

# 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

**SENATE**

Friday, March 9, 1923.

Senate called to order by the President.

Prayer by the Rev. Langdon Quimby of Gardiner.

Journal of previous session read and approved.

Mr. BUZZELL of Walde: Mr. President, I wish to say just a word in relation to adjournment for tomorrow, and having that in view I wish to move the suspension of the rules, and move that when we adjourn we adjourn until tomorrow morning at eight o'clock.

The rules were suspended and the motion was agreed to.

Papers from the House disposed of in concurrence.

From the House: H. D. 314, An Act providing for the regulation and taxation of certain advertising signs.

In the House referred to the committee on legal affairs.

In the Senate on motion by Mr. Croxford of Penobscot, tabled pending reference in concurrence.

From the House: Report of the committee on judiciary, ought not to pass, on H. D. 195, An Act to exempt non-resident vehicles from registration and to establish reciprocal exemptions with other states.

In the House the report was accepted.

In the Senate on motion by Mr. Wedsworth of Kennebec, tabled until next Wednesday.

From the House: Report of the committee on towns, ought not to pass, on H. D. 56, An Act to divide and set off a certain part of the town of Owl's Head and annex the same to the town of South Thomaston.

In the House the report was accepted.

In the Senate on motion by Mr. Kirschner of Androscoggin, tabled pending acceptance of the report.

From the House: Report of the committee on legal affairs, ought to pass in new draft, H. D. 279, An Act to amend Section 3, and Paragraph 7 of Section 4, of Chapter 100 of the Pri-

vate and Special Laws of 1921, relating to Belgrade Lakes Village Corporation.

In the House the report was accepted.

In the Senate on motion by Mr. Adams of Kennebec, tabled pending acceptance of the report.

**House Bills in First Reading**

H. 275. An Act relating to Good Templar's hall in Dexter.

H. 224. An Act to amend the Revised Statutes, Chapter 117, Section 45, as amended by Chapter 214, Public Laws of 1919, as further amended by Chapter 219 of the Public Laws of 1921, restoring the amount for clerk hire in office of register of probate in Washington county to same rate as in 1922 and the three preceding years.

H. 274. An Act relating to taking of claims in Machiasport.

From the House: Resolve in favor of the State School for Boys for maintenance and other purposes.

In the House recommitted to the committee on State School for Boys, State School for Girls and State Reformatories, in non-concurrence.

On motion by Mr. Hinekley of Cumberland, the Senate voted to reconsider the action whereby this resolve was passed to be engrossed, and on further motion by the same senator the Senate voted to concur in the House reference.

**Communication from the Governor**

STATE OF MAINE

Executive Department

Augusta, March 9, 1923.

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

I return herewith without my approval:

Resolve, providing for the purchase of reports of the commemoration of a century of peace between the United States and Canada of the Maine State Bar Association.

The amount called for by this resolve is not large but I believe that all possible economies should be effected. I take as deep an interest in saving small sums as I do in saving those that are larger. If the condition of the State treasury warranted the purchase of the book in question I should be glad to give my approval to this resolve. As there are a number of similar resolves pending before this Legislature and as the total sum in-

volved is considerable I am of the opinion that no purchases of books, other than those provided for by the regular appropriation for the State library, should be made at present.

I regret the necessity of disapproving the resolve now before you and do so solely from a desire to relieve the citizens of the State from the burdens of taxation.

Respectfully submitted,

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

Read by the secretary, and on motion by Mr. Hinckley of Cumberland, tabled and especially assigned for next Thursday.

**Communication from the House of Representatives**

STATE OF MAINE  
House of Representatives  
Office of the Clerk

Augusta, March 8, 1923.

To L. Ernest Thornton, Secretary of the Senate, of the 81st Legislature.

Sir:—The Governor of the State having returned to the House, resolve in favor of the commissioner of agriculture for carrying out the provisions of Chapter 81 of the Public Laws of 1921, with his objections to the same, the House proceeded to vote on the question:

"Shall the resolve become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken; seven Representatives voted in the affirmative, and 114 in the negative, and accordingly the resolve failed of a passage.

Respectfully,

(Signed) CLYDE R. CHAPMAN,  
Clerk of the House.

Read by the secretary and ordered placed on file.

**Communication from the Office of the Secretary of State**

STATE OF MAINE  
Office of the Secretary of State  
Augusta, March 9, 1923.

To the President of the Senate and Speaker of the House of Representatives,

Gentlemen:—In accordance with the requirements of Section 4, Chapter 1, of the Revised Statutes, I have the honor to notify you that the public acts, a list of the titles of which is

hereto appended, have been approved by the Governor.

Very respectfully,

Your Obedient Servant,

(Signed) EDGAR C. SMITH  
Deputy Secretary of State.

Read by the secretary and ordered placed on file.

**Reports of Committees**

Mr. Hussey from the committee on judiciary, on The Co-operative Marketing Act (Senate Doc. No. 49), reported the same in a new draft, under the title of "An Act authorizing the formation of non-profit, co-operative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through co-operation," and that it ought to pass.

The report was accepted and on motion by Mr. Wilson of Aroostook, tabled and 3000 copies ordered printed.

Mr. Brewster from the committee on legal affairs, on An Act to incorporate the Knox Bar and Library Association, reported the same in a new draft under the same title and that it ought to pass.

Mr. Ryder from the committee on salaries and fees, on An Act to amend Section 41, Chapter 117, Revised Statutes, as amended by Chapter 167, Public Laws of 1917; Chapter 214, Public Laws of 1919, and Chapter 219, Public Laws of 1921, relating to salaries of sheriffs, reported same in a new draft, under the same title, and that it ought to pass.

Mr. Stevens from the committee on sea and shore fisheries on An Act to amend Section 67 of Chapter 22 of the Revised Statutes, relative to a close time on scallops, reported that the same ought to pass.

The reports were accepted and the bills tabled for printing under the joint rules.

**Passed to be Engrossed**

H. 131. An Act to amend Section 4 of Chapter 197 of the Public Laws of 1917, as amended, relating to the State department of health.

H. 174. An Act to amend Chapter 352 of the Private and Special Laws of 1905, as amended by Section 4 of Chapter 357 of the Private and Special Laws of 1909, relating to the Caribou municipal court.

H. 223. An Act to amend Section 6 of Chapter 141 of the Private and

Special Laws of 1921, relating to the office of city clerk in the city of Lewiston.

H. 225. Resolve providing for the purchase of "History of Aroostook."

H. 226. An Act to amend Section 33 of Chapter 81 of the Revised Statutes relating to notice of sale.

H. 227. An Act to amend Chapter 206 of the Private and Special Laws of 1907, relating to the West Branch Driving and Reservoir Dam Company.

H. 229. An Act to amend Section 45 of Chapter 117 of the Revised Statutes, as amended, relating to clerk hire in the office of clerk of courts in Waldo county.

H. 231. An Act to incorporate the Auburn Water District.

H. 242. An Act to amend Sections 1 and 7 of Chapter 182 of the Public Laws of 1919 relating to commitments to the State Reformatory for Men.

H. 243. Resolve in favor of Charles E. Bradford for State pension.

H. 245. An Act to amend Section 17 of Chapter 182 of the Public Laws of 1919, relating to competitive bids in construction work for the State Reformatory for men.

H. 246. Resolve in favor of Rena Coolcy for State pension.

H. 247. Resolve in favor of Alonzo E. Peabody of Dixmont for State pension.

H. 250. An Act to cure defect in the original organization of the Madigan Memorial Hospital, a charitable and benevolent corporation, and to validate the doings of said corporation and the officers thereof since its organization.

H. 251. Resolve in favor of John A. McDonald, secretary of the committee on insane hospitals for committee expenses.

H. 253. An Act to amend Section 38 of Chapter 117 of the Revised Statutes, as amended, relating to the compensation of judges of probate in Oxford county.

House 254: An Act to amend Section 1 of Chapter 145 of the revised statutes, relating to hospital trustees.

House 255: Resolve for State pension for Annie D. McLean.

House 256: Resolve, in favor of a bridge between Howland and Enfield.

House 257: An Act to make valid the doings of the Penobscot County Water Company, and to define and confirm its powers.

House 258: Resolve, in favor of Olive E. Brann of Augusta for State pension.

House 259: Resolve, increasing the State pension of Meldon Nealley of Brewer.

House 260: Resolve, increasing the State pension of Catherine Nelligan of Brewer.

House 262: An Act to extend the time limit for exercising the corporate powers of the Great Pond Railway Company.

House 263: An Act to amend an Act to provide a charter for the city of Gardiner, as amended by Chapter 216 of the Private and Special Laws of 1917.

Senate 27: An Act to amend Sections 44 and 45 of Chapter 10 of the revised statutes, relating to taxes in unincorporated places.

Senate 28: An Act to amend Sections 63 and 64 of Chapter 8 of the revised statutes, relating to Maine Forestry District tax.

Senate 31: An Act to amend Section 109 of Chapter 16, Section 53 of Chapter 40, Section 52 of Chapter 82 and Section 82 of Chapter 86 of the revised statutes relating to armistice day, Nov. 11.

Senate 212: An Act to regulate the practice of the system, method or science of healing known as chiropractic, creating a board of examination and registration for those desiring to practice the same, and providing penalties for violation of this act.

Senate 217: An Act to amend the purposes of the Maine Institution for the Blind.

(On motion by Mr. Speirs of Cumberland, tabled pending passage to be engrossed.)

Senate 220: An Act to repeal Section 43 of Chapter 19 of the revised statutes, relating to local health officers.

#### **Passed to be Enacted**

An Act to regulate the taking of clams in the town of Sorrento.

An Act to ratify, affirm and make valid the re-organization of the parish of the Protestant Episcopal Church in Bangor.

An Act to incorporate the Patten Water and Power Company.

An Act to limit the number of pounds of fish that may be taken from Cobbosseecontee Stream and

connecting ponds in the County of Kennebec.

An Act providing for protection of white perch in Bear Pond, situated in the town of Hartford, in the County of Oxford, and in the town of Turner, in the County of Androscoggin.

An Act to amend Sections 59 and 60 of Chapter 18 of the revised statutes, relating to registration of veterinary surgeons.

#### Finally Passed

Resolve, in favor of the commissioners of pharmacy.

#### Orders of the Day

Mr. SPEIRS of Cumberland: Mr. President, I move we take from the table Senate Document No. 64, report from the committee on legal affairs on bill "An Act relative to the granting of licenses for certain businesses and purposes by the municipal officers of the city of Westbrook," that the same ought not to pass.

The motion was agreed to, and on further motion by the same senator the report was accepted, and sent down for concurrence.

Mr. HINCKLEY of Cumberland: Mr. President, I move to take from the table, House Document 89, An Act relating to pensioning members of the police department of the city of Brewer.

The motion was agreed to, and on further motion by the same senator, under suspension of the rules, the Senate reconsidered its action where-by it passed the bill to be enacted; on further motion by the same senator, under suspension of the rules, the Senate reconsidered its action where-by it passed this bill to be engrossed.

Mr. HINCKLEY: I now move, Mr. President, that we concur in the House in the adoption of House Amendment A.

The motion was agreed to, House Amendment A was adopted in concurrence, and on further motion by the same senator the bill as amended was passed to be engrossed in concurrence.

Mr. HINCKLEY of Cumberland: Mr. President, I move to take from the table An Act providing for an additional justice of the superior court for the County of Cumberland.

The motion was agreed to.

Mr. HINCKLEY: Mr. President, I now move that the minority report be accepted.

The PRESIDENT: There were two reports from the Cumberland County delegation on this bill. An Act providing for an additional justice of the superior court for the County of Cumberland, the majority report being that the same ought not to pass; the minority report on the same bill being that it ought to pass.

Mr. HINCKLEY: I now move that the minority report be accepted.

Mr. BUZZELL of Waldo: Mr. President, I do not know very much about the merit or demerit of this bill, but I am willing to go this far: While I am hardly willing to endorse minority reports very often, I will say this, that this has been referred to the Cumberland County delegation, and in view of the practice of years that we as a Legislature have been willing for cities of over 50,000 population to have their own way in most everything we can conceive of, I make no further objection. I simply want to call the attention of the Senate to the fact that I do not like to endorse minority reports.

Mr. HINCKLEY: Mr. President, there seems to be no objection on the part of the senators from Cumberland County, one being present who signed the majority report.

The motion to accept the minority report, ought to pass, was agreed to, and on further motion by the same senator, this being a printed bill, it was given its first reading under suspension of the rules.

Mr. RYDER of Piscataquis: Mr. President, I would like to present an order out of order under suspension of the rules, and I make that motion.

The motion was agreed to and Mr. Ryder presented the following order and moved its adoption:

Ordered, that the Governor be requested to return to the Senate the following pension resolves:

Resolve in favor of State pension for Levi Hoiden.

Resolve to increase the pension of Lester Patten, Herman.

Resolve to increase the State pension of Charles D. Preble of Kittery.

Resolve in favor of Mary E. Ames of Stockton Springs, for State pension.

Resolve in favor of Mary S. Hillman for State pension.

Mr. HINCKLEY of Cumberland: I would like to inquire, through the

Chair, for what purpose these resolves are to be recalled, before we vote.

The PRESIDENT: Mr. Ryder may reply through the Chair, if he knows the reason.

Mr. RYDER: The committee wishes to hold all the bills until they have them all in.

Mr. HINCKLEY: If it is a request of the committee, I have no objection.

The motion was agreed to.

Mr. ADAMS of Kennebec: Mr. President, I move to take from the table House 279, relating to Belgrade Lakes Village Corporation.

The motion was agreed to.

Mr. ADAMS: I move now, Mr. President, that it be indefinitely postponed. This bill has been pretty well threshed out, and I realize that we have a unanimous report of the committee in favor of its adoption. But I have wondered if two representatives from the town of Belgrade, whose motives in this matter cannot be distrusted, would not have some influence in the passage of this bill.

Two years ago, at the 80th Legislature, Mr. Hill came here—and I refer to Mr. Hill as this is a one-man proposition—Mr. Hill came here with the request for a village corporation for Belgrade Lakes. And I asked Mr. Hill what financial obligation this would place on Belgrade, and he said none whatever, that it would not cost the town of Belgrade a single penny, but they wanted this charter granted for the purpose of making assessments—that they might assess themselves for some privileges that they wanted at Belgrade Lakes. That being the case I did not oppose it—the granting of this charter.

Now at the beginning of this session Mr. Hill again comes before the Legislature, without ever having applied any of the provisions of the previous charter, and asks for an amendment. I would like to read to you article VII Section 4, of this original corporation's grant: "The corporation may on April first of each year assess against the property in said village, a tax necessary to pay the public charges of the corporation. This tax shall be assessed on the valuations made by the selectmen and assessors of the Town of Belgrade and shall be made in the manner prescribed in the revised

statutes for town taxes" etc., the usual provisions in such cases.

Now at this session of the Legislature comes an amendment, and the part that affects this charter I will read: "The town of Belgrade shall annually pay over to the treasurer of said corporation out of the taxes collected from the inhabitants and estates in said Belgrade Lakes Village, a sum equal to twenty per centum of all the town taxes, exclusive of the state and county tax, collected from said inhabitants and estates of said Belgrade Lakes Village Corporation."

There is certainly quite a contrast between the two charters, the first one of which has never been effected, and I think I am justified in assuming that this amendment offered here is a part and plan of the original charter. The original charter was the entering wedge and this is the result.

Now let us see if there is any reason for asking for this amendment. Mr. Hill owns or controls the large hotel at Belgrade Lakes, and if, under the provision of this amendment, if they were to assess themselves under the first charter for the amount that is called for under this amended charter, he would have to pay in annually a sum that is somewhat indefinite but would range somewhere from three to four hundred dollars annually that he would have to pay in to this Belgrade Lakes Village Corporation, and I wonder if that is not the reason why he is asking for this charter. I think it is fair to assume, to use a homely expression, that that is the nigger in the woodpile. Now Mr. Hill has been a resident of Belgrade for quite a good many years, and he has been before the annual town meetings for appropriations many times, and never yet—he acknowledged rather reluctantly before the committee—has he ever been refused any appropriation that he has asked us for. I think it fair under these conditions to assume that whenever they ask for anything that is reasonable, the town of Belgrade stands ready and willing to grant them anything that they ought to have.

Now we have other sections of the town in Belgrade that pay into the town treasury a good amount of taxes. Just a few miles from Belgrade Lakes we have a road branching off that leads in to one of our

lakes, and on this road, and leading from it down to the lake, are situated many cottages, some fine cottages, and these men who are living on this road, these tax-payers pay into the town of Belgrade annually a sum equal to between two and three thousand dollars, and the road, as everybody knows, leading in there is none too good. They go over it with automobiles, but all these roads leading from the main road, which comes to an end at the point, down to their cottages have to be repaired by themselves—they have to make all their repairs and they have no advantages whatever. Now it seems to me it would be rather unreasonable to ask these men, these tax-payers, who are receiving no benefit whatever from the taxes of Belgrade, to be taxed annually—nobody knows how long, but annually to help pay these improvements in this Belgrade Lakes Village Corporation.

Now the Belgrade Lakes people living in this corporation are practically the only people living in town who are making any money. The farmers are hard-pressed as they are everywhere. These people at Belgrade Lakes are certainly willing to make their own improvements, provided the town is not willing to do it, which I assume—it always has been and I assume it is still willing to grant any reasonable improvements that may be asked for. Now Belgrades Lakes has been used well. Only last fall Mr. Hill requested—I refer to Mr. Hill as this corporation,—Mr. Hill requested that a town meeting be called, and for what purpose? In front of his house there was a mud hole, which was a disadvantage to the village and also the town, and he had a town meeting called requesting that they make an appropriation to fix this. They had the town meeting. The town readily granted \$250 to fix that mud hole in front of his house.

And thus it has ever been, whatever they have asked for they have been granted, and I feel it is unreasonable to come here and force this thing on to the people of Belgrade until they have had a chance to take action on this matter themselves, and I hope that this Legislature will grant us the privilege of transacting our own business as long as we show a disposition to do what is fair and right. I am willing to leave this thing in the hands of this Senate.

Mr. BREWSTER of Cumberland: Mr. President, I cannot speak upon the merits of this question as I was not present with the committee on legal affairs. I was unavoidably away when this matter was heard. Senator Cram was present, and he is ill and unable to be with us. Senator Powers was absent through the death of his father. The seven members of the House and Mr. Cram heard this matter before that committee. It was heard very carefully and very fully, as I am advised. I think about four hours and a half was devoted to this matter by the committee and very able counsel represented each side and it was thoroughly discussed. The committee, none of them, entertained any bias or prejudice on the matter, and there was nothing to bias their judgment in forming an opinion upon it. Only one member was from the county of Kennebec.

The question of these disagreements within towns are the most troublesome matters that are presented to the Legislature, as they involve very strong feelings on both sides: injustice and personal differences of opinion. They are peculiarly suited for hearing by a committee and for determination by a committee, rather than by the entire legislature because they involve many local matters which cannot be considered in any fair or proper way by as large bodies as we have here. Whatever committee may be hearing the matter they recognize that they to some extent perform the functions of a court, in hearing both sides and deciding as impartially as they can where the proper decision lies.

Following this hearing the committee considered the bill for some time and unanimously agreed that the bill we have here today should pass. I feel that I can speak without personal prejudice, for my opinion was not contained in the report. I think the recommendation of those eight men, who heard this matter carefully and fully, and recommend this act to this Legislature is entitled to very considerable weight.

Mr. BUZZELL of Waldo: Mr. President and Members of this Honorable Senate, I too heartily agree with the senator who has just spoken (Senator Brewster). It is a matter of common knowledge to all of us that committee hearings are held in the committee rooms of the legislature, all at the same time, and no one of us can be in two places at the same



time. Therefore it is necessary for us to depend upon the findings of these committees. It does seem to me as if a unanimous committee report is deserving of favorable considerations at the hands of this body.

I know well enough that the legal affairs committee, like all the rest of the committees of this Legislature, had no interest in this proposition. I do not feel that I want to use the same terms as the senator from Kennebec used. I am not going to refer to any particular man, but during this hearing I chanced to go to the House of Representatives where the hearing was held. Much interest was manifested, and some considerable energy was put into this hearing, and the committee heard all the evidence for some time. Their report, or their verdict, you might say, to this body for us to pass upon, for us either to stand by or go back upon, was that this bill here ought to pass.

As I understand it this Belgrade Lakes Village Corporation is only one of many village corporations that we have in the State of Maine. I know here in this very room I was counsel against an act that provided for the Northport Village Corporation. And several, two or three able attorneys were for the measure. We thought at the time it was going to be a great hardship to have that act approved by this Legislature, but since that time the splendid way in which that corporation was conducted has satisfied all of us it was for the interest of the town and the village corporation.

Now if we pass upon this measure as the senator from Kennebec would have, we are not only going back on the unanimous report of that committee, but we are also going back upon a well established common law of this State.

There is nothing very harsh about this bill. Most of these acts provide for 50 to 55, 60 percent, and 75 percent in the York Village Corporation. This corporation up there asks for 20 percent to be returned to them. Twenty percent, not of the whole town tax, but 20 percent of what they pay into the town treasury, after taking out the State and county taxes; returning to them one-fifth of what they pay in on their own property.

Is there anything about that very unfair? The committee after full consideration say "No." As I said a few minutes ago I am not going to

refer to any one particular man, for the man referred to by name by the senator from Kennebec, was the committee appointed by this village corporation to come down here and see about this bill, a member of the corporation.

There was this village corporation represented in the hearing by counsel. The whole town tax is somewhere in the neighborhood of \$27,000 or \$28,000. I say to you if we give them this 20 per cent, this one-fifth will only be about \$1000. What do they want it for? Can the senator from Kennebec tell us what they want it for? Is it a mere selfish motive? Do they want it without reasons? What are the reasons we have heard about? As I remember the hearing it is for fire protection, that they may repair the sidewalk, and that they may look after the actual needs and desires of the people within the village corporation. Is that fair, with fires all around us? We just had a fire in my little city, and it was one of the issues in this campaign. It was one of the issues I touch upon very lightly. We said we had a \$20,000 fire fighting machine, and when the boys at the sound of the alarm went down the street with the machine glistening in the sun, it was termed a plaything. We owed a little something upon it and some thought it best to repudiate what the city government had done and send back that piece of fire fighting apparatus. Since that time we have had a \$100,000 fire and that beautiful little machine stood right there and effectively did business. And if it had not been for it how much of our little city would have been in existence today, I do not know, but I do know that we have not heard anything about a plaything since then.

This bill as I understand it calls for certain things, provides for adequate water supply, sidewalks, fire protection, etc. I want to read to you what the courts of our State have said on this proposition, and then see if we want to indefinitely postpone this bill that provides for these things.

The policy of a law identical to this has recently been expounded by our court in the case of *The Inhabitants of Bayville Village Corporation vs. Inhabitants of Boothbay Harbor*, 110th Maine, page 46, the question ultimately arising over the right of the village corporation to its 60 per cent reimbursement. The court, in holding that enactment of laws tending to en-

courage the growth of this kind of enterprise, is both reasonable and beneficial, includes in its opinion the following language which we recite:

"The question, therefore, recurs whether the special act under consideration was reasonable and beneficial to the community affected. The natural advantages of the coast of Maine offer flattering inducements to non-residents"— A little later you will see it does not matter whether it is the coast of Maine or inland, so far as that is concerned— "Seeking recreation and rest, to establish permanent summer homes within the State." As I understand it the Village Corporation of Belgrade is primarily a summer resort. "It has become a matter of common knowledge and statistics, that no factor, in the progress of our social and financial interests, has contributed more to our general prosperity than our summer resorts and game preserves. The people who come here are usually segregated in isolated communities. They often select unimproved land. Out of waste places they create millions of dollars of taxable property. The increment upon these lands is taxed to its full value, under the law, although they may occupy it but a fraction of the year. The numerous islands along our coast are conspicuous examples of this development and creation of taxable property. It is not infrequent that the tax imposed upon a summer community, and occupying but a small section of a town, exceeds the assessment upon all the rest of the estates. They demand and are entitled to vast improvements which the municipalities are unable to furnish. In justice and in equity, these communities are entitled to receive back, for the establishment and maintenance of their public utilities, a part at least, of the money they have paid in taxes."

There is a decision that upholds a 60 percent basis.

Now would we be doing anything out of the way to allow this village corporation 20 percent under the conditions?

It does not matter to us about the feeling there may be between the people in this section: it is up to us to do what we think is our duty in justice to all parties of the town and this corporation. Therefore, I think the unanimous report of the legal affairs committee should be upheld.

Mr. ADAMS: Mr. President, the

senator from Waldo has referred to some of the feelings in the town of Belgrade. Let me say in connection with this that there is not the least animosity existing in the town of Belgrade between any portions of it, there has never been any north or east or south or west, but they have been ready to grant any reasonable demand that they have made upon the town, and they stand that way today. The gentleman from Waldo has referred to these other corporations formed along our coast. What do those corporations do? This corporation here in Belgrade does not assume one single iota of responsibility of the town of Belgrade, does not relieve it from any burden. These other corporations furnish the schools and do lots of things. This corporation is not obliged to do one single thing that Belgrade is liable for today. We run our schools, take care of our roads, build our sidewalks, and we are relieved of not one thing, and I hope that the gentlemen will vote to indefinitely postpone this bill.

Mr. BUZZELL: Mr. President, this is news to me. I would like to ask through the Chair if the Village Corporation does not pay into the town treasury of Belgrade the sum of \$28,657.95, or in the immediate neighborhood of 25% of all the town tax? Am I right about this?

The PRESIDENT: The Chair will have to ask the senator from Kennebec, Mr. Adams, if he can answer the question through the Chair. The Chair is not able to tell.

Mr. ADAMS: Mr. President, they do not pay any such amount as I think he has figured on; his intention is all right. They pay their taxes just the same as other people pay their taxes, and this corporation wants 20% of what they pay in. Nobody else in the town gets any benefit from what they pay in, and as long as the town is willing to stand behind this corporation and do what is right and just, I think it is fair to vote to indefinitely postpone this bill.

Mr. BUZZELL:—

The PRESIDENT: The senator from Kennebec, Mr. Buzzell, may speak with the consent of the Senate, under suspension of the rules.

Mr. BUZZELL: Mr. President, I just wish to ask this question again, that is, I want to be sure about the answer. I do not feel that the

senator has answered me. As I understand it, all of the money paid in in taxes in this town is in the neighborhood of \$28,000. Now doesn't the Belgrades Lakes Village Corporation pay about one-fifth of all of that to the town tax collector, and by so doing do not they assume their burden for town improvements and town expenditures the same as all the rest of the town does?

The PRESIDENT: The senator from Kennebec may answer through the Chair.

Mr. ADAMS: It could not be otherwise, of course they do, they pay their tax to the town treasurer the same as any other, and they pay somewhere in the neighborhood of one-fifth of the town tax.

The PRESIDENT: Does that answer the question?

Mr. BUZZELL: That answers it.

Mr. EATON of Oxford: Mr. President, I regret very much that I cannot agree with my good friend, the senator from Kennebec, Senator Adams. I have a high regard for unanimous committee reports, and for that reason I feel compelled to support the recommendation of this committee.

The PRESIDENT: The question before the Senate is on the motion of the senator from Kennebec, Mr. Adams, that the bill and the report be indefinitely postponed.

A rising vote was had, and 12 senators voting in favor of the motion, and 8 against it, the motion to indefinitely postpone was carried.

Mr. RYDER of Piscataquis: Mr. President, I was just wondering if that last order that was passed was not out of order.

The PRESIDENT: Does the senator refer to the order he presented?

Mr. RYDER: Yes, I was wondering if that order didn't still hold and this order was out of order.

The PRESIDENT: If the Chair understands the senator, he is inquiring in regard to these several resolves that were to be recalled from the Governor?

Mr. RYDER: Yes.

The PRESIDENT: That order has been given a passage under suspension of the rules and out of order, and is in force, and the resolves are now on the table.

Mr. RYDER: I was just wondering

if this should have been presented before the other order was in order—order of postponement.

The PRESIDENT: The Chair is not certain of just what the senator means. They are on the table at the present time, ready for action. Having been recalled from the Governor they are properly here and may properly be acted upon, if it is desired that any motion be made.

Mr. RYDER: Was that order fulfilled before the other one was presented?

The PRESIDENT: The Chair hardly realizes what other order is meant.

Mr. RYDER: I made a motion and the motion was not fulfilled until these resolves were returned here upon it.

The PRESIDENT: The order which was passed here reads as follows: Ordered, that the Governor be requested to return to the Senate the following pension resolves:

Resolve in favor of State pension for Levi Holden,

Resolve to increase the pension of Lester Patten, Herman,

Resolve to increase the State pension of Charles D. Preble of Kittery.

Resolve in favor of Mary E. Ames of Stockton Springs, for State pension,

Resolve in favor of Mary S. Hillman for State pension.

The order was presented and given a passage. In accordance with the terms of the order the resolves were brought in from the Governor and are now on the table.

Mr. RYDER: Mr. President, I now move they be laid on the table.

The PRESIDENT: Pending the motion, the Chair would like to inquire if you desire to have enactment of these several resolves reconsidered?

Mr. RYDER: No, sir, just laid on the table.

The PRESIDENT: Without any further action? The Chair will suggest that if it is contemplated making amendments or anything of that sort, it might be well to reconsider the vote whereby these resolves were finally passed. They are all resolves.

Mr. RYDER: I do not, think, Mr. President, it would be necessary. Those are just to be held up until we can get them all together.

The PRESIDENT: The Chair, for the information of the senator and

the Senate, or as suggestion, will state that there is a question whether or not these will not become actual law by lying on the table without re-consideration of the final passage. If that is what the senator desires, the Chair will put the motion, if the senator insists upon the mere tabling without any further reconsideration.

A yea and nay vote was taken and the same was lost.

Mr. EATON of Oxford: Mr. President, I move that the rules be suspended and that we reconsider the vote whereby these measures were finally passed.

The PRESIDENT: The motion to table having been lost, the motion is now in order that we reconsider the vote on each one of these Resolves, under suspension of the rules, whereby they were finally passed:

Resolve in favor of State pension for Levi Holden.

Resolve to increase the pension of Lester Patten of Hermon.

Resolve to increase the State pension of Charles D. Preble of Kittery.

Resolve in favor of Mary E. Ames of Stockton Springs, for State pension.

Resolve in favor of Mary S. Hillman for State pension.

The motion was agreed to and under suspension of the rules the vote whereby these several resolves were finally passed was reconsidered.

Mr. HINCKLEY of Cumberland: I would like to inquire through the Chair whether these are being reconsidered under suspension of the rules? I understand five days have elapsed since these were passed. Under our joint rules they must be reconsidered within twenty-four hours. Personally I am getting rather tired of papers being called back here after the time limit. I am going to object to the suspension of the rules. I think this Senate should continue to do business in the regular way and take the responsibility of these matters and that the other branch of the government should take its responsibility.

Mr. EATON: Mr. President, if I understand this question correctly, the committee has asked to have these returned for their consideration with other matters of a similar nature. There is no connection whatever with any other department, and it is solely for the committee's pur-

poses that this action is asked for this morning.

Mr. HINCKLEY: Mr. President, may I inquire through the Chair of the senator from Piscataquis, whether or not this originated with a committee?

The PRESIDENT: The senator from Piscataquis may reply to the Senator from Cumberland through the Chair, if he wishes.

Mr. RYDER: It did not, no.

Mr. HINCKLEY: And it did originate from another branch of the government?

Mr. RYDER: Yes.

Mr. BUZZELL: Mr. President and members of this Honorable Senate, I feel that Senator Ryder is chairman of that committee, and he has given us a statement of why he wanted these resolves recalled. I for one do not want to question the sincerity of his motives, and I feel that I want to support him.

Mr. HINCKLEY: Mr. President, my understanding is from Senator Ryder—if Senator Ryder would say that it originated in his committee and that they desire to have these resolves back, that is well and good, but I feel in view of the five day period when the Executive of this State must either veto or they become a law, that the responsibility rests upon these two branches to take upon themselves to function, and if it is purely a matter of having these come back here so that they will not become law, after being passed by these bodies, and putting us in a position where we must take the responsibility instead of the Executive. I feel that we should stand and take the responsibility ourselves and let the Executive take his responsibility.

The PRESIDENT: There is no motion before the House. The Chair has allowed these remarks to be made in the interest of clarifying the situation, not because they are addressed to any motion, but the Chair thought perhaps it would clear the atmosphere. Under suspension of the rules the votes whereby these resolves were finally passed have been reconsidered. Now the Chair will suggest that any action that could be taken on any bill can be taken on these resolves at this time.

Mr. HINCKLEY: Mr. President, I doubt the vote whereby these matters were reconsidered under sus-

pension of the rules, and I did not get that at the time.

Mr. SPEIRS: of Cumberland: Mr. President, I am on that committee and we desire these back in order to put them with future bills coming in, and it would be better perhaps if they were reconsidered and laid on the table.

Mr. HINCKLEY: Mr. President, I withdraw any objection.

Mr. SPEIRS: I move that these resolves as read be recommitted to the committee on pensions.

The motion was agreed to and the resolves were recommitted to the committee.

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On motion by Mr. Stevens of York,  
Adjourned until tomorrow morning  
at eight o'clock.