

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, April 10, 1925.

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

Prayer by the Rev. Mr. Bradford of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to amend Section 26 of Chapter 14 of the Revised Statutes, relating to schools on Indian Island in Old Town, S. P. 268, S. D. 104, on which the House voted to insist on its action whereby the bill was passed to be engrossed and asked for a committee of conference.

Comes from the Senate that body voting to adhere to its former action whereby the minority report of the committee on Indian Affairs ought not to pass was accepted.

In the House, on motion by Mr. Decker of Milo, a viva voce vote being taken, that body voted to insist and ask for a committee of conference.

The SPEAKER: The Chair will appoint the same conferees, namely, Messrs. Decker of Milo, Goodrich of Farmingdale and Lowell of Lincoln.

From the Senate: Resolve in favor of a bridge over the St. Croix River between Vanceboro, Maine, and St. Croix, New Brunswick, H. P. 223 on which the House voted to insist on its former action whereby the resolve was passed to be engrossed, and asked for a committee of conference.

Comes from the Senate that body voting to adhere to its former action whereby the majority report of the committee on Ways and Bridges ought not to pass was accepted.

In the House, on motion by Mr. Beckett of Calais, a viva voce vote being taken, that body voted to insist and ask for a committee of conference.

The SPEAKER: The Chair will appoint the same conferees, namely, Messrs. Pullen of Danforth, Beckett of Calais and Pike of Lubec.

From the Senate: Bill an act to enable cities of over 35,000 to regulate and restrict the construction of building and the use of land by zon-

ing ordinances, H. P. 1282, H. D. 517, which was passed to be enacted in the House April 8th.

Comes from the Senate passed to be engrossed as amended by Senate Amendment B in non-concurrence.

(Senate Amendment B read in the House)

In the House, on motion by Mr. Oakes of Portland, the House voted to reconsider its action whereby this bill was passed to be engrossed.

Mr. OAKES of Portland: Mr. Speaker, I move the adoption of Senate Amendment B. This bill was introduced originally to meet a situation in the city of Portland. As originally introduced, it covers the entire State. There seems to be an objection to having this bill apply to the entire State although it does not force the zoning law on the State but is merely an enabling act and allows the cities, if they wish, to accept the zoning law. Then in the Committee we cut out all cities and towns except the city of Portland, making it apply only to cities of over 35,000 inhabitants. There seemed to be a feeling among certain village corporations that if they could have this apply to the village corporations, it would help them in their problem regarding camping sites of motor campers, and they asked to have it include them. We decided that it was not advisable but there seemed to be a feeling in the Senate that it would be more satisfactory to have it so revised, and as far as we in the city of Portland are concerned we wished to have it in the first place, and if the village corporations want it, we are willing, so I make the motion.

Mr. NICHOLS of Portland: Mr. Speaker, I would explain to the members of the House that this is merely an enabling act, and there is a section of this act which provides that no ordinance or law shall be passed affecting existing structures or the use of existing structures. This is merely something in the future, so it does not apply in any way to existing structures or buildings, and is merely an enabling act applying only to the city of Portland, and to the city of Portland after it has been accepted by the people by referendum; and the same regarding village corporations after it has been accepted by the voters of the village corporations.

Now the city of Portland is not anxious for the amendment, but we have no objection to it. We know

the village corporations would like to come under this provision, and it does not in any way make a law. Understand, that this is not passing any law even in Portland, and in no case does it apply to any other city or town in the State of Maine excepting Portland; and as the village corporations seem to deem it advisable and wish to come under it, and as I cannot see how it affects the State very much, I hope the amendment will be adopted.

Mr. STURGIS of Auburn: Mr. Speaker, I think, from the reading of the amendment, that the members already have more than they can digest, and I for one hope it will not be adopted.

Mr. OAKES: Mr. Speaker, I think the amendment was drawn very carefully, and I would be willing to state that it affects in no way any city or town in the State except the city of Portland. And the Representatives of the city of Portland have gone over it very carefully, and we in the city are very anxious to have this, as are also the village corporations, of which I think there are five or six in the State. It does not affect the rest of the State at all. The city of Auburn has also had a representative go over this, as well as the city of Lewiston, and they have no objection to it. I can say, so that the members of the House can vote intelligently on the matter, that this amendment simply makes the bill include the village corporations, and if they do not object. I see no reason in not having it go through. Personally, I am not interested in having it apply to the village corporations, but if they want it I am very glad to let them have it.

Mr. METCALF of Farmington: Mr. Speaker, I represent a village corporation, and if I understand this amendment, it enables the village corporation to do something they would like to do and I am very much in favor of the amendment and hope that it is adopted.

A viva voce vote being taken, the motion to adopt the amendment prevailed; and the bill as amended was passed to be engrossed.

From the Senate: Bill an act to authorize the recording of marketing agreements of Cooperative Agricultural Associations, and requiring that liens hereby attached to crops before delivery to the Association,

and to the member's interest in the Association after such delivery be collected through the Association, H. P. 1256, H. D. 491, which was passed to be engrossed as amended by House Amendment A in the House April 8th.

Comes from the Senate passed to be engrossed as amended by House Amendment A and Senate Amendment A in non-concurrence.

In the House: (Senate Amendment A read)

On motion by Mr. Bragdon of Perham, the House voted to reconsider its action whereby this bill was passed to be engrossed; and on further motion by the same gentleman, a viva voce vote was taken, the House voted to adopt Senate Amendment A in concurrence with the Senate; and on further motion by the same gentleman, the bill as amended was passed to be engrossed.

Orders

On motion by Mr. Nichols of Portland, it was,

Ordered, that the State Librarian be authorized and instructed to furnish and deliver to the Clerk of the House one copy of the laws of the State of Maine passed by the Eighty-second Legislature.

The SPEAKER: The order is passed and the House trusts that the Clerk will study them well.

Mr. NICHOLS of Portland: Mr. Speaker, I have a matter which I would like to introduce out of order, and I would ask the unanimous consent of the House to introduce an act concerning a condition which has arisen in Aroostook County and which, I think, is a condition that the Legislature should take notice of.

There was enacted at the last Congress, under the provisions of the Federal Loan Act, a provision allowing corporations organized as agricultural credit corporations to be organized in the various states and to obtain money and credit from the farm loan banks after putting up their security. We have no such provision in our law, and I would ask unanimous consent that an act be introduced and not referred to any committee but passed. This act, I will say, is satisfactory to both sides of the co-operative marketing people. I have talked with both sides and they each believed that such an act would be a great thing for Aroostook

County. We have no provision in this State to form such a corporation, and I therefore ask unanimous consent to have this bill introduced at this time. It is something that arose yesterday, and both sides think it is a proper act.

On motion by Mr. Wing, of Auburn, consent was given to Mr. Nichols of Portland, to introduce the act, without reference to a committee.

An act relating to corporations.

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

Section 1. Section seven of chapter eighty-one of the revised statutes as amended by an act approved April seventh, nineteen hundred and twenty-five is hereby amended by adding thereto the following words:

"Nothing herein shall be construed to prevent the organization of agricultural credit corporations organized to carry out the provisions of the federal farm loan act, enacted by the sixty-seventh Congress of the United States, chapter two hundred and fifty-two and acts amendatory thereof and additional thereto and which become such corporations under the provisions of said farm loan act. Such agricultural credit corporations shall not be deemed banking corporations or institutions under chapter one hundred and fifty-three of the public laws of nineteen nineteen and acts amendatory thereof and additional thereto.

On motion by Mr. Nichols of Portland, the rules were suspended, the bill received its three several readings and was passed to be engrossed.

Reports of Committee

Out of Order

Majority report of the committee on Judiciary on bill an act relating to the Police Commission of Lewiston requiring the commissioners to be appointed by the Mayor, and providing a referendum to the electors of Lewiston, reporting that the same ought not to pass. The report being signed by the following members:

Messrs. HINCKLEY of Cumberland
HUSSEY of Aroostook
MAHER of Kennebec

—Of the Senate

Messrs WING of Auburn
NICHOLS of Portland
HALE of Portland
HAMILTON of Caribou
OAKES of Portland
MARTIN of Augusta

—Of the House.

Minority report of same committee reporting ought to pass on same bill. Report was signed by the following member:

Mr. Holmes of Lewiston

—of the House.

On motion of Mr. Wing of Auburn, a viva voce vote being taken, the majority report was accepted.

Passed to be Enacted

An Act relating to inmates escaping from the Reformatory for Women.

An Act permitting sterilizing operations in certain cases of mental disease and feeble-mindedness.

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

An Act to define certain grades of milk offered for sale within the State.

An Act relating to driving motor vehicles while under the influence of intoxicating liquor or drugs and the penalty therefor.

An Act relating to Workmen's Compensation.

An Act relating to the Department of the Attorney General.

An Act relating to the excise tax on railroads.

An Act relating to inmates of Reformatory for Women and of Reformatory for Men when incorrigible.

An Act relating to a tax upon gasoline.

An Act amending the charter of the Belfast Municipal Court.

Resolve in favor of the Augusta State Hospital for appropriations for the construction of a new building for fifty women nurses and attendants during the fiscal years 1926 and 1927.

Resolve rejecting proposed amendment to the Constitution of the United States granting to Congress power to limit, regulate and prohibit the labor of persons under eighteen years of age.

Resolve appropriating money to reimburse Harry P. Lane for expenses incurred in contesting his membership in the Senate.

Resolve in favor of rebuilding Mattawamkeag bridge over Mattawamkeag River in the town of Mattawamkeag, Penobscot county.

Resolve in favor of the Maine School for Feeble Minded for maintenance for the fiscal years 1926 and 1927.

Resolve on the payroll of the Senate of the Eighty-second Legislature.

Resolve in favor of charitable and

benevolent institutions for the care, support and medical or surgical treatment of certain persons.

Resolve in favor of Elbridge G. Chadwick, Clerk of Courts for the county of Washington.

Resolve on the payroll of the House of Representatives of the Eighty-second Legislature.

Resolve in favor of the town of Norridgewock for repair of bridge across the Kennebec River.

Mr. BRAGDON of Perham: Mr. Speaker, I move that the act to provide for an issue of state highway and bridge bonds, S. P. 520, S. D. 197, be laid on the table.

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

Mr. BRAGDON: May I inquire, Mr. Speaker, if that requires a two-thirds vote of the members of the House?

The SPEAKER: Apparently not.

Mr. BRAGDON: Is it not an amendment to the Constitution?

Mr. WING of Auburn: Mr. Speaker, if you will look at Section 5, I think that will answer the gentleman's question.

(The Speaker read Section 5.)

The SPEAKER: The Chair understands that this is an act accompanying the amendment to the Constitution providing for a six million dollar bond issue. Is that correct?

Mr. WING: So I understand, Mr. Speaker.

Mr. HAMILTON of Caribou: Mr. Speaker, in one of these bond issues there is apparently an error that we would like to correct. If this could be put on the table for a short time, I think it can be ascertained exactly what is needed. We will not delay it very long, so I move that it be laid on the table temporarily.

The SPEAKER: That motion has already been defeated.

Mr. JOHNSON of Brownville: Mr. Speaker, I would like to inquire of the gentleman from Caribou, Mr. Hamilton, what corrections he wishes made.

Mr. HAMILTON: I cannot state that, Mr. Speaker, until I find out myself. I move that we reconsider.

A viva voce vote being doubted,

A division of the House was had.

Seventy-one having voted in the affirmative, the motion to reconsider prevailed.

Thereupon, on motion by Mr.

Hamilton of Caribou, the matter was temporarily tabled.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve in favor of armory rentals, H. P. 1300, H. D. 529, reporting that the Senate recedes and concurs with the House in the passage of the resolve. (Applause.)

The report was accepted.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill, an act to re-enact Section 24 of Chapter 69 of the Revised Statutes, relating to when no succession tax shall be assessed on the stocks, bonds and evidences of debt of Maine corporations, reporting that they are unable to agree.

Mr. WING of Auburn: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: Will the gentleman suggest that this report be accepted?

Mr. WING: May I have permission to state my question?

The SPEAKER: Will the gentleman suspend until this question is put?

The report of the Committee of Conference was accepted.

Mr. WING of Auburn: Mr. Speaker, I rise to make you, sir, a gift on behalf of the members of this House. Your patience with our innumerable contentions, we acknowledge with admiration. Your charm of personality, so tempered with kindness, makes us fond of you, your capacities of mind, so marked with wisdom, give us pride. Your fairness, which is but indicative of your high character, commands our respect. The gift is the means, the tangible evidence, a token by which we show collectively the friendly feeling which each and every one of us has for you. Accept it as a pledge, an earnest appreciation of our esteem—yes, our affection, and with it be assured of the ardent wish and hope that the years be kind and good to you, that the sweet and the lovely, the real and the true things of life be in all ways and in rich measure yours.

As you observe, as a citizen interested in public affairs, succeeding

Houses of Representatives, their members and Speakers, may it be a source of continuing satisfaction to you to have served in your present position because it will be a source of abiding satisfaction to us that you have been our Speaker.

Mr. Speaker, the House of your friends gives you greeting.

(Prolonged applause and cheers, the House rising.)

The SPEAKER: Members of the Eighty-second Legislature: I thank you for this gift and for the words of your able spokesman. I shall, I hope, for many, many years, adhere to this watch and never consent to join in a Committee of Conference that it be taken from me.

I have, with fortitude, all through this session, endured the wearing of the fancy raiment in which I am now clad. At last I am rewarded by a watch suitable to be worn therewith. It caused some amusement to one of the journalists occasionally attendant at this session of the Legislature who made some remarks, as I recall, about the pleasure of seeing Tudor's new suit. (Applause.) I assure you that for some time to come I will never take out the suit without associations that are very pleasant coming to my mind and recalling occasions on which this suit stuck by me in good shape. (Laughter.)—not because I have worn it here but because it was the suit which I was married in, eight or nine years ago. (Applause.) But, perhaps, sometimes I shall think of you too.

I have, on occasions, given a good deal of latitude with this good gavel. I suppose, as the years go on, my mind will turn back to certain occasions when she fell and when she did not fall. But, if I have given latitude to you, it seems the time for me to take latitude now. Do not be alarmed. I will follow the usual custom of the House and you can tell when I am about half way through my speech because I will say, "Now, then, one word more in closing." (Laughter and applause.)

Lest one of our members who comes from a territory through which there flows a beautiful river with a very difficult name to pronounce where they catch smelts, should return to the smelt fishermen and try to get away with the statement that he had told all the stories of the

session, I will venture to tell you one more. I feel like the workingman who got into a little bit of a dispute with a Bishop, and the Bishop said to him "Now, let us speak plainly. I am a man of plain words. I am accustomed to call a spade a spade." And the workingman straightened himself up and said, "I am a man of plain words myself, and I call it a damn shovel." (Laughter and Applause.)

I was under the impression that no assembly in this country could beat this House in a certain respect, for one thing, until I was invited to that bounteous repast that was so aptly attributed to our friend from South Portland. Until the entertainment of the Sea and Shore members I was of the opinion that this House held the championship record for having a large number of good things on the table; but it is indeed a relief to me to see the matter reduced to the value of a postage stamp, as it were, by comparison.

I have a picture of this House stamped upon my mind which I shall carry for a long time. It is a very conveniently situated House. The orators are evenly distributed between the sections. The presiding officer has but to turn to the first section if he wants an automobile matter laid on the table, or turn to the second section for some agricultural matter or some verbal, grammatical or technical correction. The tragic part of the seating of this House impresses me as to how pathetic it is that upon the immediate right of our most eligible bachelor member there should be seated our woman member, already married. (Laughter and applause.) What a loss to romance! (Laughter.) Let us hope for better things in the future Legislatures.

Our seating arrangement is perfect in one thing. It seems almost as if it had been planned by some designing mind other than that of our able Clerk who held the scales of Justice, blindfolded, in the distribution of the keys. The youngest member sits in the rear, as is proper; and the oldest member sits in the front, as is proper, (Applause) but within reach; and the Chair feels that in the event of any civil disorder he could at once shout, "Comrade of the good gunboat Agawam, assistance!"

It might be expected for me to

say something Chesterfieldian regarding the presence of our lady member, but perhaps I can best testify to the respect that we all have for her by saying that she is none other than one of the Representatives, and needs no comment. (Applause.)

We have been here, thus far, for some time. We have considered here together the problems of the State of Maine and I wonder how many of us, before we packed our bags to come here, realized how complicated these problems were. We have worked together in the interests of our State and we hope that our efforts will bear fruit. We have learned ourselves, and we trust that we have made some betterment in the conditions of life of the people of the State of Maine.

I thank you, members of the House, for this token and I accept it with the words of your spokesman as a token of your affection. (Prolonged applause, the House rising.)

Mr. CURTIS of Brewer: Mr. Speaker, gentlemen and lady member of this House: On the day when our beloved Speaker stepped to his desk for the first time, seated in a corner of the room at his right was a stately woman with bright and rosy-cheeked children on either side. The eyes of that woman, filled with admiration and devotion, were centered on our Speaker and she scarcely realized that there was another person in the room.

It is just such devotion that inspires many a man and spurs him on to greater effort and higher ambition.

In the fourteen weeks that we have been here we have learned to love our Speaker and to admire his wife.

And now, Mrs. Gardiner, on behalf of the members of this House, it gives me great pleasure to present to you these roses. May the memory of this happy occasion linger as long with you as the thoughts of your esteemed husband, our Speaker, remain with us, which will be for many years. (Applause, the House rising.)

The SPEAKER: The House will proceed with orderly business.

The Chair presents, especially assigned for today, bill an act to incorporate the Winding Ledges Pow-

er Company, H. P. 710, H. D. 154, tabled on April 9th by Mr. Oakes of Portland, pending the motion of the gentleman from Sedgwick, Mr. Sargent, to indefinitely postpone bill and amendment.

Mr. OAKES of Portland: Mr. Speaker, I offer House Amendment B and I wish to state the situation briefly. I am not going to advocate or oppose the passage of the act in my statement, but merely state the facts as I understand them, and leave it to the good judgment of the House to decide the question as best they can.

The act provides that these people may be incorporated to build a power dam at Winding Ledges, which is about six miles up the river, on the St. John, from Fort Kent, and, I think, fifty or sixty miles above Grand Falls on the same river.

The act originally gave them quite considerable powers and it has been culled and re-culled until now, with this amendment that I have here, the powers are limited entirely to the construction of a power dam at this point, and their powers of eminent domain extend only to the rights for such natural flowage as may come from the dam. That is to say, there is a controversy regarding the title to the land on the American side of the river at the point of what is known as White's Farm. These people, or one of them, sent an attorney to that location and bought an option to this dam site. The attorney did not record the option, by an oversight. A representative of another company sent a man to this Mr. White and he bought the land and took a deed for it and recorded his deed. There is a controversy as to whether the other company knew about the option at the time, and if they did, probably the court would decide that the option was good, and if they did not, the court would probably decide that the title was good. That matter was covered by eminent domain in the original bill. This amendment eliminates that, if it is correctly drawn, and I think it is.

There was another question about the title to land on the Canadian side. The company here, as I understand it, own the rights on the Canadian side from low water mark to high water mark, as it at present exists. There is a question as to whether that would include to the

height of the dam that might be erected. The same company that had the deed to the White farm owns the land back of this low water to high water mark on the Canadian side. I understand that under the Canadian law if they build a dam, they can get right of eminent domain regardless of title.

The purpose of the bill, as I understand it, is to build a power dam. The act provides that not over one-half of the power shall be used in Canada; that is, one-half must be used in the United States. The whole matter would fall under the jurisdiction of the International Joint Commission, and that is a matter between the Governments of the United States and Canada after we grant this charter, if we do. Then, if the charter is granted on this side, they can go to the Canadian Government and ask for a charter from Canada, and then build their dam; and this provides that there shall be no eminent domain in doing so from our Government.

There is a question regarding the power rights in that section. Mr. Arthur Gould has a company which owns the flowage rights on all but one point on the Aroostook River and from that power he is supplying electricity to the town of Fort Kent and for a railroad which I believe he has there; and I believe he proposes another railroad. This bill provides that they may sell power to him and shall not compete with him in an existing enterprise but may compete with him as to future enterprises that may exist in this territory. The question of mill dam rights was eliminated by the specific clauses of this bill.

I, personally, think that the matter does not involve the International controversy on the St. John. I think the matter is entirely covered by this elimination of mill rights by the particular terms of the bill. I think that covers the entire situation.

It is a question of whether we wish to have this power developed or whether we wish to allow this new enterprise to go in, or whether we think there is a danger of involving the St. John and International Congress.

I offer House Amendment B.

The SPEAKER: The pending question is indefinite postponement of the bill. The gentleman may, however, read his amendment.

Mr. OAKES: Mr. Speaker, I think there is no need of reading the amendment as the whole matter is before the House. I will yield the floor to Mr. Hammond of Van Buren, if he cares to make any statement.

Mr. HAMMOND of Van Buren: Mr. Speaker and gentlemen, I have said all there is to say about this matter. It is simply a matter of building a power dam, and I ask the House to grant this charter. I think Mr. Oakes has explained it very thoroughly. It has been taken to the Governor, and although he did not put his stamp on it, he did not object to it.

Mr. WING of Auburn: Mr. Speaker, I rise to support the motion of the gentleman from Sedgwick, Mr. Sargent, that this bill be indefinitely postponed. It is evident in the statement that the gentleman from Portland (Mr. Oakes) has made that if certain men had not kept their contracts there would be law suits resulting.

Now, every one of us likes to stand fair and square in a court before a jury, without any prejudice and without any advantage. If this Legislature, in the face of the pending lawsuits, proceeds to legislate in favor of one of its members—and I speak of Mr. Hammond because he has been called upon to rise to explain this amendment—we will be giving him an advantage, if this lawsuit results, that may not be fair to the other side.

As I understood this bill in the first place it carried the right of eminent domain to take the land of one man and give it to another under the guise of a public use. I read from 118th Maine Report, page 515, where the Report, when defining rights of public use said: "Applying to this definition of public uses, it is obvious that the State cannot take property from one class of individuals or private corporations for the purpose of benefiting another class of individuals or private corporations. It cannot take a privately owned dam or dam site from A for the purpose of increasing the storage and thereby improving the privately owned water powers of B or C or D. It seems clear that the great public benefit which is supposed to follow the exercise of this power is not a public use, it is not a use of which the public may avail itself if it has occas-

ion. It is a private use, pure and simple."

Now this matter comes before this House with the unanimous report of a respected and a respectable committee and I think it behooves this House to stand behind the men who have heard this entire matter in committee, who have given it consideration and who have passed their judgment upon it. They have heard both parties, they have heard the situation, they are fair men—and they are not all lawyers either. Sometimes lawyers have been found fault with, but here is a committee, passing on this matter, not entirely composed of lawyers; and they unanimously report to you that this measure ought not to pass. I say that at this late day, regardless of the interests of the gentleman from Van Buren, that we should support this committee. I trust that this amendment will fail and that the motion of the gentleman from Sedgwick (Mr. Sargent) will receive a passage. (Applause.)

Mr BURNHAM of Kittery: Mr. Speaker, I will just add a word on behalf of the committee's report as to what the gentleman has said. As he has stated we listened to the arguments pro and con on this Winding Ledges matter, and we are satisfied that it should not be granted at this time, for the reason, as he has stated, that they do not own the mill site. The law undoubtedly is that if a man owns a mill site upon a stream or river, he should be permitted the privilege of erecting a mill, or developing one. In this case, it did not look to us like a speculative proposition. He is coming here and asking for a charter, and then going ahead and fighting the title to the land and it is a question as to who will get the title in the end.

It seems to me that no particular harm can be done to anyone if the matter is delayed for two years; during which time the title can be decided in the court and two years from now they can come back and get their charter; if they have any legitimate development proposition to offer. As to its connection with the policy in regard to the matter of control in the St. John River; this is one of the most important locations above the Grand Falls proposition and it seems to me that that should be kept open until that matter has been decided; and in behalf of the

committee I feel that the remarks of the gentleman from Auburn were justified and that the matter should be indefinitely postponed.

Mr. OAKES of Portland: Mr. Speaker, I stated that I am not here advocating or opposing this measure. I do, however, wish to answer the point made by Mr. Wing and have the House act on what I believe is the issue.

This amendment which I am introducing adds, after the word "Maine" in the second section, the words "upon land now owned by it or to which it may acquire title by purchase during the life of this charter."

Now, my belief is that they get no power by eminent domain, and they get no increased power by act of this Legislature.

As to the title to that land; the option was taken by these people in January and two or three weeks later the deed was taken by their competitors, which put the incumbrance on the rights which they acquired by the option. I do not feel that the Legislature should establish a policy that if a man owns a piece of property upon which he intends to erect a dam, and then a competitor does some act which puts an incumbrance on that property, that we should, by reason of that incumbrance, postpone his right to erect the dam, because if we should establish such a policy, it seems to me that we would enable any competitor, by a fraudulent incumbrance on a title, to continually postpone the right of an owner to acquire the privilege to build a dam.

Now, it seems to me, for that reason, this is not a matter within the province of this Legislature. It is a matter within the province of the Court. I believe that neither side should be given additional rights by the Legislature, and that the questions that concern us are first, whether we shall give the rights to a competitor of the Gould Electric Company and thus give the Gould Electric Company an unreasonable burden in meeting this competition; and the second issue is, are we involving the St. John question? It seems to me those are the two issues that we must decide. I have endeavored to state the situation to the Legislature as clearly as I can.

The SPEAKER: The amendment of the gentleman is not before the House but he has stated that if the motion of indefinitely postponing is

lost, he will then present his amendment.

Mr. CUMMINGS of Portland: Mr. Speaker and members: I have reached certain conclusions in regard to this bill, and if I am wrong in them, I would like to have someone set me right. First, a party applies for a grant from the State to develop certain property to which another man holds a title deed, and incidentally connected with that a certain grant or right of eminent domain. It would seem to me that it is improper for this Legislature to grant a right under those conditions. Let them fight out the ownership of this property and when they get through, come to the Legislature two years from now and get whatever they may be entitled to.

Mr. SARGENT of Sedgwick: Mr. Speaker, I wish to bring out the fact that in order to build this dam, the entire proposition must go to the Canadian Government for similar rights as those they are asking of us. Now, with the litigation in view in obtaining the rights on the American side, it would seem that no great delay would be caused if we refused at this time to grant the charter, and they go to the Canadian Government and settle matters on that side, and in the meantime settle the matter of rights on the American side.

The SPEAKER: The question before the House is the motion of the gentleman from Sedgwick, Mr. Sargent, that this bill and amendment be indefinitely postponed. Is the House ready for the question?

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

The SPEAKER: The Chair presents bill, an act relating to non-resident motor vehicles, S. P. 636, S. D. 300, tabled on April 9th by Mr. Hale of Portland, pending the motion of the gentleman from Kennebunk, Mr. Littlefield, to reconsider.

Mr. HALE of Portland: Mr. Speaker, I think, perhaps, it might be advisable to state what happened yesterday. Yesterday we had before the House Senate Document 300, which was the Reciprocity Bill, on which the Judiciary Committee gave a unanimously favorable report. The gentleman from Kennebunk, Mr. Littlefield, offered, by way of amendment, a substitute measure, and the amendment prevailed, thereby de-

stroying the Reciprocity Bill. Thereupon, the gentleman from Auburn, Mr. Wing, moved to indefinitely postpone the amendment offered by the gentleman from Kennebunk (Mr. Littlefield) and I think it will do no harm to leave the law precisely as it now is. The motion of the gentleman from Auburn was defeated, the effect of which would be to leave the amendment of the gentleman from Kennebunk on the statute books, as a new statute. The question is now on the motion of the gentleman from Kennebunk to reconsider.

I had a conference last night with the gentleman from Kennebunk (Mr. Littlefield) and I think it will do no harm if I restate the effect of his amendment.

Existing law gives the non-resident a right to come in here and stay for thirty days free. At the expiration of thirty days he pays the full registration fee. If it is not before the first of October, the last quarter of the year, he has a half-fare, so to speak. Now, the amendment which we adopted yesterday makes two changes in the existing law. It cuts down the period thirty days to twenty days, and after the expiration of twenty days the non-resident has to pay, not the full fare, but the half-fare, so to speak. So, the amendment is less generous to the non-residents in that it cuts down the period but more generous in that it cuts down the full fee to one-half. The only other effect of the amendment is to cut out the provision to the effect that trucks, tractors and trailers which are here for five days may pay one-fourth of the annual fee, and for ten days, one-third of the annual fee. Now, I simply leave the matter to the House with that statement and I yield to Mr. Littlefield of Kennebunk.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker and members, I hope the motion will prevail. I realize, as everyone in this House realizes, that the time is getting short and I do not wish to take the time of the House at this time. I merely put in this amendment to safeguard the people of the State of Maine. If you want to adopt it, all well and good, and if you do not want to adopt it, I shall not be provoked. But I sincerely hope that the amendment will prevail.

Mr. OAKES of Portland: Mr. Speaker, after the session yesterday several members came to me and suggested that I introduce an amend-

ment eliminating trucks from the Reciprocity Bill, and that they would vote for it. I have consequently drafted such an amendment. In addition to that, information came to me that many, on reconsideration of the entire situation, feel that we should give entire reciprocity, including trucks. I would like to state the situation as I understand it, and urge the passage of the motion of Mr. Littlefield.

If that is passed, then I would move to reconsider the adoption of the amendment and move for the passage of the original bill. That would give the sentiment of the House in that respect. If the House does not adopt the motion to reconsider, then I wish to introduce the amendment providing for reciprocity of motor vehicles exclusive of trucks, and in that way we could get the sentiment of the House as to whether they would rather have the unanimous report of the Committee, which provides for reciprocity, or whether they would rather have this amendment, which provides for reciprocity of pleasure vehicles only, or whether they would rather have the Littlefield amendment, and I suppose we could have a fourth choice of keeping the present law.

In support of the motion for reconsideration of the entire matter, so that we could get back to the report of the Judiciary Committee, which is supported by the Highway Department, and provides for complete reciprocity, I have some data which I would like to report to the House. I have talked with the Secretary of State, and he states that of course any question as to the expense involved is an estimate, but the figures which I stated yesterday he feels to be correct. That is, that the total amount received from out of state motor vehicles does not exceed \$50,000, and with this reciprocity agreement, of course we would not lose anywhere near all that amount.

Now, I do not state these figures in contradiction of my friend, Mr. Littlefield, whose judgment I respect, and whose honesty I know, but I simply say it is a question of estimate, necessarily, because nobody has any accurate figures; there is no way to get them; and the Secretary of State feels there is less than \$50,000 received from outside the State.

I have letters here from the motor vehicle department of the Depart-

ment of Public Works, Mr. Goodwin, of Massachusetts, and other authorities of various states of New England, stating that they are willing to give reciprocity to Maine; only they want us to give reciprocity to them. Now, I have noticed a case which came to my attention of an Augusta truck which went to Boston—or, rather, I am not sure that this truck actually went to Boston, but it went into New Hampshire, and if it went to Boston, these would be the figures: In New Hampshire, this truck was obliged to pay \$104.96 in addition to the expense of getting the registration. If it went to Massachusetts, it would have an additional fee to pay of \$20 in that State. That same truck registers in Maine at \$40 and on the five day license, \$10.

It is a question of our getting \$10 on a Massachusetts truck and of their getting \$124.96 on a Maine truck. And having in mind the figures that there are 117 Maine trucks going out as compared with 17 Massachusetts or foreign trucks coming in, I think it is quite a question for us to decide how much we are willing to penalize our own trucks for the sake of getting this amount of tax. I have the figures as to the amount of tax received on the five and ten day license on trucks. They are \$7,230.83.

There are various estimates as to the amount received from trucks which give other than the short term fee, estimating from ten per cent of this amount to the highest estimate which I have received from any official source, which is \$3,000, which would make an aggregate of approximately \$10,000, which we received last year from out of the State trucks. And that is the issue on this question of whether we shall give complete reciprocity or partial reciprocity.

I think I said all that I had in mind yesterday regarding the general reciprocity, that is to say, we are advocating a campaign of getting foreign cars in this State. The Publicity Bureau in Portland sent out a questionnaire to those people last year whose names they knew who had been in the State during the last year, and from the figures they showed an average of \$91 per person left in the State. This inquiry here shows that 3,878 cars came into Maine across the bridge at Portsmouth, that is, pleasure cars;

and as I say, those figures that we received show \$91 left in the State by each person. It seems to me that is an economic opportunity which we cannot afford to lose. That 3,878 is cars going both ways, so only half of that would be the number of cars coming into the State each day.

It seems to me that this question of reciprocity is in line with the campaign of our administration for publicity, for getting business into the State of Maine, and I would like to say this: unfortunately, the controversy which we have had with the other States regarding the licensing of vehicles has become so serious that the last administration, I believe, paid out \$2,000 for advertising in Boston papers, last year, to overcome the adverse feeling that was keeping people out of the State of Maine.

I hope the motion to reconsider will prevail.

Mr. CUMMINGS of Portland: Mr. Speaker, for a man who first announced that he was not on either side of the question, my colleague from Portland, Mr. Oakes, has made quite an extended plea. I am for the Littlefield amendment, and I hope the motion to reconsider will not prevail. Reciprocity has rather a nice sound so far as the word goes, but if one boy had three apples and the other only one, a proposition to exchange would not sound so good to him.

Now, as far as passenger cars are concerned, reciprocity, it seems to me, would be rather a complicated and rather an unwieldy proposition for the reason that the various states having different laws and different periods during which they permit cars to remain in their state without charge, the cars from one state go into another state and stay thirty days without charge, and into another state and stay ninety days without charge, and so on, and it does not seem to me that the plan of reciprocity works out. You may say that our cars going to those various states have the same privilege, but they very seldom go there. This is a vacation state, and during the summer period these cars come from many states, and the reciprocity, it seems to me, would be pretty much on one side.

Then, take again the trucks. We are appropriating a large amount of money with which to reconstruct a road over which 91,000 trucks in the

State of Massachusetts would be able to transport goods to Maine in competition with our railroads. And to open up the opportunity to permit them to do such a thing as that would seem to me a piece of positive stupidity. I cannot characterize it any other way.

I hope the motion to reconsider will not prevail.

The SPEAKER: The action yesterday was as follows: This original bill came to us from the Senate, having been passed to be engrossed. The original bill was read twice here and then the Littlefield amendment adopted; so up to that stage the bill for all purposes is House 533, the Littlefield bill. A motion to indefinitely postpone the whole matter was lost, and the motion for reconsideration now is that the House reconsider its action whereby the motion to indefinitely postpone was lost. A vote for reconsideration, if carried, would then bring the matter back to the status at which the motion to indefinitely postpone was made. The motion, if lost, leaves the matter in the state of a bill pending its third reading. Is the House ready for the question?

Mr. HAMILTON of Caribou: With the Littlefield amendment?

The SPEAKER: The Littlefield amendment was adopted yesterday; so that this bill is virtually the Littlefield bill now.

The SPEAKER: As many as are in favor of the motion to reconsider will say aye, those opposed no.

A viva voce vote being doubted,

A division was had.

Fifty-five voting in the affirmative and 56 in the negative, the motion to reconsider the vote whereby this matter was indefinitely postponed failed of passage.

Mr. OAKES of Portland: Mr. Speaker, I offer House Amendment B and move its adoption. I will ask that the Chair start the reading of it and then I will move that it be discontinued.

House Amendment B to Senate Document No. 300.

That the section be amended by striking out all after enacting clause and inserting thereafter the following:

"Section 34. The provisions of this act relative to the registration of motor vehicles and trailers, excepting as the same applies to trucks, tractors on wheels, commer-

cial trailers or other commercial vehicles and the granting of operators' licenses shall not apply to a motor vehicle or trailer, with the above exceptions, owned by a non-resident, other than a foreign corporation doing business in this State or to a non-resident operator—"

Mr. OAKES of Portland: I move that the further reading be dispensed with. (The motion prevailed.)

Mr. OAKES: The remainder of the amendment corresponds with Senate bill 300.

The SPEAKER: The original bill?

Mr. OAKES: The original bill; that is to say, this amendment gives reciprocity to pleasure vehicles, but eliminates motor trucks. I move the adoption of the amendment. I might add, Mr. Speaker, that the present law as it stands eliminates the Littlefield amendment, leaving the present registration fees all as they stand, but giving reciprocity to foreign pleasure cars coming into this State.

In answer to a further question, the reciprocity corresponds to the privileges given the people of the State of Maine by the other states, that is to say: If Massachusetts gives Maine thirty days free, we give Massachusetts thirty days free, and after that our regular registration fee applies; so anybody coming into this State from a foreign state knows that they get the same treatment in this State as we are afforded by their state.

The SPEAKER: That is, the gentleman's amendment leaves trucks taxable as at present and provides reciprocity for passenger cars.

Mr. OAKES: That is correct. Trucks are taxable as under the present law.

Mr. STURGIS of Auburn: Mr. Speaker, I would like to ask the gentleman from Portland (Mr. Oakes) what proportion of out-of-town trucks and cars come in in comparison with those going out?

Mr. OAKES: I don't know.

Mr. STURGIS: I thought from his argument he did.

Mr. OAKES: I will say this, Mr. Speaker, that I understand some six hundred thousand automobiles are registered in Massachusetts.

Mr. LITTLEFIELD of Kennebunk: Five hundred and eighty-one thousand.

Mr. OAKES: And I say that I

hope every one of them will come into the State of Maine.

Mr. LITTLEFIELD: Mr. Speaker, I would like at this time to ask Mr. Oakes if he can tell me where the count was taken that he refers to of the number of trucks going in and out of the State.

The SPEAKER: The gentleman may reply if he wishes.

Mr. OAKES: That count was taken at Kittery, Mr. Speaker.

Mr. LITTLEFIELD: At what point in the road?

Mr. OAKES: Taken on the main line in Kittery. It is the Federal survey. I am not sure of the exact point.

Mr. BURNHAM of Kittery: Mr. Speaker, I can answer the gentleman. It is the first corner after you come over the bridge up around over the overhead bridge and turn on to the main road.

Mr. LITTLEFIELD: Mr. Speaker, I would like to say to this House that every truck that went to Kittery, every truck that went under the old bridge was included in that. They did not all go out of the State; they did not all come in from out the State. I wish to make that clear to the minds of the members. I do not want anyone here to think that I have any selfish interest in this matter. I am simply trying to get it right.

There are 580,489 pleasure cars owned in Massachusetts. There are 105,040 owned in the State of Maine. As I told you yesterday, the mileage in the State of Maine for roads has got thirty-four people to the mile to take care of that road on an average; and the State of Massachusetts has got 167 people to every mile to keep their roads in repair. We have got 105,000 cars that we can send up there. They have got 580,000 that they can send down here.

Mr. Oakes' statement, as I understand it, leaves the five and ten day license on trucks. If that is what you want to do, do it.

The amount of money taken in, as you see, in Massachusetts is \$8,545,226.04. The amount taken in here is \$1,933,561.

Mr. Speaker, I have watched this thing from my place a great many times. Any one knows who rides on the road between Portland and Portsmouth that 90% of the cars you meet have Massachusetts number plates on them. You stand in a fair position

and you will see that. I do not like to have this truck proposition brought in here as going in and out of the State when it takes in the town of Kittery, up to South Berwick, over the toll bridge, right in front of the garage the name of the man Mr. Burnham can tell you. They have held me up time and again as they have everybody who goes that way. Mr. Burnham can tell you the name of the garage where they stop.

If you want to do this, I am perfectly willing. I had rather see the law as it is now than to see it changed again.

Mr. SPEAKER: The Chair will endeavor to state the alternatives now before the House. As this bill now stands without further amendment, it is the Littlefield bill, namely, on passenger cars twenty days and half price, and on trucks full price at once. The gentleman from Portland, Mr. Oakes, moves an amendment and the debating of that motion is the matter before the House. The effect of the amendment is to leave the registration of trucks as at present and to provide reciprocity for passenger cars. A vote of yes is for the adoption of the Oakes Amendment. A vote of no is against the adoption of the amendment. Is the House ready for the question?

A viva voce vote being taken, House Amendment B was adopted.

Mr. OAKES: I now ask what is the pending question?

The SPEAKER: The pending question is the third reading.

Thereupon the bill had its third reading, and as amended by House Amendment B was passed to be engrossed.

The SPEAKER: The next matter on the calendar is Joint Order relative to changing name of the committee on Mercantile Affairs and Insurance, tabled by Mr. Bishop of Boothbay Harbor, pending passage.

Mr. BISHOP of Boothbay Harbor: Mr. Speaker, yesterday I introduced this order at the request of a member who was unable to be here at that time, I now yield the floor to the gentleman from Bath, Mr. Drake.

Mr. DRAKE of Bath: Mr. Speaker, that order is simply intended to correct a title. The present title is "Mercantile Affairs and Insurance," and no "mercantile affairs" are ever referred to that committee; so I had

that order introduced, and I move that it have passage.

Mr. WING of Auburn: Mr. Speaker, I wish to respectfully decline to infringe on the constitutional rights of the next legislature. As I said to the House yesterday, it might call its committees anything it saw fit, and, for one, I do not at this late day care to change the name of this committee or in any way attempt to bind a succeeding legislature.

On motion by Mr. Cummings of Portland, the House voted to refer the matter to the next Legislature.

The SPEAKER: The next matter tabled and today assigned is report A, ought not to pass, and report B ought to pass in new draft, S. P. 664, S. D. 326, and report C, ought to pass in new draft, S. P. 665, S. D. 327, on bill an act relating to the right to erect and maintain mill dams. S. P. 389, S. D. 136, tabled by Mr. Piper of Jackman, April 9, pending acceptance of any report.

Mr. PIPER of Jackman: Mr. Speaker, I move that the House concur with the Senate in the acceptance of report C, ought to pass in new draft, and I yield the floor to the gentleman from Caribou, Mr. Hamilton.

The SPEAKER: The new draft is Senate 329.

Mr. HAMILTON of Caribou: Mr. Speaker, gentleman and lady of the House: The original draft was what was called the Carter act, which affected the whole State of Maine. After due consideration by the Judiciary committee, it was decided, six to two, as I understand it, that that draft should be reported ought not to pass. The two desiring it to extend over the State, brought in their report, which is as I understand it, Report B. The two members from Aroostook, feeling that it was for the best interests of the people of Aroostook that the mill dam act should not apply to that section, brought in what we call the new draft and signed that draft.

I do not care to go into the technical interpretation of the mill dam act at this time,—simply that my mind was made up when I looked at that map up there (referring to map over Speaker's chair) and saw that immense territory, I felt that in this

particular instance Grand Falls should be opened up so that the people of Aroostook might have their share of that power with the people that had control of that enterprise, and then come to the citizens of Aroostook through the Legislature of Maine and not have to go to individual owners on the St. John river and its tributaries. That is the reason why my mind finally fixed, and I believe it is for the best interests of the people of Aroostook to leave it so that the representatives here assembled can decide what would be best for them, and not leave it to individual desires.

I understand the significance of this. I understand that there are interests there anxious to get control; but I feel that it is for the best interests of the people of the county as a whole that the Legislature should have the right to decide. I wish to state this that while we were in a small minority, only two of us, the Senate, through the members of the Judiciary unanimously conceded our desires and passed draft B, or the new draft; and I trust that the members of this House will sustain the representatives from Aroostook on that committee.

Mr. NICHOLS of Portland: Mr. Speaker, as a member of the Judiciary Committee who signed Senate Report B requesting that this law be extended to the whole state, I second the motion of the gentleman from Jackman, Mr. Piper, that Report C be accepted. I have arrived at the stage where if I cannot get a watermelon I will take an apple. If this thing cannot be accepted by the whole state of Maine, I am perfectly willing to help out Aroostook county and let them have it.

Mr. WING of Auburn: Mr. Speaker, I am in the same position as is the gentleman from Portland, Mr. Nichols. Ever since the decision of the great case *Brown vs. DeNormandie*, 123 Maine, beginning at page 535, I have been interested in the vast rights which the court there elucidated. I feel as does the gentleman from Caribou, Mr. Hamilton, and the gentleman from Portland, Mr. Nichols, that this is a step in the right direction for the protection of the right of the individual, and I second the motion of the gentleman from Jackman (Mr. Piper) in regard to Report C.

Mr. HALE of Portland: Mr.

Speaker, I also support the motion of the gentleman from Jackman Mr. Piper. I wish to say in the briefest possible way that I do this because I understand that it is important to the people of Aroostook that this particular act shall apply to that particular river valley, or, rather, that the particular river valley shall be exempted from the provisions of the mill act as it now exists. I do wish to protect myself to the extent of saying that I personally think that no legislation of this kind is necessary at this time, and that the treaty from which I read to the House at some length the other day and the decisions of the Supreme Judicial Court, particularly the decision in *Wooster vs. Great Falls Manufacturing Company*, reported in 39 Maine, adequately safeguards the rights of the dwellers in that county. I support the motion.

Mr. HOLMES of Lewiston: Mr. Speaker, like the gentleman from Portland, Mr. Hale, I would like to get myself into the record. I do not wish to discuss it at all. I defer my wishes to the wishes of the people from Aroostook. Like the gentleman from Portland, Mr. Hale, I believe that we and the Aroostook people, particularly those of the St. John valley, are amply protected by the treaty of 1909 between the United States and Great Britain, and that it should be left to the United States government. Like the gentleman from Portland (Mr. Hale) I shall defer to the wishes that the gentleman from Caribou, Mr. Hamilton, voices.

The SPEAKER: The question is on the motion of the gentleman from Jackman, Mr. Piper, that Report C be accepted.

A viva voce vote being taken, the House voted to accept Report C.

On motion by Mr. Wing of Auburn, the rules were suspended and the bill was given its three several readings and passed to be engrossed.

The SPEAKER: There are a few papers from the Senate.

From the Senate: Report of the Committee on Appropriations and Financial Affairs on resolve in favor of clerks, stenographers and messen-

gers of the several committees, and other expenses of the 82nd Legislature, (S. P. 672) and that it ought to pass.

Comes from the Senate, report read and accepted and the resolve passed to be engrossed.

In the House, taken up out of order, under suspension of the rules, report accepted, the resolve given its two several readings under suspension of the rules, and passed to be engrossed in concurrence.

From the Senate: Resolve in favor of building a bridge over the St. John River, in the town of Fort Kent, H. P. 1303, on which the House voted to insist further and again ask for a committee of conference on April 9.

Comes from the Senate that body voting to adhere.

In the House, taken up out of order, under suspension of the rules.

Mr. WING of Auburn: Mr. Speaker, I move that the House insist.

A viva voce vote being doubted,

A division was had.

Ninety voting in the affirmative and none in the negative, the motion to insist prevailed.

Finally Passed

Resolve in favor of the Maine School for Feeble Minded for additions and improvements.

Resolve appropriating money to pay claims allowed by the Committee on Claims.

Resolve to pay the unpaid premiums due on account of insurance on the State Pier and sheds for policies issued in 1923 and 1924.

Resolve to pay certain deficiencies.

On motion by Mr. Hamilton of Caribou, it was voted to take from the table an act to provide for an issue of State Highway and Bridge Bonds, tabled by that gentleman earlier this morning; and on further motion by the same gentleman the bill was passed to be enacted.

Conference Report

Report of the committee of conference on the disagreeing action of the

two branches on bill an act to provide for policemen's pensions, S. D. 93, reporting that the House recede and concur with the action of the Senate.

Mr. HOLMES of Lewiston: Mr. Speaker, I move that the report be accepted. Has that been passed to be engrossed?

The SPEAKER: In the Senate House Amendment A was rejected. The House passed this matter to be engrossed with House Amendment A, which was a referendum provision.

On motion by Mr. Holmes of Lewiston the House voted to reconsider its action whereby this bill was passed to be engrossed for the purpose of moving that the House recede and concur with the Senate and indefinitely postpone House Amendment A; on motion by the same gentleman the report of the committee of conference was accepted. On further motion by the same gentleman, the House voted to reconsider its action whereby Amendment A was adopted.

On motion by the same gentleman, House Amendment A was indefinitely postponed in concurrence with the Senate; on further motion by the same gentleman the bill as relieved of the amendment was passed to be engrossed.

The SPEAKER: The next matter on the table is a resolve amending the Constitution relating to bonds, the pending question being assignment for second reading. This was tabled by Mr. Wing of Auburn, April 9.

On motion by Mr. Wing of Auburn, the resolve had its second reading and was passed to be engrossed.

On motion by Mr. Bishop of Boothbay Harbor,

The House recessed until 2.30 P. M.

After Recess

The House was called to order by the Speaker.

Passed To Be Enacted Out of Order

An act to amend Section 32 of Chapter 97 of the Revised Statutes relating to mills and mill dams.

From the Senate: Report of the committee of conference on the disagreeing action of the two branches on resolve in favor of a bridge over

the St. Croix River, between Vanceboro, Maine, and St. Croix, New Brunswick, H. P. 223, on which the House insisted further and asked for a committee of conference earlier in the day, reporting that the Senate recede and concur with the House.

Comes from the Senate, report read and accepted.

In the House, report read and accepted in concurrence.

From the Senate: Report of the committee on State School for Boys, State School for Girls and State Reformatory reporting ought to pass on resolve in favor of the Reformatory for Women for new construction and permanent improvements, S. P. 85.

Comes from the Senate resolve indefinitely postponed.

In the House, on motion by Mr. Wing of Auburn, a viva voce vote being taken, that body voted to concur with the Senate in the indefinite postponement of this resolve.

From the Senate: Resolve in favor of the Reformatory for Women for maintenance and other purposes, S. P. 84, which was passed to be engrossed as amended by House Amendment A in the House April 8 in non-concurrence.

Comes from the Senate, House Amendment A indefinitely postponed and the resolve passed to be engrossed without amendment.

Mr. FROST of Belfast: Mr. Speaker, I move that we recede and concur with the Senate in indefinitely postponing the amendment. The House Amendment is printed as House Document 516, and the amendment was to the effect of striking out the word "fifteen" and replacing "ten", so that the resolve reads "ten thousand dollars" instead of "fifteen thousand dollars".

Mr. Speaker, if it is necessary that a word of explanation be given at this time, let me say that one of the Senators from Somerset county, Senator Smith, was very anxious to get money for new construction in connection with the Reformatory for Women at Skowhegan. It was not until this morning that he personally voted to indefinitely postpone that resolve in the Senate, and immediately after that this resolve came into the Senate, amended by the House reducing the amount available for that institution from fifteen thousand to ten thousand dollars. It

seems to several members of the appropriations committee that it would be no more than fair, under all the circumstances, that this resolve be restored to the original amount, as it hardly provides enough for them to cover the maintenance necessary for the next two years.

On motion by Mr. Frost of Belfast, the House voted to reconsider its action whereby this bill was passed to be engrossed; on further motion by the same gentleman House Amendment A was indefinitely postponed in concurrence with the Senate.

On further motion by the same gentleman the resolve as relieved of the amendment was passed to be engrossed in concurrence.

From the Senate: Resolve in favor of the Augusta State Hospital for appropriations for the construction of a new building for fifty women nurses and attendants during the fiscal years 1926 and 1927, S. P. 71, S. D. 311, which was finally passed in the House earlier in the day.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House on motion by Mr. Wing of Auburn, a viva voce vote being taken, that body voted to recede and concur with the Senate in the indefinite postponement of this resolve.

From the Senate: The following order:

ORDERED, the House concurring, that the Librarian furnish to each member of the Eighty-second Legislature one copy of the last revision of the Revised Statutes of this State.

Comes from the Senate, read and passed.

In the House, on motion by Mr. Piper of Jackman, read and passed in concurrence.

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

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence. (Applause.)

Mr. NICHOLS of Portland: Mr. Speaker, on every legislative morning we have heard the words "Augusta, nineteen twenty-five. Met according to adjournment." (Applause) When the Speaker has interrupted by saying: "A gentleman from some

part of the State moves that the further reading of the Journal at this time be dispensed with. Is this the pleasure of the House?" We presume that the object of our Speaker's interruption is to save the weak, low, inaudible, indistinct and hesitant voice of our Clerk. (Applause.)

We have been in session for more than thirteen weeks. We have come to know each other, to like each other and to have respect one for another. (Applause) During all this time there has been, and still is, one who, although not a member, nor a lobbyist (laughter and applause), knows more about the inside doings of this House than all the members and lobbyists put together. (Applause) Always pleasant and agreeable, he answers our intelligent questions and our foolish ones in the same courteous manner. He never oversteps the bounds of propriety and has won for himself the friendship of every one of us.

Mr. Speaker, we would indeed be unmindful of this courtesy if we should allow this occasion to pass without notice. Mr. Clerk in behalf of the members of the Eighty-second Legislature, this silver pitcher is presented to you as a token of their respect and regard for you. Every time you drink from its contents, may it bring to your mind as pleasant thoughts of us as ours are of you. May it remind you that every member here is proud to call you his friend. Accept it with the best wishes of the members of the Eighty-second Legislature, and may your voice be heard in these halls for many years to come.

(Prolonged applause, the members rising and cheering.)

CLERK CHAPMAN: Mr. Speaker, members of the House: You find me much embarrassed. I am overwhelmed with your generosity. You have completely demoralized your clerical department. I had begun to think that I never wanted to hear a speech again, but the last one sounded awfully good to me. (Laughter and applause.)

There is something about praise that is peculiar to itself. It pleases even though it may not be deserved. There is nothing that will please a homely man quite so much as to tell him he is good looking. (Laughter.) I suppose that applies to women as well, but I am authorized to speak

simply for the homely man and not for the women.

This is the best House I have ever seen. I have said that for four sessions now and I am beginning to believe myself. (Laughter and applause) I suppose that in justice perhaps to other Houses, if I were to be polite and I wish to be, I should not be sincere in making such a statement; but I do want to say that this House is no worse than the other Houses have been. (Laughter.)

The mere thoughts of a speech make me want to lie myself with my stenographer to the top of Mt. Katahdin. (Laughter.) It has been a pleasure to work with you members during the session, and if during the session when some member, through thoughtlessness or not knowing perhaps, has interfered with the system of the Clerk's department and I have made uncomplimentary remarks about you under my breath—and I have—(laughter) I want to assure you now that I did not mean more than half of it.

The gentleman from Portland, Mr. Nichols, has stated that he has noticed that when I was reading very often I was interrupted by a motion that further reading be dispensed with. I have often wished that I might have the same power over you that you have exercised over me (Laughter and applause.)

My nature seems to be better attuned to resisting unkindness and abuse than it is to praise. It leaves me completely confused; it weakens me; it destroys my manly grouch. I feel effeminate, (Laughter) and I do now (laughter). I feel like throwing my arms around your necks and weeping on your shoulders.

It has been a great pleasure for me to work with your Speaker. He has a remarkable disposition. It is quite the opposite of my own. He is always so calm and placid and nothing seems to excite or arouse him; and even if he has to wear old clothes, I like him (laughter and applause.) As I say I feel effeminate, and let me borrow from womankind and assure you that the present is just what I wanted and I think you are all perfectly wonderful. (Prolonged applause, the members rising.)

MR. HOLMES of Lewiston: Mr. Speaker, when the Supreme Archi-

fect of the Universe created the world, he called the world into being. When in the course of time he made Man, he created him from the elements of the earth; he endowed him with intelligence; he breathed into him an immortal soul. But when in the fullness of time he determined in his wisdom that the world was now ready for the appearance of a more perfect form of womanhood, he sent his archangels out through the starry realms of space to gather all that was beautiful and bright, and when they returned and threw at his feet their burden, then in their wondering presence he fashioned the American Girl. He wrought with the gold and the glitter of the starry orbs; he wrought with the shifting hues of the rainbow; he wrought with the silvery beam of the hunter's moon; he wrought with the fire and flame of the flashing diamond, and, then, looking deep into his heart, he took therefrom, tenderly, love, the love which he thus implanted in the American Girl. And all the Heavens and the Earth rejoiced because Almighty God had created the American Girl.

Mrs. Chapman, as a slight token of the high regard that the House of Representatives of the Eighty-second Legislature has for you, for your unflinching kindness and courtesy, as a slight token of the fact that we sincerely believe that you are one of the finest examples of the American Girl, we present to you these flowers. (Prolonged applause, the members rising.)

Mr. LAMSON of South Portland: Mr. Speaker, I desire to have the telephone operator, Mrs. Shea, and her assistant, brought in, if you please.

The SPEAKER: The Messenger will attend to the request.

Mr. HAMILTON of Caribou: Mr. Speaker, we certainly have appreciated the fine diction, and the splendid oratory and the wonderful storytelling ability of our friend from Belfast. We have been entertained by our friend from Lewiston with his few words of unlimited duration. (Laughter.) We have appreciated the careful work of our friend from Portland who has seen to it that every word, letter and punctuation have been in every resolve and enactment before it has been finally passed. (Applause.) We certainly

have noticed the splendid work of the different committees composed of the members of this House and their efforts to do what they thought best; but when it came to the final decision, the vote, we certainly have appreciated the calm, careful consideration of each question and the splendid result attained by our member from Hampden. Mrs. Allen, it is with pleasure that I present you with these flowers as an expression of the appreciation of the members of this House and the high regard they have for you. (Applause, the members rising.)

Mrs. ALLEN of Hampden: Mr. Speaker and members of the Eighty-second Legislature: Words cannot begin to express my appreciation at receiving this beautiful gift, coming from a body of men with whom I have been working the past four months, who were nearly all strangers to me. I came here as one of you, with you and for you, and I certainly have been received with the same regard. I can truthfully say that a better class of men cannot be found in any State. Again thanking you for your kindness and remembrance, I am, as ever, a member. (Applause, the members rising.)

(At this point Mrs. Shea, the telephone operator, and her assistant, Milton Plummer, entered the hall, escorted by the Messenger.)

Mr. LAMSON of South Portland: Mrs. Shea, a very pleasant privilege is mine today. I have been called upon to give to you just a little token of the esteem, love and friendship which this Eighty-second Legislature has for you. While you have had many trials with us, we believe, as your company has expressed it in times past, that "the girl with the smiling voice" is personified in you; and the Eighty-second Legislature presents you with this slight token of their appreciation and esteem for your most efficient work. (Applause, the members rising.)

Master Plummer, you have done a man's job in a man's way, and we present this to you as a token of our esteem.

Thereupon Mrs. Shea and her assistant retired, the members rising and applauding.

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches

of the Legislature on Resolve in favor of the National Conference of Commissioners on uniform state laws and of the commissioners from Maine for the promotion of uniformity of legislation in the United States (S. P. No. 152) (S. Doc. No. 303) reporting that they are unable to agree.

(Signed)

Messrs. CRAM of Cumberland,
MORRISON of Franklin,
POWERS of Aroostook,
—Committee on part of Senate.
THOMPSON of Rockland,
WING of Auburn,
LAMSON of So. Portland,
—Committee on part of House.

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

Order, Out of Order.

On motion by Mr. Sargent of Sedgwick, it was

Ordered, that the Clerk of the House recall from the Senate, Senate Document No. 257 and report thereon.

From the Senate: Senate Paper 596, Senate Document 281, bill an act relating to driving motor vehicles while under the influence of intoxicating liquor or drugs and the penalty therefor.

This has been passed to be enacted in the House and passed to be engrossed as amended by Senate Amendment A.

Comes from the Senate amended by Senate Amendments A and B in non-concurrence.

In the House, Senate amendment B read.

Thereupon the House voted to reconsider its action whereby this bill was passed to be enacted; it also voted to reconsider its action whereby this bill was passed to be engrossed.

Thereupon the House voted to adopt Senate Amendment B in concurrence and the bill as amended was passed to be engrossed in concurrence.

Recess After Recess

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act to create a State Athletic Commission for the supervision and regulation of

boxing and wrestling (S. P. No. 635) (S. Doc. No. 302) reporting that the House recede and concur with the Senate.

(Signed.)

Messrs. LANE of Androscoggin,
HINCKLEY of Cumberland,
MAHER of Kennebec

—Committee on part of Senate.

LAIT of Oldtown,
HAMILTON of Caribou,

—Committee on part of House.

The following member of committee disagreed and recommends that the House adhere to its former action.

(Signed) Mr. NICHOLS of Portland.

Comes from the Senate read and accepted.

Mr. NICHOLS of Portland: Mr. Speaker, I move that the report be indefinitely postponed. This House has voted once on this measure to accept the minority report "ought not to pass"; this House has voted not to put the stamp of approval upon this bill and if indefinitely postponed, it is dead now. If we revive it, this bill has got to be printed and have its third reading and we will be here for I don't know how long. I move that we indefinitely postpone this matter. (Applause.)

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Nichols, that the report of the Committee of Conference be indefinitely postponed. Is the House ready for the question?

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve in favor of the President and Trustees of Bates College (S. P. No. 247) (S. Doc. No. 97) reporting same be made out in a new draft under title of "Resolve in favor of the President and Trustee of Bates College for the purpose of forestry work and demonstrations in forestry, for the benefit of the students of the University of Maine and the several colleges." (S. P. No. 673) and that it "Ought to pass."

(Signed)

Messrs. ROBERTS of York,
 PERKINS of Penobscot,
 —Committee on part of Senate.
 HAMILTON of Caribou,
 BRAGDON of Perham,
 —Committee on part of House.

Comes from the Senate Report read and accepted and the new draft passed to be engrossed as amended by Senate Amendment "B".

In the House Senate Amendment B read.

On motion by Mr. Hamilton of Caribou, the House voted to accept the report in concurrence.

Thereupon the resolve received its first reading, and, under suspension of the rules its second reading. On motion by Mr. Hamilton of Caribou Senate Amendment B was adopted in concurrence; and on further motion by the same gentleman the resolve as amended was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to tax upon gasoline, H. P. 1287, H. D. 520, which was passed to be enacted earlier in the day and passed to be engrossed as amended by Senate Amendments A and B.

Comes the Senate passed to be engrossed as amended by Senate Amendments A, B and C in non-concurrence.

In the House, Senate Amendment C read.

The SPEAKER: This appears to be the exemption of two cents. Can the gentleman from Kennebunk (Mr. Littlefield) inform the House if that is correct.

Mr. LITTLEFIELD of Kennebunk: That is the way I understand it, Mr. Speaker.

Thereupon the House voted to reconsider its action whereby this bill was passed to be enacted, also its action whereby this bill was passed to be engrossed. It then adopted Senate Amendment C in concurrence, and the bill as amended was passed to be engrossed in concurrence.

Order, Out of Order

On motion of Mr. Kitchen of Presque Isle, the following order:

Ordered, The Senate concurring, that a joint committee of two members on the part of the Senate, and three members on the part of the House, be appointed, which committee shall give consideration to the

report of the general bridge survey conducted by the state highway commission, as directed by the 81st Legislature, and shall report to the 83rd Legislature its recommendations for a future policy for bridge maintenance, construction and reconstruction.

Read and passed and sent up for concurrence.

Mr. KITCHEN of Presque Isle: Mr. Speaker, two years ago there was appropriated a sum of \$12,000 to make a bridge survey of the State, and as you all know that has been made and was before us this winter. This order calls for a committee to be appointed to investigate this situation. No money in connection with this has been asked for.

On motion by Mr. Hamilton of Caribou, the following order was presented out of order:

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.

It is further ordered that the Superintendent of Buildings be directed to deliver to the typewriter operator employed by the official reporter of the House the second-hand typewriter used by her.

The order received passage.

(Out of order and under suspension of the rules.)

Passed To Be Enacted

An act relating to corporations.

Finally Passed

Resolve in favor of the Reformatory for Women for maintenance and other purposes.

Emergency Measure

An act to provide for an issue of State Highway and Bridge bonds.

The SPEAKER: This being an emergency measure, and requiring under the Constitution the affirmative vote of two-thirds 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 voted and all in the affirmative, so the bill was passed to be enacted.

Conference Report

Report of the committee of conference of the disagreeing action of the two branches on bill an act relating to a bridge between Orr's Island and Bailey's Island, reporting that they are unable to agree.

Report read and accepted.

The SPEAKER: A matter recalled from the files by the gentleman from Sedgwick, Mr. Sargent, being an act to provide for the completion of the vital records of the State of Maine.

Mr. SARGENT of Sedgwick: Mr. Speaker I move that we reconsider the vote of yesterday whereby we voted not to accept the conference committee's report.

The SPEAKER: The conference report yesterday afternoon was as follows, that the same ought to pass in new draft, and new draft transmitted and known as draft. A. Yesterday the House agreed not to accept said report. The gentleman from Sedgwick, Mr. Sargent, moves that the House reconsider its action whereby it refused to accept the report.

A viva voce vote being doubted,

A division was had,

Thirty-two voting in the affirmative and 62 in the negative the motion that the House reconsider its action whereby it refused to accept the report failed of passage.

From the Senate: Senate Paper 674, an act to appropriate moneys for the expenditures of the government and for other purposes for the year from July 1st, 1925, to June 30, 1926.

Comes from the Senate read twice under suspension of the rules and passed to be engrossed.

In the House, on motion by Mr. White of Bowdoinham the rules were suspended and the bill had its three several readings and was passed to be engrossed in concurrence.

From the Senate: Senate Paper 675, an act to appropriate moneys for the expenditures of the government and for other purposes for the year from July 1st, 1926, to June 30, 1927.

Comes from the Senate read twice under suspension of the rules and passed to be engrossed.

In the House, on motion by Mr. White of Bowdoinham the rules were suspended and the bill had its

three several readings and was passed to be engrossed in concurrence.

From the Senate: Senate Paper 470, Senate Document 180, resolve in favor of the Maine School for Feeble Minded for additions and improvements, which was finally passed in the House earlier in the day,

Comes from the Senate indefinitely postponed.

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

Mr. FOSTER of Ellsworth: Mr. Speaker, it seems to me this would be a very fitting time for us to show our appreciation of the very efficient manner in which our distinguished floor leader, the gentleman from Auburn, Mr. Wing, has handled our affairs. While we have not always been able to agree with him all the time, I think the most of us are willing to forgive his shortcomings; and I am going to start off by forgiving him for challenging my vote the other day. I move you, sir, that we give Mr. Wing a rising vote of thanks.

This was done amid the applause and cheers of the House.

Mr. FOSTER of Ellsworth: Mr. Speaker, I believe the same courtesy should be extended the Democratic floor leader, Mr. Holmes of Lewiston.

The members rose and applauded.

On motion by Mr. Frost of Eastport.

The House recessed until 7.45 P. M.

After Recess

The House called to order by the Speaker.

Passed to be Enacted

(Out of order and under suspension of the rules.)

An act to enable cities of over 35,000 to regulate and restrict the construction of buildings and the use of land by zoning ordinances.

From the Senate: Report of the Committee on Ways and Bridges out of order on resolve, reporting same in new draft, S. P. 676, for the construction, maintenance and repair of

roads, bridges and ferries, and that it ought to pass.

Comes from the Senate the report read and accepted and the resolve passed to be engrossed.

In the House, report read and accepted, the resolve had its two several readings and was passed to be engrossed in concurrence.

Papers from the Senate, out of order, disposed of in concurrence.

On motion by Mr. Farley of Bridgewater,

Adjourned until 9.30 tomorrow morning.