

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

Thursday, April 5, 1923.

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

Prayer by the Rev. Mr. Dunnack.

Journal of previous session read and approved.

The SPEAKER: The Chair presents out of order resolve in favor of Ashley A. Smith for Lincoln Day address presented by the gentleman from Lamoine, Mr. Douglas.

The resolve had its two several readings under suspension of the rules without reference to a committee, and was passed to be engrossed.

Orders

On motion by Mr. Goldthwaite of Biddeford, it was

Ordered the Senate concurring, that the Department of Sea and Shore Fisheries be authorized to prepare and have printed for free distribution ten thousand copies of the revised Sea and Shore Fisheries law in convenient pocket form, the expense of this work to be paid from the appropriation for the Department of Sea and Shore Fisheries.

Passed To Be Enacted

An Act to amend Chapter 84 of the Private and Special Laws of 1919, entitled "An Act to Provide for the Building of Public Wharves and for the Establishment of Adequate Port Facilities and for the Advancement of Commerce."

An Act to amend Chapter 294 of the Public Laws of 1917, as amended by Chapter 63 of the Public Laws of 1921, relating to Intoxicating Liquors.

An Act to constitute the State Superintendent of Schools a member ex-officio, of the Board of Trustees of the University of Maine.

Finally Passed

Resolve for the purpose of correcting an Error in the Resolve for Laying of the County Taxes for the year 1924 as applying to the county of Cumberland.

Resolve for the purpose of correcting an error in the Resolve for Laying of the County Taxes for the year 1923 as applying to the county of Cumberland.

Resolve in favor of the Chaplains of the House of the 81st Legislature.

Resolve in favor of Clerks, Stenographers and Messengers of the several Committees of the 81st Legislature.

Resolve in favor of Anne M. Ciancy

Resolve on the pay roll of the Senate of the 81st Legislature.

Resolve calling to the Attention of the Governor the Failure of the Legislature to Enact an Act entitled "An Act to amend Sections 1 and 3 of Chapter 350 of the Public Laws of 1915, relative to the Hours of Employment of Women and Minors."

Resolve appropriating Money to aid in the Screening of Certain Lakes and Ponds.

Resolve in favor of Establishing a Feeding Station for Fish on the Outlet of Upper Shin Pond, in the town of Mount Chase, in the county of Penobscot.

Mr. SANDERS of Portland: Mr. Speaker, I would like to inquire of the Chair if the resolve referring to laying taxes for Cumberland county for 1923 has the emergency clause on it?

The SPEAKER: It is not so marked on the outside of the jacket.

Mr. SANDERS: Mr. Speaker, I think the resolve states that it is an emergency measure.

The SPEAKER: The gentleman is correct; it is an emergency measure, but the jacket is not marked "emergency," hence the error.

On motion by Mr. Sanders of Portland, it was voted to reconsider the action of the House whereby Resolve for the purpose of correcting an error in the resolve for laying of the county taxes for the year, 1923, as applying to the county of Cumberland, was finally passed.

The SPEAKER: This being an emergency measure, and requiring under the Constitution the affirmative vote of two-thirds of the entire membership of this House on its final passage all those who are in favor of the final passage of this resolve will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and twenty-four voting in the affirmative and none in

the negative, the resolve was finally passed.

Orders of the Day

The SPEAKER: The first matter to come from the table under orders of the day is Senate Document No. 271, an act to regulate the use of aircraft, tabled by the gentleman from Augusta, Mr. Maher, April 3, pending passage to be enacted.

On motion by Mr. Maher of Augusta the bill was passed to be enacted.

The SPEAKER: The next matter to come from the table is Senate Document No. 294, Resolve amending the Constitution for purpose of building Kennebec Bridge, tabled by the gentleman from Bath, Mr. Morse, pending final passage. The matter is taken from the table automatically.

Mr. GRANVILLE of Parsonfield: Mr. Speaker, I am sorry that Mr. Morse is not here, but I move the indefinite postponement of this resolve.

Mr. MAHER of Augusta: May I ask, through the Chair, the gentleman from Parsonfield, Mr. Granville, whether that is the resolve for the Carlton bridge, so-called, or the privately owned bridge?

The SPEAKER: The gentleman may answer through the Chair.

Mr. GRANVILLE: Mr. Speaker, if I understand it, I directed my attention to the Carlton resolve. The private act does not amend the Constitution.

The SPEAKER: Is it the pleasure of the House that this resolve be indefinitely postponed? As many as are in favor of its indefinite postponement will rise and stand in their places until counted and the monitors will return the count.

A division of the House being had, Seventy-five voting in the affirmative and 28 in the negative, the resolve was indefinitely postponed.

The SPEAKER: The next matter is Senate Document 301 in new draft, Majority and Minority Reports of Committee on Public Utilities and Ways and Bridges on Bill, an act to incorporate Maine Kennebec Bridge, tabled by the gentleman from Bath, Mr. Morse, April 3rd., pending acceptance of either report.

Mr. GRANVILLE of Parsonfield: Mr. Speaker, in the absence of the gentleman from Bath (Mr. Morse) I

will ask whether this is the charter for the privately owned bridge?

The SPEAKER: This is the report, the majority and minority report of the committee on an act to incorporate the Maine Kennebec bridge, and the pending question is the acceptance of either report, the majority report being ought to pass in new draft and that new draft being Senate Document 301.

Mr. GRANVILLE: Mr. Speaker, I move the acceptance of the report, ought to pass. I think these reports, as previously stated in some discussion in the House were equally divided upon all matters nine and nine. Now those of us who signed this report ought to pass in private charter believe that this is the only way that we can get that bridge in that section of the country, which we feel that those people need. This is a new draft drawn up by the committee and we feel that the State is safeguarded in every way and that these incorporators do intend to build a bridge, and I move the acceptance of the report ought to pass.

Mr. MAHER of Augusta: Mr. Speaker, if we accept this private bridge charter after having voted down a legal offer to construct a publicly owned bridge, if you do accept this private bridge charter you are handing away any possible chance of getting a million dollars from the Federal Government for aid.

The Belfast bridge got fifty per cent, the Portland bridge got thirty-three and one-third per cent. and if we assume that this proposed bridge over the Kennebec river will cost three million dollars, the opportunity of getting a third of three million dollars from the Federal Government will be gone forever, if this charter is accepted, and the difference which you will lose will be paid for by whoever uses that bridge, presumably some of the users being some of your gentlemen and your constituents.

Mr. DOUGLAS of Lamoine: Mr. Speaker, I think perhaps some of us misunderstood the resolve 294. I am sure that if that is voted down, the so-called Carlton bridge—I would like to have someone tell us, perhaps Mr. Maher can, if that resolve 294 meant the Carlton bridge.

Mr. MAHER: Mr. Speaker, answering the gentleman from Lamoine, Mr. Douglas, I cannot make it any

clearer than my question made it to the gentleman from Parsonsfield, Mr. Granville, as to whether or not it was the private bridge, or the Carlton bridge and he replied that it was the Carlton bridge. Now, that Carlton bridge is as dead as the proverbial herring, so far as any action here in the House is concerned, and it is simply a question of whether or not you want to throw away, by legislative action, any possibility of ever getting any Federal aid for any bridge across the Kennebec river.

Mr. ROGERS of Rockland: Mr. Speaker, I am very much surprised at the action the House has taken, but of course, it is all right. In your wisdom you have done it. Now there are plenty of people from our section of the country who want this publicly owned bridge across the Kennebec, but who is there asking for this private charter? This corporation, backed by one man, are the only ones that want it and they are doing it simply for the profit, and that profit means a burden to the people of this State, and if this Legislature passes that measure we will never be able to get out from under that load. I hope this Legislature will turn it down. We have got on for 103 years without a bridge there and we can continue without it for a time, and the State will eventually have to give us some method of passage across that river. Now, do not pass this toll bridge charter to be owned by a private corporation.

Mr. SANDERS of Portland: Mr. Speaker, I just want to say this: I cannot agree with the gentleman from Augusta (Mr. Maher) that if this particular resolve is passed it will entirely prevent us from ever receiving any aid from the Federal Government in the matter of this bridge. My own personal idea would be that if this private corporation build this bridge we will be surer of getting the bridge than we would under the other plan, and also that the tolls from the operation of the bridge by a private concern will be no higher than they would under a State owned bridge. Also, that some time in the future the State would probably take the bridge over from the private corporation and when it does it would undoubtedly make it a free bridge and then it is my opinion that the Federal Government would come in and pay a proportionate part of the cost for taking the

bridge over the same as they would now for the building of it.

Mr. MAHER: Mr. Speaker, all I can say in answer to the gentleman from Portland (Mr. Sanders) is that this seems to be one more of those non-profit-making suggestions that have been before this Legislature. I presume that it is purely out of the goodness of their hearts and from philanthropic motives entirely, that the proponents of this measure are seeking to put it across, this privately owned bridge.

Now, I believe in private development of private business but I am absolutely, at all times, in all places, positively against turning over what is strictly and absolutely a public function to any private enterprise, and if there is one thing that is public, it is the highways, and a bridge is only a connection from one highway on one side of the river to another highway on the other side of the river. It is nothing but a continuation of the highway and it is public property. There is no use in disguising it by any subterfuge. This bridge proposition is simply a proposition for capitalizing the travel across the river for profit and you cannot make it anything other than that; and, at any time that the State may take over that bridge, it will pay under this charter here the last dollar that it has in actual physical value, and the last bit of potential value to this concern. The only thing, if you are going to pass this law, and be entirely consistent, is that there should not be any power transmitted out of the State.

Mr. ROGERS of Rockland: Mr. Speaker, one little word more. It has been said several times in this Legislature that we should not pass any law that there was no call for, that we should not pass any law unless it is asked for. Now, I ask you, who is asking for this bridge under private ownership? One lawyer, representing three or four incorporators, against the three or four hundred that we have here asking you for a different thing altogether. Now, please do not pass it.

Mr. GRANVILLE: This matter has been quite thoroughly discussed here at different times but I would like to restate now the position of the committee in this matter. As I understand it, one objection was the delay and inconvenience in getting a bridge

across this river that would be caused by passing the measure for a State owned bridge and the other was that in passing the privately owned toll bridge charter we would not establish any new toll rights because they are paying tolls there today on the ferry.

The Carlton bridge so-called would also mean making it a toll bridge so it stands on an equal footing with the other as far as that is concerned. Now, we made this report for the reason that we thought the people in that section should have a bridge and this is the only possible solution as we see it.

Mr. BARWISE: Mr. Speaker, I would like to ask a question through the Chair of Mr. Granville as to whether or not it is incorporated in this bill that the State has the distinct privilege of taking it over and whether or not the time in which the State may take it over is specified.

The SPEAKER: The gentleman from Parsonsfield, Mr. Granville, may answer the question through the Chair if he wishes.

Mr. GRANVILLE: Mr. Speaker, I will state that that provision is very definitely stated in this act. It provides that ten years from the opening of this bridge it may be purchased by the State upon the appraised value placed upon it by a commission of men appointed by the Chief Justice of Supreme Court of the State of Maine at the request of the Governor of the State of Maine. It also provides that after the expiration of three years the State may make it a free bridge by paying the corporation an annual rental in quarterly installments which are to be one-fourth of the total amount received during the previous year in tolls by the corporation.

The SPEAKER: Does that answer the question of the gentleman from Bangor, Mr. Barwise?

Mr. BARWISE: Yes, Mr. Speaker. I simply wanted to make sure that we could, in the future, take it over and have it as a State bridge whenever our finances will permit.

The SPEAKER: The question is on the motion of the gentleman from Parsonsfield, Mr. Granville, that we accept report B on the majority report, on the privately owned bridge, that report being "ought to pass in new draft," and appearing in Senate Document No. 301.

A division of the House being had, Ninety-eight voted in the affirmative and 27 in the negative, and the motion to accept the majority report prevailed.

Thereupon, under suspension of the rules, the bill Senate Document 301, was given its three several readings and was passed to be engrossed.

The SPEAKER: The next matter is Senate 302, an act to provide for building a bridge between Bath and Woolwich, tabled by the gentleman from Parsonsfield, Mr. Granville, pending passage to be engrossed.

On motion by Mr. Granville of Parsonsfield, the bill was indefinitely postponed.

The SPEAKER: The next matter on the calendar is Resolve in favor of the State Armory at Lewiston, tabled by the gentleman from Caribou, Mr. Hamilton, April 4, pending first reading.

On motion by Mr. Hamilton of Caribou, the resolve then had its several readings under suspension of the rules, and was passed to be engrossed.

The SPEAKER: The next matter is an act to amend the charter of the Gould Electric Company, tabled by the gentleman from Houlton, Mr. Archibald, April 4, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. ARCHIBALD of Houlton: Mr. Speaker, I offer House Amendment A, and in explanation will say that that simply contains the ordinary provisions in relation to the transfer of power, etc., beyond the confines of the State, and is satisfactory to all parties.

The SPEAKER: The gentleman from Houlton, Mr. Archibald, moves the adoption of House Amendment A. Does the House wish the amendment read?

There being calls of "No" House Amendment A was adopted without reading, and the bill as amended by House Amendment A was passed to be engrossed.

AFTER RECESS

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

Thereupon that gentleman was granted permission to present the following order, out of order:

Ordered that the American flag at the right of the Speaker's desk be presented by the House to Speaker Holley, and that the Messenger be instructed to deliver the same to Mr. Holley's home properly wrapped.

The order was passed by a unanimous rising vote.

Reports of Committees

Out of Order

The following Reports were taken up out of order under suspension of the rules:

Mr. Boutler from the Committee on Appropriations and Financial Affairs reported "ought not to pass" on Resolve appropriating money for General Office Expenses in the office of the Land Agent and Forest Commissioner.

Mr. Houghton from the same Committee reported same on Resolve in favor of Steel Filing Equipment for the office of the State Auditor.

Mr. White from same Committee reported same on Resolve in favor of the Adjutant General's Department.

Mr. Sanders from same Committee reported same on Resolve appropriating money for further Public Instruction in Forestry.

Reports read and accepted and sent up for concurrence.

Mr. Johnson from same Committee reported "ought to pass" on Resolve to Retire Maine Forestry District Deficit.

Report read and accepted.

(The rules were suspended, and the resolve received its two several readings and was passed to be engrossed.)

From the Senate: Bill, an act to amend Chapter 197 of the Public Laws of 1917, as amended by Chapter 172 of the Public Laws of 1919, relating to the State Department of Health.

The House voted to insist on its former action and asked for a committee of conference on April 4.

In the Senate, that body adhered to its former action.

In the House, on motion by Mr. Rounds of Portland, that body voted to adhere to its former action.

From the Senate: House Document 469, bill, an act to amend Paragraph nine of Section 6, Chapter 10 of the

Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, and by Chapter 119 of the Public Laws of 1921, relating to exemption from taxation of the estates of war veterans.

This was passed to be engrossed in the House, March 29.

In the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Adams of Liberty, that body voted to recede and concur with the Senate.

From the Senate: Bill, an act to amend Section 46 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 133 of the Public Laws of 1919, and as amended by Chapter 218 of the Public Laws of 1921, relating to the protection of fur-bearing animals.

This was passed to be engrossed in the House, April 4.

In the Senate, passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House, that body voted to reconsider its action whereby this bill was passed to be engrossed.

The question being on the adoption of Senate Amendment A, on motion by Mr. Crafts of Greenville, the bill and amendment were temporarily tabled.

From the Senate: House Document 213, bill, An Act to amend Section 6, Paragraph XI of Chapter 10 of the Revised Statutes, in regard to forest land exempted from taxation.

This was passed to be engrossed in the House on March 27.

In the Senate, indefinitely postponed.

In the House, on motion by Mr. Adams of Liberty, that body voted to recede and concur with the Senate in the indefinite postponement of the bill.

From the Senate: Senate 320, bill, An Act providing for the benefit and assistance for aged persons under certain conditions in the State of Maine, and prescribing penalties for violation of the provisions thereof, and making an appropriation for carrying on its purposes, comes to us in the form of a majority and minority report, the majority report of the committee on Pensions and Labor on the bill just read, reporting the same in new draft, under title of An Act providing for the benefit and assistance for aged persons

under certain conditions in the State of Maine, and prescribing penalties for violation of the provisions hereof, and making an appropriation for carrying out its purposes, the report being signed by: Senators Ryder of Piscataquis, Clark of Lincoln, Smith of Somerset, and Representatives Newcomb of Carmel, Bickford of Brownfield, Winn of Lisbon, O'Connell of Millinocket, Rogers of Rockland, Ayer of Lincoln, and Stitham of Pittsfield.

Minority report of the same committees, reporting that the same ought not to pass, the report being signed by the following: Senators Speirs of Cumberland and representatives Wood of Bluehill, Nevins of Pownal, Crowley of Lewiston, Leathers of Hermon, Kitchen of Presque Isle, Williams of Falmouth, Towne of Norway.

In the Senate, majority report, ought to pass, accepted, and the bill passed to be engrossed.

In the House: A motion by Mr. Winn of Lisbon that the majority report, ought to pass, be accepted was doubted.

The SPEAKER: As many as are in favor of the acceptance of the majority report will rise in their places, and stand until counted, and the monitors will return the count.

Mr. WINN of Lisbon: Mr. Speaker, I call for the yeas and nays.

Cries of "No. No".

The SPEAKER: As many as are in favor of the yea and nay vote will rise and stand in your places —

Mr. STITHAM of Pittsfield: Mr. Speaker, I would like to table that matter a little while.

Again cries of "No. No".

The SPEAKER: The members will understand that a motion to table is not debatable. The question before the House is on the motion of the gentleman from Pittsfield. Mr. Stitham, that we table the measure. As many as favor tabling it will say aye, those opposed no.

A viva voce vote being taken, the motion to table was lost.

The SPEAKER: The question is now on the motion of the gentleman from Lisbon, Mr. Winn, that the yeas and nays be ordered. As many as favor the ordering of the yeas and nays will rise.

A sufficient number not having

arisen, the yeas and nays were not ordered.

The SPEAKER: The question is now on the acceptance of the majority report. Those who oppose the acceptance of the majority report will rise and stand until counted.

A division being had,

Twenty-four voting in the affirmative and 88 in the negative, the motion to accept the majority report was lost.

On motion by Mr. Atwood of Portland, it was voted to accept the minority report in non-concurrence.

On motion by Mr. Crafts of Greenville, that gentleman was granted permission to introduce the following order, out of order:

Ordered, that the Governor be requested to return to the House, An Act to authorize the sale by Sebec Dam Company and purchase by Milo Electric Light and Power Company of all the property, rights, privileges, immunities and franchises of Sebec Dam Company.

The order received passage.

The SPEAKER: In accordance with the foregoing order, the Chair presents an act to authorize the sale by Sebec Dam Company and purchase by Milo Electric Light and Power Company of all the property, rights, privileges, immunities and franchises of Sebec Dam Company.

On motion by Mr. Crafts of Greenville, the House voted to reconsider its action whereby bill, an act to authorize the sale by Sebec Dam Company and purchase by Milo Electric Light and Power Company was passed to be enacted; and on further motion by the same gentleman, the House voted to reconsider its action whereby this bill was passed to be engrossed.

Thereupon, the same gentleman offered House Amendment A as follows:

House Amendment A.

Amend bill, an act to authorize the sale by Sebec Dam Company and purchase by Milo Electric Light and Power Company of all the property, rights, privileges, immunities and franchises of the Sebec Dam Company, by adding thereto Section four:

"Section 4: It shall be unlawful for said Milo Electric Light and Power

Company to transmit electric current for sale or use beyond the limits of this State, or to contract with any person, firm, or corporation for the transmission or sale of electric current beyond the limits of this State; and said corporation shall not be permitted to acquire in any manner the franchises of or consolidate with or transfer or lease its property rights and franchises to any other corporation, firm or person now transmitting, or having the right to transmit electric power beyond the confines of the State without express authority of the Legislature".

Thereupon, House Amendment A was adopted and the bill as amended by House Amendment A was passed to be engrossed.

On motion by Mr. Rounds of Portland, that gentleman was granted the unanimous consent of the House to introduce a resolve out of order, as follows:

Resolve appropriating money for Maternity and Child Welfare work.

Resolved, that there be and hereby is appropriated the sum of five thousand dollars for the fiscal period beginning July first, nineteen hundred and twenty-three, and five thousand dollars for the fiscal period beginning July first, nineteen hundred and twenty-four, for maternity and child welfare work in the State of Maine, the same to be expended by the Commissioner of Health, under the direction of the Governor and Council.

The rules were suspended, and the resolve received its two several readings and was passed to be engrossed.

Mr. CHALMERS of Bangor: Mr. Speaker, I wish to introduce a resolve out of order and under suspension of the rules. This is simply to correct an error in a resolve already signed by the Governor. Where it should have said "twenty-four" it said "twenty-three", and where it should have said "twenty-five" it said "twenty-four".

(At this point Mr. Wing of Auburn assumed the chair).

A viva voce vote being taken, the rules were suspended, and the foregoing resolve, on motion by Mr. Chalmers of Bangor, being Resolve in aid of navigation on the lakes of Maine had its two several readings and was passed to be engrossed.

(Recess)

After Recess

Speaker Holley in the Chair.

The following papers from the Senate were taken up out of order, under suspension of the rules:

From the Senate: Bill, An Act to incorporate the Maine Kennebec bridge.

This was passed to be engrossed in the House earlier in the day.

In the Senate, indefinitely postponed in non-concurrence.

In the House:

Mr. BREWSTER of Dexter: Mr. Speaker, I move that we recede and concur with the Senate.

Mr. BARWISE of Bangor: Mr. Speaker, I hope that motion will not prevail. I hope we may have a conference committee with the Senate.

The SPEAKER: The question is on the motion of the gentleman from Dexter, Mr. Brewster, that we recede and concur with the Senate in the indefinite postponement of the bill which was passed to be engrossed in the House this morning.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I hope this motion will not prevail. I hope that we insist.

The SPEAKER: The motion to recede and concur takes precedence of the motion to insist.

Mr. BARWISE: Mr. Speaker, I understand that this is the private bridge.

The SPEAKER: The Chair so understands.

Mr. GRANVILLE of Parsonsfield: That is as I understand it, Mr. Speaker.

Mr. MAHER of Augusta: Mr. Speaker, would it be in order to speak to the motion?

The SPEAKER: A motion to recede and concur is debatable.

Mr. MAHER: Mr. Speaker, for two reasons I address that motion. First, I am sure that we want to get through some time, and there does not seem to be much chance of a change of front on this proposition. Second, is the fundamental reason that I referred to a few moments ago. There is nothing in the world, if this bill becomes a law, that will prevent the Company building a bridge from making an operating contract with any particular railroad or railroads that want to

use it at whatever contract rate they wish to make, and then capitalizing that as one of the assets of this public benefaction and selling out at its going value. It is the easiest way in the world for somebody to make a million.

The SPEAKER: The question is on the motion of the gentleman from Dexter, Mr. Brewster, that we recede and concur with the Senate in the indefinite postponement of this bill. As many as are in favor of receding and concurring will rise and stand in their places until counted, and the monitors will return the count.

Mr. WINN of Lisbon: Mr. Speaker, I call for the yeas and nays.

Cries of "No, No".

The SPEAKER: The gentleman from Lisbon, Mr. Winn, asks for the yeas and nays. As many as favor the yeas and nays will rise and stand in their places until counted.

Mr. WINN: Mr. Speaker, this is an important measure, and I do not see why the public should not know how we stand on the proposition and who is for and who against it. I have been willing at all times to go on record on various propositions, and I think it is no more than fair that the citizens and voters of the State of Maine should know exactly how we stand on this proposition, because it is a large proposition. It is a proposition that means a great deal to the citizens of the State of Maine from one end to the other; and I think it is no more than fair that we should have a yeas and nays vote. I hope a sufficient number of the members will rise so that we may have it.

The SPEAKER: As many as favor the yeas and nays vote will rise and stand in their places until counted.

A sufficient number not having arisen, the yeas and nays vote was not ordered.

The SPEAKER: As many as object to receding and concurring with the Senate in the indefinite postponement of the bill will rise and stand in their places until counted, and the monitors will return the count.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I do not think they all understand.

The SPEAKER: The Chair is of the opinion that they do.

A division being had,

Twenty-nine voting in the affirma-

tive and 67 in the negative the motion to recede and concur with the Senate failed of passage.

The SPEAKER: The question is now on the motion of the gentleman from Parsonsfield, Mr. Granville, that we insist and ask for a committee of conference.

A viva voce vote being taken,

The motion to insist and ask for a committee of conference prevailed.

The Chair appointed as such conferees on the part of the House: Messrs. Granville of Parsonsfield, Blaisdell of Sullivan and Hodgkins of Bangor.

From the Senate: Bill, An Act to provide for building a bridge across the Kennebec river between the city of Bath and town of Woolwich.

This was indefinitely postponed in the House earlier in the day in non-concurrence.

In the Senate, that body insisted on its former action, and asked for a committee of conference with the following conferees appointed on its part: Messrs. Hinckley of Cumberland, Carlton of Sagadahoc and Elliot of Knox.

In the House:

Mr. MAHER of Augusta: Mr. Speaker, I move that we join with the Senate in the committee of conference.

The SPEAKER: As many as favor the motion of the gentleman from Augusta, Mr. Maher, will say aye; those opposed no.

The Chair doubted the viva voce vote.

The SPEAKER: The Chair is in doubt. As many as favor the motion of the gentleman from Augusta, Mr. Maher, that we join the committee of conference with the Senate, will rise and stand in their places—

Mr. HALE of Portland: Mr. Speaker, may I inquire as a parliamentary matter whether that motion differs from a motion to insist and participate in the committee?

The SPEAKER: It does not. The committee of conference always carries with it the definite idea of the two branches getting together. As many as favor the motion of the gentleman from Augusta, Mr. Maher, that the committee of conference be joined will rise and stand in their places until counted, and the monitors will return the count.

A division of the House being had, Eighty-one voting in the affirmative and three in the negative, the motion to join in the committee of conference prevailed.

The Chair appointed as such conferees: Messrs. Granville of Parsonsfield, Blaisdell of Sullivan and Hodgkins of Bangor.

From the Senate: Resolve amending Article IX of the Constitution increasing the amount of bonds to be issued for the purpose of building a bridge across the Kennebec river, between the city of Bath and the town of Woolwich.

This was indefinitely postponed in the House, April 4 in non-concurrence.

In the Senate, that body insisted on its former action and called for a committee of conference, with the following conferees appointed on its part: Messrs. Hinckley of Cumberland, Carlton of Sagadahoc and Elliot of Knox.

In the House, on motion by Mr. Maher of Augusta, it was voted to insist and join in the conference; and the Chair appointed as conferees on the part of the House: Messrs. Granville of Parsonsfield, Blaisdell of Sullivan and Hodgkins of Bangor.

The following bills on their passage to be enacted were taken up out of order under suspension of the rules:

Passed to be Enacted

An Act to amend Section 22 of Chapter 127 of the Revised Statutes, as amended by Chapter 291 of the Public Laws of 1917, relating to the sale of intoxicating liquor.

An Act to amend Section 7 of Chapter 293, of the Public Laws of 1917, relating to the director of sea and shore fisheries.

On motion by Mr. Crafts of Greenville it was voted to take from the table the bill relative to protection of fur-bearing animals, tabled by that gentleman earlier in the day; and on further motion by the same gentleman, Senate Amendment A was adopted 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.

After Recess

The following papers from the Senate were taken up out of order under suspension of the rules.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve appropriating money for maternity and child welfare work. This was passed to be engrossed in the House earlier in the day.

In the Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, on motion by Mr. Rounds of Portland that body reconsidered its action whereby the resolve was passed to be engrossed; and on motion by Mrs. Pinkham of Fort Kent the House adopted Senate Amendment "A" in concurrence and the resolve as amended was passed to be engrossed in concurrence.

From the Senate: Bill, An Act to incorporate the Maine Kennebec bridge, on which the House had earlier in the day asked for a committee of conference.

In the Senate, that body adhered to its former action.

In the House, on motion by Mr. Adams of Liberty, that body adhered to its former action.

From the Senate: Bill, An Act providing for the benefit and assistance for aged persons under certain conditions in the State of Maine and prescribing penalties for violation of the provisions hereof and making an appropriation for carrying out of its purposes. The minority report ought not to pass was accepted in the House earlier in the day in non-concurrence.

In the Senate, that body insisted on its former action and asked for a committee of conference, with Messrs. Smith of Somerset, Morneau of Androscoggin, and Allen of York, appointed as such conferees on its part.

In the House, on motion by Mr. Hale of Portland, that body adhered to its former action.

At this point, a communication was received from the Senate, through its secretary, proposing a joint convention of both branches of the Legislature forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to at-

tend such convention and present such communication as he may be pleased to make.

On motion by Mr. Thomas of Chesterville, the House voted to concur in the proposition for a joint convention of the two branches of the Legislature; and on further motion by the same gentleman the clerk was charged with the duty of informing the Senate that the House so concurred.

Subsequently the clerk reported that he had performed the duty assigned him.

At this point the Senate came in and a joint convention was formed.

In Convention

The President of the Senate in the Chair.

On motion by Senator Brewster of Cumberland, it was

Ordered, that a committee be appointed to wait upon the Honorable Percival P. Baxter, Governor, and inform him that the two branches of the Legislature are in convention assembled in the Hall of the House of Representatives, and to extend to him an invitation to attend the convention and present such communication as he may be pleased to make.

Thereupon, the chairman of the convention appointed as members of that committee on the part of the Senate, Senators Brewster of Cumberland, Clark of Lincoln, Elliot of Knox, Speirs of Cumberland and Sargent of Hancock; on the part of the House, Representatives Ludgate of Patten, Keef of Vanceboro, Towne of Norway, Hutchinson of Brunswick and O'Connell of Millinocket.

Subsequently Senator Brewster from the committee reported that he had delivered the message with which he was charged and that the Governor will attend forthwith.

The report was accepted.

The Governor and suite then entered the Hall of the House of Representatives, amid applause, the convention rising, and the Governor delivered the following communication:

Mr. President, Mr. Speaker, Senators and Representatives:

On March 20th last I appeared in person before a joint session of this Legislature and delivered a message vetoing "An Act to create the Kennebec Reservoir company and define the

powers thereof". In that message I described the storage reservoir that was to be created, and pointed out how the rights of the State of Maine in certain lands and certain water resources that belonged to the State were being deeded away to private interests.

I stated that the proposed storage reservoir was of "inestimable value", and expressed my opinion that the people of the State should "retain it for themselves". I used the following language: "The people of the State of Maine never should part with any more of their inherent rights in the State's natural resources. These should be held in perpetuity for the benefit of the present and future generations", and that "should my signature be affixed to this bill the paper on which it is written immediately would be worth far in excess of a million dollars".

I recited the history of the water power question in Maine, and maintained "that the people owned the lakes and storage reservoirs of the State".

Notwithstanding my message, both branches of this Legislature passed the Kennebec Reservoir charter over my veto by overwhelming majorities, and it became law on March 22, 1923. As I was not satisfied with the policy of deeding away the rights of the people of the State, on March 23rd I issued an official proclamation calling upon our citizens to support a referendum upon this charter. There is not a town, city or plantation in the State that has not received a referendum petition. Signatures are pouring into my office daily, and I have reason to believe that the people of Maine have been aroused by this issue, and that they desire an opportunity to express themselves thereon.

Since the passage of the Act by the Legislature, I have given very careful consideration to the situation that has arisen. Realizing that honest differences of opinion exist, even in matters as important as the one before us, I felt that there might be some common ground on which those who hold these diverse views could meet. Entirely without suggestion from outside sources, I invited one of the men interested in the charter to a conference, at which were present two disinterested citizens of wide experience in public affairs. Other con-

ferences were held at which the Senator from Cumberland county, Mr. Brewster, was present. The conferences were not in any way secret, and all parties expressed themselves without reservation. It was encouraging to see that there was a spirit of conciliation manifested on the part of all. As a result I am presenting to you what appears to me and to the gentlemen who have been over the matter with me a solution of the Kennebec Reservoir charter, one which furnishes adequate protection to the interests of the people of the State. I objected to the first charter because it decided away forever an important portion of the water resources now the property of the State, transferred them to a private corporation, and placed in its control the headwaters of the Kennebec river. Also in my opinion no adequate provision was made for the removal of the trees in the proposed reservoir, and this would have made of it an unsightly waste and a forest graveyard.

The charter which I present is entitled "An Act to create the Dead River Reservoir Company." Under it the State does not part with its title to the land and water resources, but leases them to the corporation for a period of 40 years. The corporation is to pay the State the total sum of one million dollars as rental for the right to use this land and these resources, said payment to be made in forty annual installments of \$25,000 each. The corporation not only agrees to completely remove all the dead wood and other material that will result from the creation of the reservoir, so that it will become a beautiful lake, in harmony with the State's natural scenic beauties of which we are so justly proud, but the State reserves the right to use such portion of these trees as it may desire, and considerable additional revenue may be derived by the State from this source.

At the end of the 40-year period the lease will terminate and at that time, the State has the expressed right to take over the property at not more than one-half its net cost of the improvements thereon. As a matter of fact the State probably will acquire the property at a very nominal figure due to the fact that it will be almost completely amortized by the end of the lease.

The State also reserves the right to take over the property at any time

during the term of the lease, by paying proper compensation therefor, which shall not include any payment for the franchise hereby granted.

Reasonable charges will be made for the services that the new company is to render and all the industries along the river as well as citizens who use the current of power companies will derive immediate benefit therefrom. All profits over 6 per cent, which the company makes will be credited to the State, and this will reduce the price at which the State may acquire the property if it so elects.

This charter permits the development of electric power in connection with the storage development, but the State's interests are fully protected under the clause that prevents electricity generated on this property being taken out of the State contrary to the provisions of our general laws relating to that subject.

The payment of rental herein provided will begin on July 1, 1924, according to the charter which must be accepted within five months. Construction work will be begun on the dam at once, and it is made obligatory on the lessees that the construction work shall be pushed forward to completion with all reasonable expedition. If the charter is not accepted and work not begun and carried on without delay, it will lapse and all rights granted under it, thereupon, will become of no effect.

A very important provision of the charter is that the company must file annual accounts with the State Auditor, who has the right to examine its books at any time. The State also will derive a large income in addition to the rental on account of the taxes that will accrue by reason of the developments. No exemptions from taxation are granted, and if it costs a million and a half to build the dam, there will be that amount of property available for taxation purposes.

If the State should not see fit to take over the property at the end of forty years, the terms of renewal of the lease will be agreed upon between the Legislature of that period and the company; and failing to agree, the Supreme Court is to fix the rental to be paid.

I have outlined at some length the details of this charter so that you all may understand it. In my opinion this

will inaugurate a policy of leasing rather than deeding away the State's natural resources. If you adopt it, you will have placed upon our Statute books legislation that will be hailed as both wise and constructive, and you will have established a precedent and a policy that well may guide those who follow.

These are the terms of the Dead river charter. In my opinion this marks a new era in the water power history of the State of Maine. If this Legislature in its wisdom enacts this bill into law, it means that never again will a private corporation obtain storage rights from the State under a deed or transfer, but that all such rights, in all probability, hereafter will be granted on a lease with a rental accruing to the State and with proper safeguards to protect the interests of the people.

This charter means that private development will be encouraged in every way, and that the great industries along the Kennebec river will be enabled to secure a large amount of cheap power which they sorely need, and for which they are willing to pay. It also means that future generations of Maine people will derive an ever increasing income from these sources. It means that the discussion that has taken place from one end of the State to the other will cease, and in my opinion, the people will approve this policy of leasing rather than deeding away their property.

In my Inaugural Address delivered to this Legislature on January 4, 1922, I stated, "Water storage is the foundation of successful water power development. We all want development, and if the State does not undertake it, private interests should be allowed to do so with the State's interests fully safeguarded. In every private storage development hereafter undertaken, I would reserve to the State the right to purchase it at any time for a fair price without paying for the franchise or storage rights granted by the State, the purchase price in no event to exceed the cost of the development". "The State also could charge water storage companies a reasonable annual rental for the privilege of impounding the water and raising the natural water level of the lakes and reservoir basins. In this way private development would be encouraged, the State would derive an income, its rights would be protected,

and it would be in a favorable position to acquire valuable rights upon payment of a fair price therefor if conditions later warranted such action".

All these conditions have been complied with in the present charter and I am presenting it to you for your careful consideration, believing that if you understand it you will agree with me that it is the solution of the water power problem for the people of the State of Maine. This is not a revamping of the old charter; it is an entirely new and distinct proposition under a new name and founded on an entirely different principle.

I have referred to the referendum petitions that have been sent broadcast over the State. As these daily are pouring into my office it would of course be necessary for me to honor them and to have a referendum on the Kennebec charter unless this Legislature takes some further action. The only course open is for the Legislature to repeal the Kennebec Reservoir charter. There is a clause in the new bill that provides that this shall be done. In this way all reason for a referendum is removed, and those who have signed the petitions will have accomplished their purpose.

As for myself I have had this issue at heart for more than seven years and could not wish to have it settled in any more satisfactory manner than herein proposed.

Great issues often times are settled at the last moment and I believe this is such a case. The matter has been thoroughly discussed from every angle and I believe the people of the State will hail this new charter as a wise solution of a long standing issue.

I should not want this occasion to pass without expressing my appreciation of the spirit of those who have assisted in proposing for your consideration this solution of a distressing problem, and I trust it will commend itself to you for favorable action. The Senator from Cumberland county, Mr. Brewster, has taken an active part in these negotiations and has contributed materially to their successful outcome.

This whole matter is now before you for your decision.

(Prolonged applause, the Convention rising).

Thereupon the Governor and suite retired.

The purpose for which the convention was assembled having been accomplished, the convention was dissolved and the Senate retired to the Senate Chamber, amid the applause of the House.

In The House

The Speaker in the Chair.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I move that we reconsider the vote whereby we joined in the committee of conference on the matter of the Kennebec bridge between Bath and Woolwich.

The SPEAKER: The Chair will state for the benefit of the gentleman from Parsonsfield, Mr. Granville, that the papers are not in the possession of the House and cannot be acted upon.

Conference Committee Reports

Report of the committee of conference on bill, An Act in relation to the several examining boards, reporting that the Senate recede and concur with the House on the adoption of House Amendment A, and that the title be changed to read "An Act in relation to the Board of Registration in Medicine".

Report of the committee of conference on the disagreeing action of the two Houses on bill, An Act to amend Sections four and five of Chapter 188 of the Public Laws of 1919, relating to the regulation of the practice of the system, method or science of healing, known as osteopathy, reporting that the committee is unable to agree.

Reports read and accepted.

From the Senate: Report of the committee on appropriations and financial affairs on resolve appropriating money for maintenance and operation of State Pier for period January 1st to June 30, 1923, reporting that the same ought not to pass.

In the Senate, report read and accepted.

In the House, report read and accepted in concurrence.

Mr. CRAFTS of Greenville: Mr. Speaker, I ask the unanimous consent of the members that the rules be suspended and I be allowed to introduce out of order an Act. And I will say that in view of the fact that a bill is now on its passage through the Legislature fixing the beginning of the open season on deer, that the hunters' license, the five dollar license which

allows the non-resident hunter to shoot birds,—unless we change this act they would not be allowed to use their license because the date of the deer season has been pushed ahead to October 15.

Thereupon unanimous consent was granted the gentleman from Greenville, Mr. Crafts, to introduce out of order bill, An Act to amend Section 59 of Chapter 214 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, and by Chapter 196 of the Public Laws of 1919, and by Chapter 218 of the Public Laws of 1921, relating to non-resident hunters' licenses.

Thereupon, the bill had its several readings under suspension of the rules, and was passed to be engrossed.

On motion by Mrs. Pinkham of Fort Kent, the House recessed until 2 P. M.

After Recess

The following Resolves on their final passage were taken up out of order under suspension of the rules:

Resolve in favor of Somerset academy.

Resolve to provide for copying pictures to be placed in the Speaker's office.

Recess

On motion by Mr. Drake of Bath, that gentleman was granted the privilege of introducing the following order, out of order:

Ordered, that a message be sent to the Senate, proposing a joint convention for the purpose of making a presentation to His Excellency, Governor Baxter.

The order received passage, and the Clerk of the House was directed to convey the message to the Senate.

Subsequently, the clerk reported that he performed the duty assigned him.

A message was then received from the Senate, through its secretary, that the Senate concurred in the proposition of the House for a Joint Convention, for the purpose of presenting to the Governor a loving cup.

Subsequently, the Senate came in and a joint convention was formed.

In Convention

The President of the Senate in the Chair.

On motion by Senator Allen of York, it was

Ordered, that a committee be appointed to wait upon the Honorable Percival P. Baxter, Governor, and inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives, and to extend to him an invitation to attend the convention.

Thereupon the chairman of the convention appointed as members of that committee on the part of the Senate, Senators Allen of York, Bemis of Somerset, Spencer of York, Trefethen of Franklin and Kirschner of Androscoggin; on the part of the House, Representatives Drake of Bath, Nadeau of Biddeford, Mrs. Pinkham of Fort Kent, Brewster of Dexter and Bisbee of Damariscotta.

Subsequently, Senator Allen from the committee reported that he had delivered the message with which he was charged and that the Governor will attend forthwith.

The report was accepted.

The Governor and suite then entered the Hall of the House of Representatives, amid applause, the convention rising.

Speaker HOLLEY: Mr. President and members of the 81st Legislature: In the twilight hours of this legislative session, it seems fitting that we, as a group, should remember the Chief Executive of this State.

During all the many busy days we have found him ever willing to assist each and all of us in our duties and many splendid friendships have been formed. Although we may have differed with him at some times with regard to matters of legislation, it has in no way taken anything from the splendid friendships formed, and it is in the spirit of friendship and in the spirit of gratitude for having been allowed these associations, Governor Baxter, that I am accorded the privilege of presenting to you this loving cup from the members of the 81st Legislature of Maine.

(Prolonged applause, the Convention rising).

Governor BAXTER: Mr. Speaker, Mr. President and friends of the 81st Legislature: I was very much surprised when the committee called upon me. I did not expect to play a return engagement quite as soon as this. I did not know just what was in store. I thought that perhaps the members of the Legislature might

have some veto message to deliver to me in return for many that I have delivered to you. (Laughter). But I want to say, with all sincerity, that I am deeply grateful for this expression of your confidence in me. It is not easy to adequately express the feelings that are now within my mind and my heart. I want you to know that I hold every member of both branches of this Legislature in high respect and regard every member as a personal friend.

Of course, in the heat of argument and debate we are sometimes overwhelmed perhaps, with a desire to carry our own point, and I have had one or two somewhat unpleasant little incidents; but they are all of the past, and those who participated in them I hold as friends. And before we leave here and separate I am going to make it a point to ask those members of the Legislature to come to my office and shake hands with me and to forget all about any harsh words that may have been said, and to forget all about any harsh feelings that may have surged within their breasts just for the moment.

There was a certain incident that occurred here as I am told in the Hall of Representatives, in which feelings were somewhat aroused and in which some harsh words were indulged, and I think that perhaps in your mock session you might have staged it just for your own amusement because, after all, it did not amount to anything, and I am sure that my good friend from Cumberland, one of the Senators, and my good friend, Mr. Chadbourne, will certainly shake hands and make up before we separate and go back to our homes. That is the spirit that I want you to leave this capitol with and that is the spirit that I have in my heart for you.

I accept this beautiful loving cup as a recognition of the fact that you hold me in the same kindly regard and esteem that I hold you in, and I shall take it to my office and keep it there as long as I am Governor of the State, this year and next, and I shall show it with great pride to everybody who comes to call upon me there, and then it will go back to Portland with me and will ever remain one of my choicest possessions. Of course, there is a tinge of sadness because you have recently passed a bill limiting the alcoholic content of beverages to one half of one per cent. and our friend

from Corinth has decreed that all cider hereafter made shall immediately be turned into vinegar, but, notwithstanding that, the loving cup will be very useful and will be used in a sentimental, rather than in a practical, way.

You know, I think it is a wonderful demonstration of the character of the American people that one hundred and eighty-one men and one woman can come together here and sit down and discuss matters and differ sharply upon issues and yet be friends and have mutual respect one for all and all for one. I do not know what is going to happen in the years to come when, perhaps, all these seats but one will be filled with the ladies and there will be just one lone man occupying the position that Mrs. Pinkham now occupies (applause and laughter). I do not know as the ladies get along quite as well together as do the men. I never have had very much experience with the ladies, I am sorry to say (applause and laughter). But, when your granddaughters and great granddaughters are sitting here legislating for the State of Maine, and this one man whom I speak of is surrounded by them, I am sure they will treat him with the same courtesies and kindnesses with which you have treated Mrs. Pinkham. (Applause).

Yesterday afternoon your Speaker made a little call upon me at my office and he said that he had a complaint to make. Well, I am always willing to hear complaints and to do what I can to remedy them, and his complaint was that several days had elapsed since I had sent in any vetoes. (Laughter). Well, I assured him, as I pointed to a pile of one hundred or more bills there, that he could pick out any ones he wanted vetoed and I would try to accommodate him. (Laughter and applause). But, as a matter of fact, I do not expect to send in many more of those pleasant messages, although I have a modest little pile tucked away in one corner that I shall probably send in and entrust to your tender mercies. Those vetoes are my children, all I have (laughter) and I hope that you will treat them kindly. If you do not take to them, if their complexions are not what you like, why there is no need of saying anything bitter about them. Just give them a merciful burial and say that you hope they will rest in peace. (Laughter).

But my troubles are almost over. I understand you still have some troubles here to settle amongst yourselves. As I look around here I can see certain Senators and Representatives who have measures in which they are very much interested, and who, no doubt, are very anxious as to what the outcome will be. But troubles are something of the same sort as I will tell you about in a little incident that occurred a few days ago.

Just up here on the road there is a little schoolhouse and I know most of the children by sight, if not by name, because they pass by the yard and I always speak to them and they to me. The other morning there was a bright little girl of not over six years of age going up by and I walked along with her, and I asked her her name, and she said, "My name is Elaine". I thought I would be friendly and make some inquiry about her family and so I said, "Elaine, are there any other little boys and girls in your family"?

"Oh, yes", she said, "there are six. Baby is the youngest. We don't want them, but we have to have them". (Laughter). So your troubles are in about that same class. You do not want them but you have to have them, and I hope you will bear them as bravely and as cheerfully as this little Elaine Ordway bears the burdens of her six young brothers and sisters.

I should like to have some of our friends, the newspaper men who write those lurid accounts of the harsh feelings that are rampant here in the State House, just come in here for a few minutes and look into the faces of this gathering. My friend "Gus" is not here, but I think perhaps it would do him as much good as it would anybody. (Laughter and applause). Gus goes by the name of "Gloomy", you know, and it would be well for him just to look upon this bright cup, and his face would be wreathed in smiles, I am sure.

But it all comes out for the best and if those lurid newspaper writers could only get the right atmosphere and see that men can honestly disagree and still remain friends, I am sure we would not have those headlines in our daily papers that do not do any good, that really tend to discourage good feeling and do absolutely nothing toward bringing people together where they can sit down and talk in a friendly way.

Now, I want to say this in closing. As I said the other day when I came before you in an informal way, while I am here I want every member of this Legislature who comes to Augusta, to come over here to the Capitol, or across the street to the Blaine House, and renew the friendships which have begun here. I shall regard it—Oh, I shall regard it as very unfortunate, if you have not that desire in your hearts, because we all will never meet again. That, of course, goes without saying. We all never will sit down again together in this room, no matter how fortunate we may be or how we may be spared in the years to come, and when you break up tomorrow night, or perhaps Saturday night, it is breaking up for good, and I, for one, shall never forget the pleasant associations and the warm personal friendships that have been formed during the session of the 81st Legislature. (Prolonged applause, the convention rising.)

Thereupon, the Governor and suite retired, amid the prolonged applause and cheers of the convention.

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved, and the Senate retired to the Senate Chamber.

IN THE HOUSE

The Speaker in the Chair.

On motion by Mr. Hayford of Mechanic Falls,

The House recessed to respond to the gavel.

AFTER RECESS

Passed to be Enacted

(Emergency Measure)

An Act to allow the town of Forest City to hold its annual town meeting for the year 1923 in the month of April, instead of in March, as required by law.

The SPEAKER: This being an emergency measure, and requiring under the Constitution the affirmative vote of two-thirds of the entire membership of this House on its passage to be enacted, all those who are in favor of the passage of the bill to be enacted will rise and stand in their places until counted, and the monitors will return the count.

A division being had

One hundred and twenty-seven voted, and all in the affirmative, so the bill was passed to be enacted.

(Emergency Measure)

An Act relating to the assessment of the county taxes in the several counties for the year 1923.

The SPEAKER: This being an emergency measure, and requiring under the Constitution the affirmative vote of two-thirds of the entire membership of this House on its passage to be enacted, all those who are in favor of the passage of the bill to be enacted will rise and stand in their places until counted, and the monitors will return the count.

A division being had

One hundred and twenty-seven voted, and all in the affirmative, so the bill was passed to be enacted.

Finally Passed

(Emergency Measure)

Resolve amending Article IX of the Constitution as amended by Articles XXXV, XLII and XLV of the Constitution, increasing the amount of bonds to be issued for the purpose of building state highways and state aid highways and providing for the building of intrastate, interstate and international bridges.

The SPEAKER: This being an emergency measure, and requiring the affirmative vote of two-thirds of the entire membership of this House on its final passage, all those who are in favor of the final passage of the resolve will rise and stand in their places until counted, and the monitors will return the count.

A division being had

One hundred twenty-seven voted in the affirmative and one in the negative and the resolve was finally passed.

Passed to be Enacted

An Act to provide for the supervision, regulation and conduct of the transportation of persons over the public highways of the State of Maine by automobiles, jitney busses and auto stages by the Public Utilities Commission.

An Act to establish a teachers' retirement system.

An Act to amend Chapter Six of the Revised Statutes of Nineteen

Hundred and Sixteen and amendments thereto, relating to Primary and Caucus Law.

Finally Passed

Resolve, on the payroll of the House of Representatives of the Eighty-first Legislature.

The following bill on its passage to be enacted was taken up out of order under suspension of the rules:

An Act to repeal Section 8 of Chapter 522 of the Private and Special Laws of 1885, and to amend Section 1 of Chapter 9 of the Private and Special Laws of 1887, relating to the Camden and Rockland Water Company.

On motion by Mr. Rogers of Rockland the House reconsidered its action whereby the Act was passed to be engrossed, and the same gentleman presented House Amendment A to Senate Document 318, as follows:

House Amendment A to Senate Document No. 318

Senate Document No. 318 is hereby amended by adding the following section:

Section Three. Referendum Provision—This act shall be submitted for approval or rejection to the qualified voters of the city of Rockland at an election to be held the second Monday in September in the year nineteen hundred twenty-three, and warrant shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of such city to meet in the several ward meetings of the said city, there to cast their ballot for the approval or rejection of this act. The question proposed on said ballots shall be substantially in the following form:

"Shall an act passed by the Legislature in the year nineteen hundred twenty-three, entitled 'An Act to repeal Section 8 of Chapter 522 of the Private and Special Laws of 1885 and to amend Section 1 of Chapter 9 of the Private and Special Laws of 1887, relating to the Camden and Rockland Water Company,' be accepted?"

Otherwise said ballots shall be in form provided by law when a Constitutional amendment is submitted to the vote of the people. The provisions of law relating to the preparation of voting lists for municipal elections shall apply to such election and said election shall in all other

respects be conducted as municipal elections in said city are now conducted by law, and the results thereof shall be determined in the manner now provided by law, for the determination of the election of mayor. If a majority of the ballots deposited as aforesaid shall reject, this act shall not go into effect, but if a majority of the electors voting at said ward meetings shall approve, then this act shall take effect as herein provided.

Section 4. When act shall take effect, if approved by people—if accepted by the electors of the city, then this act shall take effect on January 1, 1924.

Thereupon, on motion by Mr. Rogers of Rockland, House Amendment A was adopted; and upon further motion by the same gentleman the bill as amended was passed to be engrossed.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill, An Act to amend Section 51 of Chapter 82 of the Revised Statutes, as amended by Chapters 73, 211 and 227 of the Public Laws of 1917, as amended by Section 51, Chapter 18, of the Public Laws of 1921, relating to trial terms of the supreme judicial court, reporting that the committee is unable to agree, and that each branch insist upon its former action.

(Signed)

Messrs. SAUNDERS of Lubec,

WEEKS of Fairfield,

WING of Auburn,

Committee on part of House.

POWERS of Aroostook,

PUTNAM of Washington,

EATON of Oxford,

Committee on part of Senate.

Was received out of order under suspension of rules, read and accepted and sent up for concurrence.

From the Senate: Resolve in favor of the State Department of Health, which was indefinitely postponed in the House on April 4th.

In the Senate, that body insisted upon its action and asked for a committee of conference, with the following gentlemen appointed as such conferees on its part: Messrs. Trefethen of Franklin, Phillips of Hancock and Allen of York.

In the House, that body, on motion of Mr. Nichols of Portland, voted to adhere to its former action.

From the Senate: Bill, An Act to amend Chapter 84 of the Private and Special Laws of 1919, entitled, An Act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce, as amended by Chapter 123 of the Private and Special Laws of the special session of 1919, which was passed to be engrossed in the House.

In the Senate, indefinitely postponed in non-concurrence.

In the House:

Mr. ROUNDS of Portland: Mr. Speaker is that the one that runs from January 1st to July 1st?

The SPEAKER: The Chair will state that that is Senate Document 281.

Mr. HALE of Portland: Mr. Speaker, I think I can answer the question of the gentleman from Portland (Mr. Rounds.) That is the bill which provides for the terms of the several directors.

Mr. ROUNDS: Mr. Speaker, it seems as though there were a mistake made in 1919. It says three years and for four to be appointed in the three years, one each year, which must be a mistake as they cannot appoint four, with only one each year for three years. If I am wrong I would like to have someone correct me, but that is the way I understand it, and of course they were trying to fix it up so it would read right, as there are four of them, one to be appointed each year, and I do not see how you can appoint four, one each year, in three years. I move that we insist on our former action and ask for a committee of conference.

The motion to insist and ask for a committee of conference prevailed; and the Chair appointed as such conferees on its part, Messrs. Rounds of Portland, Phillips of Orrington and Gillespie of Meddybemps.

From the Senate: Final report of the committee on inland fisheries and game.

In the House, read and accepted in concurrence.

From the Senate: Bill, An Act, providing for the benefit and assistance for aged persons under certain conditions in the State of Maine and prescribing penalties for the provisions hereof and making an appropriation for the carrying out of its purposes, on which the Senate earlier in

the day voted to adhere to its former action and ask for a committee of conference, and on which the House voted to adhere to its former action refusing to join in the committee of conference. In the Senate, that body insisted further and asked again for a committee of conference.

In the House:

Mr. MAHER of Augusta: Mr. Speaker, it seems to me that, for this measure at least, we can, without any loss of dignity on the part of this House, accede to the request of the Senate in its second attempt to obtain a committee of conference. Not only as a matter of courtesy but from the inherent merit of the bill itself. This Act, while we have not had it discussed as extensively as some, here in the House, is perhaps as far reaching in its content and as germane in its purpose as any that has ever been introduced in this Legislature. It is a bill for which the proponents claim that it has all the elements of practical economy and that it will provide for those who have, through no fault of their own, come to a state where they must ask assistance from the state under the direction of the Governor and Council. This bill provides for that assistance at a rate considerably less than is now being paid by the state for those State charges. The money that is asked for this fund is not a large sum—\$5,000 this year and \$15,000 next year. Of course it is simply a beginning toward the old age pension fund, if you wish to so term it. The measure has a great deal of inherent worth as is evidenced from the fact that eighteen state legislatures have considered or are now considering it, that the Massachusetts Legislature one week ago, the lower branch, unanimously passed an identical act, and the New York Assembly within three weeks have adopted this very act.

This is the only measure at this session of the Legislature that emanates, or has the stamp, so to say, of that branch of our electorate known as Labor. They are asking for some legislation along these lines, for some humanitarian move that will be consistent with good business policy and which makes for good citizenship, and which makes for relieving the wants of the needy aged. Those are a few of the merits of the bill itself.

Those things, if nothing else, it

would seem to me should move this House in this one regard at least, that it will accord to the Senate the courtesy of a committee of conference in order that the views of the Senate might, through that committee, be given to this body, and then you can take whatever action you wish.

Accordingly, I move, Mr. Speaker, that the House insist and join with the Senate in a committee of conference.

Mr. HOLMES of Lewiston: Mr. Speaker, I wish also to urge that the House accede to the request of the Honorable Senate and appoint a committee of conference. I do not think that it can do any harm and I do not believe that it will at all delay the speeding conclusion of the business of this session.

Mr. BARWISE of Bangor: Mr. Speaker, I also urge the same course to be taken. No good can come from our simply being stubborn about the matter. I cannot see that it can possibly do any harm.

The SPEAKER: The question is on the motion of the gentleman from Augusta, Mr. Maher, that we appoint a committee of conference.

A viva voce vote was doubted.

The SPEAKER: As many as are in favor of a committee of conference will rise and stand in their places until counted and the monitors will return the count.

During the division on this question, on account of a disturbance in the gallery by a man being taken suddenly ill, Mr. Maher of Augusta moved a temporary recess.

The motion prevailed.

After Recess

The SPEAKER: Just before the recess we were taking the negative vote on the motion of the gentleman from Augusta, Mr. Maher, the pending question being that we concur with the Senate and join in a committee of conference, the affirmative vote having been taken. As many as are opposed to the motion of the gentleman from Augusta, Mr. Maher, will rise and stand in their places until counted and the monitors will return the count.

Eighty-six having voted in the affirmative and fourteen in the negative, the committee of conference was ordered, and the Chair appointed as conferees on the part of the House:

Messrs. CHERRY of Eastport,
MORRISON of Phillips,
BARWISE of Bangor.

From the Senate: Resolve for the construction, maintenance and repair of roads, bridges and ferries, which was passed to be engrossed in the House yesterday.

In the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House, on motion by Mr. Granville of Parsonsfield, that body voted to reconsider its action whereby this resolve was passed to be engrossed; and on further motion by the same gentleman Senate Amendment A was adopted in concurrence, and the resolve as amended by Senate Amendment A was passed to be engrossed in concurrence.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I ask to have Senate Amendment A read, out of order.

(Senate Amendment A was then read by the Clerk.)

Mr. CLARKE of Stonington: Mr. Speaker, I wish at this time unanimous consent to introduce a resolution out of order.

The SPEAKER: Does the gentleman wish to explain his resolution?

Mr. CLARKE: I would suggest, Mr. Speaker, that before consent is given by the House that the Clerk read the resolution so that the nature of it may be understood.

The SPEAKER: The resolution may be read by the Clerk.

Joint resolution favoring the acquiring and maintenance by the United States government of a suitable vessel, constructed and equipped especially as an ice breaker, to be stationed and operated solely on the Maine coast.

Whereas the prevailing conditions which have obtained during the past three months along the Maine coast, amounting to a general ice embargo, are of frequent occurrence and work great hindrance to navigation, isolating thousands of the inhabitants of the islands off the coast with attendant danger to health and life, and practically paralyzing the great and important artery of coastwise transportation so important to the industrial and commercial welfare of the State.

Now, therefore, the 81st Legislature of the State of Maine requests the

Senators and Representatives in Congress from this State to use every reasonable effort to have the United States Government provide a suitable vessel, constructed and equipped especially as an ice breaker, to be stationed and operated solely on the Maine coast.

With a further request that the Governor approve this joint resolution and transmit it forthwith to the members of the Maine Congressional Delegation.

Thereupon, the rules were suspended and the resolution was admitted.

Conference Committee Report

Report of the committee of conference on bill, An Act to amend Chapter 37 of the Private and Special Laws of 1917, relating to the police commission for the city of Lewiston, reporting that they are unable to agree.

Report of the committee of conference on bill, An Act to provide for an issue of State-Aid or second-class highway bonds, being House Document No. 457, reporting that the Senate recede and concur with the House in giving the bill passage.

Reports read and accepted.

On motion by Mr. Lord of Wells, recessed to respond to the sound of the gavel.

After Recess

Papers from the Senate, out of order.

From the Senate: Resolve in favor of the State Department of Health, on which the House voted to adhere earlier in the day after a request from the Senate for a committee of conference.

Comes from the Senate that body insisting further and asking still for a committee of conference.

In the House, on motion by Mr. Rounds of Portland, that body voted to adhere to its former action.

From the Senate: Senate Document 281, An Act to amend Chapter 84 of the Private and Special Laws of 1919, entitled "An Act to provide for the building public wharves and for the establishment of adequate port facilities and for the advancement of commerce" as amended by Chapter 123 of the Private and Special Laws of the Special Session of 1919.

This was passed to be engrossed in the House; in the Senate, indefinitely postponed in non-concurrence; and the House voted to insist and ask for a committee of conference.

In the Senate, that body voted to adhere.

In the House, on motion by Mr. Rounds of Portland, that body voted to insist, and ask for further conference.

The Chair appointed as conferees: Messrs. Rounds of Portland, Phillips of Orrington, and Gillespie of Meddybemps.

On motion by Mr. McIlheron of Lewiston, the House recessed to respond to the sound of the gavel.

After Recess

On motion by Mr. Rounds of Portland, that gentleman was granted the privilege of introducing an order out of order:

Ordered, that the Governor be requested to return to the House an act to regulate the use of aircraft.

The order received passage.

From the Senate: Senate Document 210, An Act to amend Section 93 of Chapter 45 of the Revised Statutes, as amended by Chapter 293 of the Public Laws of 1917, relating to settlement of violations of law, and repealing Section 87 of Chapter 219 of the Public Laws of 1917, relating to same subject.

This was passed to be engrossed as amended by House Amendment A in the House on March 30, and subsequently passed to be enacted.

In the Senate, passed to be engrossed as amended by Senate Amendments A and B.

In the House, the vote was reconsidered whereby this bill was passed to be enacted; also the vote was reconsidered whereby the bill was passed to be engrossed.

The SPEAKER: The pending question is now on the adoption of Senate Amendment B in concurrence.

(Senate Amendment B read)

Thereupon, Senate Amendment B was adopted in concurrence and the bill as thus amended was passed to be engrossed in concurrence.

The SPEAKER: In accordance with the order introduced by the gentle-

man from Portland, Mr. Rounds, the Chair presents an act to regulate the use of aircraft.

On motion by Mr. Rounds of Portland, the House voted to reconsider its action whereby the bill was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed.

Thereupon, House Amendment A was offered as follows:

House Amendment A

Amend Section 9 of Senate Document 271, as it appears in the engrossed copy, by adding after the

word "Maine" in the second line thereof, the following "or over any fair ground or other public place in or on which people are congregated," and by adding after the word "city" in the eighth line of said Section 9, the words "or over any fair ground or other public place in or on which people are congregated."

Thereupon, House Amendment A was adopted, and the bill as amended by House Amendment A was passed to be engrossed, and sent up for concurrence.

On motion by Mr. Saunders of Lubec
Adjourned until tomorrow morning
at nine o'clock.