

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

## HOUSE

Friday, March 9, 1923.

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

Prayer by the Rev. Mr. Fenn of Augusta.

Journal of previous session read and approved.

On motion by Mr. Granville of Parsonsfield, the rules were suspended, and that gentleman allowed to make the following motion out of order: That when the House adjourns today it adjourn to meet at 8 o'clock tomorrow morning.

The motion prevailed.

Papers from the Senate disposed of in concurrence.

Senate 211: An Act to repeal the act incorporating the town of Forest City.

Senate 53: An act to amend Section 10 of Chapter 172 of the Public Laws of 1919, relating to local health officers.

From the Senate: An act to amend Section 2 of Chapter 197, Public Laws of 1921, relating to the taxation of shares of stock of trust companies, organized under the laws of this State and banking institutions, formed under the law of the United States.

This was referred to the committees on Banks and Banking and Taxation in the House February 23.

In the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Stitham of Pittsfield, tabled until orders of the day are reached at the present session.

On motion by Mr. Maher of Augusta, the House voted to reconsider its action whereby the report of the committee on taxation, reporting ought not to pass on bill, an act to amend Sections 1 and 2 of Chapter 253 of the Public Laws of 1917, and Section 3 of Chapter 253 of the Public Laws of 1917, as amended by Chapter 125 of the Public Laws of 1919, relating to the collection of taxes in unorganized townships, was accepted in concurrence; and on further motion by the same

gentleman, the matter was tabled, pending acceptance of the report in concurrence.

### Message from the Governor

#### STATE OF MAINE

Office of the Governor

To the Honorable Senate and House of Representatives of the 81st Legislature:

I return herewith without my approval

RESOLVE, in favor of the Board of Registration of Medicine.

This Resolve appropriates the sum of \$500 a year to defray the expenses of the board in question. In my opinion the several boards of physicians, osteopaths, veterinarians, embalmers, dentists, lawyers, pharmacists, optometrists, nurses, accountants and others should be self-sustaining and should not call upon the State treasury for funds to carry on their activities.

These boards are established to maintain standards for the several professions or occupations referred to, and they render a service to the community. Most of the boards, however, charge fees sufficiently large to pay the nominal salaries of their members and their expenses, and I am of the opinion that it is not right to discriminate between them by making a special appropriation for certain boards and not making them for all.

The members of these boards do not seek the positions for the salaries incident thereto, but they are animated by a desire to elevate their several professions and occupations and to render public service. Membership on these boards gives a man an official position and is of considerable benefit to him in the practice of his profession or occupation.

A law now is pending before this Legislature which will place all these boards upon an equal footing whereby all will become self-sustaining, and in view of this I deem it unwise to approve the Resolve now before you.

Respectively submitted,

(Signed) PERCIVAL P. BAXTER,  
Governor of Maine.

The SPEAKER: The question is shall this resolve become a law, notwithstanding the objections of the Governor. Under the Constitution a yea and nay vote is necessary. Does the House understand the question? Those in favor of the resolve becoming a law notwithstanding the objec-

tions of the Governor will vote yes when their names are called, and those opposed will vote no. The Clerk will call the roll.

Mr. ROUNDS of Portland: Mr. Speaker, I believe that some of the members do not understand the question.

The SPEAKER: The Chair will again bring to the attention of the House the matter to be acted upon. The question is on a veto message. Shall this resolve become a law notwithstanding the objections of the Governor? Those who wish that the Resolve shall become a law notwithstanding the objections of the Governor, will vote yes when their names are called. Those who wish to sustain the Governor's veto on the resolve will vote no when their names are called. Is the House ready for the question?

The question being called for, the Clerk called the roll.

YEA—Ludgate, McDonald, Sanders, Wing—4.

NAY—Adams of Liberty; Adams of Litchfield; Atwood, Ayer, Baker, Bartlett of Hanover; Bartlett, of Waterville; Barwise, Beckett, Belliveau, Benoit, Bickford, Blaisdell, Boman, Bradbury, Brett, Brewster, Brown, Burns, Cates, Cherry, Crafts, Crowley, Cummings, Curtis, Dilling, Douglas, Downing, Drake, Dudley, Dunbar, Dunn, Finnell, Foss, Gagnon, Gamage, Gardiner, Gile, Gillespie, Gilmour, Goldthwaite, Gordon, Granville, Greenleaf, Hale, Hamilton, Hammond, Hayes of Chelsea, Hayford, Heal, Houghton, Hutchinson, Jewett, Johnson, Jones, Jordan, of Cape Elizabeth, Jordan of Westbrook, Keef, Knight, Lamson, Leather, Leland, Littlefield, Lord of South Portland, Lord of Wells, Macomber, Martin McElheron, Melcher, Morse of Bath, Nevins, Newcomb, Nichols, Nickerson, O'Connell, Overlock, Owens, Pendleton, Perkins, Perry, Phillips, Pierce, Piper, Ramsdell, Ranney, Ray, Reed, Rogers, Rounds, Rowell Saunders, Sayward, Sparrow, Staples, Stitham, Storm, story, Stratton, Sturgis, Thomas of Chesterville, Thomas of Leeds, Tilden, Towne, Weeks, White, Whitney, Willis, Winn, Wood—110.

ABSENT—Archibald, Bisbee, Boulter, Chalmers, Clarke, Conant, Dain, Edwards, Farley, Fickett, Gagne, Gauvin, Hallett, Hayes of Gorham, Hobbs, Hodgkins, Holmes, Jacobs, Kitchen, Maher, Moody, Morrison,

Morse of Greene, Nadeau, Oakes, Palmer, Pinkham, Plummer, Siddall, Small, Smith, Stevens, Tarr, Teague, Williams, Winslow.—36.

The SPEAKER: One hundred and ten having voted in the negative and four in the affirmative, the veto of the Governor is sustained.

The SPEAKER: The Chair presents veto Number two.

#### STATE OF MAINE

Office of the Governor

Augusta, March 9, 1922.

To the Honorable Senate and House of Representatives of the 81st Legislature:

I return herewith without my approval

An Act to Amend Sections Thirty-four and Seventy-five of Chapter two Hundred and Eleven of the Public Laws of Nineteen Hundred and Twenty-one, Relating to Motor Vehicles.

The effect of the existing laws is to allow citizens of New Hampshire who live within fifteen miles of the Maine border to operate motor vehicles, excepting trucks, tractors or trailers in the State of Maine, upon payment of a registration fee of two dollars, on condition that the State of New Hampshire grants an equal privilege to citizens of the State of Maine living within fifteen miles of the New Hampshire border.

The Act which I am returning extends additional privileges to certain citizens of New Hampshire, and allows them to operate "trucks and trailers" in the State of Maine upon payment of the registration fee of two dollars above referred to. The present law and the proposed amendment confer special privileges upon a comparatively few citizens living within the radius of fifteen miles of the Maine-New Hampshire line. In my opinion it is not in accord with sound public policy to grant these privileges to any class or group within our State. All should be treated alike.

There should be no discrimination in favor of Maine citizens who live in the territory bordering the New Hampshire line. The people of the central and eastern parts of the State are obliged to pay their share of the burdens of maintaining our roads, and this burden should be borne by people in every section. Under existing laws in order for certain Maine citizens to obtain special privileges in connection with the New

Hampshire roads, citizens of New Hampshire are granted preferred rights in Maine's roads.

I cannot follow the reasoning that establishes fifteen miles as the limit beyond which special privileges shall not be extended. There is as much reason to make the limit twenty-five, fifty or a hundred miles as to make it fifteen, for in these days of rapid transportation a hundred miles is a trifling distance if roads are good.

In my opinion it would be well to repeal the special privileges granted to passenger car owners in the zone referred to, but that question is not before me. I do, however, deem it unwise to extend existing privileges to include New Hampshire truck owners. The truck problem is a serious one, and all trucks should bear equally their proper share of the burdens of road maintenance and this is especially true of trucks coming from other states. No privileges should be extended to one class at the expense of another.

In these road matters as in others, a state-wide view should be taken and I cannot approve a bill that allows the citizens of New Hampshire to operate trucks in Maine upon payment of a nominal two dollars registration fee, when Maine truck owners are paying anywhere from ten dollars to one hundred forty-six 67-100 dollars for the same privilege.

Respectfully submitted,

(Signed) PERCIVAL P. BAXTER,  
Governor of Maine.

The SPEAKER: The question is shall this bill become a law notwithstanding the objections of the Governor. Those who are in favor of this bill becoming a law notwithstanding the objections of the Governor will vote yes when their names are called, and those in favor of sustaining the veto of the Governor will vote no. The Chair recognizes the gentleman from Auburn, Mr. Wing.

Mr. WING: I move you, Mr. Speaker, that the matter be tabled and especially assigned for Tuesday next.

A viva voce vote being doubted,

A division of the House was had,

Fifty-five voting in the negative and 43 in the affirmative the motion to table was lost.

The SPEAKER: The Chair will again state the question. The question is, shall this bill become a law notwithstanding the objections of the Governor. Those in favor of the bill

becoming a law notwithstanding the objections of the Governor will vote yes when their names are called, and those in favor of sustaining the veto of the Governor will vote no when their names are called. The Clerk will call the roll.

YEA—Bartlett of Hanover, Cates, Foss, Gardiner, Granville, Greenleaf, Hale, Hammond, Johnson, Lord of So. Portland, Perkins, Saunders, Weeks, White, Willis, Wing—16.

NAY—Adams of Liberty, Adams of Litchfield, Archibald, Atwood, Ayer, Baker, Barwise, Beckett, Bellevue, Benoit, Bickford, Blaisdell, Boman, Bradbury, Brett, Brewster, Brown, Burns, Cherry, Crafts, Crowley, Cummings, Curtis, Dilling, Douglas, Downing, Drake, Dudley, Dunbar, Dunn, Finnell, Gagnon, Gamage, Gile, Gillespie, Gilmore, Goldthwaite, Hallett, Hamilton, Hayes of Chelsea, Hayford, Heal, Houghton, Hutchinson, Jewett, Jones, Jordan of Cape Elizabeth, Jordan of Westbrook, Keef, Keene, Knight, Lamson, Leathers, Leland, Littlefield, Lord of Wells, Ludgate, Macomber, Maher, Martin, McIlheron, Melcher, Morse of Bath, Nevins, Newcomb, Nichols, Nickerson, O'Connell, Overlock, Owens, Pendleton, Perry, Phillips, Pierce, Piper, Ramsdell, Ranney, Ray, Reed, Rogers, Rounds, Rowell, Sanders, Sayward, Sparrow, Staples, Stevens, Stitham, Storm, Story, Stratton, Sturgis, Thomas of Chesterville, Thomas of Leeds, Tilden, Towne, Whitney, Winn, Wood—99.

ABSENT—Bartlett of Waterville, Bisbee, Boulter, Chalmers, Clarke, Conant, Dain, Edwards, Farley, Fickett, Gagne, Gauvin, Gordon, Hayes of Gorham, Hobbs, Hodgkins, Holmes, Jacobs, Kitchen, McDonald, Moody, Morrison, Morse of Greene, Nadeau, Oakes, Palmer, Pinkham, Plummer, Siddall, Small, Smith, Tarr, Teague, Williams, Winslow—35.

The SPEAKER: Ninety-nine having voted in the negative and 16 in the affirmative, the veto of the Governor is sustained.

#### Report of Committees

Mr. Sturgis from the Committee on Agriculture on Bill "An Act to amend Section 8 of Chapter 48 of the Revised Statutes relating to Local Sealers of Weights and Measures" reported that 500 copies of the same be printed and the bill recommended.

Report read and accepted and the Bill ordered printed and recommit-  
ted.

Mr. Gillespie from the same Committee reported "ought not to pass" on Bill "An Act relating to Appropriations made in favor of the Department of Agriculture."

Mr. Wing from the Committee on Judiciary, on bill, an act relative to motor vehicles and law of the road, reported that the same ought not to pass.

Reports read and accepted and sent up for concurrence.

Mr. Wing from the Committee on Judiciary, on bill an act relating to the organization of the Legislature reports that legislation thereon is inexpedient.

Report read and accepted and sent up for concurrence.

Mr. Maher from the Committee on Judiciary reported same on Bill "An Act to protect the Manufacturing Art and Scientific Consumers and Users of direct Electrical Current in the city of Portland."

Same gentleman from same Committee reported same on Bill "An Act to permit the Investigation of the Financial Affairs of the Portland Water District."

Mr. Saunders from same Committee reported same on Bill "An act amending Public Laws 1919, Chapter 238, as amended by Chapter 222 of the Public Laws of 1921 known as the Workmen's Compensation Act."

Mr. Nichols from same Committee reported same on Bill "An Act relating to Express Trusts."

Reports were read and accepted and sent up for concurrence.

Mr. O'Connell from the Committee on Inland Fisheries and Game on bill, an act additional to Section 19 of Chapter 219, Public Laws of 1917, prohibiting still or plug fishing, so-called, in Sebago Lake in Cumberland county, reports that the same "ought not to pass."

Mr. Lord of Wells from the same Committee on bill an act to regulate fishing in Sandy River and tributaries from Farmington to its source in the county of Franklin, and remonstrances against the same, reports same.

Mr. Lord of South Portland from the same Committee on bill, an act relating to the protection of deer in the eight southern counties of the State, namely, Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Waldo, Sagadahoc and York, reports same.

Mr. Perkins from the same Committee on bill, an act to amend Section 54 of Chapter 219 of the Public Laws of 1917, relating to the protection of certain wild birds, reports same.

Mr. Lord of South Portland from the same Committee on bill, an act to amend Section 73 of Chapter 219 of the Public Laws of 1917, to make it lawful to hunt, kill, or destroy rabbits, partridges, ducks, woodcocks, gray squirrel or foxes on Sundays occurring in the otherwise open season, reports same.

Reports read and accepted and sent up for concurrence.

Mr. Gillespie from committee of Agriculture on Bill An Act to amend Section 19 of Chapter 37 of the Revised Statutes, relative to the sale of milk," reported same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee on Resolve, providing for aid in the payment of premiums awarded by the Houlton Agricultural Society, reported same in a new draft under same title and that it "ought to pass."

Mr. Adams from the committee on Inland Fisheries and Game on bill, an act to amend Section 9 of Chapter 219 of the Public Laws of 1917, relating to the screening of lakes and ponds, reports the same in new draft under same title, and that it ought to pass.

Mr. Nichols from the committee on Judiciary on Bill "An Act to amend section 25 of Chapter 124 of the Revised Statutes of Maine, relative to penalty for falsely assuming to be an officer" reported same in a new draft under same title and that it "ought to pass."

Mr. Morrison from the committee on Legal Affairs on Bill "An Act to amend the charter of the city of Calais, providing for the election of a city manager" reported same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee on Bill "An Act to prohibit the conferring of degrees without special authorization" reported same in a new draft under same title and that it "ought to pass."

Mr. Weeks from the committee on Military Affairs on Bill "An Act to amend Paragraph LX of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, as further amended by

Chapter 119 of the Public Laws of 1921, relating to exemption from taxation of the estates of war veterans" reported same in a new draft under same title and that it "ought to pass."

Reports read and accepted and the new drafts ordered printed under the joint rules.

Mr. Gordon from the committee on Agriculture reported "ought to pass" on Bill "An Act to repeal Chapter 183 of the Public Laws of 1919 entitled 'An Act to assist in the commercial utilization of dog fish.'"

Same gentleman from same committee reported same on Bill "An Act to repeal Chapter 151 of the Public Laws of 1919 providing for the collection of agricultural statistics by assessors."

Same gentleman from same committee reported same on Bill "An Act to regulate the sale of vinegar."

Mr. O'Connell from the committee on Inland Fisheries and Game on bill, an act to amend Section 52 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the setting of traps in organized or incorporated places, reports that the same "ought to pass."

Mr. Perkins from the same committee, on bill an act to repeal Chapter 14 of the Public Laws of 1921, relating to the protection of deer in the town of York, reports same.

Mr. Crafts from the same committee on Resolve appropriating money for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds and for printing the report of the commissioner of inland fisheries and game and other expenses incident to the administration of the Department of Inland Fisheries and Game reports same.

Mr. Goldthwaite from the committee on Sea and Shore Fisheries reported same on Bill "An Act for the better protection of smelts in the Damariscotta river."

Same gentleman from same committee reported same on Bill "An Act to amend Section 19 of Chapter 98, Public Laws of 1921, relating to suspension and revocation of lobster licenses."

Mr. Lane from the same Committee reported same on Bill "An Act to amend Section 18 of Chapter 45 of the Revised Statutes as amended by Section 2 of Chapter 98 of the Public Laws of 1921 relating to the issuing of Lobster Licenses."

Reports read and accepted and the

Bills ordered printed under the Joint Rules.

Mr. Nichols from the Committee on Judiciary reported same on Bill "An Act to amend Sections 92 and 94 of Chapter 82 of the Revised Statutes relating to Procedure in Civil Cases in Superior Court."

Report was read and accepted and the Bill having already been printed (House Document No. 155), was read twice under suspension of the rules and tomorrow assigned.

#### Passed to be Engrossed

Senate 148: An Act to amend Section 49 of Chapter 219 of the Public Laws of 1917, relating to the protection of wild hares or rabbits."

(Tabled by Mr. Rogers of Rockland pending passage to be engrossed.)

Senate 161: "An Act providing for retirement of Justices of the Supreme and Superior Courts and their re-appointment in active retired Justices."

Senate 198: An Act to provide for an issue of State Highway and Bridge Bonds.

House 276: An Act for the better protection of clams within the limits of the town of Roque Bluffs.

House 277: An Act to amend Section 78, Chapter 16 of the Revised Statutes, to provide transportation for pupils who live on islands on which there are no secondary schools and from which regular transportation lines are established.

House 280: An Act to amend Section 75 of Chapter 45 of the Revised Statutes, relating to the taking of smelts.

House 282: An Act to amend Section 129 of Chapter 301 of the Public Laws of 1917, relating to the care and treatment of certain infectious diseases.

House 283: An Act to amend Section 3 of Chapter 264 of the Public Laws of 1919, as amended by Chapter 100 of the Public Laws of 1921, relating to application for Soldiers' Bonus.

House 285: An Act to amend the incorporation of the Trustees of Fryeburg Academy, in the town of Fryeburg and county of Oxford.

House 286: An Act to amend Paragraph 7 of Section 45 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of Public Laws of 1919 as further amended by

Chapter 219 of the Public Laws of 1921, relating to amount allowed for clerk hire in the offices of Register of Deeds and Register of Probate in Kennebec county.

House 288: "An Act to promote the production and sale of certified seed and to protect the branding thereof, and repealing Chapter 141 of the Public Laws of 1917."

Senate 193: Resolve in favor of the National Conference of Commissioners from Maine for the promotion of uniformity of legislation in the United States.

Senate 194: Resolve for the laying of the county taxes for the year 1923.

Senate 195: Resolve for the laying of the county taxes for the year 1924.

Senate 196: Resolve authorizing and directing the Governor and Council to convey certain land in Monmouth to the town of Monmouth.

House 233: Resolve amending the Constitution of the State of Maine so as to limit appropriations for denominational, sectarian, parochial or religious institutions and purposes until December 31, 1930, and so as to prohibit such appropriations after December 31, 1930.

House 281: Resolve in favor of Miss Edith L. Soule.

House 284: Resolve making an appropriation for the Maine Seed Improvement Association.

House 287: Resolve for carrying out the provisions of an act of the Legislature of 1923, relating to the production and sale of certified seed.

#### Finally Passed

(Emergency Measure)

Resolve appropriating money to repair Eastport bridge.

The SPEAKER: This being an emergency measure a two-thirds vote of the entire membership of the House is necessary. As many as are in favor of the passage of this resolve will rise and stand in their places until counted, and the monitors will return the count.

One hundred and six having voted in the affirmative and none in the negative the resolve was finally passed.

#### Passed to Be Enacted

An Act to amend Section 18 of Chapter 35 of the Revised Statutes at amended by Chapter 235 of the Public Laws of 1917, relating to the entrance of cattle into the State.

An Act to extend an Act entitled "An Act to incorporate the Odd Fellows' Home of Maine."

An Act to amend Chapter 449 of the Private and Special Laws of 1865, relating to the Irish American Relief Association of Portland.

An Act to amend Section 35 of Chapter 44 of the Revised Statutes, as amended by Chapter 67 of the Public Laws of 1921, relating to licenses for lightning rod agents.

An Act authorizing and empowering the Inhabitants of the town of Kennebunk to create a Sinking Fund and raise money therefor by Taxation for the retirement of its "High and Grade School House Bonds."

#### Finally Passed

Resolve appointing a Committee of Investigation to procure Plans and Estimates for a State Library Building.

#### Orders of the Day

On motion by Mr. Stitham of Pittsfield, it was voted to take from the table House Document No. 222, An Act to Amend Section Two of Chapter One Hundred and Ninety-seven, Public Laws of 1921, Relating to the Taxation of Shares of Stock of Trust Companies Organized under the Laws of this State and Banking Institutions formed under the Laws of the United States, tabled by that gentleman this morning.

Mr. STITHAM of Pittsfield: Mr. Speaker and members of this Legislature: We are confronted with a proposition that I feel is of the greatest importance to the taxpayers of this State. The bill which has just been returned to this House, stamped with the disapproval of the honorable Senate, should, under the circumstances, command the attention of every member of this House.

Allow me, Mr. Speaker, to go on record as protesting the action of the senator who tabled this bill in the Senate, and who, I believe, was instrumental in returning the bill to this House, refusing even to allow it to go before a committee. I believe it is well to pause, and well for the members of this House to take into consideration the substance of this bill which refers to the taxing of bank stock. I believe it is also well that the members of this House, especially under these circumstances, take notice that the gentleman in the Senate who refused to have the bill



referred to a committee, is the vice president of one of our prosperous national banks.

It is not my intention, Mr. Speaker, to propose legislation that will injure any class of people in this State, but, members of this House, I believe it is time that some legislation, some legislature should take action in regard to the intangible that is escaping taxation, that can afford to pay, and should pay, to this State, a reasonable tax.

Therefore, I feel it my duty to just briefly call your attention to some figures showing the loss to this State through the enactment of the original bill by the Legislature of 1921, which is now before you. Just briefly, allow me to say that the city of Lewiston lost, by the enactment of this bill, in 1921, \$8370.10. The city of Augusta lost through the enactment of this bill, \$3374.66. The city of Bangor lost \$15,113.41. The city of Waterville lost \$3228.35. And so on through the other cities of the State, and so on, in proportion, with the other towns of the State. The town of Skowhegan, in my own county, lost \$1575.76, and my home town of Pittsfield, a small town, lost \$948.24, very close to \$1000 annually to the taxpayers of my town.

I want to state, gentlemen, right here, that I think this matter is of great interest to the other taxpayers of this State, and I feel that it is of interest to our constituents back home. Now, Mr. Speaker, I have just briefly placed before this House these figures, showing that the State lost by this \$110,977.02. I have briefly placed these figures before you, these figures and statements, and I feel that this matter should have serious thought.

But, believing that, under the circumstances of this bill being blocked by the Senate, this Legislature might accomplish more by directing its attention to House Document No. 184, which somewhat covers this question, and which will come before us later, I now move you, Mr. Speaker, that we reconsider the vote whereby this House referred this bill to the committee on taxation.

The SPEAKER: The Chair will rule that the motion to reconsider is not in order. A motion to recede and concur with the Senate is in order.

Mr. STITHAM: That is all that is necessary, Mr. Speaker. I move that we recede and concur with the Senate in the indefinite postponement of this bill.

Mr. WINN of Lisbon: Mr. Speaker, I have just got hold of the report of the Senate and I move that the matter lie on the table pending consideration.

Mr. STITHAM: Mr. Speaker, I—

The SPEAKER: The motion to table is not debatable. The question is on the motion of the gentleman from Lisbon, Mr. Winn, that the matter lie on the table, pending consideration.

The pending question on the motion of the gentleman from Lisbon, Mr. Winn, being that the matter lie on the table pending consideration

A viva voce vote being doubted

A division of the House was had

Fifty-seven having voted in the affirmative and 47 having voted in the negative, the motion to table prevailed.

On motion by Mr. Wing of Auburn, it was ordered that 500 copies of the veto message of the Governor on the resolve to place the flags of Maine in the World War in the Hall of Flags be printed.

On motion by Mr. Archibald of Houlton, it was voted to take from the table House Document 249, An Act authorizing register of deeds of southern registry for Aroostook to certify records, tabled by that gentleman on March 7th; and on further motion by the same gentleman the bill had its third reading and was passed to be engrossed.

On motion by Mr. Maher of Augusta it was voted to take from the table Senate Document 146, report of the committees on Judiciary and Interior Waters on Bill "An Act to create Kennebec Reservoir Co.," tabled by that gentleman on March 8th; and on further motion by the same gentleman the report of the committee was accepted.

Mr. PHILLIPS of Orrington: Mr. Speaker, at the request of the gentleman from Bangor, Mr. Chalmers, I would like to move that we take from the table House Amendment "A" to Bill "An Act relating to State and county aid in the construction of highway bridges," which was tabled by Mr. Chalmers on March 7th.

The motion prevailed.

Mr. HALE of Portland: Mr. Speaker, may the Clerk read the amendment?

(House Amendment "A" read by the Clerk.)

On motion by Mr. Phillips of Orrington the amendment was adopted; and on further motion by the same gentleman the bill as amended by House Amendment "A" was passed to be engrossed.

On motion by Mr. Rounds of Portland, it was voted to take from the table House Document 252, An Act directing the State Board of Veterinary Examiners to issue certificate to Joseph R. Waller, tabled by that gentleman on March 7th.

Mr. ROUNDS: Mr. Speaker, I yield to the gentleman from Fairfield, Mr. Weeks:

On motion by Mr. Weeks of Fairfield, the bill had its first and second reading.

On motion by Mr. Weeks of Fairfield it was voted to take from the table House Document 161, An Act relating to time of payment of excise tax on railroads, tabled by that gentleman on March 8th; and on further motion by the same gentleman the bill had its second reading.

Mr. DOUGLAS of Lamoine: Mr. Speaker, I move that the rules be suspended and that Senate Document No. 146, an act to create the Kennebec Reservoir Company and define the powers thereof, be given its first and second readings.

Mr. CUMMINGS of Portland: Mr. Speaker, I move that Senate Document 146 be tabled.

A viva voce vote on the motion to table being doubted,

A division of the House was had,

Sixty-four having voted in the negative and four in the affirmative, the motion to table was lost.

Mr. CUMMINGS: Mr. Speaker, if it is in order I would like to say a word on that bill.

The SPEAKER: The Chair has announced that the bill would have its first and second reading under suspension of the rules and the decision of the Chair was not doubted. The gentleman will make a motion and the Chair will entertain it.

On motion by Mr. Rounds of Portland, unanimous consent was given for the gentleman from Portland, Mr. Cummings, to address the Chair.

Mr. SPEAKER: The reason why I

asked that this bill be tabled was that we might have time to properly consider the matter. It is a matter, I think, of very great importance to the State of Maine. It may not be within the knowledge of the most of the members of this House that the land whereon the dam is to be erected by this Reservoir Company is public land. That the State of Maine should part with that great right and that great heritage in my judgment would be a most unwise proceeding. This bill is very skilfully drawn. I can but admire the ability of the man who drew it. It is drawn as a log-driving proposition but, gentlemen, it ought to be entitled a log-rolling proposition. Under that bill the State of Maine would get but a very small fraction of the value of that great property, and it is inconceivable to me that the State should consent to turn that over to this Reservoir Company in this way. I hope that this House will not indorse it. I would like to have had this matter tabled so that I might have still further looked into this matter, and have tried to present to this House certain figures that would show, perhaps, the enormity of the mistake that this State would make if it turned over its rights and its control in that property. If the House does not wish to consider that, it is up to them. I have told you the circumstances, and I am dead opposed to the State parting with this great right which it now owns.

Mr. MAHER of Augusta: Mr. Speaker, I do not know just what motion he is talking to.

The SPEAKER: The gentleman from Portland, Mr. Cummings, was talking to no motion, there being no motion before the House. The gentleman was given unanimous consent by the House to speak.

Mr. MAHER: Will the Chair tell me how I may explain what is in my mind?

Mr. BAKER of Steuben: I move, Mr. Speaker, that unanimous consent be given to the gentleman from Augusta (Mr. Maher) to address the Chair.

The motion prevailed.

Mr. MAHER: Mr. Speaker and gentlemen: As the gentleman from Portland (Mr. Cummings) has said, this is a matter of very great importance, and before it gets to the stage of final action every member should become familiar with it and we should have opportunity

for a full and frank discussion in the interest of expediting business and sometime getting this Legislature adjourned.

It is well that measures such as this, that are really going to be debated, be passed along through the preliminary stages. As I understand it, this is simply upon the first and second readings. It would then have to go through the stage of passage to be engrossed and then the stage of enactment. There is no rush here, and the motion of the gentleman from Lamoine, (Mr. Douglas) if I get the force of his meaning, is simply in order to expedite matters of legislative procedure. There will be an opportunity for a full and free discussion, without keeping this measure—which is of great importance—on the table, and delaying things—right in the line of log-rolling,—until the jam comes in the last few days of this session.

I think the motion of the gentleman from Lamoine, (Mr. Douglas) should certainly prevail.

The SPEAKER: The Chair may very well state at this time that if this bill is given its first and second readings now, it will be debatable on its passage to be engrossed, and again will be debatable upon its final passage—two opportunities for the

members of the House to engage in debate.

Thereupon, the bill received its first and second reading, and on motion by Mr. Maher of Augusta was tabled, pending passage to be engrossed.

On motion by Mr. Rounds of Portland, it was voted to take from the table Senate Document 218, an act relating to Cumberland County Superior Court, tabled by that gentleman, March 8, pending reference in concurrence; and on further motion by the same gentleman, the bill was referred to the committee on Judiciary in concurrence.

On motion by Mr. Holmes of Lewiston it was voted to take from the table House Document No. 244, an act relating to salaries of Registers of Probate, tabled by that gentleman, March 7, pending third reading; and on further motion by the same gentleman, the bill received its third reading and was passed to be engrossed.

On motion by Mr. Jewett of Vassalboro,

Adjourned until eight o'clock tomorrow morning.