal affairs is crammed full of business, and assignments are made up to March 4; they have 43 matters to consider. The committee on ways and bridges have 17 and their assignments are up to February 25. It seems to me a little singular that this matter should be referred to that committee. There are other matters which I could state which perhaps would not be quite in order and I will not state them now; but I ask as a matter of common fairness that the town of York may have what is termed a fair deal in this matter. I ask that the House non-concur with the Senate in its reference of this bill to the committee on legal affairs and that it be referred to the committee on ways and bridges.

The question being, shall the bill be referred to the committee on ways and bridges?

The motion was agreed to.

On motion of Mr. Beyer of Portland Senate Doc. No. 152, An Act to exempt certain public bonds from taxation, was taken from the table.

Mr. Marshall of Portland offered House Amendment A to Senate Amendment A by striking out the word "July" and inserting in place thereof the word "March."

The amendment was adopted.

Senate Amendment A was then adopted as amended by House Amendment A.

The bill was then read a second time and was assigned for tomorrow morning for its third reading.

On motion of Mr. Beyer of Portland House Doc. No. 197, An Act to prohibit gas companies from charging meter rents or service charges, was taken from the table, and on further motion by Mr. Beyer it was referred to the committee on judiciary.

On motion of Mr. Bigelow of Portland, House Doc. No. 198, An Act amendatory of and additional to Chapter 62 of the Revised Statutes relating to divorces, was taken from the table, and on further motion by Mr. Bigelow it was referred to the committee on judiciary.

On motion of Mr. Pike of Eastport Senate Doc. No. 168, resolve for the purpose of erecting a fish hatchery in Knox county, was taken from the table, and on further motion by Mr. Pike the report of the committee was accepted in concurrence.

The resolve was then read the first time and was assigned for tomorrow for its second reading.

On motion of Mr. Pattangall of Waterville Senate Doc. No. 160, resolve to accept the gift of \$1000 from B. C. Jordan of Alfred, Maine, to the State for the purpose of encouraging the cultivation of forest trees, was taken from the table.

The resolve then received its second reading and was passed to be engrossed.

On motion of Mr. Pattangall of Waterville, adjourned.