

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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HOUSE

Wednesday, March 5, 1919.

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

Prayer by the Rev. Mr. Walsh of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act to provide for the licensing of the sardine packers, herring fishermen and boatmen of Maine, to improve the quality of fish used for sardines and to establish standards of measures for sardine and herring. (Tabled by Mr. Perkins of Boothbay Harbor for printing, pending reference in concurrence and 500 copies ordered printed.)

Senate Bills in First Reading

Senate 128: An Act additional to Section 27 of Chapter 52 of the Revised Statutes, permitting savings banks and institutions for savings to invest in certain kinds of acceptances.

Senate 67: An Act to provide for the training of rural teachers.

The following bills, resolves and petitions were presented, and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Inland Fisheries and Game

By Mr. Smith of Skowhegan: Remonstrance of Emile Gilblair and 38 others against two-year closed time on partridges.

Legal Affairs

By Mr. Dutton of Bingham: An Act relating to licensing of bowling alleys and billiard rooms.

State Lands and Forest Preservation

By Mr. Dutton of Bingham: An Act to provide for the establishment of a State park and forest in the Mt. Katahdin region.

Reports of Committees

Mr. Small, from the committee on State lands and forest preservation reported ought not to pass on bill, An Act to provide for the establishment of State parks and forest reserves in the Mt. Katahdin region and elsewhere within the State of Maine.

Mr. Cunningham, from same committee, on bill, An Act to authorize the forest commissioner to draw \$500 per year for the years 1917 and 1918, and a pro rata amount for part of the year 1919, out of the money raised by forestry tax, reported that the same was unnecessary, as it is covered by Section 24, Chapter 117, Revised Statutes, 1916.

Reports were read and accepted and sent up for concurrence.

Passed to Be Engrossed

Senate 47: An Act to amend Sections 25, 26, 28, 30, 34, 38 and 42 of Chapter 137 of the Revised Statutes, relating to indeterminate sentences and paroles.

Senate 123: An Act to amend Section 4 of Chapter 93 of the Private and Special Laws of 1878 relating to the time of holding the civil terms of the municipal court of the town or Farmington.

Senate 124: An Act additional to Section 3 of Chapter 144 of the Revised Statutes, relating to the acts and omissions of a child more than 8 years of age and under sixteen years of age. This act to be known and styled as the Act of juvenile delinquency.

Senate 125: An Act to authorize the construction of a weir in the tide-waters of Roque Harbor in the town of Jonesport.

(Tabled by Mr. Mulligan of Nobleboro, pending third reading.)

Senate 127: An Act to amend the charter of the Lubec Water Company.

Senate 122: Resolve in aid of navigation on Moosehead lake.

House 279: An Act to amend Section 41 of Chapter 36 of the Revised Statutes, relating to the department of agriculture, providing for the collection and examination of samples

of feeding stuffs, fertilizers, insecticides, seeds, foods and drugs.

House 281: An Act to amend Section 30 of Chapter 56 of the Revised Statutes, as amended by Chapter 76 of the Public Laws of 1917, relating to power of public utilities commission.

House 282: An Act to amend Section 40 of Chapter 55 of the Revised Statutes, relating to powers of public utilities.

House 285: An Act to amend Section 67 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the licensing of taxidermists.

House 286: An Act to extend the charter of the Farmington-Oakland Interurban Railway.

House 287: An Act to amend Sections 128 and 130 of Chapter 16 of the Revised Statutes, relating to the certification of Teachers.

House 289: An Act to amend Section 107 of Chapter 16 of the Revised Statutes, relating to the payment of teachers' salaries.

House 290: An Act to extend the charter of the Shepard and Morse Lumber Company.

House 292: An Act to extend the charter of the Investment Insurance and Guaranty Company.

House 293: An Act to extend the charter of the Eastern Maine Railroad.

House 294: An Act to amend Section 37 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of moose.

House 295: An Act to extend the charter of the R. and T. Cement Railroad.

(Tabled by Mr. Allan of Portland pending third reading.)

House 296: An Act to amend Section 5 of Chapter 126 of the Revised Statutes, relating to indecent exposure.

House 297: An Act to amend Section 22 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the sale and purchase of certain protected fish.

House 302: An Act to repeal Chapter 181 of the Private and Special Laws of 1911, Chapter 135 of the Private and Spe-

cial Laws of 1913, Chapters 256 and 178 of the Private and Special Laws of 1915, Chapter 75 of the Private and Special Laws of 1917, granting the county commissioners of the county of Cumberland the right to sell or lease certain property.

(Tabled by Mr. Murray of Portland pending third reading.)

House 304: An Act to amend Chapter 218 of the Public Laws of 1917, providing for the establishment of a bureau of markets.

House 305: An Act to amend Chapter 141 of the Public Laws of 1917, providing for the improvement and certification of seed.

House 277: Resolve making an appropriation to support the bureau of horticulture.

House 280: Resolve making appropriations for the Passamaquoddy Tribe of Indians for the years 1919 and 1920.

House 283: Resolve providing for the compilation, printing and distribution of an index to the Private and Special Laws and to the Resolves of the State of Maine.

House 284: Resolve making an appropriation for support of bureau of weights and measures.

House 288: Resolve in favor of Ellie B. Stafford for teachers' pension.

House 291: Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance, relief and education thereof.

Tabled by Mr. Stacey of Phippsburg pending passage to be engrossed.

House 298: Resolve in favor of the inhabitants of Scarborough reimbursing them for expenses incurred in defense of suits for damages alleged to have been received upon the State highway in Scarborough.

House 300: Resolve appropriating money for the maintenance of teachers' old home on Old Town Indian island No. 1.

Finally Passed

The SPEAKER: There are two resolves, both of them Constitutional amendments, and requiring a two-thirds vote, as follows:

Resolve, proposing an amend-

ment to Article VII of the Constitution relating to military.

This resolve having had its two several readings in the Senate and having been passed to be engrossed, having had its two several readings in the House and having been passed to be engrossed, and having been reported by the committee on engrossed bills as truly and strictly engrossed, is it now the pleasure of the House that it be finally passed? On this there will have to be a rising vote by divisions in order to establish the necessary two-thirds vote. All those who are in favor of the passage of this resolve will rise and stand until counted, and the monitors will attend to the count.

A division being had, 125 voted in the affirmative and none in the negative, and the resolve was finally passed.

The SPEAKER: Resolve proposing an amendment to the Constitution of the State of Maine, empowering the Legislature to authorize towns to have more than one voting place for all State and national elections.

This resolve having received its two several readings in the Senate and having been passed to be engrossed, having had its two several readings in the House, and having been passed to be engrossed, and having been reported by the committee on engrossed bills as truly and strictly engrossed, is it now the pleasure of the House that it be finally passed? On this also there will have to be a rising vote by divisions in order to establish the necessary two-thirds vote. All those who are in favor of the passage of this resolve will rise and stand until counted, and the monitors will attend to the count.

A division being had, 130 voted in the affirmative and none in the negative, and the resolve was finally passed.

Orders of the Day

The SPEAKER: Under the order recently passed, matters on the table which are unassigned come off in the order of arrangement on the calendar. There is one specially assigned, Senate Document No. 34,

Majority report, ought not to pass, minority report, ought to pass, of committee on sea and shore fisheries, on bill, An Act relating to the granting of lobster licenses, tabled by Mr. Perkins of Boothbay Harbor, pending acceptance of either report.

On motion by Mr. Perkins of Boothbay Harbor, Senate Document No. 34, was retabled and reassigned for tomorrow morning.

The Chair lays before the House, Senate Doc. No. 41, An Act to authorize the county of Androscoggin to enlarge and repair the county buildings at Auburn in said county, and erect a new building, and to enlarge and construct safety vaults.

Mr. SULLIVAN of Lewiston: Mr. Speaker, I wish to offer an amendment.

The SPEAKER: The gentleman from Lewiston (Mr. Sullivan) presents House Amendment to Senate Document No. 41, "An Act to authorize the county of Androscoggin to enlarge and repair the county buildings at Auburn in said county and erect a new building, and to enlarge and construct safety vaults."

Amend said act by striking out all of said section three and inserting a new section so that said section when amended shall read as follows:

"Sec. 3. The county commissioners of Androscoggin county shall prepare and secure plans and make contracts for carrying out the provisions of this act, and shall have power to employ architects to assist in determining the necessary repairs, extensions and improvements on said county buildings or new buildings or construction appurtenant to said county buildings. Said commissioners are hereby invested with full power to determine the amount of money, not exceeding said sum of \$125,000, to be spent in altering, repairing and extending said county buildings and carrying out all the provisions of Section 1 of this act, and to determine the kind and extent of repairs and extensions and new construction, if any, and shall have power to determine what amount of money, not exceeding \$125,000, shall be spent in carrying out the provisions of this act."

Mr. GARCELON of Auburn: Mr. Speaker, I am very sorry indeed to differ from the gentleman from Lewiston (Mr. Sullivan) because he is a good friend of mine, but I feel that I must do so in this case. The gentleman from Lewiston (Mr. Sullivan) as I understand, approves the purpose of this bill, but thinks that the money, \$125,000, should be expended under the direction of the county commissioners. This bill, Mr. Speaker, was drawn by a committee of the Androscoggin Bar Association, and represents the unanimous approval of members of that bar. The matter of having the money expended under the direction of the county commissioners was considered and it was decided to name this splendid commission of five men, of whom Justice Morrill of the supreme court is the head. I think, gentlemen, you will make no mistake in this matter in relying upon the combined judgment of the Androscoggin Bar Association and of the committee on legal affairs, which heard and reported this bill. I trust that the amendment proposed by the gentleman from Lewiston (Mr. Sullivan) will not be adopted.

Mr. SULLIVAN of Lewiston: Mr. Speaker, I move that the bill and amendment lie upon the table until next Wednesday.

Mr. BEAN of Minot: Mr. Speaker. I do not understand the motion.

The SPEAKER: The Chair will state it. The amendment which was presented by the gentleman from Lewiston (Mr. Sullivan) and on which he moved adoption, he now moves be laid upon the table, with the bill, and assigned for next Wednesday.

A viva voce vote being taken, the motion by Mr. Sullivan of Lewiston that the bill and amendment be tabled until next Wednesday, prevailed.

Mr. BEAN of Minot: Mr. Speaker, would it be in order to have this Amendment committed to the delegation from Androscoggin county?

The SPEAKER: The Chair will state that if you recommit the entire matter the amendment will go

with it. Does the Chair understand the gentleman from Minot (Mr. Bean) to make the motion?

Mr. BEAN of Minot: Mr. Speaker, yes, sir.

The SPEAKER: The Chair will state that the matter is on the table. You will have to take it from the table.

Mr. BEAN of Minot: Mr. Speaker, I move you that we take it from the table.

Mr. MAHER of Augusta: Mr. Speaker, was not that tabled specifically for next week?

The SPEAKER: It was specifically assigned, but if the House is willing to reconsider the vote and take it from the table, it can do so, but the Chair thinks the point is well taken that there should be a motion to reconsider the vote.

Mr. BEAN: I make the motion.

The SPEAKER: Is it the pleasure of the House to reconsider the vote whereby it laid on the table the bill and amendment and specially assigned them for Wednesday next?

A viva voce vote being taken, the motion failed of passage.

The Chair lays before the House, House Document No. 45, report of the committee on public utilities, ought to pass, on bill An Act to provide for the reconstruction of the bridge between Portland and South Portland. This bill was tabled by Mr. Rounds of Portland, pending acceptance of the report.

Mr. ROUNDS of Portland: Mr. Speaker, in tabling the bill I thought we should have some definite plan of what they were going to do. We have already spent over one million dollars on that bridge. At the present time our county commissioners have gone ahead and let twenty-five thousand dollars go into the pockets of the contractors, or let them take the change their contract, so that we have had a bad bridge, as you all know. Now they are asking us to let them have three hundred thousand dollars to repair the damage to that bridge. As has been intimated in this House, we have three commissioners. Those three commissioners are in war with one another; two

to one; and they are not any more learned about bridge building than some of the others in this House. I wish to make an amendment to this. It is an amendment that some of the best engineers in this State,—whom you will all recognize as the foremost men in this State—go on that commission. I have interviewed them. One man says that it is too large a job for him to take; another man says, "I am getting too old," but they did recommend a man highly honored in his profession. Now this thing has come up and I would like to have it referred back by some member of the delegation to the committee on legal affairs, and for them to report back. Therefore, I make that motion that this be committed to the committee on legal affairs, if that is the right motion to make.

The SPEAKER: The Chair will entertain whatever motion the gentleman makes. This was a report from the committee on public utilities.

Mr. ROUNDS: I move that we do not accept the report and refer it back to the committee on legal affairs.

Mr. ALLAN of Portland: Mr. Speaker, that bill came to the committee on public utilities; but the condition is such that it seemed necessary to refer it to another committee. The legal affairs committee has a member from South Portland and two from Portland, and the Portland delegation has agreed that it shall go to the committee on legal affairs if it can be so arranged. This is simply for an amendment, and there will be no hearing or anything of that kind.

A viva voce vote being taken, the House voted to refer the bill and accompanying papers to the committee on legal affairs.

The Chair lays before the House, House Document No. 182, Resolve making an appropriation for the control of contagious diseases among domestic animals, tabled by Mr. Bean of Minot, pending first reading.

Mr. BEAN of Minot: Mr. Speaker,

I would say my reason for tabling this resolve was that I was in hopes to find out what the policy was to be in regard to the control of contagious diseases. I have endeavored to, but the Governor being out of the state, I have not received the information that I desired. I would move you that this matter be reassigned for next Tuesday.

A viva voce vote being taken, the motion by Mr. Bean of Minot that the resolve be retabled until Tuesday, March 11, prevailed.

The Chair lays before the House, Senate Document No. 75, An Act to amend Section 79 of Chapter 82, relating to the superior court in the county of Cumberland, tabled by the gentleman from Portland, Mr. Wilson, pending first reading.

Mr. WILSON of Portland: Mr. Speaker, I move that it be definitely assigned for next Wednesday.

A viva voce vote being taken, the motion by Mr. Wilson of Portland that the bill be retabled until Wednesday, March 12, prevailed.

The Chair lays before the House, report of committee on military affairs, ought not to pass, on Resolve for memorials in Portland, Lewiston, Augusta and Bangor, tabled by the gentleman from Lewiston, Mr. Brann, pending acceptance of report.

Mr. BRANN of Lewiston: Mr. Speaker, I move that this matter be taken from the table and retabled, as I understand that a matter of similar import and tenor will later be reported out of the committee on military affairs, and I desire to discuss them together.

The SPEAKER: Does the gentleman from Lewiston, Mr. Brann, desire a special assignment?

Mr. BRANN: I move that the matter be assigned for two weeks from today.

Mr. ALLAN of Portland: Mr. Speaker, some of us would like to get home at a reasonable time, and I do not know how far ahead we are going to place some of these assignments.

Mr. BARNES of Houlton: Mr. Speaker, without addressing myself particularly to the matter under discussion, if the gentleman from Lewiston (Mr. Brann) will pardon me, and the House will entertain the idea, it does seem that where matters have had the particular attention of the Legislature by calendar printed since February 19 and February 20, that there should be a strong and compelling reason that would induce a majority of the House to continuously postpone. We had, some of us, hoped that we might adjourn by the 22nd of March. We have promised ourselves that if the business of the State can properly be attended to we will adjourn by the 29th of March. It seems to me that it is unfortunate to retable for seven days every measure that comes up today, where notice has so long been given. On this particular matter, I would inquire through the Chair of the gentleman from Lewiston (Mr. Brann) whether a postponement for seven days would not be sufficient.

Mr. BRANN of Lewiston: Mr. Speaker, I think that a postponement of seven days in this matter will be sufficient. My reason for asking for the postponement was that, as I understand it, the committee on military affairs will report favorably upon a resolve for a memorial in the city of Lewiston and that this resolve will embrace similar features. Now if a resolve of that tenor is reported out of the committee on military affairs, I assume that that will dispose, so far as my city is concerned, of this particular resolve which is now upon the table, and that is the reason that I asked for a later assignment. I think, however, that a retabling for seven days will be sufficient, and I amend my first motion by asking that this matter be specially assigned for one week from today.

A viva voce vote being taken, the motion by Mr. Brann of Lewiston that the matter be retabled and specially assigned for one week from today, prevailed.

The Chair lays before the House, Senate Document No. 76, An Act in

relation to the judge and recorder of the municipal court of the city of Portland acting as counsel or attorney, tabled by Mr. Wilson of Portland, pending its third reading.

Mr. WILSON of Portland: Mr. Speaker, I move that it be taken from the table and specially assigned for tomorrow morning.

The SPEAKER: The Chair will state that all these matters, under the order, come from the table without motion; so that the Chair is not putting the motion to take from the table, as the order covered that.

A viva voce vote being taken, the motion by Mr. Wilson of Portland that the bill be retabled and specially assigned for tomorrow morning, prevailed.

The Chair lays before the House House Document No. 68, report of the committee on salaries and fees, ought not to pass, on bill An Act providing that the compensation of all clerks in county offices shall be fixed by the county commissioners, tabled on motion of the gentleman from Sebec, Mr. Lanpher, pending acceptance of the report.

Mr. LANPHER of Sebec: Mr. Speaker, I think that this is a matter we can finally dispose of this morning, one way or the other. I have no wish to retable it, but I would like to have a little discussion on it this morning and find out whether there is any support to this measure in this House, and if there is not I want to bid it good-bye this morning. This bill has been reported ought not to pass by the committee on salaries and fees. At the hearing before the committee on salaries and fees there was not much evidence introduced. There was one other gentleman besides myself appeared for it and two gentlemen appeared against it. The reasons given in opposition to it seemed to be rather meagre and I thought perhaps the committee might not have considered that there was any great demand for this, and while of course they discussed it and considered it, yet they might not have considered it important or that there was any great demand for this change. I do not know as there is, but I want to

find out if there is any opinion in this House in favor of it. I want to go on record myself as favoring it, because I consider it a piece of constructive legislation. It is something that is really needed, and I can give two reasons why I think that is true. In the first place the present system of regulating clerk hire in county offices is very awkward and cumbersome. It is dealing at long distance with local affairs. Every girl stenographer and clerk in any register of deeds or clerk of courts office in this State has got to be represented here in this Legislature in order to get an increase in salary, and that can be done only once in two years. If, for any reason in an emergency such as we have been through in the last two years, it was necessary to increase the salary of clerks in county offices, four, five, six or ten dollars, it could not be done until this Legislature assembled; and at this session there have been bills here from all over the State to increase clerk hire in county offices. It is an awkward way to get at it. The county commissioners are the financial representatives of the county. They are on the job all the time. They know the county offices; they know the clerks personally in those offices; they know what they are doing; know what they are capable of; know how long they have been on the job; and they are competent surely to say how much a clerk shall receive. It seems to me that this is a step toward home rule. We get away from controlling the local affairs of people in the State, and put it back into the hands of the county commissioners who are elected by the people, and are responsible to the people for their acts and for the financial management of the county. I consider it absurd, preposterous, for the State Legislature to try to manage the purely local affair of any community; to say how much the chief of police of Lewiston shall receive a year for his services; to say how much some humble stenographer down in Cumberland county shall receive a year for her services. Those are purely local matters, it seems to me, and matters that the county commissioners, elected by the people as they are, right on the ground as they are, are competent to judge. This is my position in this mat-

ter, and if there is anybody who feels as I do about this I wish they would get up and say so; and if there are not such, as I say, I want to see the matter disposed of finally this morning. I move, Mr. Speaker, that the bill be substituted for the report of the committee.

Mr. BUZZELL of Belfast: Mr. Speaker, I want to be one of those members of this House that will take the gentleman from Sebec (Mr. Lanher) at his word and bid the bill good-bye. Here is a bill that has had a hearing before the committee—a committee of good men. Of course it was referred to this committee because they were peculiarly qualified to pass upon the merits and the demerits of the proposition. Now this bill provides for a law that will be State-wide; that the county commissioners of every county in the State of Maine shall look after the adjustment and regulation of the salaries in the offices of the county. The gentleman from Sebec (Mr. Lanher) has given you the correct information in relation to the number of people that appeared before that committee. He said that there were two that appeared for the bill and two against the bill. Gentlemen, I want to go on record here at this time that I am opposed to any law that there is not a general demand for. Is it fair to assume that two men appearing before that committee is a fair representation and gives us the idea that the whole State of Maine demands such a law? Is it the wish of this House that we want to turn down the report of this committee and substitute for that report the bill? We people down in Waldo county feel that we know about Waldo county conditions better than anyone else. It was suggested by some that some of the salaries of some of the clerks down there ought to be increased, and as fair-minded men, as we think we are, our delegation was called together and the proposition was put up to that entire delegation. We said let us vote as a unit, and we considered those propositions and all of us agreed upon what we thought was just and right.

There was not a dissenting voice in the entire delegation. Gentlemen, there is another bad feature about

this bill. I believe that it might be made, and probably would, in some instances, one of the worst little footballs in politics that we could conceive of. Is it our purpose to inaugurate a thing of that kind in the face and eyes of a majority report of this committee? I hope that the gentleman's motion will not prevail.

The SPEAKER: The question before the House is the motion of the gentleman from Sebec, Mr. Lanpher, that the bill be substituted for the report of the committee, which was "ought not to pass."

A viva voce vote being taken, the motion failed of passage.

The SPEAKER: The pending question is the acceptance of the report ought not to pass.

Mr. LANPHER of Sebec: Mr. Speaker, I move that the report be accepted.

A viva voce vote being taken, it was voted to accept the report "ought not to pass."

The Chair lays before the House, House Document No. 78, Report of the committee on public health, ought not to pass, on bill An Act to prohibit manufacture, sale or smoking of cigarettes within the State of Maine, tabled by Mr. Bean of Minot, pending acceptance of report.

Mr. BEAN of Minot: Mr. Speaker, I move that the report be accepted.

A viva voce vote being taken, it was voted to accept the report, "ought not to pass."

The Chair lays before the House, House Document No. 194, An Act to amend the charter of the city of South Portland, tabled by the gentleman from South Portland, Mr. Hinckley, pending commitment to committee on bills in third reading.

Mr. Hinckley of South Portland: Mr. Speaker: Certain amendments are being prepared to be introduced in connection with this act. I am certain that there will be no particular delay so far as opposition or speeches are concerned, and I would like to have this matter retabled without any definite date of assignment, and I will take it out of the way just as soon as possible.

A viva voce vote being taken, the motion by Mr. Hinckley that the bill be laid upon the table without definite assignment prevailed.

The Chair lays before the House, Report of the committee on inland fisheries and game, ought not to pass, on bill, An Act to amend Section 19 of Chapter 219 of the Public Laws of 1917, relating to plug fishing in Rangeley lake, tabled on motion of the gentleman from Rumford, Mr. Eaton, pending acceptance of the report.

Mr. EATON of Rumford: Mr. Speaker, there is another bill before the committee on inland fisheries and game, the consideration of which will have a bearing upon this bill, and I move that this bill be retabled and assigned for one week from tomorrow.

A viva voce vote being doubted,

A division of the House was had. Seventy-two having voted in the affirmative and 31 in the negative, the motion prevailed, and the bill was retabled and assigned for Thursday, March 13.

The Chair lays before the House, House Document No. 5, An Act to amend Sections 11 and 13 of Chapter 6 of the Revised Statutes, relating to enrollment of voters for primary election, tabled on motion of the gentleman from Bingham, Mr. Dutton, on its passage to be enacted.

Mr. DUTTON of Bingham: Mr. Speaker, I hate to ask for delay in this matter, inasmuch as we have a large calendar and have already delayed many other matters; but this is an amendment affecting the primary law of the State of Maine, and I propose the introduction of a measure which will come into the hopper this afternoon which will affect the primary law more than this amendment. In fact, the passage of this amendment would be done away with if the measure I propose be given a passage; consequently, I would like to have this delayed until a week from Thursday so that the other measure may be considered.

A viva voce vote being taken, the motion of Mr. Dutton that the matter

be retabled and assigned for Thursday, March 13, prevailed.

The Chair lays before the House, Report of committee on sea and shore fisheries, ought to pass, on bill, An Act to authorize Horace Cleland to erect and maintain a fish weir in front of his land in the town of Perry, tabled by Mr. Washburn, pending acceptance of report.

Mr. WASHBURN of Perry: Mr. Speaker, I intend at the proper time to offer an amendment to this act. For the present I will move the acceptance of this report.

A viva voce vote being taken, the motion by Mr. Washburn that the report be accepted prevailed.

The Chair lays before the House, House Document No. 237, An Act relating to the protection of land-locked salmon, trout, togue, black bass and white perch, tabled by Mr. Eaton of Rumford, pending second reading.

Mr. EATON of Rumford: Mr. Speaker, upon the action on this bill depends the action on the bill now before the committee on inland fisheries and game, similar to the matter I spoke of before. I move it be retabled and assigned for Thursday, March 12th.

A viva voce vote being taken, the motion by Mr. Eaton that it be retabled and assigned for Thursday, March 13th, prevailed.

The Chair lays before the House, House Document No. 292, Resolve in favor of the State department of health, tabled by Mr. Sawyer of Fort Fairfield pending second reading.

Mr. HINCKLEY of South Portland: Mr. Speaker, I move that the resolve have its second reading.

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

The Chair lays before the House, House Document No. 225, An Act to prohibit persons not duly authorized attorneys, firms, voluntary associations and corporations from the practice of law, tabled by Mr. Mul-

ligan of Nobleboro, pending second reading.

Mr. MULLIGAN of Nobleboro: Mr. Speaker, I wish to offer an amendment.

The SPEAKER: The Chair will state that there is already one House Amendment A and if there is no objection upon the part of the gentleman from Nobleboro, Mr. Mulligan, this amendment will be marked B. "Amend House Document No. 225 by striking out of Section 1 of said bill all of line two in said section after the word "shall" and striking out all of the lines three, four, five and six in said section and striking out the word "or" in the seventh line of said section and striking out all of line eight in said section after the word "law" and striking out all of line nine in said section and striking out all of line ten in said section to the word "or" in said line, and striking out all of line fourteen in said section and striking out all of line fifteen in said section to the word "they" and striking out all of line twenty in said section after the word "law" and striking out all of lines twenty-one and twenty-two and twenty-three and twenty-four in said section, so that said section as amended shall read as follows:

Be it enacted by the people of the State of Maine, as follows:

Sec. 1. No persons, firm, corporation or voluntary association shall practice law, or in any other manner assume to be entitled to practice law or to use or advertise the title of lawyer, attorney, or counsellor at law, solicitor or counselor in chancery, or to advertise that they have, or it has, owns, conducts or maintains a law office or an office for the practice of law, or for furnishing legal advice, services or counsel, unless such person, or if a firm, unless (at least all) of the members thereof are legally admitted to the practice of law.

Sec. 2. Any person, firm, corporation or voluntary association violating the provisions of Section 1 of this act shall be liable to a fine not exceeding one thousand dollars, and every officer, trustee, director, agent or employee of such person, firm, corporation or voluntary association,

who directly or indirectly engages in any of the acts herein prohibited or assists such person, firm, corporation or voluntary association to do such prohibited acts, is guilty of a misdemeanor. The fact that such officer, trustee, director, agent or employee shall be a duly and regularly admitted attorney at law, shall not be held to permit or allow any such person, firm, corporation or voluntary association to do the acts prohibited herein.

Sec. 3. Members of the bar in good standing in any other state of the Union or Province of the Dominion of Canada, may practice law before any of the courts of this State only under such laws, rules and restrictions as regulate the practice of non-resident attorneys in the states of their residence.

Mr. JONES of Bangor: Mr. Speaker, I move that the bill and amendment lie on the table.

The SPEAKER: Does the gentleman include in that motion that it be printed?

Mr. ALLAN of Portland: Mr. Speaker, I make that motion that it be printed.

The SPEAKER: The gentleman from Portland, Mr. Allan, moves that the amendment be printed. Is it the pleasure of the House to act first upon the motion of Mr. Jones of Bangor that it be laid upon the table?

A viva voce vote being taken, the motion prevailed.

The SPEAKER: Is it the pleasure of the House that the amendment be printed?

A viva voce vote being taken, the motion prevailed.

The SPEAKER: Does the gentleman wish to make a special assignment? It will probably come back from the printer within 24 hours.

Mr. JONES of Bangor: Mr. Speaker, Friday is all right.

A viva voce vote being taken, the matter was specially assigned for Friday of this week.

Mr. MULLIGAN of Nobleboro: Mr. Speaker, I would like to say that Friday it will be impossible for me to be present and I have something to say when this matter comes up. I would

like it assigned either for tomorrow or next Wednesday.

The SPEAKER: Does the gentleman from Bangor (Mr. Jones) wish to change his motion? the Chair will state that Friday has always been considered a day when, under a gentleman's agreement, no matters of committees are brought up.

Mr. JONES of Bangor: Mr. Speaker, next Wednesday is all right.

A viva voce vote being taken, the House reconsidered its vote whereby it was assigned for Friday of this week and it was specially assigned for Wednesday, March 12.

The Chair lays before the House House Document No. 28, An Act relating to county commissioners of Hancock county, tabled on the motion of the gentleman from Calais, Mr. Murchie, pending passage to be enacted.

Mr. MURCHIE of Calais: Mr. Speaker, this bill was tabled by me merely to correct an error. The gentleman from Ellsworth (Mr. Mason) has an amendment which will take care of it, so I yield to him.

On motion by Mr. Mason of Ellsworth the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. MASON: I now offer House Amendment A to Document No. 128. I will state in explanation of this amendment that this was an act to change the time of holding the sessions of the county commissioners in Hancock county; but unintentionally the bill changes the time of holding the session of the county commissioners in the counties of York and Androscoggin. The sole purpose of this amendment is to restore the time so far as the counties of York and Washington are concerned.

House Amendment A to House Document No. 128

Amend said Section 5 by striking out all after the 30th line in said section as amended and substituting in place thereof the following:

Washington, at Machias, on the first Tuesday of January and second Tuesday of October, and at Calais on the first Tuesday of May.

York, terms of record, on the first Tuesdays of April and October at Alfred, and regular sessions shall be held

on the first Tuesday of each month, January at Saco, all other months at Alfred.

The House by a viva voce vote adopted the amendment and the bill as amended by House Amendment A was passed to be enacted.

The Chair lays before the House Resolve in aid of navigation on Sebec lake, House Document No. 159 tabled by the gentleman from Sebec, Mr. Lanpher, pending final passage.

Mr. LANPHER of Sebec. Mr. Speaker, I move that it be retabled for two weeks. My purpose in doing this is to hold it back until other bills of this same sort are reported out of the committee, so as to then see that there is enough provided by the budget to take care of the increase asked for.

Mr. BARNES of Houlton: Mr. Speaker, may I suggest to the gentleman from Sebec (Mr. Lanpher) that he modify his motion and postpone it for seven days? I think the gentleman from Sebec (Mr. Lanpher), or any other member of this House, may be sure that if at the expiration of seven days there is valid reason for further postponement the House by a majority will grant it. I protest, Mr. Speaker, against continuing matters for 14 days at this stage of the session. We may be confident that if there is reason for continuing the postponement one week from today it will be granted.

Mr. LANPHER: Mr. Speaker, I accept the suggestion and amend my motion accordingly.

Mr. BERRY of Waterville: Mr. Speaker, I am glad to hear the gentleman from Houlton, Mr. Barnes, speak as he does. I think that the new members of the House should be informed that if these matters drag along, this House will be in session when the sap begins to run and the sun is high in the heavens. I heartily concur in Mr. Barnes' remarks.

The resolve was retabled and specially assigned for Wednesday, March 12.

The Chair lays before the House An Act relating to the burning of slash, House Document No. 257, tabled by

the gentleman from Sebec, Mr. Lanpher, pending second reading. The Chair recognizes Mr. Lanpher of Sebec.

Mr. LANPHER: Mr. Speaker, I yield to the gentleman from Calais, Mr. Murchie, who I believe has an amendment.

Mr. MURCHIE: Mr. Speaker, this bill was tabled by the gentleman from Sebec (Mr. Lanpher) on February 27. It was only this morning that he and I were able to get together with the land agent to prepare the amendment. It is not yet in proper form, and, if the matter can be retabled, I will present the amendment tomorrow morning.

The bill was then retabled and specially assigned for tomorrow morning.

The Chair lays before the House, House Amendment A to bill An Act relating to the disposition of money collected under the provisions of the inland fish and game laws, House Document No. 214, tabled by the gentleman from Lisbon Falls, Mr. Clason. The Chair recognizes the gentleman from Lisbon Falls, Mr. Clason.

Mr. CLASON: Mr. Speaker, I move the adoption of House Amendment A.

The House by a viva voce vote adopted House Amendment A, and the bill then had its third reading and was passed to be engrossed as amended by House Amendment A.

The Chair lays before the House report from the committee on railroads and expresses, ought to pass, on bill An Act to establish the Lubec and Machias Railway Company, Senate Document No. 115, tabled pending acceptance of the report by the gentleman from Eastport, Mr. Pike.

On motion by Mr. Pike of Eastport, the report was accepted in concurrence with the Senate, and the bill then had its first reading.

Mr. PIKE: I now offer House Amendment A to Senate Document 115.

Amend Section 2 of Senate Document 115 by striking out the word "fix" in the sixth line of said section, and inserting in place thereof, the word "initiate," so that said section as amended shall read as follows:

"Sect. 2. Said railway shall be of a gauge not to exceed five feet, and the land occupied by said company for its main track line, exclusive of turnouts, switches, side tracks, stations or appurtenances, shall nowhere exceed four rods in width. Said company shall have power, from time to time to initiate such rates of compensation for transportation of passengers or freight as it may think expedient and in general, shall have and enjoy all the powers and privileges incident to or usually granted to similar corporations.

The amendment was adopted by a viva voce vote, the bill then had its second reading and tomorrow morning was specially assigned for its third reading.

The Chair lays before the House House Amendment A to bill An Act to secure information relating to the yearly cut of timber from the wild land townships, House Document No. 29, tabled by the gentleman from Houlton, Mr. Barnes, pending adoption.

Mr. BARNES of Houlton: The gentleman from Sebec, Mr. Lanpher, has that matter in charge, and I yield to him.

Mr. LANPHER of Sebec: Mr. Speaker, I had understood from the gentleman from Houlton (Mr. Barnes) that he was going to offer an amendment to my amendment. I would like to inquire through the Chair if the gentleman did not so understand?

The SPEAKER: The gentleman from Houlton may reply through the Chair if it is his purpose to offer an amendment to the amendment which is now pending.

Mr. BARNES: Mr. Speaker, I am ready to do so; but as it must be done in writing I would suggest that it lie on the table until tomorrow morning.

By a viva voce vote the House voted, pending adoption of the

amendment, to re-table the matter until tomorrow morning.

The Chair lays before the House House amendment A to bill An Act relating to public health, House Document No. 90, tabled by the gentleman from Auburn, Mr. Garcelon, pending adoption.

Mr. GARCELON of Auburn: Mr. Speaker, this amendment was tabled for printing, and in order that all the members may have the opportunity of reading it, I move that it now be re-tabled.

The SPEAKER: The Chair will state that the endorsement shows no order for printing.

Mr. GARCELON: My motion was, Mr. Speaker, that it be tabled for printing.

The SPEAKER: Apparently the endorsement is tabled pending adoption. Does the gentleman wish now to make a motion that it be printed?

Mr. GARCELON: I do, Mr. Speaker.

By a viva voce vote the House voted that this matter be retabled for printing, and on further motion by Mr. Garcelon it was specially assigned for Wednesday, March 12.

The Chair lays before the House, An Act to provide for the election of road commissioners by towns, House Document No. 99, tabled by the gentleman from Parsonsfield, Mr. Granville, pending its third reading.

The SPEAKER: The Chair will state that the first amendment to this bill struck out everything after the enacting clause, and the new amendment strikes out all of Section four. There appears to be only three sections in the bill as amended by the first amendment House Amendment A; and the Chair will take the liberty of re-tabling this on motion by the gentleman from Parsonsfield, Mr. Granville, until they can straighten out their difficulties. Apparently there is some mistake in the interpretation of the first amendment.

Mr. DUNTON of Bingham: Mr. Speaker, has the bill been printed in its present form?

The SPEAKER: The first amendment I think has been printed.

Mr. WILSON of Portland: The first amendment is House Document 141.

The SPEAKER: The Chair will state that there is an amendment printed, House Amendment A to House Document No. 99. The printed bill does not seem to carry any number—Oh, yes, 141.

The motion to re-table prevailed.

The Chair lays before the House An Act to incorporate the Steep Falls Water Company, House Document No. 188, tabled by the gentleman from Portland, Mr. Allan, pending the adoption of Senate Amendment A.

On motion by Mr. Allan of Portland, the House voted to reconsider the vote whereby the bill was passed to be engrossed; on further motion by the same gentleman the House voted to adopt Senate Amendment A in concurrence; and on further motion by the same gentleman the bill was passed to be engrossed as amended by Senate Amendment A, in concurrence.

The Chair lays before the House An Act to authorize the Northern Seaport Railroad Company to merge with and into the Bangor & Aroostook Railroad Company, House Document No. 190, tabled by the gentleman from Portland, Mr. Allan, pending the adoption of Senate Amendment A.

On motion by Mr. Allan of Portland, the House voted to reconsider the vote whereby the bill was passed to be engrossed; and on further motion by the same gentleman, the House voted to adopt Senate Amendment A in concurrence; and on further motion by the same gentleman the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

The Chair lays before the House An Act to provide for physical education in the public schools, House Document No. 255, tabled by the

gentleman from Minot, Mr. Bean, pending its third reading.

On motion by Mr. Bean of Minot, the bill then had its third reading and was passed to be engrossed.

The Chair lays before the House An Act relating to the township of Grafton, House Document No. 259, tabled by the gentleman from Patten, Mr. Cunningham, pending its first reading.

On motion by Mr. Cunningham of Patten, the bill then had its first two readings and tomorrow was specially assigned for its third reading.

The Chair lays before the House An Act regulating the sale of milk, House Document No. 117, tabled by the gentleman from Augusta, pending passage to be engrossed.

Mr. MAHER of Augusta: Mr. Speaker, I yield to the gentleman from Houlton, Mr. Barnes.

On motion by Mr. Barnes of Houlton, the bill was passed to be engrossed.

The Chair lays before the House report of the committee on public utilities, ought not to pass, on bill, An Act relative to the water supply of Boothbay Harbor, tabled by the gentleman from Boothbay Harbor, Mr. Perkins, pending acceptance of the report.

Mr. PERKINS of Boothbay Harbor: I move, Mr. Speaker, that the bill be recommitted to the committee on public utilities.

Mr. WILSON of Portland: Mr. Speaker, the committee held practically two hearings on this bill. We heard the proponents one day and continued a week and heard the matter a second day. I think it is only a delay to recommit this bill to the committee. It was given as careful consideration as the members of this committee knew how to give it. As I understand, it was a unanimous report, and I hope the motion of the gentleman from Boothbay Harbor (Mr. Perkins) will not prevail.

Mr. PERKINS: I will say, Mr. Speaker, if I may at this time by way of explanation, that I make this mo-

tion at the request of some members of the committee who did not understand the matter. I think the vote of the committee might be different if the matter was recommitted to them, and I hope the motion will prevail. They can report it out just as soon as they desire.

By a viva voce vote it was voted to recommit the bill to the committee on public utilities.

The Chair lays before the House report of the committee on judiciary, ought to pass, on Bill An Act concerning the administration granted without bond under certain conditions, tabled by the gentleman from South Portland, Mr. Hinckley, pending acceptance of the report.

On motion by Mr. Hinckley of South Portland the report was retabled and specially assigned for tomorrow morning.

The Chair lays before the House the report of the committee on ways and bridges, ought to pass in new draft, on Resolve relating to memorial bridge between Portsmouth and Kittery; tabled by the gentleman from Danforth, Mr. Putnam, pending acceptance of the report. The Chair recognizes the gentleman from Danforth, Mr. Putnam.

On motion by Mr. Putnam from Danforth it was voted to accept the report of the committee.

Mr. BARNES of Houiton: Mr. Speaker, has the error in title been corrected—Piscataqua river?

The SPEAKER: The clerk informs me that the error was in the report and not in the bill.

On motion by Mr. Putnam of Danforth, the bill was tabled for printing under the joint rules.

The Chair lays before the House An Act relating to the protection of game birds, House Document No. 308, tabled by Mr. Maher of Augusta, pending its third reading.

On motion by Mr. Maher of Augusta the bill received its third reading and was passed to be engrossed.

The Chair lays before the House An Act relating to the duties of su-

perintending school committees, Senate Document No. 109, tabled by the gentleman from Skowhegan, Mr. Smith, pending its third reading; and the Chair recognizes the gentleman from Skowhegan, Mr. Smith.

On motion by Mr. Smith of Skowhegan, it was voted to re-table this bill and it was specially assigned for Wednesday, March 12.

The Chair lays before the House An Act relative to the carrying of dangerous weapons without a license, tabled by the gentleman from Patten, Mr. Cunningham, pending its third reading.

On motion by Mr. Cunningham of Patten, the bill received its third reading and was passed to be engrossed.

The Chair lays before the House An Act amending the charter of the city of Calais, providing for biennial elections, tabled by the gentleman from Calais, Mr. Murchie, pending its third reading, and the Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, I do not like to ask for delay, but this bill was tabled only yesterday, and tabled for the reason that there are people in Calais who wish to amend the bill as it appears. Therefore, I would like to have it remain on the table until Tuesday of next week.

By a viva voce vote the House voted to retable this bill, and it was specially assigned for Tuesday, March 11.

The Chair lays before the House report of the committee on inland fisheries and game, ought to pass in new draft, on bill "An Act to provide for the registration of resident hunters," tabled by the gentleman from Brewer, Mr. Small, pending acceptance of the report.

On motion by Mr. Small of Brewer, the bill was retabled until Wednesday, March 12.

Mr. MURCHIE of Calais: Mr. Speaker, in going over the assignments that have been made today for tomorrow, I note that we have four majority and

minority reports to be considered, as well as a large amount of routine business. I therefore move that when we adjourn we adjourn to meet at 9 o'clock tomorrow morning.

The SPEAKER: The Chair feels that it is not out of place to call attention to this congested calendar. We have been like the man who marched his troops up the hill and marched them down again. We have been over the calendar and practically everything has gone back for reassignment. It simply means that unless we are careful we

shall have a congestion here that will bother the men interested in measures more, I think, than they realize. I hope it will be possible to clean up the calendar during the week so that only special assignments may be on. In fact they are mostly specially assigned now, but you are getting a badly congested calendar. The Chair would suggest trying to remedy that if possible.

On motion by Mr. Murchie of Calais,
Adjourned until tomorrow morning at 9 o'clock.