

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

SENATE

Wednesday, April 8, 1925.

Senate called to order by the President.

Prayer by Rev. R. F. Lowe of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act relating to intoxicating liquors. (S. D. 309.)

In Senate, April 6, passed to be engrossed.

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

In the Senate: On motion by Mr. Hinckley of Cumberland, the Senate voted to reconsider its action whereby this bill was passed to be engrossed.

On further motions by the same senator, House Amendment A was adopted and the bill was passed to be engrossed as amended by House Amendment A.

From the House: Resolve in favor of an amendment to the Constitution of the United States to prohibit the employment of women and children in workshops, factories, manufacturing or mechanical establishments for more than forty-eight hours in a week. (H. D. 497.)

In Senate, April 7, committee of conference appointed.

In the House, that body voted to adhere.

In the Senate: Tabled on motion by Mr. Smith of Somerset.

From the House: An Act to amend Chapter 485 of the Private Laws of 1901 as amended by Chapter 331 of the Private and Special Laws of 1909, relating to an act to establish the municipal court of the town of Skowhegan. (S. D. 102.)

In Senate, April 7, committee of conference appointed.

In the House, that body voted to adhere.

In the Senate: On motion by Mr. Smith of Somerset, the Senate voted to concur with the action of the House.

From the House: An Act providing for the use of the English language in this State. (H. D. 122.)

In Senate, April 7, committee of conference appointed.

In the House, that body voted to adhere.

In the Senate: On motion by Mr. Hinckley of Cumberland, the Senate voted to concur with the House.

From the House: An Act providing for the benefit and assistance for aged persons under certain conditions in the State of Maine and prescribing penalties for violation of the provisions hereof and making an appropriation for carrying out of its purposes. (S. D. 293.)

In Senate, April 7, committee of conference appointed.

In the House, that body voted to adhere.

In the Senate: On motion by Mr. Hinckley of Cumberland, the Senate voted to concur with the House.

From the House: An Act to accept the provisions of the Act of Congress of the United States, approved November 23, 1921, entitled an Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes. (S. D. 231)

In the Senate, April 7, committee of conference appointed.

In the House: that body voted to adhere.

In the Senate: Mr. PHILLIPS of Hancock: Mr. President, I thought we had a committee of conference appointed yesterday.

The PRESIDENT: The Chair will state that is so, but the House has voted to adhere to its former action.

Mr. BARWISE: Mr. President, does that mean they refuse to appoint a committee of conference?

The PRESIDENT: It does.

Mr. ALLEN of York: Mr. President, I move we concur with the House.

The vote being doubted:

The PRESIDENT: All those in favor of receding from our former action and concurring with the House will say "Aye"

Mr. HINCKLEY of Cumberland: Just a moment, Mr. President, I don't want to take the position of receding and concurring with them. I want it to die between the two houses, and we maintain our position and they theirs.

The PRESIDENT: The Chair will rule there is no particular difference—

Mr. HINCKLEY: There is of

course a parliamentary situation where they die between the Houses. I move we adhere. I presume the vote has been put and the vote declared, I move we reconsider our action whereby we voted to concur with the House.

The PRESIDENT: You have not voted to concur with the House.

Mr. HINCKLEY: Is there a motion now before the House?

The PRESIDENT: There is.

Mr. ALLEN: Is it my motion?

The PRESIDENT: Yes.

Mr. ALLEN: I withdraw it.

Mr. HINCKLEY: I move that we adhere to our former action.

The motion was agreed to.

Mr. PHILLIPS: Mr. President, do I understand that the same committee will have a conference?

The PRESIDENT: No committee is necessary. The bill simply dies between the two Houses.

Mr. SMITH of Somerset: Mr. President, I feel that the Senator should have a fair chance and he did not understand the procedure taken, and if he desires to ask for another committee of conference, I feel it should be accorded him.

Mr. ALLEN: Perhaps I can clarify the situation a bit. This went through the Senate and was passed to be engrossed; went over to the House; they voted against the bill, and they reconsidered that vote at that time and adhered to their former action—that is, they voted to reconsider and that was defeated. That is the way it was and this bill is as dead as a door nail. It is impossible to bring it back with all the committees of conference in the world and it is taking up a lot of valuable time.

The PRESIDENT: They have refused to join in the committee of conference.

Mr. ALLEN: And will refuse—nothing to do. I would be tickled to death to help the Senator but there is nothing to do.

The PRESIDENT: Does the Senator from Somerset desire to make a motion?

Mr. SMITH: No, Mr. President, I do not see that it is possible to make one to be effective.

From the House: The committee on taxation, on An Act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or

electric current for power, lighting, heating, manufacturing or mechanical purposes (H. D. 217) reported that the same ought not to pass.

In the House: that branch substituted the bill for the report of the committee and subsequently substituted a new draft, under the same title (H. D. 490) for the original bill; the new draft was given its three several readings and then indefinitely postponed.

In the Senate: On motion by Mr. Hinckley of Cumberland, the Senate concurred with the House in indefinite postponement.

From the House: Resolve, Providing for the Appointment of One or More Persons to Represent the State in Certain Proposed Changes in Freight Rates Affecting the People of the State. (H. D. 439.)

In Senate, April 6, Committee of Conference appointed.

In the House: That body voted to join the Committee of Conference; subsequently they reconsidered their action in joining the Committee of Conference, adopted House Amendment A, and passed the resolve to be engrossed as amended by House Amendment A.

In the Senate: On motion by Mr. Holley of Somerset, tabled temporarily in the absence of the Senator from Kennebec.

The following resolve was received and referred to the Committee on Appropriations and Financial Affairs:

By Mr. Anthoine of Cumberland, Resolve, in favor of John K. Turner for services as Clerk of the Military Affairs Committee. (S. P. 663.)

Bill in First Reading

Resolve for Charitable and Benevolent Institutions for the care, support and medical or surgical treatment of certain persons. (S. D. 319.)

(On motions by Mr. Holley of Somerset, under suspension of the rules, the bill was given its second reading and passed to be engrossed.)

Final Report

Mr. Anthoine from the committee on military affairs, submitted the final report of that committee, they having acted on all matters referred to them.

The report was accepted.

Passed to Be Enacted

An Act Relating to Aircraft. (S. D. 304.)

An Act to Enable the City of Lewiston to Issue Bonds for School Purposes. (H. D. 512.)

Finally Passed

Resolve, in Favor of the Maine School for the Deaf. (S. D. 305.)

Resolve, in Favor of International Bridge, Van Buren, Maine, St. Leonards, New Brunswick, Combined Immigration and Customs Office. (H. D. 511).

Resolve, in Favor of the State Park Commission. (S. D. 307).

Resolve, Appropriating money for the Construction of a Sewer Main for the Bangor State Hospital. (S. D. 296).

Orders of the Day

The PRESIDENT: The Chair lays before the Senate S. D. 143, An Act relating to the definition of banking, tabled pending adoption of House Amendment A, and recognizes the Senator from Kennebec, Senator Foster:

On motion by Mr. Foster, the Senate reconsidered its action whereby this bill was passed to be engrossed.

On motion by Mr. Foster the Senate adopted House Amendment A.

On further motion by the same Senator the Senate reconsidered its action whereby it adopted House Amendment A, and on further motion by the same Senator the Senate reconsidered its action whereby it passed this bill to be engrossed.

On further motions by the same Senator, House Amendment A was adopted, and the bill as amended by House Amendment A was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 265, Resolve authorizing the State Librarian to purchase copies of the History of Aroostook, tabled pending final passage, and recognizes the Senator from Androscoggin, Senator Carter.

Mr. CARTER: Mr. President, I now move that we indefinitely postpone S. D. 265.

Mr. WILSON of Aroostook: Mr. President, I would like to ask, through the Chair, if Senator Carter means that all of these histories and books will be indefinitely postponed.

Mr. CARTER: Mr. President, I am very glad to answer the Senator from Aroostook through the Chair, and I would rather they had come

up in a different order than they have. These are perhaps small matters, but as some of the Senators have suggested, they are of great importance to the Librarian in that they furnish him the material which he needs to exchange with other States and other State libraries, thereby getting very many valuable books into our library. As these matters were discussed earlier in the year, there were two matters taken up that the committee, I think, were strongly in favor of at first. Those two matters were the Autobiography of Elizabeth Oakes Smith and the history of the town of Dresden, and these other matters were presented along during the committee hearings. They all came from the committee with the unanimous report "ought to pass," but the indications are, on account of the program of economy and other things, that they all cannot go through. Now I am very free to state and will state that I at this time move indefinitely to postpone S. D. 265, H. D. 488, and H. D. 482, and move the passage of H. D. 19 and the passage of H. D. 132, and I am doing it as a formal matter, without interest in any of the publications with the exception of the town of Dresden. That one I am very much interested in for this reason, that it had the first court house, I think, or the second court house in the district of Maine before Maine was a State. Perhaps I should not state it, but there has been a movement among a very few of the lawyers to see if that old court house could not be bought and preserved by members of the Bar. It certainly should be. And this is a very fine history, this history of the town of Dresden and of the old Pownalborough court house that existed long before Maine was a State.

I am making these motions, as I say without any active interest, not trying to put anything across in particular except I would like to see that Dresden history come across. I am simply making the motions to lay them before the Senate and the Senate may take action. It is of no active interest to me one way or the other.

Mr. HINCKLEY of Cumberland: Mr. President, may I ask a question through the Chair, whether or not S. D. 265 is the same resolve that was

amended on motion of the gentleman from Penobscot, Senator Barwise?

Mr. BARWISE: Yes.

Mr. HINCKLEY: Let me ask one more question. I understood that amendment was in accordance with the decision of the "Elder Statesmen" in their economy program, and I want to know why now, or whether the "Elder Statesmen" and the committee have decided now to cut it out altogether.

The PRESIDENT: The senator may answer through the Chair whether or not the "Elder Statesmen" have changed their views. The senator from Penobscot may answer if he likes.

Mr. BARWISE: Mr. President, the senator from Androscoggin could probably answer it just as well. The fact is, Mr. President, that the committee on library in their work had rather a rocky path during this session. In the first place our big appropriation for double-stacking was cut out entirely. And then we tried to economize on each one of these books and cut them down so that each would be less than \$500, and now there seems to be further pressure for cutting still more. It was put up to me and I am frank to say that I refused to do any more cutting of them. I wouldn't fight the rest of the committee if they wanted to do it, and the possibility is that we can save a couple of these books, but I do not think we can get all of them through.

Mr. HINCKLEY: Mr. President, I would like to ask again whether or not any action has been taken by the committee on library or by the so-called "Elder Statesmen" contrary to the view as expressed here as the action of both of those Honorable bodies, since this amendment was adopted by this Senate and the matter was settled according to their judgment?

The PRESIDENT: Any member of the Senate that cares to may answer this question for the second time, if they desire.

Mr. ALLEN: Mr. President, I would state that I am a member of that honorable body of "Elder Statesmen." It never was brought up before our committee that I know anything about, but it seems as if this matter has been gone over quite a good deal in the last two weeks, and I see no reason why we cannot appropriate this small amount of money to the committee on library. I am a member of that committee on

library, and we have sacrificed our double-stacking amounting to \$27,000. I think we have done our bit. I do not think anybody will find any fault if these measures go right through as they were intended to.

Mr. FOSTER of Kennebec: Mr. President, I notice that this is a resolve presented by our distinguished Senator from Aroostook, Senator Wilson, whom we are all glad to see back in his seat this morning, and I also recall that he was not present when this matter of curtailing to some extent in regard to these books was discussed here. It hardly seems to me fair to the gentleman who presented this measure, or to the locality that is particularly interested, and for one I see no reason for making any exception, and I hope that we will use this resolve just as we agreed to use the others and pass the resolve for the copies as asked for of the history of Aroostook.

Mr. CARTER: Mr. President, I have voted a great many times to print these books and print all of them. I have now performed whatever duty I may have had owing to an error or misunderstanding which was my own personal error, the temper of the Senate is to pass these books, and I now withdraw my motion of indefinite postponement and substitute therefor the motion that S. D. 265 receive its final passage.

Mr. HINCKLEY: Mr. President, might I ask through the Chair, if that is to be the motion on the next four, why not take them all up at the same time if there is no objection?

Mr. CARTER: I am entirely willing to take them all off the table together, if the Chair so prefers. I did not wish to break through his order of taking them off singly.

The PRESIDENT: If it is the will of the Senate, the Chair will lay before this body H. D. 488, Resolve providing for the purchase of Music and Musicians of Maine,

H. D. 19, Resolve providing for the purchase of Selections from the Autobiography of Elizabeth Oakes Smith edited by Mary Alice Wyman,

H. D. 482, Resolve for the purchase of 150 copies of the History of the town of Lee,

H. D. 132, Resolve for the purchase of 75 copies of the History of the town of Dresden,—and entertain a motion.

Mr. CARTER: Mr. President, I move that S. D. 265, H. D. 488, H. D. 19, H. D. 482 and H. D. 132, now receive their final passage.

The motion was agreed to and the Resolves were finally passed.

The PRESIDENT: The Chair lays before the Senate, S. D. 286, Resolve in favor of rebuilding Mattawamkeag bridge over Mattawamkeag river in the town of Mattawamkeag, Penobscot County, tabled pending printing and adoption of Senate Amendment A, and recognizes the Senator from Somerset, Senator Holley.

Mr. HOLLEY: Mr. President, pending an opportunity to get further information on what apparently is a misunderstanding, I ask that this matter be retabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, S. D. 249, An Act amendatory of and additional to chapter 148 of the Revised Statutes relating to state pensions, creating a field agent for blind, and guide; and defining the duties and compensation of such field agent and guide, tabled pending indefinite postponement, and recognizes the Senator from Somerset, Senator Holley.

Mr. HOLLEY: Mr. President, I yield to the Senator from Cumberland, Senator Cram.

Mr. CRAM: Mr. President, I propose to offer an amendment and speak to it. I desire first to ascertain the parliamentary situation.

The SECRETARY: March 30, this was passed by this body to be engrossed and sent down for concurrence. April 2nd it was passed in the House to be engrossed in concurrence. April 6 they voted to indefinitely postpone. Our last action was engrossment, and that of the House was to indefinitely postpone.

Mr. CRAM: Then would the proper motion at this time be to reconsider our vote whereby we passed this to be engrossed?

The PRESIDENT: It would.

Mr. CRAM: I so move.

The motion to reconsider engrossment was agreed to.

Mr. CRAM: I offer Senate Amendment A to S. D. 249 and move its passage.

Senate Amendment A to S. D. 249. Amend by striking out the word

"shall" in the second and third lines of the second paragraph, and insert instead thereof the word "may."

Mr. CRAM: Mr. President, the effect of this amendment is that the Governor, with the advice and consent of the Council may appoint a field agent for the blind for a term of two years. He may likewise appoint a guide for a term not exceeding two years. The word "may" taking the place of the word "shall," and therefore not making it obligatory for the Governor to so appoint.

I will say that this proposed act is favored by 23 employees of the Maine Institution for the Blind, practically all of the men employed at the Maine institution as per their petition which I have before me. It is also favored by many people from whom I have letters concerning the matter, one organization being that of the Veterans of Foreign Wars.

In Massachusetts, as per a letter to me from the department of education of the blind, under date of October 21, 1924, the director writes me that "The Commonwealth of Massachusetts enacted a law providing for the relief of blind people in 1919. Since that time, we have had two totally blind investigators administering the law. There is, however, no requirement in our law that we shall employ blind people for this work. We have done it because it has appeared to us to work out more satisfactorily than to employ a seeing person."

The National organization known as "The Lions Club," have recently taken up this work and appointed a man in Washington State to have direct charge of the work among the blind, and in so doing they chose a blind man, one who lost his sight when he was ten years old. In his statement concerning the situation which has recently been given he states: "We shall need funds of course, but not so much as we shall need the state of mind on the part of the public, which will lead it to give the real help which the blind need. For instance, you could go into the street this minute and, by an appeal to the people, get money for the blind; but you would have a much harder task to find any one willing to give him work in store, or shop, or home, and help to educate him into a self-supporting, independent citizen. And that is what

is more needed than money. It is little help if we merely contribute money to support the blind, and do not enable them to become independent and self-respecting men and women."

I would like to read an extract from a letter just received by me from William Lynch of Portland, who is the blind stenographer at the Blind Institution, a young man who has been blind from birth. In support of the work which can be done by the field agent, he states: "A field agent can obtain full and correct information regarding the blind. It is obvious that if efficient work is to be done for this class, the data on record should be as complete and accurate as such data can be made. A field agent could accomplish this better than it could be done through correspondence, because he would have, by coming in direct contact with the blind themselves, first hand information which could be verified and supplemented from other reliable sources in the home town of such blind persons. Again, there is in Portland an institution for the training and employment of adult blind. This plant has been in operation since 1909, and yet there are people in the very city where it is located who know very little about the institution. How much more would this be true in distant parts of the state. A field agent would disseminate knowledge of this institution and would likely come in contact with blind people to whom the institution could be of benefit.

"Lastly, and of very great importance, a sightless field agent would arouse in the blind confidence in their ability to do things. When loss of sight comes to a person in adult life, unless he is of an exceptionally aggressive temperament, it crushes his hope and deadens his courage. What would be more likely to revive these assets to success in a blind person than to come in contact with one who is laboring under the same handicap as himself and yet earning a livelihood, and who could tell from actual knowledge of other blind persons who were contributing in whole or in part to their support?

"It is logical to assume that what has been found worth while in States like Massachusetts, Pennsylvania, New York and Ohio, and all of these states have blind field agents, will be worth while in Maine."

Mr. President, this bill is sponsored by the Maine Fraternal Association for the Blind of Portland. At the hearing on this matter before the pension committee there was no opposition and the committee made a unanimous report favoring it. The Senate members on that committee are Senators Hussey of Aroostook, Perkins of Penobscot, and Buzzell of Oxford.

Gentlemen, I move the adoption of Senate Amendment A.

Mr. CLARKE of Hancock: Mr. President, I have not had time myself to read the bill and investigate the matter, and I would ask, Mr. President, through the Chair, of the Senator from Cumberland, Senator Cram, as to the appropriation. Will this proposition take any of the so-called "blind money" which is now available for payment of support of the blind in the several towns? Will it reduce the money available, or to be available?

Mr. CRAM: Mr. President, I would say that of course there would be no money used at all unless the appointment is made by the Governor. There is no obligation under the bill, as the amendment is proposed by me, that there will be any appointment, and therefore, in that case, no money will be used. I will say that I have no direct information, but my understanding is, that so far as the pension fund is concerned there has been an increase in it at this session over what it has been previously for the past two and four years, and as I understand, having this particular matter in mind.

Now this bill states that there is appropriated a certain amount of money, \$4000 for each of the two years. But of course if there should be no appointment, no money would be used. It leaves the matter wholly in the hands of the executive department, as I understand. I cannot see how it would take funds from any needy pensioners.

Mr. ALLEN of York: Mr. President and members of the Senate: This is a kind of a delicate subject. I hate awfully to say anything against doing anything for our blind. Perhaps a few facts and figures might be appropriate at this time. As I understand, this is indefinitely postponed in the House. Am I correct in that?

The PRESIDENT: Yes, that is right.

Mr. ALLEN: Now there are on the blind list, drawing pensions at the present time, 582 people. There are, and I want you to get this, 175 on the waiting list at this time, not receiving a cent, just as much entitled to it as the 582. The simple reason that the 175 at this time are not getting any money is because there is no money. Now the Senator from Cumberland states that if the field agent is appointed, that he can go out, perhaps get in closer touch with the blind people, but he has got to have somebody go with him that can see. It costs money of course to do that. But to my mind it will be impossible for this man to do very much good in the way of getting employment for these people for this reason: There are at the present time, of the 582, 66 per cent who are over sixty years old; 14 per cent are over seventy; 10 per cent are over eighty; and some are over ninety. Now for a field agent to get employment for 66 per cent of 582 over sixty years of age wouldn't be but precious little use—very, very little. Now it seems to me that this \$4000 that is to be appropriated should properly go, we might say a hundred of the 175 could receive \$40 which would help out some, or you could give 40 of the 175 \$100 out of this \$4000.

Now this amendment says that you may rather than shall. Now perhaps this Governor—I do not say that he will or will not appoint, but perhaps this Governor might see it the way I do and not appoint. That is all right. But there is going to be a governor come in here some time who is going to see it in a different way, and he is going to appoint, and it will cost \$4000, which to my mind properly should go to some of these 175 people on the waiting list. I haven't any real objection to this thing going through, but from a business standpoint, the way I look at it, it would seem that this \$4000 might properly go to the blind people of the State of Maine that actually and truly need it.

Mr. CLARKE: I am very much interested in the figures of the Senator from York, Senator Allen. I did not have in mind that the situation as to our blind was so deplorable as the figures would indicate. I too am heartily in favor of any proposition that tends to help the blind in the State. I think we should at all times

go better than half way—there are two or three in my own home town—and I could not conscientiously take any action that would reduce the small amount of money which they are receiving at the present time. It is hardly enough for them to get by. If this bill reduces the general blind appropriation I do not see how we can consistently support it.

Mr. HUSSEY: Mr. President, as chairman of the pension committee, I should like to say just a word in regard to this matter. This bill was given a very thorough hearing, and as my Brother Cram has stated, there was no opposition at the hearing. It was considered several times in executive session and the committee felt that in passing this bill they would be doing a good work for the State of Maine, and that the field agent and the guide could get around among those who are blind and try to give them courage and try to give them a new lease of life. I feel personally that this proposition ought to pass. I haven't any particular interest in it any more than any other member of the Senate, but it does seem to me it is a worthy cause, and I believe it will work to the advantage of the State if we do pass it.

Mr. HINCKLEY: Mr. President, the question having been raised as to whether or not this would take any of the regular appropriation for the blind, it seems to me is fully answered by referring to S. D. 249, section 2—"The sum of \$4000 for the year ending June 30, 1926, and \$4000 for the year ending June 30, 1927, is hereby appropriated to carry out the provisions of this act. It of course is conditional, but it does not have any reference to the regular appropriation for the blind. That appropriation is larger than it was two years ago, if I remember distinctly. This is a distinct matter, an appropriation of \$4000 a year for a specific purpose and in no way affects the other.

Mr. POWERS: Mr. President, I wish to say that I think this matter is largely favored by the great number of blind people in the State. As the Senator from Cumberland has said, it does carry with it \$4000 additional money. I think we could very well spend that. It has been considered very carefully by a committee of this Senate who, after

hearing the evidence, decided to report it. I think we should back up that committee report, and aside from that I think it is progressive legislation.

Mr. ALLEN: Mr. President, I do not wish it understood that I am opposing this in any way. I simply want to put a few facts and figures before the Senate and they can do as they have a mind to. I have in mind a man in my town who has been almost two years now trying to get on to this list. He is on the waiting list now. I have had two letters from the town where he is to see if I could do something for this man. I know this \$4000 was appropriated outside of this. If the field agent is not appointed, that \$4000 would be appropriated just the same and would go back into the contingent fund—there is no question about that, is there? \$8000 will go into the contingent fund. I wish there was some way that this \$8000 might properly go, if it was appropriated, might properly go to the blind, some of those that really need a few pennies here and there to help them out. I for one would be willing to put my hand in my pocket and give as much to any blind man as any one in the State today, I do not care who it is.

Mr. CRAM: Mr. President, I think we all feel very friendly toward the blind, and I know the Senator from York, Senator Allen, does also. But is it best at all times to put our hands into our pockets and help them. The object of this bill is to help them help themselves. I understand that there are men sitting about idle in the State, in Portland, and they get no work to do, and it is the very intention of this bill for a field agent to investigate conditions, particularly in connection with the blind, and assist them in getting employment and getting their work marketed.

The Senator from York, Senator Allen, has state that 66 per cent of the blind people in the state are over sixty years of age. That leaves some 34 per cent under sixty years of age and I am very sure that the department has not a record of nearly all the blind people. I know that at least twelve or fifteen in and about Portland have never applied for a pension, and who are comparatively young men. The intention is, as I have said, to assist in making these

men independent and resourceful, and to be told by one who is blind—the blind person, as you may all know, is very sensitive, and another person who is blind can give him more information than any one else. The very intention is to help them and to tell them what a blind person can do and how they can learn to read and things of that sort, and pay attention to their particular problems.

Mr. SMITH of Somerset: Mr. President, we have three citizens coming within the meaning of the present law, drawing pay, or drawing assistance, from Skowhegan. Each have asked me to endorse this measure. I truly hope that we may take at least one step forward toward humanitarian legislation.

The PRESIDENT: Is the Senate ready for the question? The pending question before this body is on the motion of the Senator from Cumberland, Senator Cram, who moves the adoption of Senate Amendment A. Is it the pleasure of the Senate that Senate Amendment A be adopted?

The motion was agreed to.

On motion by Mr. Cram, the bill as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, S. D. 281, An Act relating to driving motor vehicles while under the influence of intoxicating liquor or drugs and the penalty therefor, tabled pending passage to be enacted, and recognizes the Senator from Kennebec, Senator Maher.

Mr. MAHER: Mr. President, in that act there are apparent at least two serious typographical errors which would change the entire meaning and purport of the act, and Senator Hussey has an amendment prepared which will cover those defects. I consequently would ask unanimous consent for a suspension of the rules in order to move a reconsideration of the vote whereby it was passed to be engrossed, in order to permit Senator Hussey to offer his amendment.

The motion to reconsider was agreed to.

Senator Hussey then offered Senate Amendment A and moved its adoption.

Amend an Act relating to driving

motor vehicles while under the influence of intoxicating liquor or drugs and the penalty therefor, by striking out the word "or" in the 9th line and inserting in place thereof the word "of" and by inserting after the word "place" in the 23rd line the words "when intoxicated or at all under the influence of intoxicating liquors or drugs."

Senate Amendment A was adopted, and the bill was passed to be engrossed as amended.

The PRESIDENT: The Chair lays before the Senate, S. D. 213, An Act relating to certain State parks, tabled pending passage to be enacted, and recognizes the Senator from Kennebec, Senator Maher.

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

The PRESIDENT: The Chair lays before the Senate, S. D. 291, An Act relating to the care and treatment of certain infectious diseases, tabled pending passage to be enacted, and recognizes the Senator from Kennebec, Senator Maher.

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

The PRESIDENT: The Chair lays before the Senate, H. D. 420, Resolve in favor of the Central Maine Sanatorium, tabled pending adoption of Senate Amendment A, and recognizes the Senator from York, Senator Allen.

Mr. ALLEN: Mr. President, I yield to the Senator from Franklin, Senator Morrison.

Mr. MORRISON: Mr. President, I move that the amendment together with the bill be indefinitely postponed.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, H. D. 51, House reports from the committee on inland fisheries and game, majority reporting "ought to pass" and minority reporting "ought not to pass," on bill, An Act relating to the one deer law, tabled pending the acceptance of either report, and recognizes the Senator from Aroostook, Senator Hussey.

Mr. Hussey then yielded to the Senator from Aroostook, Senator Wilson.

Mr. WILSON: Mr. President and

members of the Senate, I am not going to weary you very long in talking relative to this matter. I am going to move that we accept the minority report. I want to say that this measure was heard by the committee on inland fisheries and game, and the hearing was very largely attended. It was not all one-sided, but as a result of the matter Aroostook county got the biggest lambasting at that time that any county in this state ever got. We got it "in the neck" in good shape from everybody who did not live in Aroostook county. At that hearing we were told that there were no deer in the State of Maine. I presume that the people who told those stories knew what they were talking about, but I will venture to say that if two-thirds of the people who made those statements were put out in a cow pasture where there was growing a patch of bushes they would get lost. I imagine that two-thirds of them never went into the woods for a distance of three miles in their lives. They told wonderful stories about what we should do. They also told these stories at the fish and game meeting that we had here in January. People came here from New Jersey and New York and Massachusetts, and I believe there were some from Pennsylvania. They told us what we ought to do in regard to passing laws for the protection of game in the State of Maine.

Now, Mr. President and members of the Senate, I come from a county where there are deer. I don't know much about the other counties in this State, but I know that there are deer in Aroostook county. I think the committee on claims will bear me out in this statement because of the claims which have been presented before that committee for damages done by deer in Aroostook county this year, and if I am correct in my remembrance, there were three claims that amounted to something like three or four thousand dollars. I think perhaps in some of these counties where the pine groves are pretty well cut off and where the pulp is pretty well stripped the deer may be scarce, and I have no doubt but what they are, for I have found that wherever they cut off the pulp and other lumber the deer will leave and go to the forest. I have seen five deer in a field of oats myself, and I have seen an affidavit

signed by one of the wardens to the effect that he had counted 175 deer in a field of oats in Aroostook county. And still, in view of all that, they say we have no deer in that county, and cut us down to the shooting of one deer. That is all right.

I was told about two weeks ago that the State of New Hampshire had passed a two deer law, and since that time I have been given to understand that they had not passed that law, and that it was held up in the Senate of the New Hampshire legislature waiting to see what the State of Maine was going to do about the matter.

If I should want to go hunting I would give the fifty dollars that is required for a license in Canada where a person is permitted to shoot two deer and a moose, and I have understood that last year the charge was only \$25. I believe that the guides do the actual killing of the game, and I have understood that in 1925 they were going to put the price up to \$40 on every one that was killed. If they cannot kill but one then they have got to have double price for that one. I don't blame the sportsmen for going into a country where they can kill two deer and one moose, and I have no doubt but that lots of them will go there. Still I want to say that in Aroostook county, and in some of the northern counties of this State there are still some deer, plenty of them.

The Senator from Piscataquis, Senator Crafts, told us a story about some bankers that went up to Scraggly Lake, and they went up through Patten into the Moro country some twelve or fifteen miles, and you will all remember that Patten was cut off from Aroostook county, and this party went up there and stayed two days and they all went away with their two deer each. I don't know whether they got them up there or whether they got some guide up there to get the deer, but they had them when they came out all right. I move, Mr. President, that we accept the minority report "ought not to pass."

Mr. CRAFTS of Piscataquis: Mr. President, I just wish to state that we went into this matter at great length before the committee. I have no question but what Aroostook county may have two or three deer to every one there is in each of the

other counties of the State, and it was only a short time ago when the county of Piscataquis was so favored. However, now that the automobile has come into such common use it is possible for the hunters to reach the hunting grounds within a very few hours from Augusta and Waterville, and other cities and towns in this part of the State, and the result has been that they have succeeded in pretty nearly cleaning up our woods so far as game is concerned. I think it will be only a short time, with the advertising that Aroostook county is getting about the large numbers of deer they have in that section and how easy it is to get up there, but what the automobiles will change their course and go to Aroostook county, and in two years from now they will be very thankful that we have passed this measure. I hope the motion of the Senator from Aroostook, Senator Wilson, will not prevail.

Mr. MORRISON of Franklin: Mr. President, may we have the reports read and the names of the members of the committee who signed each report.

(The Secretary read the reports.)

Mr. MORRISON: Mr. President, I also hope that the motion made by the Senator from Aroostook, Senator Wilson, will not prevail. I think it is a matter that is appreciated by all of us that the fish and game constitute one of the greatest assets of the State of Maine. I think also that we all believe in the enactment of all necessary and reasonable legislation for the propagation and protection of the fish and game of our State. I know that in the county of Franklin for the past ten years the number of deer has been steadily on the decrease, and as I understand it, the same conditions prevail in most of the other counties of the State. I understand also that the fish and game commissioner is strongly in favor of the passage of this measure, and he is a man who ought to know, if anyone knows, the true conditions that exist throughout the State. I believe that the enactment of this law is necessary for the protection of the deer in our State, and I sincerely hope that the motion as made will not prevail, but that the majority report "ought to pass" will be accepted.

Mr. FOSTER of Kennebec: Mr. President, I wish to heartily indorse

the stand taken by my distinguished colleague, the Senator from Franklin, Senator Morrison, when he wishes to give so much deference to a majority report. I recall that quite a different attitude was taken by the same Senator in the discussion of yesterday. I believe that neither the Senator from Franklin, Senator Morrison, nor myself are sportsmen to the extent that we would go hunting for deer, but I want to say that on general principles I am in hearty accord with his suggestion that the majority report should be accepted. I am therefore opposed to the motion that the minority report be accepted.

Mr. WILSON: Mr. President, I have just a word to say further in regard to this law. I will say that while I am interested in this matter, yet it is not a matter upon which my life or death hinges. A few years ago we came here and there was nothing else to be done but that we must have the so-called buck and doe law passed. That was the only thing that would be considered, and it was considered that that was the salvation of the State of Maine in regard to its game laws, and the result was that we passed that law, and at that time we considered the judgment of the commissioner and the Cumberland Fish and Game Association, an organization which wanted to rule the State of Maine in regard to its fish and game. At that time we passed the buck and doe law, and what was the result? The result was just what the result will be if this law is passed. People will go into the woods and shoot indiscriminately, many of these men who go into the woods know nothing about the woods, and some of them even think all they have to do is to catch a deer and put some salt on its tail, and I can assure you that it is my firm belief that 99 per cent of the deer that are shot in the State of Maine are shot on the instant. The men who go into the woods to shoot game shoot at the first impulse, and have hardly time to get a good sight of the game before they shoot, and if you don't shoot then you don't get your game. I say they shoot indiscriminately. They will go into the woods and shoot more than one, and perhaps the worst one would be a buck and they wouldn't take that out of the woods. A buck and a doe was the

legal limit, and in such a case as that this buck would lay there and rot, and if there were two does it would be the same thing. What will be the result if you pass this one deer law? The man who goes into the woods for one deer—and I am going to say that the average hunter that comes into the State from outside figures that it will cost him a dollar a pound for his deer, and for the average hunter in the State figures that it will cost him fifty cents a pound, and I know because I have hunted some myself, and as I say, this hunter will go into the woods and shoot a deer, and if it happens to be a small one he will say "I don't want that," and he will leave it there on the ground, and then he sees another one and he shoots that, and that may not be of the right size and he will leave that, and the result will be that he will destroy more deer by having this one deer law than would be destroyed if the law permitted two deer, because if he shoots one small one and one fair-sized one he is satisfied and goes home.

Mr. HINCKLEY of Cumberland: Mr. President, I don't agree with the Senator from Aroostook, Senator Wilson, in his last statement. I know something about hunting conditions in the State of Maine. I know something about what happened under the so-called buck and doe law. I have travelled through the woods myself while that law was in effect, and I will say that I have seen dozens and dozens of carcasses of deer rotting on the ground, and it was simply because the hunter was trying to get a buck and a doe and get the largest ones that could possibly be obtained. I have no doubt but that in Aroostook county and in the big game counties of this State that more deer will actually be slaughtered and wasted under a one deer law than under a two deer law. I know that in the northern parts of this State there are many deer to-day. I canoed for several days through the northern part of this State, in the northern part of Aroostook county, and in the Allagash country, and in a space of three days I counted 268 deer from a canoe. There are some deer still left there. I was at Eagle Lake in Aroostook county last fall and the woods in that section were full of deer. There is absolutely no question about the

number of deer in that country. I wish that this matter might come before the Legislature in some form of amendment so that Aroostook county could be exempted from the provisions of this law, and for that reason I move that the matter be tabled temporarily.

A viva voce vote being taken,

The motion was lost.

The PRESIDENT: Is the Senate ready for the question?

Mr. MORRISON: Mr. President, I wish to say in reply to the last statement of the Senator from Aroostook, Senator Wilson, that the majority of the people who go into the woods for the purpose of hunting are law-abiding citizens and good sportsmen. I believe that that law-abiding citizen would not do what the Senator from Aroostook, Senator Wilson, has suggested, and I might say that I have travelled in the woods all my life—I might say possibly not as much as the Senator from Cumberland, Senator Hinckley, but I never yet have happened to see the carcass of a deer left in the woods.

Mr. WILSON: Mr. President, if the Senate will grant me the privilege of speaking again relative to this matter, I will say in reply to the statement of the Senator from Franklin, Senator Morrison, that I was up at Howe Brook during the time when the buck and doe law was in effect, and I know that one of the Justices of our State, who I suppose was a law-abiding citizen, had a buck deer that had been accidentally killed, and he was out hunting for a doe. I might add that I got the buck.

Mr. CRAFTS: Mr. President, there has been quite a little said about this so-called buck and doe law. At the time that law was passed I was a member of the fish and game committee, and it seems to me that the explanation of that law has not been made very plain. The committee of that Legislature was trying to do something to help preserve the game situation, and that was a compromise measure that we framed in the committee, and I think the Senator from Penobscot, Senator Perkins, will bear me out in that statement. The members of that committee wanted to bring in a unanimous report from that committee and we compromised and gave them the so-called buck and doe law, and that was the rea-

son why that came out from that committee at that session of the Legislature. Under the provisions of that law you were allowed two bucks, and it was stated here that if you got two bucks you were obliged to leave one and bring out a buck and a doe. That was not correct. You were allowed two bucks, and you could not bring out two does, as I remember it. I will not state that for a positive fact, in relation to the two bucks, but you could not bring out two does; but as I have stated, that was not what the committee wanted to report, but it was a matter of compromise.

The PRESIDENT: Is the Senate ready for the question?

Mr. POWERS of Aroostook: Mr. President, may I ask the indulgence of the Senate for just a moment while I confer with my colleague?

The PRESIDENT: The Chair hears no objection, and there is no doubt of it.

Mr. POWERS: Mr. President, as has been suggested by the Senator from Cumberland, Senator Hinckley, conditions are very different in Aroostook county than in other parts of the State. The territory of Aroostook county in area is approximately the same as that of the State of Massachusetts. Somewhere between a quarter and a third of this area is cleared. There is a great wilderness there which is full of game, and it seems to me that in this particular case an exception might well be made as to that large territory which is comparatively isolated from the rest of the State. The only method of communication in that large area is by one road. Therefore, I should like to offer an amendment to this bill which would make it perfectly satisfactory to those of us who live in the wilderness of Aroostook, and would not at the same time hurt the other interests of the State or interfere with such preservation as is deemed necessary in the more wealthy, populous and older communities of the State. I offer Senate Amendment A to this bill and move its adoption.

Mr. ANTHOINE of Cumberland: Mr. President, I understand, speaking to this amendment which has been offered, that the purpose of this amendment is to exempt the county of Aroostook from the opera-

tion of the one deer law, and I would like to have the amendment read.

The Secretary read the amendment, as follows:

"To amend section 38 by adding after the word 'thereof' in the 25th line the words 'except Aroostook.'"

Mr. ANTHOINE: Mr. President, about a month ago we had an interesting discussion in this chamber relative to the daylight saving law. At that time certain towns and cities in Cumberland county and also in other counties of the State came before you and asked that they be allowed to have daylight saving, inasmuch as it did not affect the rest of the State and was a great benefit to them. This body declined that request. I see no reason why we should now accede to the request of Aroostook county on this occasion and pass a law which specially exempted Aroostook county. However, my opposition is based on a broader ground than that. The State of Pennsylvania about ten years ago found that their game had practically disappeared. They established a game commission and took active steps to remedy the conditions. A commission was appointed. They established game preserves and also established rigorous game laws. The one deer law was brought into effect in the State of Pennsylvania, and that State is today one of the best game States in the East. It is a far better State for deer and bear than is the State of Maine to-day, when only ten years ago the supply of game was practically depleted. That was done by progressive legislation. I say that this is progressive and wise legislation and it should apply throughout the entire State, and Aroostook county should not be exempted.

Mr. HOLLEY of Somerset: Mr. President, I happen to come from one of the big game counties of our State. I will say to you that Somerset county has some deer left, and I shall vote for the one deer law for what I believe will be the benefit of the entire State. But if an amendment is to be offered exempting Aroostook county from the provisions of this law then I shall deem it my duty in this Senate at a later date to endeavor to have an amendment which will also apply to Somerset county.

Mr. POWERS: Mr. President, I am familiar with the game condi-

tions only in Aroostook county where I know that the game is very plentiful. In fact, I know that in sections of that county the game constantly come out into the clearings—and we haven't very many to be sure, and they eat up the vegetables and do much destruction to crops, but of course we stand for that, providing we can kill two of them, and I would be very much pleased to yield to the judgment of the Senator from Somerset, Senator Holley, and if he feels that conditions in Somerset county are the same I should be very glad to have him add Somerset county to that amendment. I am only familiar with local conditions. I never have hunted in any other county than Aroostook; and in reply to the statement by the Senator from Cumberland, Senator Anthoine, I might say that we have recently acted favorably upon an Act that permitted zoning in cities of over 35,000 inhabitants, and all we are asking in this amendment is that the killing of two deer be permitted in counties of over 6000 square miles, where there are over 4000 square miles of woods.

The PRESIDENT: The Chair will state that he hopes this Senate won't get to taking in too much territory on this question, but will confine ourselves to fur-bearing animals.

Mr. MORRISON: Mr. President, speaking to the amendment which has been offered to this bill, I should be strongly opposed to the amendment exempting Aroostook county. I believe that a law of this kind should be uniform, covering the whole State, and that when exceptions are made it destroys the effectiveness of the law. As a second reason why I am opposed to this amendment excepting Aroostook county or any other county, I say that it is absolutely unfair to the rest of the State, because the sportsmen coming here from out the State would go to the county where they had a right to shoot two deer instead of one; therefore, as it seems to me, it would be absolutely unfair to the remaining counties of the State.

Mr. BARWISE of Penobscot: Mr. President, if this amendment prevails excepting Aroostook county I shall be forced to offer an amendment including Penobscot county. My county joins the county of Aroostook, and in the interest of the moral and spiritual uplift of our people

up there I should not want to assist in making a law whereby people otherwise truthful, might claim that they shot deer over the line in Aroostook county. If this is permitted I shall have to offer an amendment to protect my constituents.

Mr. CARTER of Androscoggin: Mr. President, I have seen a deer in Androscoggin county, and my people might wish to have an exception made of that county.

Mr. MAHER of Kennebec: Mr. President, I fear that this matter is going far afield. I am moved by the eloquent remarks of my colleague on my left, who has made what I consider a most trenchant observation when he whispered in my ear a moment ago that "silence was a gift." I think this present amendment is very wise and very fair, because these gentlemen know the conditions as they exist in their counties. It seems to me that the mercenary view which the distinguished Senator from Franklin, Senator Morrison, holds might be obviated, provided there is a proper dissemination of information in the game districts, because undoubtedly the deer will avail themselves of the sanctuary privilege and hide themselves to the counties where the limit is one.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Aroostook, Senator Powers, who moved the adoption of Senate Amendment A.

Mr. MAHER: I understand, Mr. President, that it would be well at this juncture to hold the amendment in abeyance because the first question would be on the acceptance of the report.

The PRESIDENT: The Chair will state that an amendment may be made to a bill at any time, at any time, almost up to the time of its passage to be engrossed, if this body likes.

Mr. POWERS: Mr. President, I will—

The PRESIDENT: The usual procedure would be the acceptance of the report, although the Chair will rule that it can be amended at any time up till the time it is engrossed. The pending question before the Senate is on the motion of the Senator from Aroostook, Senator Pow-

ers, who moves the adoption of Senate Amendment A.

A viva voce vote being doubted, A division was had, and thirteen voting in favor of the adoption of the amendment and seventeen against.

The motion was lost.

The PRESIDENT: The pending question before the Senate is in relation to the acceptance of the report of the committee.

Mr. Allen of York moved that the minority report be accepted.

The PRESIDENT: The Chair will have to rule that there is a motion before the Senate for the acceptance of the minority report. Is the Senate ready for the question? The pending question before the Senate is on the motion of the Senator from Aroostook, Senator Wilson, who moves the acceptance of the minority report, "ought not to pass."

A viva voce vote being doubted by the Chair,

The PRESIDENT: All those in favor of the acceptance of the minority report, reporting "ought not to pass," will say yes; those opposed will say no.

A viva voce vote being taken,

The motion was lost, and the minority report was not accepted.

On motion by Mr. Crafts of Piscataquis, the majority report was accepted.

The bill then received its first reading.

On further motion by the same Senator, under a suspension of the rules, the bill received its second reading and was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, S. D. 310, bill, An Act to create a state broadcasting station, tabled pending the adoption of House Amendment A, and recognizes the Senator from Kennebec, Senator Maher.

On motion by Mr. Maher the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by the same Senator, House Amendment A was adopted, in concurrence.

On further motion by the same Senator the bill was then passed to be engrossed, as amended by House Amendment A.

On motion by Mr. Holley of Somerset, that Senator was permitted to

take from the table out of order, S. D. 439, bill, An Act relative to certain freight rates, tabled by that Senator in the early part of this session.

The pending question being the adoption of House Amendment A.

Mr. HOLLEY: Mr. President, this measure was tabled in the absence of the Senator from Kennebec, Senator Wadsworth, to whom I now yield.

On motion by Mr. Wadsworth the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by the same Senator, House Amendment A was adopted.

On further motion by the same Senator the bill was then passed to be engrossed, as amended by House Amendment A.

The PRESIDENT: The Chair lays before the Senate, S. P. 85, Senate report from the committee on State School for Boys, State School for Girls and State Reformatories, reporting "ought to pass" on resolve in favor of the reformatory for women for new construction and permanent improvements, tabled pending the acceptance of the report, and recognizes the Senator from Penobscot, Senator Barwise.

Mr. Barwise then yielded to the Senator from Somerset, Senator Smith.

On motion by Mr. Smith the report was retabled.

The PRESIDENT: The Chair lays before the Senate, H. D. 419, resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment, tabled pending its passage to be engrossed, and recognizes the Senator from Aroostook, Senator Wilson.

Mr. HOLLEY of Somerset: Mr. President, it has been agreed with the Senator from Aroostook, Senator Wilson, that this matter should now be passed to be engrossed, and I make that motion.

The motion was agreed to, and the resolve was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, S. D. 65, bill, An Act requiring more efficient supervision of brokers selling securities on marginal accounts, and recog-

nizes the Senator from Kennebec, Senator Foster.

Mr. FOSTER: Mr. President, I will at this time move that this Senate insist on its former action and ask for a committee of conference, and to explain why I make that motion I will say that this measure has been twice amended, by Senate Amendment A and Senate Amendment B. Later Senate Amendment B was withdrawn; and that same amendment has been presented in the House. For that reason I am making this motion.

The motion was agreed to.

The President thereupon appointed as such committee of conference Senators Foster of Kennebec, Morrison of Franklin and Smith of Somerset.

The PRESIDENT: The Chair lays before the Senate, S. D. 93, bill, An Act to provide for policemen's pensions, tabled pending the adoption of House Amendment A, and recognizes the Senator from Androscoggin, Senator Carter.

Mr. CARTER: Mr. President, I now move the indefinite postponement of House Amendment A. This bill has had the unanimous report of the committee on legal affairs, which report was accepted by this body, and the House added to it an amendment, and I now move the indefinite postponement of that amendment.

The motion was agreed to.

Mr. CARTER: I would inquire whether there is any further action that this Senate can take in order to expedite the passage of this bill, or whether it goes back to the House in its present form.

The PRESIDENT: The Chair will state that it does.

The PRESIDENT: The Chair lays before the Senate, S. D. 94, bill, An Act relating to the organization of the Lewiston Police Commission and to the salaries of the Chief of Police, Captain and Inspectors of the Police Department, tabled pending the adoption of House Amendment A, and recognizes the Senator from Androscoggin, Senator Carter.

Mr. CARTER: Mr. President, this matter was introduced by my colleague, the Senator from Androscoggin, Senator Lane, to whom I now yield.

On motion by Mr. Lane the bill was retabled, to be taken up sometime later in the day.

The PRESIDENT: The Chair lays before the Senate, H. D. 434, bill, An Act to extend the powers of the Western Maine Power Company, formerly the Limerick Water and Electric Company, tabled pending its passage to be enacted, and recognizes the Senator from Cumberland, Senator Cram.

On motion by Mr. Cram the bill was retabled, to be taken up during the day.

The PRESIDENT: The Chair lays before the Senate, S. P. 659, bill, An Act to authorize Portland University to confer certain degrees tabled pending its second reading, and recognizes the Senator from York, Senator Allen.

On motion by Mr. Allen the bill was given its second reading and was passed to be engrossed.

On motion by Mr. Hinckley of Cumberland, that Senator was permitted to introduce out of order, under a suspension of the rules, petition of Tucker Smith and 198 others, asking that Portland University be given the right to grant degrees, and on further motion by the same Senator the petition was received and placed on file.

The PRESIDENT: The Chair will state that there is another matter of business before the Senate.

Mr. ALLEN of York: Mr. President, there was an order presented yesterday recalling from the Governor a certain bill relating to succession taxes. I would like to inquire if that is on the table at this time.

The PRESIDENT: The Chair will state that it is not on the calendar, but that it is before this body.

Mr. ALLEN: It is before the Senate?

The PRESIDENT: The Chair will state that it is.

Mr. ALLEN: The Chair rules that it is before the Senate for action.

The PRESIDENT: The Chair will so rule.

Mr. ALLEN: I move, Mr. President, that this bill be indefinitely postponed.

Mr. HINCKLEY of Cumberland: I want to get the ruling of the Chair

correctly. I understand that the Chair rules that the papers are in the possession of the Senate, or that it is before the Senate in some form?

The PRESIDENT: The Senator from Cumberland, Senator Hinckley, asks whether or not this bill is before the Senate?

Mr. HINCKLEY: Yes, whether it is before the Senate in some form requiring consideration.

The PRESIDENT: The Chair will rule that it is.

Mr. HINCKLEY: And in what form, may I inquire?

The PRESIDENT: The Chair will rule that an order was passed requesting the return of this bill from the Governor into this body, and that has been done.

Mr. HINCKLEY: To the possession of the Senate?

The PRESIDENT: To the possession of the Senate.

Mr. HINCKLEY: And may I ask in what form is it before the Senate?

The PRESIDENT: That is for the action of the Senate.

Mr. HINCKLEY: Is there any motion pending before the Senate?

The PRESIDENT: The Chair will state that there is none.

Mr. ALLEN: I was about to make a motion, Mr. President.

Mr. HINCKLEY: I will wait until after the motion has been made.

Mr. ALLEN: I would like to ask for a ruling from the Chair, as to whether or not a motion to indefinitely postpone is in order at this time.

The PRESIDENT: The Chair will rule that it is.

Mr. ALLEN: I move that this bill be indefinitely postponed.

Mr. HINCKLEY: Mr. President, I understand that a motion to indefinitely postpone is a matter that must be acted upon at the next session, and I will ask if this is the next session after action was taken in finally passing this bill to be enacted.

The PRESIDENT: The Chair will rule that it does not have to be at the next session to act upon, in accordance with the motion of the Senator from York, Senator Allen.

Mr. HINCKLEY: I presume, Mr. President, that it will be useless to appeal from the decision of the Chair, because I appreciate that the majority of this body are in favor of this matter being acted upon, but I certainly want to go on record as

absolutely disagreeing with the President on such a proposition.

Mr. ALLEN: Mr. President, I have no objection to the Senator from Cumberland, Senator Hinckley, disagreeing with the Chair. May I proceed?

Mr. MAHER of Kennebec: Mr. President, may I make a parliamentary inquiry?

The PRESIDENT: The Chair will state that the Senator from Kennebec, Senator Maher may make his inquiry.

Mr. MAHER: I will ask, Mr. President, whether or not a motion to indefinitely postpone a measure which has been finally passed can be made before there is a vote of reconsideration.

The PRESIDENT: The Chair will state that it can.

Mr. ALLEN: Do I have the floor, Mr. President?

Mr. HINCKLEY: Mr. President, I again want to see whether I understand correctly the situation. A matter which has been finally passed to be enacted, without reconsideration, or finally passed to be enacted, after having been signed by the Speaker and having been finally enacted and signed by the President, as I understand is the situation, sent to the Governor and recalled, and without any further action we can indefinitely postpone that which we have enacted. I understand that is the ruling of the Chair.

The PRESIDENT: Does the Senator from Cumberland, Senator Hinckley, ask the Chair that question?

Mr. HINCKLEY: Yes.

The PRESIDENT: The Chair will answer again that it may be indefinitely postponed.

Mr. HINCKLEY: Then I wish to appeal from the ruling of the Chair.

The PRESIDENT: An appeal has been taken from the ruling of the Chair in connection with the consideration of House Document No. 110. The Chair has ruled that this matter at this time may be indefinitely postponed. The action of this body at this time will be on this question: "Shall the opinion of the Chair stand as the decision of the Senate?" Those voting "yes" will vote in favor of the ruling of the Chair; those voting "no" will vote against it. Is the Senate ready for the question?

Mr. MAHER: Mr. President, for

one I should be delighted to hear discussion of this parliamentary status, because of course we are setting a precedent not for now but for all time. I myself am very much at sea in regard to the matter.

Mr. HINCKLEY: Mr. President, my position is this—regardless of how we feel about this particular matter, we should go along in some regular manner and in proper parliamentary procedure.

The PRESIDENT: The Chair will rule that we are.

Mr. HINCKLEY: If the Chair has ruled, I will not discuss the matter. My point is, whether in appealing from the decision of the Chair we have a right to discuss it.

The PRESIDENT: The Chair will inform the Senator from Cumberland, Senator Hinckley, that he must hew to the line.

Mr. HINCKLEY: I thought, Mr. President, that I was doing it in discussing the particular question and in discussing the particular point. Now, gentlemen, here is the situation. An Act has come to this body after having been finally passed to be engrossed, after having been finally passed to be enacted by the House of Representatives, having been signed by the Speaker, and it comes to this body and is finally passed to be enacted. The vote is declared that it is finally passed to be enacted; the President has announced that he will sign it and send it to the Governor for his signature; he has signed it and sent it to the Governor for his signature. Now on motion by a member of the Senate that has been returned from the Governor to the Senate for whatever action that body may deem fit and proper. Now under parliamentary procedure gentlemen, there cannot be any question in the world that before a deliberative body can act upon that matter in any respect there must be reconsideration of the vote by which it was passed to be enacted. I don't see how there can be any question whatever upon that, and I don't believe that any action of this body taken to the contrary before that is done would have any legal effect, regardless of the decision of this Senate.

Mr. MAHER: Mr. President, I want to try to proceed—and I am discussing the ruling of the Chair, and I want to proceed in a way that will keep the records of this body

in proper shape for precedent upon more important matters perhaps in the future, and I wish that the Senate might give me attention in this regard. I wish to make my position entirely clear. I cannot think, much as I respect the judgment of the President, and much as I respect him individually—I cannot think that his ruling in this regard is sound, and I regret personally that the exigencies of the situation, possibly due to oversight on my part, unintentionally, has precipitated this condition which would leave a very bad precedent. Yesterday when the Senator from York, Senator Allen, made the motion to recess, I asked him if he did not want to change that and make it a motion to adjourn, thinking it would be a better thing to do, and in that way would expedite several matters. Directly following that the Senator from York, Senator Allen, acceded to that suggestion and moved to adjourn. Now directly following that it occurred that that created a new legislative day, and that would be too late, except by unanimous consent, to have a suspension of the rules. Now I can assure this Senate that that never was in my mind, as I shall prove to you in a moment. I would not for a moment through anything that was said to me or by sharp tactics want to take advantage of any other Senator, and certainly not in a parliamentary situation.

Now speaking to the question, I will show you where I think it is unfortunate that we would have to vote on this matter. This measure involves succession taxes to corporations. Now this body has voted to pass to be enacted this bill. It has been signed by the Speaker, signed by the President and sent to the Executive. We all know if that was all that was done, and the Legislature was in session for five days following the day in which any act went to the Executive, and was not vetoed by him, it would become a law, without his signature. I think that is a sound proposition. Whereas, if the Legislature adjourned within the five day period after sending that Act to the Executive it would not become a law, notwithstanding he had not vetoed it, or had not signed it. In other words, it would go over to the next session.

But a legal situation occurs right

here, and I can conceive that some corporation might raise that question, and it would be a very grave question. A corporation could go to the Supreme Court and say, "Here is an Act that the Legislature of the State of Maine passed to be enacted, sent in to the Executive, and was in session five days after it enacted the measure, and there was no veto, therefore, it is the law," and that regardless of how we act to-day upon a matter of indefinite postponement, without reconsideration of the previous steps.

Now I am going to take the Senate right back to where I started at the outset. I think this measure was a reasonable measure. There could have been a motion to reconsider if I had not asked the Senator from York, Senator Allen, to make it an adjournment instead of a recess.

Now if the Senator from Cumberland, Senator Hinckley, will withdraw his appeal—and I merely make this as a reasonable proposition, if the Senator from Cumberland, Senator Hinckley, will withdraw his appeal, and if the Senator from York, Senator Allen, will withdraw his motion, so that the matter is there upon the table, I will stand here and ask that this Senate give unanimous consent to a reconsideration of all the previous steps, in order that there may be proper and legal disposition. I hope I make myself clear.

Mr. ALLEN: You certainly do. And Mr. President, not wishing to be in direct conflict with the Senator from Kennebec, Senator Maher, and wishing to do everything in my power to clarify the situation, I will say that if the Senator from Cumberland, Senator Hinckley, will withdraw his appeal I will be very glad to withdraw my motion to indefinitely postpone, and accede to the wishes of the Senator from Kennebec, Senator Maher, that he may ask for unanimous consent to bring this matter properly before the Senate.

The PRESIDENT: The Chair will say that may be permitted, if the Senator from Cumberland, Senator Hinckley, agrees to withdraw his appeal first, and the Senator from York, Senator Allen, agrees to withdraw his motion to indefinitely postpone, and in that event the Chair will state that unanimous consent is not necessary, only a two-thirds vote.

Mr. HINCKLEY: Mr. President, I very gladly under the circum-

stances withdraw my appeal because I feel that if through error members of this Senate have lost their right to reconsider within the proper time through a misunderstanding, I do not believe that any member of this Senate wants to take the position that he should be deprived of it. I want them to have it and I—

The PRESIDENT: The Chair does not appreciate the remarks of the Senator from Cumberland, Senator Hinckley, in relation to this.

Mr. HINCKLEY: Mr. President, I will ask if I may have unanimous consent to explain my position on the matter.

The PRESIDENT: The Senator from Cumberland, Senator Hinckley, asks for the unanimous consent of this body to explain his position on the matter and the withdrawal of his appeal. The Chair hears no objection.

Mr. HINCKLEY: Now, Mr. President, may I proceed?

The PRESIDENT: You may.

Mr. HINCKLEY: I just want to explain, Mr. President, that I do not feel that any member of this Senate wants to deprive this Senate of its right to reconsider, where they have lost that right through a misunderstanding on a motion to adjourn, and I certainly am in full accord and in hearty sympathy with that proposition, as I have been from the beginning, and I shall join with the others in that position.

Mr. ALLEN: Mr. President, I take great pleasure at this time in withdrawing my motion to indefinitely postpone.

The PRESIDENT: Both motions may be withdrawn.

Mr. MAHER: Now with the permission of the Chair I wish to make a motion that seems to me to be a proper motion, which is for a suspension of the rules, not dispensing with the rules, because dispensing with the rules under our regulations requires a two-thirds vote, and a suspension of the rules under the controlling parliamentary code which we are operating under, Reed's Rules, requires unanimous consent; and I shall hope certainly, whether it is two-thirds or one-third, that this Senate will unanimously suspend the rules and permit the reconsideration, and I move for reconsideration of this measure in order to restore it to whatever status the Senator from York, Senator Allen, wishes.

The PRESIDENT: The Senator from Kennebec, Senator Maher, asks for the unanimous consent of this body to suspend the rules in connection with House Document No. 110. The Chair hears no voice against this. Is it the pleasure of the Senate that unanimous consent be given in relation to this measure? It is a vote.

Mr. MAHER: I now move that this Senate reconsider its vote whereby House Document No. 110 was passed to be enacted.

The motion was agreed to.

Mr. ALLEN: Mr. President, I wish to thank the Senator from Kennebec, Senator Maher, for his courtesy. This measure is an Act with reference to when no succession tax shall be assessed on the stocks, bonds and evidences of debt of Maine corporations.

The PRESIDENT: In order that we may get into no further tangle over this matter will the Senator from York, Senator Allen, make a motion.

Mr. ALLEN: Mr. President, I move that the bill be indefinitely postponed. I think everybody knows just what this measure is. This bill if passed means that the State of Maine loses upwards of three hundred thousand dollars a year. The figures were stated yesterday, as to just how much money was received from this source from new corporations, and for the year 1915 it was \$44,752, and for the year 1924 it was \$88,077. So that under the law as it exists to-day this creates no hardship for anybody and it has been made possible for the State to receive the amount of \$88,000 and I sincerely hope that the motion to indefinitely postpone will prevail.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is on the motion of the Senator from York, Senator Allen, who moves the indefinite postponement of this bill.

A viva voce vote being doubted,

The PRESIDENT: All those in favor of the motion to indefinitely postpone will say yes; those opposed will say no.

A viva voce vote being taken,

The motion prevailed.

On motion by Mr. Hinckley of Cumberland the Senate voted to recess until 2.30 o'clock this afternoon.

After Recess

Senate called to order by the President.

From the House: An Act relating to support of inmates of State Hospitals. (S. D. 141).

In Senate, April 7, passed to be engrossed.

In the House, indefinitely postponed in non-concurrence.

In the Senate: On motion by Mr. Morrison of Franklin, the Senate voted to insist on its former action and ask for a committee of conference.

The Chair appointed as members of such committee of conference on the part of the Senate, Senators Morrison of Franklin, Wadsworth of Kennebec, and Bond of Lincoln.

From the House: Ordered, that, the Senate concurring, we have a joint convention of both bodies of the Legislature, for the purpose of discussing the road program, tonight at 7.30 P. M. in the Hall of the House.

In the House: read and passed.

In the Senate: passed in concurrence.

From the House: Resolve in favor of the President and Trustees of Bates College. (S. P. 618.)

In Senate, April 7, passed to be engrossed as amended by Senate Amendment A.

In the House: minority report "ought not to pass" of Committee on State Lands and Forest Preservation accepted in non-concurrence.

In the Senate: On motion by Mr. Roberts of York, the Senate voted to reconsider its action whereby this resolve was passed to be engrossed.

On further motion by the same Senator, Senate Amendment A was indefinitely postponed.

On further motion by the same Senator, the resolve was passed to be engrossed.

From the House:

An Act Amendatory of and Additional to Chapter 148 of the Revised Statutes, Relating to State Pensions, Creating a Field Agent for Blind, and Guide; and Defining the Duties and Compensation of Such Field Agent and Guide. (S. D. 249.)

In Senate, April 8, passed to be engrossed as amended by Senate Amendment A.

In the House: that body voted to adhere to its former action whereby the bill was indefinitely postponed.

In the Senate:

Mr. CRAM of Cumberland: Mr. President, I move we insist and ask for a committee of conference.

Mr. WADSWORTH: Mr. President, as I understand the situation, this bill, if it were to go through, and this field agent should have his salary, and also the salary be granted to his guide, under the present financial conditions, this would necessarily be deducted from the pensions for the blind and that would take away the pension of some thirty to forty blind men. In the interest of these men it seems to me that we might as well handle this matter right here and not be sending it back to the House, and I hope the motion of the Senator from Cumberland will not prevail.

Mr. HINCKLEY of Cumberland: Mr. President, may I inquire through the Chair for information from the gentleman from Kennebec who has just spoken, how this could be taken from the appropriation for the blind when the bill specifically appropriates \$4000 a year for this particular purpose? If it becomes a law, then that appropriation is made, and it must come from that appropriation. It cannot come from any other.

Mr. WADSWORTH: I would say, Mr. President, that there has been added to the appropriation for the blind, making \$90,000 a year, and it would be a very easy matter to deduct this \$4500 from that increase. Under the present circumstances it would seem to be quite necessary that this should be done.

Mr. HINCKLEY: Mr. President, again I would like to ask the gentleman from Kennebec, who has had a lot of experience in these matters and is chairman of the committee on appropriations, if this bill provides an appropriation in so many words? Section 2, which I read this morning—I do not know as the Senator from Kennebec was here—"the sum of \$4000 for the year ending June 30, 1926, and \$4000 for the year ending June 30, 1927, is hereby appropriated to carry out the provisions of this act." Now if this becomes a law that \$4000 a year is appropriated for this particular purpose and under what course of reasoning or finance could it be taken

from the regular appropriation for the blind?

Mr. WADSWORTH: Mr. President, I tried to make myself clear. Instead of appropriating \$90,000 for the pensions for the blind it would be an easy matter to appropriate \$86,000.

Mr. HINCKLEY: But let me ask again then, does the gentleman from Kennebec, if this is defeated intend to add the additional \$4000 a year to the regular appropriation for the blind, and will he agree to that?

Mr. WADSWORTH: Mr. President, I have no authority to agree to anything in that respect. The committee have already acted on this appropriation and as I have told you it has been raised from \$80,000 to \$90,000 for pensions for the blind; that is the way the appropriation was intended to go through. In a case of this kind, we are figuring on such a narrow margin that it is very dangerous. However, if the gentlemen want to insist, I will withdraw my objections, but it would seem to me to be a case of taking it away from quite a number of blind men for this one specific purpose.

Mr. HINCKLEY: Mr. President, addressing myself now to the proposition, the gentleman says that they have recommended \$86,000 and will recommend an increase if this does not go through. Certainly it is not taking it from the blind but is giving them an additional \$4000 for that purpose.

Mr. WADSWORTH: Mr. President, I will try to make myself clear. As I remember it, there are \$90,000 dollars appropriated now, or will be when it goes through the Legislature, and in a case of this kind it would almost necessarily have to be \$86,000 if this bill goes through. That might be the outcome.

Mr. CRAM: Mr. President, I call the attention of the Senate to the matter of the amendment, the word "shall," was changed to "may," so it is that the Governor may appoint instead of shall appoint. That amendment was not, I think, given careful consideration in the House and I feel quite sure that they are willing to consider the matter of the amendment and the whole situation.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland,

Senator Cram, who moves that we insist and ask for a committee of conference. Is this the pleasure of the Senate?

The motion was agreed to.

The Chair appointed as members of such committee of conference on the part of the Senate, Senators Cram of Cumberland, Hinckley of Cumberland and Hussey of Aroostook.

Passed to be Enacted

An Act Relating to Appropriations for the Several Normal Schools and the Madawaska Training School. (S. D. 316.)

An Act Relating to Convicts Sentenced to the State Reformatory for Men. (S. D. 297.)

An Act to Prohibit Advertising Signs upon Public Highways. (H. D. 509.)

(Tabled, on motion by Mr. Barwise of Penobscot.)

An Act to Give Additional Powers to the Public Utilities Commission. (H. D. 513.)

An Act to Enable Cities of Over Thirty-five Thousand to Regulate and Restrict the Construction of Buildings and the Use of Land by Zoning Ordinances. (H. D. 517.)

(Tabled on motion by Mr. Powers of Aroostook.)

An Act Relating to Apothecaries and the Sale of Poisons. (H. D. 518.)

Finally Passed

Resolve, in Favor of Several Academies, Institutes, Seminaries and Colleges for Maintenance, Repairs and Improvements. (S. D. 315.)

Resolve, in Favor of the Bath Military and Naval Orphan Asylum. (H. D. 514.)

(Emergency Measure.)

An Act to Authorize the Promulgation of Rules and Regulations of the Commissioner of Inland Fisheries and Game. (S. D. 295.)

This bill carrying the emergency clause required the affirmative vote of two-thirds of the membership of the Senate on its passage to be enacted.

Twenty-four Senators voting in the affirmative and none opposed, the bill was passed to be enacted.

From the House: An Act to authorize the recording of marketing agreements of Cooperative Agricul-

tural 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. D. 491.)

In Senate, April 6, passed to be engrossed.

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

In the Senate: Tabled, on motion by Mr. Hussey of Aroostook.

Passed to be Enacted

An Act to Incorporate Dexter P. Cooper, Incorporated, for the Purpose of Developing and Utilizing the Power of the Tides in the Bay of Fundy and Waters Adjacent Thereto. (S. D. 259.)

Bill in First Reading

An Act Relating to the Department of the Attorney General. (S. D. 320.)

On motions by Mr. Wadsworth of Kennebec, under suspension of the rules the bill was given its second reading and passed to be engrossed.

Resolve on its Final Passage

Resolve, in Favor of the Bangor State Hospital for New Construction and Permanent Improvements. (S. D. 273.)

On motion by Mr. Foster of Kennebec, this resolve was referred to the next Legislature.

From the House: An Act requiring more efficient supervision of brokers selling securities on marginal account. (S. D. 65.)

In Senate, April 8, committee of conference appointed.

In the House: that body voted to adhere.

In the Senate:

Mr. FOSTER: Mr. President, as I understand, the House the second time has acted on this and the last time has voted to adhere. It hardly seems that there is anything left for this body to do but to recede and concur? They have refused, as I understand it, a committee of conference and have voted to adhere to their former action, so that if we invited them to a conference they

would say no. Just what is the proper motion at this time? I will ask the Chair.

The PRESIDENT: The Chair will say that you can vote to insist again and ask for a committee of conference, or you can recede and concur.

Mr. FOSTER: Mr. President, I move that under the existing circumstances we recede and concur.

The motion was agreed to.

Reports of Committees

Mr. WADSWORTH, from the Committee on Appropriations and Financial Affairs, on Resolve on the Pay Roll of the Senate of the Eighty-second Legislature (S. P. 652) reported that the same ought to pass.

The report was accepted and the bill was given its first reading.

On motions by Mr. ALLEN of York, under suspension of the rules, the resolve was given its second reading and passed to be engrossed.

The same Senator, from the same Committee, on Resolve in favor of the chaplains of the Senate of the Eighty-second Legislature (S. P. 657) reported that the same ought to pass.

The report was accepted and the bill was given its first reading, and then, under suspension of the rules, was given its second reading and passed to be engrossed.

Mr. HOLLEY, from the same Committee, on Resolve appropriating money to reimburse Harry P. Lane for expenses incurred in contesting his membership in the Senate (S. P. 217) reported that the same ought not to pass.

Tabled, on motion by Mr. Hinckley of Cumberland.

The following reports were presented out of order, under suspension of the rules:

Mr. Hinckley, from the Committee on Judiciary, on an Act to amend Section 1 of Chapter 97 of the Revised Statutes relating to right to erect and maintain dams and to divert water by a canal from mills,

reported that the same "ought not to pass."

(Signed) HINCKLEY
MAHER
MARTIN
HOLMES
HALE
OAKES

Second report of the same committee on the same subject matter, reported the same in a new draft, under the same title, designated as new draft A, and that it ought to pass.

(Signed) WING
NICHOLS

Third report of the same committee on the same subject matter, reported new draft under the title of An Act to amend Section 32 of Chapter 97 of the Revised Statutes relating to mills and dams, designated as new draft B, and that it ought to pass.

(Signed) HUSSEY
HAMILTON

The PRESIDENT: The Chair will recognize the Senator from Cumberland, Senator Hinckley.

Mr. HINCKLEY: Mr. President, I move that this matter be tabled pending acceptance of either report, and that in the meantime the two new drafts together with the three reports be printed as one document.

Mr. CARTER of Androscoggin: Be printed as what? I didn't just understand.

Mr. BARWISE: Not as one document?

Mr. HINCKLEY: That the two new drafts together with the three reports be printed as one document so it will be all together.

Mr. CARTER: No.

Mr. HINCKLEY: I do not care if you want to separate them. I move, Mr. President, that each new draft and each report be printed, as five separate documents.

The motion was agreed to.

Mr. Cram presented a report from the Committee on Claims, and on motion of the same Senator it was tabled for printing pending acceptance of the report.

On motion by Mr. Barwise of Penobscot, An Act to prohibit advertising signs upon public highways was taken from the table, and on further motion of the same Senator was passed to be enacted.

The following report was presented out of order, under suspension of the rules:

Mr. FOSTER, from the Committee on Claims, on Resolve to pay the unpaid premiums due on account of insurance on the State pier and sheds for policies issued in 1923 and 1924, reported the same in new draft, and under the same title, and that it ought to pass. The matter was tabled for printing.

On motion by Mr. Smith of Somerset, that Senator was permitted to introduce out of order, under a suspension of the rules, resolve to pay certain deficiencies, and on further motion by the same Senator the resolve was tabled pending printing.

On motion by Mr. Smith of Somerset, that Senator was permitted to introduce out of order report of the Committee on Labor, on resolutions, remonstrances and communications on bill, An Act relating to old age assistance, reporting that the same be placed on file.

The report was accepted.

On motion by Mr. Smith of Somerset, that Senator was permitted to introduce out of order report of the Committee on Labor on certain resolutions, remonstrances and communications on resolve ratifying or rejecting passage of the twentieth amendment to the Constitution of the United States, known as the Child Labor amendment, reporting that the same be placed on file.

The report was accepted.

Passed to be Enacted

An Act to give certain powers to the Governor and Council with respect to state highway, interstate and international bridges.

An Act to amend section one of chapter 169, as amended, relating to the support of dependents of soldiers, sailors and marines.

First Reading of Printed Bills

An Act to amend section 67 of chapter 142 of the Revised Statutes, as amended by chapter 12 of the Public Laws of 1921, relating to inmates escaping from the reformatory for women.

On motion by Mr. Smith of Somerset, the rules were suspended and

this bill received its second reading, and on further motion by the same Senator the bill was passed to be engrossed.

On motion by Mr. Speirs of Cumberland, that Senator was permitted to introduce out of order, under a suspension of the rules, the final report of the joint standing committee on school for the feeble-minded, reporting that they had acted on all matters referred to them.

The report was accepted.

On motion by Mr. Speirs of Cumberland, that Senator was permitted to introduce out of order, under a suspension of the rules, the final report of the joint standing committee on mercantile affairs and insurance, reporting that they had acted on all matters referred to them.

The report was accepted.

The PRESIDENT: The Chair will state that in place of Senator Wilson of Aroostook on the conference committee on the disagreeing action of the two branches on bill, An Act to regulate fishing in the Aroostook river, he will appoint the Senator from York, Senator Lord.

On motion by Mr. Cram of Cumberland, H. D. 434, bill, An Act to extend the powers of the Western Maine Power Company, formerly the Limerick Water and Electric Company, was taken from the table.

Mr. Cram then yielded to the Senator from Androscoggin, Senator Carter.

Mr. CARTER: Mr. President, I wish to state that certain facts in connection with this measure did not come to the attention of the committee at the time of hearing upon this matter, it being simply a bill designed to make uniform the rates applying to a group of companies, and the utilities committee reported unanimously that it "ought to pass." Since that time it has developed from talking with the proponents of the measure that this company is one where it is not allied or subsidiary a company which is now transporting electricity out of the State under a special Act of one of the earlier Legislatures, and the committee as a whole desired to offer the amendment which is put on all such measures, but owing to a

misunderstanding of the facts it did not get on to this matter. This was taken up with the proponents of the measure, relative to the amendment which has gone on to all such matters since 1909, and the proponents have stated that at this time they prefer not to have the amendment, but would rather not have a charter at this particular Legislature. Whereupon, I now move the indefinite postponement of House Document No. 434, which is in accordance with the request of the proponents of the bill.

The motion was agreed to, and the bill was indefinitely postponed.

On motion by Mr. Lane of Androscoggin, S. D. 94, bill, An Act relating to the organization of the Lewiston Police Commission and to the salaries of the Chief of Police, Captain and Inspectors of the police department, was taken from the table.

The pending question being the adoption of House Amendment A,

On further motion by the same Senator the amendment was adopted.

On further motion by the same Senator the vote was reconsidered whereby House Amendment A was adopted.

On further motion by the same Senator the vote was reconsidered whereby this bill was passed to be engrossed.

House Amendment A was then adopted, and on further motion by the same Senator the bill was passed to be engrossed as amended by House Amendment A.

Mr. HINCKLEY of Cumberland: Mr. President, in order that we may do more business later I move that the Senate now take a recess until 4.15 o'clock this afternoon.

The motion was agreed to.

After Recess,

Mr. FOSTER of Kennebec: Mr. President, I move that the Senate reconsider its action whereby on my motion it voted to recede and concur with the Senate in regard to S. D. 65, bill, An Act requiring more efficient supervision of brokers selling securities on marginal accounts, and I will state that I wish if that action is taken to make another motion which I intended to make previously but did not make by reason

of not understanding the parliamentary situation.

The motion was agreed to.

Mr. Foster then moved that the bill be indefinitely postponed.

The motion was agreed to.

From the House: Bill, An Act to enlarge the definition of the term "securities" in section 126 of chapter 144 of the Public Laws of 1923, so as to include contracts for the sale of fur-bearing and other animals.

In the Senate the report of the committee reporting "ought not to pass" was accepted.

It now comes from the House that body voting to insist and ask for a committee of conference, and a committee of conferees appointed in that branch.

Mr. Morrison of Franklin moved that the Senate adhere to its former action.

The motion was agreed to.

From the House: Majority and minority reports from the committee on inland fisheries and game, on bill, An Act to amend chapter 173 of the Public Laws of 1919, relating to the registration of resident hunters and fishermen, majority reporting in new draft and "ought to pass," and minority reporting "ought not to pass."

This bill came from the House with the majority report accepted in that branch, the bill having been given two readings and having then been indefinitely postponed.

Mr. Chalmers of Penobscot moved that the Senate concur with the House.

The motion was agreed to.

From the House: Report of the committee on appropriations and financial affairs, reporting "ought to pass" on resolve in favor of Elwin H. Simons, document clerk of the House of Representatives.

The report was accepted in concurrence.

The resolve then received its first reading.

On motions by Mr. Allen of York, the rules were suspended and the resolve received its second reading and was passed to be engrossed.

From the House: Report of the committee on appropriations and fi-

ancial affairs, reporting "ought to pass" on resolve in favor of Charles S. Pierce, secretary of the committee on education for expense incurred by committee on education visiting normal schools and the University of Maine.

The report was accepted in concurrence.

The resolve then received its first reading.

On motions by Mr. Allen of York the rules were suspended and the resolve received its second reading and was passed to be engrossed.

From the House: Report of the committee on appropriations and financial affairs, reporting "ought to pass" on resolve in favor of the Chaplains of the House of the 82nd Legislature.

The report was accepted in concurrence.

The resolve then received its first reading.

On motions by Mr. Hinckley of Cumberland the rules were suspended and the resolve received its second reading and was passed to be engrossed.

From the House: Report of the committee on appropriations and financial affairs, reporting "ought to pass" on resolve on the payroll of the House of Representatives of the 82nd Legislature.

The report was accepted in concurrence.

The resolve then received its first reading.

On motions by Mr. Hinckley of Cumberland, the rules were suspended and the resolve received its second reading and was passed to be engrossed.

From the House: Bill, An Act relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine corporations. (H. D. 110).

In the Senate this bill was indefinitely postponed.

It now comes from the House that body voting to insist on its former action and ask for a committee of conference, and a committee of conference appointed in that branch.

Mr. Anthoine of Cumberland moved that the Senate join the committee of conference.

The motion was agreed to.

The President thereupon appointed on the part of the Senate as members of such committee of conference Senators Anthoine of Cumberland, Allen of York and Barwise of Penobscot.

From the House: Bill, An Act relating to inmates of reformatory for women when incorrigible.

In the Senate this bill was passed to be engrossed as amended by House Amendment A.

It now comes from the House that body having reconsidered its action whereby the bill was passed to be engrossed, having adopted House Amendment B, and having passed the bill to be engrossed as amended by House Amendments A and B in non-concurrence.

On motion by Mr. Hinckley of Cumberland, the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by the same Senator, House Amendments A and B were adopted.

On further motion by the same Senator the bill was then passed to be engrossed, as amended by House Amendments A and B.

Additional papers from the House disposed of in concurrence.

From the House: The report of the committee on public utilities, on bill, An Act creating the Maine Power Authority and defining its duties (H. D. 359) reporting legislation thereon inexpedient.

This bill came from the House with the bill substituted for the report, a new draft under same title (H. D. 506) substituted for the original bill, and the new draft subsequently indefinitely postponed.

Mr. Hinckley of Cumberland moved that the Senate concur with the House in the indefinite postponement of the bill.

The motion was agreed to.

From the House: Report of the committee on taxation, reporting "ought not to pass" on resolve proposing an amendment to section eight, Article nine of the constitution of the State of Maine, providing that no tax on incomes and on inheritances shall be levied. (H. D. 11).

This came from the House, bill substituted for the report, House Amendment A presented, bill and amendment subsequently indefinitely postponed.

On motion by Mr. Hinckley of Cumberland, the Senate voted to concur with the House in the indefinite postponement of the resolve.

From the House: Bill, An Act to provide pensions for members of the Lewiston Police Department. (S. D. 93).

In the Senate, House Amendment A was indefinitely postponed in non-concurrence.

It now comes from the House that body voting to insist on its former action and ask for a committee of conference, and with a committee of conference appointed in that branch.

On motion by Mr. Carter of Androscoggin, the Senate voted to join the committee of conference.

Thereupon the President appointed on the part of the Senate as members of such committee of conference Senators Carter of Androscoggin, Powers of Aroostook and Morrison of Franklin.

On motion by Mr. Hinckley of Cumberland, the Senate voted to take a recess subject to the call of the Chair.

After Recess

Senate called to order by the President.

Mr. SMITH of Somerset: Mr. President, either out of order or in order, I move that we reconsider our action whereby we voted to join with the House in a joint session for this evening, that I may present an amendment.

The motion to reconsider was agreed to.

Mr. SMITH: Now I wish to introduce an amendment, Mr. President.

Senate Amendment A to order relative to Joint Convention.

Amend joint order passed in both branches this day by striking out the words "Joint Convention" and substituting therefor the words "an informal caucus" so that said order when amended shall read as follows:

ORDERED that, the Senate concurring, we have an informal caucus of both bodies of the Legislature

for the purpose of discussing the road program, tonight at 7.30 P. M. in the Hall of the House.

The PRESIDENT: The Chair will suggest that it is worth while to consider whether or not the amendment should not be amended so as to read "an informal caucus of all members" so that perhaps some of either party might not think it was a party caucus.

Mr. HINCKLEY of Cumberland: The thought came to me that a caucus is not a matter for the Legislature to take up in session. But perhaps this will be the best way to call them together. I do not raise any technical question on it but it is not up to the Legislature to call a caucus.

Mr. ALLEN of York: Mr. President, I rise for information. I would like to ask the Senator from Cumberland just what his definition is of a joint convention—that is, what are its powers?

Mr. HINCKLEY: Why, a joint convention is a regular session of the Legislature in joint convention to act upon matters that might come before a joint convention, a message from the Governor, an address.

Mr. ALLEN: You cannot pass any bills or anything of that kind?

Mr. HINCKLEY: No, we don't pass bills in joint convention.

Mr. ALLEN: And what do they do? I was wondering what the powers of a joint convention were. We go in and talk over the road program, and it is the same as a caucus, is it?

Mr. HINCKLEY: Of course a joint convention is a formal occasion held by the Legislature, it is a formal session of the Legislature.

Mr. SMITH: Mr. President, the member of the House who presented this order made a mistake in inserting the words "joint convention" when he really intended to have an informal caucus, and the purport of this amendment is to assist him out of the trouble and to bring about an informal gathering. It makes no difference to me how we proceed to accomplish it.

Mr. HINCKLEY: I have no objection.

The PRESIDENT: The Chair would like to ask the Senator from Somerset if he would like to have the order read,

ORDERED, the Senate concurring, that we have an informal caucus of all members of both bodies of the Legislature, for the purpose of discussing the road program, tonight at 7.30 P. M. in the Hall of the House.

Mr. SMITH: That is very satisfactory.

The PRESIDENT: The Secretary suggests that the word "gathering" instead of "caucus" might be used,—an informal gathering.

Mr. SMITH: I think the suggestion a good one.

The PRESIDENT: Will the Senator consent to have the Chair amend this?

Mr. SMITH: I certainly will.

The PRESIDENT: So that the order shall read as follows:

ORDERED, the Senate concurring, that we have an informal gathering of all members of both bodies of the Legislature for the purpose of discussing the road program, tonight at 7.30 P. M. in the Hall of the House.

The amendment was given a passage and the Order as amended sent down for concurrence.

From the House: An Act relating to support of inmates of State Hospitals. (S. D. 141)

In Senate, April 8, committee of conference appointed.

In the House: That body voted to adhere.

In the Senate: On motion by Mr. Hinckley of Cumberland, the Senate voted to adhere.

The PRESIDENT: The Chair takes this time and opportunity to say that the House has voted to concur in the passage of the amendment of the joint order which provided for a joint convention of the two branches this evening, so that it is now understood by everyone and all members of both branches, that we shall have just an informal gathering in the Hall of the House this evening at 7.30 o'clock.

On motion by Mr. Powers of Aroostook,

Adjourned until to-morrow morning at 9.30 o'clock.