

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

Saturday, April 7, 1923.

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

Prayer by the Rev. Mr. Brown of Augusta.

Journal of previous session read and approved.

Mr. HUTCHINSON of Brunswick: Mr. Speaker, in view of this being the last session, probably, it seems only proper to me that the members should be allowed to smoke and I yield the floor to the lady from Fort Kent, Mrs. Pinkham.

Mrs. PINKHAM of Fort Kent: Mr. Speaker, I think that is a very good idea, and please smoke all day, all the time. (Applause)

Passed to be Enacted

An Act to amend Chapter 132 of the Public Laws of 1919, as amended by Chapter 203 of the Public Laws of 1921, entitled "An Act to create the Maine Water Power Commission."

Mr. ROUNDS of Portland: Mr. Speaker, I move that that be indefinitely postponed. I want to say, Mr. Speaker, that that creates a \$50,000 bill, and what have they done in the last few years that they have been at it? It looks to me as though we might save \$50,000 if we do nothing else this session and then we can go home. I move that it be indefinitely postponed.

Mr. BARWISE of Bangor: Mr. Speaker, just asking for information, does this bill in its amended form provide for an entirely new commission of five?

The SPEAKER: Does the gentleman wish the bill read?

Mr. BARWISE: No, if you can answer it in a word, Mr. Speaker.

The SPEAKER: The gist of it seems to be that the Governor shall appoint five citizens of the state who shall be known as the Maine Water Power Commission. The Chair is of the opinion that it carries somewhere \$7,500 a year, apparently.

Mr. ROUNDS: Mr. Speaker, it cost last year, including the expense of the office, somewhere up to \$50,000.

The SPEAKER: The motion of the gentleman from Portland, Mr.

Rounds, is, that we indefinitely postpone—

Mr. BARWISE: Mr. Speaker, I do not get this clearly in my mind. I may be a little thick this morning, but if we follow the motion of Mr. Rounds, does it mean that we do away with the commission entirely and have no commission?

The SPEAKER: It means that you do in this branch.

Mr. BARWISE: Mr. Speaker, but the present law and the present commission will continue if we kill this bill, will it not? I am very much opposed to doing away with the whole commission because at every hearing we have had this winter on water power matters, the value of its work has been brought out.

The SPEAKER: The number of the bill is Senate 297 in new draft.

Mr. GARDINER of Gardiner: Mr. Speaker, I hope that the motion will not prevail. Besides the provision about investigating water power resources, there is a provision in there continuing the work of the topographical maps. That was concerned in the amendment which we adopted the other day. This work is of great value to the state and that topographical map work is not yet completed. The appropriation, however, has been reduced from the original printed bill.

Mr. WING of Augurn: Mr. Speaker, I certainly hope that this motion will not prevail in the closing hours of this Legislature. This was a matter very carefully considered by your Committee on Judiciary. It continues the work of the Commission as to water gauging, river gauging, and mapping; and if the motion prevails you will leave the Commission as it is. I believe that this proposed statute will result in benefit and in interest and in information, and if anything can add to the information about our resources, I think we should have it.

Mr. SAUNDERS of Lubec: Mr. Speaker, this matter came before our committee, and while there were several of us on that committee who were not in favor of the bill, that is, the present bill, we believed that the matter should be left in the hands of the Public Utilities Commission; but as there is not such a bill in this House, I feel that it would be entirely wrong to indefinitely postpone this one. I think, with many more in this House, that that

would have been taken care of cheaper and equally as well by the Public Utilities, but inasmuch as no such bill has been introduced, I do not think that this one should be postponed.

Mr. BREWSTER of Dexter: Mr. Speaker, if I understand correctly, this Water Power Commission will die automatically this year if this bill is not passed. Can anyone inform me about that?

The SPEAKER: The Chair will ask some member of the Judiciary Committee to answer the question of the gentleman from Dexter, Mr. Brewster.

Mr. WING of Auburn: It is impossible to answer it, Mr. Speaker, because I did not hear it.

The SPEAKER: The Chair was not cognizant of the fact that the gentleman could not hear the query.

Mr. SAUNDERS: Mr. Speaker, I believe that is true that the present commission dies unless this Act goes through and that there will be no commission to carry along this work.

The SPEAKER: The question being on the motion of the gentleman from Portland, Mr. Rounds, that the bill be indefinitely postponed. As many as favor its indefinite postponement will say "Aye;" those opposed "no".

A viva voce, vote being taken, the motion to indefinitely postpone failed of passage, and the bill was passed to be enacted.

Finally Passed

Resolve in favor of the State Park Commission.

Resolve for the construction and equipment of an infirmary and dispensary at the State School for Girls.

Recessed to respond at the sound of the gavel.

After Recess

Mr. McIlheron of Lewiston in the Chair.

The SPEAKER pro tem: Gentlemen of the House, our Speaker lost his gavel this morning and he looked around and had the page find him another one, and I told him that I wanted to call the House to order. He said, "Well, you will need a gavel" and I told him to "search me", and then I found this gavel that had been given

to me for the purpose of presenting it to our Speaker.

It has been customary for this House to make a presentation of the gavel to the Speaker, to convince him that, through the gavel, he has reached their hearts, so I ask Mr. Nadeau of Biddeford to make a motion that this House present the gavel to our beloved Speaker. (Applause).

Mr. NADEAU of Biddeford: Mr. Speaker, I move that the gavel be presented to the Speaker of the House.

The SPEAKER pro tem: It is moved and seconded that the gavel be presented to our speaker as a token of the love and affection which we bear him.

The motion prevailed by a unanimous rising vote, the members rising and cheering.

The SPEAKER pro tem: Mr. Speaker, in behalf of the members of this House, I present you with this gavel. (Applause, the House again rising).

Thereupon, Mr. McIlheron returned to his seat and Speaker Holley resumed the Chair amid the hearty applause of the House.

The SPEAKER: The House may recess temporarily. The purpose of this session is merely a joint caucus called at the suggestion of the Senators. The Chair wishes to take this opportunity to inform the members to be sure and leave their keys before going home and put them in the box. You know it is a serious thing for the Superintendent of Buildings to have to get a new set of keys for the lockers each time that the Legislature meets. Also, the Chair hopes, not wishing of course to dictate or even suggest to any member what he shall do,—but the Chair hopes that the members will not hurry about going home until matters are a little better clarified. The Chair thinks it is for their interest to remain. (Applause).

RECESS

After Recess

The Chair presents out of order paper from the Senate:

Bill, An Act to amend the last paragraph of 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, and as amended by Chapter 214 of the Pub-

lic Laws of 1923, relating to the protection of fur-bearing animals.

Came from the Senate received out of order, under suspension of the rules and was passed to be engrossed.

In the House the rules were suspended and this bill received its three several readings, on motion by Mr. Crafts of Greenville, and was passed to be engrossed in concurrence.

(At this point, the House and Senate went into an executive joint caucus).

RECESS

After Recess

The SPEAKER: The Chair recognizes the gentleman from Orrington, Mr. Phillips.

Mr. PHILLIPS of Orrington: Mr. Speaker and gentlemen of the House: I move that the rules be suspended in order that I may introduce An Act out of order, this act being the appropriation bill for the last period, bill, An Act to appropriate moneys for the expenditures of the government for the year from July 1st, 1924 to June, 30, 1925.

Thereupon, the rules were suspended and the bill given its several readings at this time without reference to a committee, passed to be engrossed, and sent up for concurrence.

On motion by Mr. Williams of Falmouth, that gentleman introduced the following order out of order and moved its passage:

Ordered, that the Speaker be presented by the House with the Chair he has occupied during this session.

The order was adopted by a rising vote, the House applauding.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to amend that order that the messenger be directed to box it up and send it before we go home. (Applause).

RECESS

After Recess

Mr. BAKER of Steuben: Mr. Speaker, may I ask unanimous consent to address the House for a moment?

That privilege being granted the gentleman, he addressed the House as follows:

Mr. BAKER: Mr. Speaker, my purpose in talking to you for a moment or two will be set forth by

my remarks. It is leading up to the introduction of a resolve which I ask your unanimous consent to introduce, and that is with regard to this matter of publicity of Maine. I am well aware of the temper of this House. It may be your pleasure to deny me the privilege of introducing this resolve when I try to get it presented but I want to say to you people here that we went on record as favoring a resolve for \$25,000 for publicity work, which was later cut down to \$10,000 each year, passed by the Publicity Committee and agreed upon unanimously by the committee which was appointed by the joint caucus of Republican members to consider that, and was passed with appreciation.

You later had an invitation from the proponent of this bill, which is possibly aside from the question, but which, nevertheless, you should be concerned about and show your appreciation of. And let me say to you that when you advertise this good old state of Maine, you advertise the people of Maine.

Let me tell you a thing that happened in my personal experience,—and you will pardon me for referring to it. One time I was down at the Millionaire's Club as office manager, at Jekyll Island, at Brunswick, Georgia. One of the members of that club of millionaires came in and said: to the Manager-Superintendent of the club, whose desk was next to mine, "Haven't you some Maine man you could recommend to me to go to my estate in the Adirondacks, as superintendent?" You can well imagine, gentlemen and lady, the feeling that ran up and down my spine when I heard that man say that he never was in the state of Maine but he had known many of the people from that State and he wanted a Maine man as superintendent of his estate.

Cutting the story short, I would like to say that I went there on the recommendation of the superintendent and I stayed there for twelve years.

The youth of Maine need no commendation. All they need is a chance, and I claim that any money that is spent in any way to give the youth of our state a better show and make them better known—all they need is to be known—if they are known of business men we will leave the rest entirely and feel per-

fectly safe about the rest. Leading up to this, I now ask unanimous consent, even at this late day, to introduce a resolve out of order.

The SPEAKER: The gentleman from Steuben, Mr. Baker, asks that the rules be suspended at this time and that he be allowed the privilege of introducing a resolve out of order.

Mr. CHALMERS of Bangor: As I understand it, Mr. Speaker, this is a measure that has already been vetoed by the Governor.

The SPEAKER: The gentleman is right.

Mr. CHALMERS: Mr. Speaker, it may be a new measure and a less amount, but I stand for the principle. The state of Maine is not in the advertising business and private interests should do their own advertising, and I object.

Mr. CHERRY of Eastport: Mr. Speaker and members of the House: I am sorry to disagree with my esteemed contemporary from Bangor, (Mr. Chalmers) but in order to be consistent I must agree with the sentiments expressed by Mr. Baker, and I second his motion.

The SPEAKER: The question is on the suspension of the rules, and to suspend the rules requires a two-thirds vote, and no member is allowed the privilege of not voting unless excused by the House. As many as favor the suspension of the rules will rise and stand in their places until counted and the monitors will return the count.

A division being had,

Seventy-seven voting in the affirmative, and 34 in the negative, the rules were suspended for the purpose of the gentleman from Steuben, Mr. Baker, introducing the resolve.

Thereupon, Resolve appropriating money to set forth the natural agricultural, industrial and recreational advantages of the State of Maine had its two several readings under suspension of the rules and was passed to be engrossed and sent up for concurrence.

RECESS

After Recess

On motion by the gentleman from Orrington, Mr. Phillips, that gentleman was accorded the privilege of introducing out of order, under suspension of the rules, bill, An Act for

the assessment of a State tax for the year 1923.

The bill then received its three several readings under suspension of the rules, was passed to be engrossed, and sent up for concurrence.

On motion by Mr. Phillips of Orrington the rules were suspended, and that gentleman was accorded the privilege of introducing out of order, bill, An Act for the assessment of a State tax for the year 1924.

The bill then received its three several readings under suspension of the rules, and was passed to be engrossed, and sent up for concurrence.

Mr. BARWISE of Bangor: Mr. Speaker, I feel that some statement of our appreciation of the work of the appropriations committee should be made into the record. I am informed by those in authority that the tax rates, in spite of all the advertising as to how extravagant we were, is going to be not over seven mills for the first year, and a little less than seven—probably 6½—for the second year. Now in our present financial situation, this is a wonderful record, and that record of course is due in a great measure to all the members in both houses; but I think special credit should be given to our committee on Appropriations and Financial Affairs. Of course the larger committee use pressure to reduce expenses. We are very fortunate in this Legislature in having one of the ablest financiers in the State as Chairman on the part of the Senate, Senator Eaton, to whom we are greatly indebted for his untiring efforts, which included remaining over the last three Sundays and keeping four stenographers busy in figuring this all out and straightening it out for us. I think our House chairman is also entitled to great credit.

On motion by Mr. Pierce of Sanford a rising vote of thanks was extended to the members of the committee on Appropriations and Financial Affairs for their able and efficient work.

The SPEAKER: The Chair will state that the tax rate for 1923 is seven mills and for 1924 six and three-quarters mills. This includes, of course, the mill tax for war purposes. The tax without the war purposes would be only six mills for the first year and five and three-quarters mills for the next year, which is something

of a record in the opinion of the Chair.

Paper from the Senate out of order. Resolve appropriating money to set forth the natural agricultural, industrial and recreational advantages of the State of Maine.

This was read twice and passed to be engrossed this morning.

Comes from the Senate referred to the next Legislature in non-concurrence.

The SPEAKER: What is the pleasure of the House? The Chair awaits a motion.

A motion by Mr. Whitney of Corinth that the House recede and concur with the Senate being doubted.

A division of the House was had.

Forty-five having voted in the affirmative and 23 in the negative, the motion to recede and concur prevailed.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker—

Mr. BARWISE of Bangor: Mr. Speaker, will the gentleman from Parsonsfield, Mr. Granville, temporarily yield the floor?

Mr. GRANVILLE: I will yield it temporarily, Mr. Speaker.

Mr. BARWISE: Mr. Speaker, I think some members have voted under a misapprehension and understood that they were voting on another bill. Will the Chair inform the House what bill that was?

The SPEAKER: The Clerk will read the title of the bill.

(The Clerk reading resolve appropriating money to set forth the natural agricultural, industrial and recreational advantages of the State of Maine, introduced earlier in the day by the gentleman from Steuben, Mr. Baker, and passed to be engrossed).

Mr. BARWISE: Mr. Speaker, I think there were many who were laboring under the impression that that was another matter; and, if possible, I wish we might have that reconsidered.

The SPEAKER: Such a motion is in order. Does the gentleman make it?

Mr. BARWISE: I move, Mr. Speaker, that we reconsider the vote where-by we voted to recede and concur with the Senate in referring this matter to the next Legislature.

A division of the House being had.

Forty-two voting in the affirmative and 38 in the negative, the motion to reconsider prevailed.

Mr. LAMSON of South Portland: Mr. Speaker, I move that this matter be indefinitely postponed.

A viva voce vote being doubted,

A division of the House was had.

Fifty-one having voted in the affirmative and 46 in the negative, the matter was indefinitely postponed.

On motion by Mr. Granville of Parsonsfield, the rules were suspended for the purpose of permitting that gentleman to make a statement to the House on a matter not before this body.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I have been requested by several of the members to make the statement that they would like the privilege of expressing their opinion as to whether we can in any way endeavor to meet the Senate's position on the several bond issues. My position, I want to say, is the same as it has been; but I am willing to be guided by the majority of this House. You understand it will take a two-thirds vote to pass either measure here as a Constitutional Amendment. I would like under suspension of the rules for the members to express themselves and take an informal vote.

The SPEAKER: The Chair awaits further discussion, or motions, there being no motion before the House.

Mr. GRANVILLE: I move you, Mr. Speaker, that we take this informal vote upon each of the matters—the State Highway Bond and the Carlton Bridge, so-called.

The SPEAKER: It is impossible for the Chair to put a motion until the Chair knows what is meant.

Mr. GRANVILLE: Mr. Speaker, I thought I made myself plain; but I will move that all those who are in favor of concessions upon these two propositions will signify it by a rising vote.

The SPEAKER: All those who favor concession upon these two propositions will rise and stand until counted and the monitors will return the count.

A division being had.

Fifty-four voting for concession and 25 against, the Chair declared that it was apparently the desire of the House to make concessions.

Mr. McILHERON of Lewiston: Mr.

Speaker, while out of order motions seem to be in order, I want to make a motion that these concessions be made by the people who sent us here.

The SPEAKER: Does the gentleman from Parsonsfeld, Mr. Granville, have any further matter that he wishes to discuss under suspension of the rules?

Mr. GRANVILLE: Mr. Speaker and gentlemen: I am doing this at the request of several of the members who would like to have this expression. I myself have not changed the position I have taken in the matter, but I am perfectly willing to be guided by the consensus of opinion of the members of this House.

The SPEAKER: The Chair will state that a majority of the House have voted for concessions.

Mr. GRANVILLE: This will require a two-thirds vote.

The SPEAKER: The Chair has so stated.

Mr. SANDERS of Portland: May I have the privilege of saying a word?

Mr. Sanders of Portland having been accorded the privilege of addressing the House under suspension of the rules, said as follows:

Mr. Speaker, I do not know whether these bills are in the House or in the Senate; but it seems to me, Mr. Speaker and members of the House, that the only way to handle this proposition at this stage of the game is to have the matters acted on separately right here in the House.

Mr. GRANVILLE: Mr. Speaker, I will say that we have acted favorably upon one of the matters and indefinitely postponed the other. If this desire is to be carried out, it will be necessary for us to reconsider the vote whereby we accepted a conference committee report of disagreement. Am I correct, Mr. Speaker?

The SPEAKER: The Chair will ask for the gentleman when the conference committee reported?

Mr. GRANVILLE: Late yesterday.

The SPEAKER: Of course a motion to reconsider is in order if the papers are in possession of the House and would be any time today.

Mr. GRANVILLE: I will ask the gentleman from Portland (Mr. Sanders) through the Chair, if he desires to make that motion.

Mr. SANDERS: I make that motion.

The SPEAKER: The Chair will state that the papers not being in the possession of the House, the only way to get at it seems to be to first pass a vote recalling the papers from the file. The Chair assumes that that is where they are, the matter having died between the two branches.

Mr. SANDERS of Portland: I move, Mr. Speaker, that we recall the Carlton Bridge matter, so-called, and the Highway Bond matter, so-called from the files.

Mr. JORDAN of Cape Elizabeth: Mr. Speaker and gentleman: It appears to me that this is not called for. These matters have been before us and we have definitely decided on them and the members are leaving—many of them have already left. Now, it seems to me that it is uncalled for at this late stage of this Legislature to interfere with these matters in any way, and I think it is unjust to those members who have gone, even though you might say that they ought to have stayed here. They are not here and they went away with a definite understanding that this matter was settled, and I surely think we ought to leave it that way.

Mr. SANDERS of Portland: Mr. Speaker, I understand that nothing is settled until we have finally adjourned, and it seems to me, in view of the vote we took just a short time ago whereby the majority of the members of this House voted to make concessions, that it is only a fair proposition, now that we have had all this discussion in a joint session; it seems to me it is only fair now, and it would be the way to bring it to a head. While personally I am opposed to making concessions, it seems to me that the majority vote we had here a while ago, while it was not a two-thirds vote, it represented the feelings of the majority of the members of this House present, and therefore I think that we should vote again on this question and settle it once for all.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Sanders, that we recall from the files the Carlton Bridge matter, so-called, and the Highway Bond matter, so-called. As many as are in favor of the motion of the gentleman from Portland, Mr. Sanders, will rise and stand in their places until counted and the monitors will return the count.

A division of the House being had, Fifty having voted in the affirmative and 39 in the negative, the motion to recall the two matters from the table, prevailed.

Mr. REED of Harmony: Mr. Speaker, although I realize that it is late in the session, the courtesy has previously been extended to several members upon request, and I would like the consent of the House to introduce an act out of order.

The SPEAKER: The Chair would suggest that the gentleman explain the act.

Mr. REED: (reading) An Act to repeal Chapter 51 of the Public Laws of 1923, entitled 'Resolve in favor of the erection of a State of Maine building on the grounds of the Eastern States Agricultural and Industrial Exposition at West Springfield, Massachusetts.'

Mr. STURGIS of Auburn: Mr. Speaker, I move that the same courtesy be extended to the representative from Harmony which was extended to the representative from Portland, Mr. Sanders.

The SPEAKER: The Chair will state that it requires two-thirds of the membership of the House to suspend the rules and no member is excused from voting unless excused by the vote of the House. As many as are in favor of suspending the rules for the introduction of this act will rise and stand in their places until counted, and the monitors will return the count.

A division of the House being had,

Thirty-one having voted in the affirmative and 68 in the negative, the motion to suspend the rules failed.

Mr. STITHAM of Pittsfield: Mr. Speaker, I rise to a point of special privilege and ask permission of the House to read a short article written by one of our ladies here on this side of the House, the wife of one of our representatives.

The SPEAKER: The gentleman has the floor.

A is for Adams of Liberty
Who always sustains the Governor's
V.

B is for Barwise, sometimes wise
And sometimes unwise, to him ap-
plies.

C is for Cummings always sincere
In upholding a bill that to him seems
clear.

D is for Douglas, Publicity Man,
"Come to Shore Acres, all who can."
E is for Edwards, who likes to dance
At all the assemblies, you've seen
him prance.

F is for Farley, our fattest boy,
His life is just one laugh of joy.

G is for Gardiner, genial host,
Of all the men he's loved the most.

H is for Hayes, and also Hale,
On dog and cat, each told a tale.

J is for Jordan, who drew the seat
By the lady member so young and
sweet.

K is for Kitchen, Keef and Keene,
The K. K. K. as is plainly seen.

L is for Ludgate, who to us brings
The gift of song, a most precious
thing.

M is for Moody with ties so gay,
He wears a new one every day.

N is for Nickerson, gravel roads
Has been his hobby, wants loads and
loads.

O is for Oakes, like the straight
oak tree

Strong for whatever he wants, stands
he.

P is for Piper, our "lumber jack,"
Who could give almost anyone a
whack.

R is for Rounds, whose names fits so
well

For by rounds and rounds, he talks
like—

S is for Sparrow, that Pittston "bird,"
His voice in song is often heard.

T is for Tilden of Hallowell
There's nothing but good of him to
tell.

W for Wing, a lawyer who
Insists that he's proud of it, too.

From Brimstone Corner

(Applause).

On motion by Mr. Phillips of Or-
rington that gentleman was granted
the privilege of suspending the rules
to introduce the following act out
of order without reference to any
committee:

Supplemental bill to appropriate
moneys for the expenditures of the
government for the year from July
1st, 1923 to June 30, 1924.

The bill had its three several read-
ings under suspension of the rules,
was passed to be engrossed, and
sent up for concurrence.

On motion by Mr. Phillips of Or-
rington that gentleman was granted
the privilege of suspending the rules

to introduce the following act out of order without reference to any committee:

Supplemental bill to appropriate moneys for the expenditures of the Government for the year from July 1st, 1924 to June 30, 1925.

The bill had its three several readings under suspension of the rules, was passed to be engrossed, and sent up for concurrence.

**Passed to be Enacted
Out of Order**

An Act in relation to the board of registration of medicine.

On motion by Mr. Sanders of Portland that gentleman was accorded the privilege of making a statement to the House.

Mr. SANDERS: It seems to me, Mr. Speaker, that where we have passed the bond issue, so-called in this House, that the bill we should consider first would be the Carlton Bridge bill, so-called, and I would like to inquire the parliamentary situation with regard to that bill.

The SPEAKER: The gentleman may inquire. Does the gentleman allude to the bill or the resolve carrying the Constitutional amendment?

Mr. SANDERS: I allude to the Resolve, Mr. Speaker.

The SPEAKER: The parliamentary position of the Resolve is this.

The Chair will state that the Resolve was passed to be engrossed in the Senate, indefinitely postponed in the House, at which time a committee of conference was appointed and could not agree.

The papers are now recalled from the files on motion by the gentleman from Portland, Mr. Sanders.

Mr. WING of Auburn: Can you state the date?

The SPEAKER: The date of the conference report?

Mr. WING: Yes sir.

The SPEAKER: Yesterday.

Mr. WING: What is the date of the final action in the House?

The SPEAKER: The acceptance of the report was yesterday. That is the final action, the Chair is of the opinion, although the bill was indefinitely postponed here April 5; but at that time the committee of conference was joined. The report of the committee came yesterday and was accepted.

Mr. HAMILTON of Caribou: Mr. Speaker, I do not think we can untangle this, and I move that we refer this question to the next Legislature.

The SPEAKER: The Chair will state that the motion is in order. As many as favor referring this matter to the next Legislature will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

Forty voting in the affirmative and 49 in the negative, the motion to refer to the next Legislature failed of passage.

Mr. SANDERS of Portland: Mr. Speaker, I move we reconsider our vote whereby we accepted the report of the conference committee.

Mr. WING of Auburn: I rise to a point of order.

The SPEAKER: The gentleman will state his point.

Mr. WING: Rule 13 of the Joint Rules reads as follows: "Committees of Conference shall consist of three members on the part of each house, representing its vote, and their report if agreed to by a majority of each committee, shall be made to the branch asking the conference and may be either accepted or rejected; but no other shall be had except through another Committee of Conference."

The SPEAKER: The Chair will rule that you may reconsider the vote whereby you accept any report of any committee if it is done within twenty-four hours, and the papers are in the possession of the House. An appeal may be taken, of course, from the ruling of the Chair. Mr. Sanders of Portland moves that we reconsider the vote whereby the vote of the Committee of Conference was accepted.

Mr. MAHER of Augusta: Mr. Speaker and gentlemen: I have been consistently in favor of the Carlton Bridge, although a moment ago I voted to refer the matter to the next Legislature. I did this for this reason; it does not look to me as though there were any opportunity at all to get a two-thirds vote of this body in favor of the Carlton Bridge, and it seems to me that this is merely jockeying in order to resuscitate the private bridge bill. I do not care to be bound by any action which I now take—I would be willing by my

vote this once, to vote in favor of reconsideration of this report, but I think it would be entirely fruitless, and I do not care to stand for any precedent for another attempt to revive the private bridge proposition.

Mr. SANDERS: Mr. Speaker, I just want to say that that is absolutely not my object in any way, shape or manner—

Mr. MAHER: Mr. Speaker, interrupting the gentleman, I did not mean to say that it was the object of the gentleman from Portland, (Mr. Sanders) but I did mean to say that it might be the object of some persons in connection with the private bridge matter, to take this as a precedent.

Mr. SANDERS: I want to say, Mr. Speaker, that it seems to me just like this; that since we voted upon this proposition before—we have had a joint caucus and there have been some here who have, perhaps, changed their minds either one way or the other—but a short time ago we took a vote here and a majority of the members of this House voted to make some concessions in order that perhaps we might get either the bridge bill or the bond bill through, and it occurred to me that it might be well to recall these matters and take another vote. It does not seem to me that we are getting anywhere on this proposition. One of the gentlemen made a statement in connection with it which lead me to believe that the matter was not fully understood in the minds of the members of this House, and I thought it would be a good idea to have this come back and vote on it, and if this motion to reconsider our vote prevails, I have another motion which I will make which will be for the purpose—and I hope anyway, will decide this question once for all.

Mr. ROGERS of Rockland: Mr. Speaker, I have been consistently for the Carlton Bridge all through, but now, at this time, after so many of the opponents of this measure have gone home thinking the matter was settled, I do not approve of resurrecting the matter again.

Mr. ROUNDS: Mr. Speaker, as I understand it, this is a constitutional amendment. Is that correct?

The SPEAKER: The Chair will state that it is and it is necessary to have a two-thirds vote—

Mr. ROUNDS: Of the entire membership?

The SPEAKER: Not of the entire membership, but two-thirds of those present and voting, there being a quorum present. The question is on the reconsideration of our vote, on motion by the gentleman from Portland, Mr. Sanders. As many as are in favor of reconsidering the vote, will rise and stand in their places until counted and the monitors have returned the count.

A division of the House being had, Fifty-two having voted in the affirmative and 36 in the negative, the motion to reconsider prevailed.

Mr. SANDERS: Mr. Speaker, I move that, with reference to the Carlton Bridge resolve before the House, we substitute the resolve for the report of the committee of conference.

Mr. WING: Mr. Speaker, I rise again to a point of order.

The SPEAKER: The gentleman from Auburn, Mr. Wing, may state his point.

Mr. WING: That under Rule 13, no other action shall be had except through another committee of conference.

Mr. SANDERS: Mr. Speaker, I move you that we have a committee of conference appointed in regard to the matter.

The SPEAKER: The motion is in order. 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.

A division of the House being had, Forty-nine having voted in the affirmative and 36 in the negative, the motion for a committee of conference prevailed, and the Chair appointed the following gentlemen as such conferees on the part of the House:

Messrs. SANDERS of Portland,
GRANVILLE of Parsonsfield,
HODGKINS of Bangor.

Mr. HAYES of Chelsea: Mr. Speaker, I move that we recess until two o'clock this afternoon. (Cries of "no, no.")

The SPEAKER: The gentleman from Chelsea, Mr. Hayes, moves that the House now recess until two o'clock this afternoon. Is this the pleasure of the House?

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

On motion by Mr. Phillips of Orrington that gentleman was accorded

the privilege of saying a few words to the House out of order:

Mr. PHILLIPS: Mr. Speaker and members of the House: I wish at this time in behalf of the committee on Appropriations and Financial Affairs and in behalf of myself, to thank the members of the House for the hearty way in which they have cooperated with our committee, and have made possible the tax rate which we have now presented to you. Especial thanks are due to the chairmen of the various committees. I know what it means to all of you to forego things upon which your heart is set and the sacrifices that you have made for what we all think is for the good of the State. I thank you heartily. (Applause).

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, if it is proper I would like to be excused from serving on the committee of conference. I was on the committee of conference yesterday and I think it would be proper if somebody were substituted in my place.

The SPEAKER: The Chair will state that it was, of course, bound to appoint a committee, representing the former action of the House when the bill was indefinitely postponed, the question still being on the former action of the House; and the Chair sincerely hopes that the gentleman will not insist upon resigning.

RECESS

After Recess

On motion by Mr. Boulter of Kittery, the House recessed until 1:30 P. M.

After Recess

Mr. SANDERS of Portland: Mr. Speaker, I move we reconsider our action whereby we asked for a committee of conference on a resolve for the purpose of constructing the Carlton Bridge, so-called. Mr. Speaker and members of the House: I simply want to say this that I have canvassed—the committee has not formerly met the Senate committee, but I have canvassed the members of the Senate, different ones whom I have seen, this noon; and I am satisfied, and the other members of the conference committee are satisfied, that there is nothing further that we can do toward bringing either of these matters to a head, and I am satisfied that

that cannot be done. The attitude of the Senate is such that it would not be possible to bring that about, and in justice to myself, at least, I want to say this: Some member has said that I was trying to put something over. The only thing that I was trying to put over was this: I certainly was against the Carlton resolve right along, but I did think that where the southern part of the State—Cumberland county and down there and through here—we have had our trunk line system and that we ought to have another bond issue whereby the rest of the State could at least get its fair share of the State highways. And my sole object in bringing this matter up this morning was to try and see if there was not some way to bring the different factions together so that we could get a bond issue. And I want to say further that this has not delayed us from getting away because the Senate had previously recessed to 1:30 and we would have had to come back at that time. This was my sole reason for doing this, and I would not have done it had not the House voted by quite a heavy vote to make concessions.

On motion by the gentleman from Portland, Mr. Sanders, the House voted to reconsider the motion whereby it asked for a committee of conference; and on further motion by the same gentleman, the matters relating to the bridge and bond issue, this morning recalled from the files, were ordered re-filed.

Senate papers out of order.

Report of the committee appointed to consider the Cole report on bill, An Act to amend Chapter 132 of the Public Laws of 1919, as amended by Chapter 203 of the Public Laws of 1921, entitled, "An Act to create the Maine Water Power Commission, reporting that the same, ought not to pass.

In the Senate, report read and accepted.

In the House, report read and accepted in concurrence.

From the Senate: Final report of the special joint committee to consider the Cole report.

In the House, report read and accepted in concurrence.

Recess to respond to the sound of the gavel.

After Recess

The SPEAKER: The Chair presents out of order bills on their passage to be enacted.

Passed to be Enacted

An Act to amend the last paragraph of 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, and as amended by Chapter 214 of the Public Laws of 1923, relating to the protection of fur-bearing animals.

An Act to appropriate moneys for the expenditures of the government and for other purposes for the year from July 1st, 1923 to June 30, 1924.

An Act providing for a tax upon gasoline and other products used in operating internal combustion engines.

Mr. CURTIS of Brewer: Mr. Speaker and members of the House: This bill has been amended and reamended, and considered at all angles. I just want to call the attention of the members of the House, before they vote upon this, that Amendment A of the Senate struck out the words "or other products" and in looking at the engrossed copy of the bill I find that those words have been put back in there, which means that besides paying a tax of one cent a gallon on gasoline, you are liable to have to pay, and probably will, a tax of one cent per gallon on what is known as fuel oil. Fuel oil is an oil between crude oil and gasoline. It is neither kerosene, crude oil nor gasoline and without further remarks I will leave this to you.

The SPEAKER: Does the gentleman care to make any motion?

Mr. CURTIS: No, Mr. Speaker. I just wanted to call that to the attention of the members of the House.

Finally Passed

Resolve in favor of Louise Stratton, stenographer for the committee on Ways and Bridges.

The SPEAKER: The Chair presents out of order an emergency matter.

(Emergency Measure)

An Act for the assessment of a State tax for the year 1923.

The SPEAKER: This being an emergency measure, and requiring under the constitution the affirmative vote of two-thirds the entire mem-

bership 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 six voting and all in the affirmative, the bill was passed to be enacted.

Passed to be Enacted

An Act for the assesment of a State tax for the year 1924.

An Act to appropriate moneys for the expenditures of the government for the year from July 1st, 1924 to June 30, 1925.

RECESS**After Recess**

The SPEAKER: The Chair presents out of order papers from the Senate.

Final report of the committee on Appropriations and Financial Affairs.

In the House read and accepted in concurrence.

From the Senate: Bill, An Act to provide for an issue of State aid or second-class highway bonds.

This was passed to be enacted in the House, April 2.

In the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Granville of Parsonsfield, that body voted to concur with the Senate in the indefinite postponement of the bill.

Mr. Granville of Parsonsfield, presented the following order out of order and moved its passage:

Ordered, that the Superintendent of buildings be directed to deliver to the Clerk of the House at his home such equipment as the Clerk shall deem necessary for use in publishing the journal of the House.

The SPEAKER: Bills on their passage to be enacted, out of order.

Passed to be Enacted

An Act to appropriate moneys for the expenditures of the Government for the year from July 1st, 1923 to June 30th, 1924.

An Act to appropriate moneys for the expenditures of the Government and for other purposes for the year

from July 1st, 1924 to June 30th, 1925.

Recessed to respond to the sound of the gavel.

AFTER RECESS

Mr. Barwise of Bangor presented the following order out of order and moved its passage:

Ordered, that the Governor be requested to return to the House An Act for the assessment of a State tax for the year 1923.

The order received passage.

The SPEAKER: The Chair presents

The tax Act for the year 1923.

The House voted to reconsider its action whereby they passed this act to be enacted; they also reconsidered its action whereby it was passed to be engrossed.

Thereupon Mr. Barwise of Bangor offered House Amendment A as follows:

House Amendment A.

Amend An Act for the assessment of a State tax for the year 1923 by adding the first line of the second section thereof, after the word "six," the words "and one quarter"; so that said section as amended shall read as follows:

"Section two: The rate of state tax is hereby fixed at six and one quarter mills upon the dollar and one cent for each taxable poll made up as follows":

On motion by Mr. Barwise of Bangor the House voted to dispense with the further reading of the amendment.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Barwise.

Mr. BARWISE: Mr Speaker, the reason for this amendment is that there is a request from the executive department, from the Governor, that the tax rate for the first year be raised from seven mills to seven and a quarter.

The SPEAKER: The question is on the adoption of the amendment. As many as favor the adoption of the amendment will say aye: those opposed no.

A viva voce vote being taken, the amendment was adopted and the bill as amended by House Amendment A was passed to be engrossed.

RECESS

After Recess

The Chair presents out of order bills on their passage to be enacted.

(Emergency Measure)

An Act for the assessment of the State tax 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 this bill to be enacted will rise and stand in their places until counted.

A division being had,

One hundred and eleven voted and all in the affirmative, and the bill was passed to be enacted.

A message was received from the Senate, through Senator Buzzell of Waldo, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

The SPEAKER: The gentleman from Augusta, Mr. Maher, is charged by the Chair with the duty of conveying the message to the Senate that the House has acted on all business before it and is ready to adjourn without day.

Mr. Maher thereupon conveyed the message to the Senate, and, returning announced that he had performed the duty assigned him.

The following order was received from the Senate:

Ordered, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication he may be pleased to make.

In the Senate read and passed, with the following members named: Senators Allen of York, Bemis of Somerset and Elliot of Knox.

In the House, the order received passage in concurrence, and the Chair joined on said committee on the part of the House, Messrs. Wing of Auburn, Rounds of Portland, O'Connell of Millinocket, Heal of Weston, Granville of Parsonsfield, Martin of Augusta, and Holmes of Lewiston.

Subsequently, Mr. Wing for the committee reported that the committee had attended to the duty assigned it, and that the Governor would at once communicate to this body through his Secretary of State, Honorable Frank W. Ball.

Mr. ROUNDS of Portland: Mr. Speaker, I move that when this House adjourns that Mr. Douglas of Lamoine make the final adjournment.

The motion prevailed.

The Chair laid before the House a communication from the Governor as follows:

STATE OF MAINE

Office of the Governor
Augusta, April 7, 1923.

To the President of the Senate and Speaker of the House:

I herewith transmit a list of the Acts and Resolves passed by the present Session of the Legislature. I have approved 347 Acts and 122 Resolves. Three Acts and eleven Resolves were passed without my approval. This makes a total of 350 Acts and 134 Resolves.

I have no further communication to make.

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

In the Senate, read and ordered placed on file.

In the House, read and ordered placed on file in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Lamoine, Mr. Douglas.

Mr. DOUGLAS of Lamoine: Mr. Speaker and what few members there are left in this House: It is with pleasure and a great feeling of honor conferred upon me that I should have the chance to adjourn this House. In passing I will say that the invitation which I extended long ago still holds good. I have perhaps been beaten temporarily, but if nothing happens we will come back and fight it over again, and I might possibly win.

I also wish to say that we have with us here one member, Representative Littlefield of Kennebunk, who has never missed a session, has never missed a chance to vote, and has never missed to listen; and I hope that the time will come soon that we will all perhaps get together once more and that we depart with the kindest of thoughts and feelings.

I move you, sir, that we adjourn without day.

The SPEAKER: And on the motion of the gentleman from Lamoine, Mr. Douglas, I now declare this House of Representatives of the Eighty-first Legislature adjourned without day. (Applause).