

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, February 25, 1927.

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

Prayer by the Rev. Mr. Young of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: The following order:

Ordered, the House concurring, that the President and Treasurer of the State of Maine Associates be requested by the Secretary of the Senate to prepare for the information of the eighty-third legislature, a statement of moneys, including the names of the persons or organizations contributing same and how and where said money was dispensed, listing names and amounts when said money was expended and purpose therefor; which was indefinitely postponed in the House February 23rd.

Comes from the Senate that body voting to adhere to its former action whereby the Order received a passage.

In the House on motion by Mr. Eustis of Strong that body voted to adhere to its former action.

From the Senate: Ordered, the House concurring that when the Senate and House adjourn, they adjourn to meet Tuesday March 1st, at 4.30 o'clock in the afternoon.

In the Senate, read and passed.

In the House, read and passed in concurrence.

The following bills, remonstrances and petition were received and upon recommendation of the committee on reference of bills were referred to the following committees:

Judiciary

By Mr. Farrington of Jay: Remonstrance of H. H. Allen and 69 others against repeal of the Direct Primary Law. (H. P. No. 940)

By Mr. Dudley of Calais: Remonstrance of Elsie A Trafton of Calais

and 15 others against same. (H. P. No. 941)

Sea and Shore Fisheries

By Mr. Mansfield of Jonesport: An act relating to the use of seines, weirs, nets and artificial flies. (H. P. No. 942)

By the same gentleman: Petition of Everett Wright and others in favor of same. (H. P. No. 943)

Taxation

By Mr. Decker of Portland: An act requiring an excise tax to be paid on all cigarettes sold in this State. (H. P. No. 944)

(500 copies ordered printed)

The SPEAKER: The Chair has received the following letter:

"February 25, 1927.

Hon. Burleigh Martin,
Speaker, House of Representatives,
State House.

Dear Sir:

Due to illness, I hereby tender my resignation as Assistant Reporter of the House to take effect immediately.

Very respectfully yours,

(Signed) Helen Batchelder Shute"

Is it the pleasure of the House that the resignation of Mrs. Shute be accepted?

Thereupon the resignation of Mrs. Shute was accepted.

Orders

Mr. Thurston of Appleton presented the following order and moved its passage:

Ordered, that A. H. Herrick of Brockton, Massachusetts be appointed Assistant Reporter of the House for the remainder of the session, his compensation to be at the same rate per week as received by the Assistant Reporter at the last regular session.

Mr. BOYNTON of South Portland: Mr. Speaker, do I understand that the gentleman whose name is presented here is from Massachusetts?

The SPEAKER: The Chair will state that the name is A. H. Herrick of Brockton, Massachusetts.

Mr. BOYNTON: Mr. Speaker, it seems to me it would be good business to consider our own citizens, and I move that the order be tabled.

Mr. WING of Auburn: Is the motion to table? I hope the gentle-

man (Mr. Boynton) will withdraw his motion so that the matter can be discussed somewhat.

Mr. BOYNTON: It would be a pleasure to me to do so.

(Motion withdrawn temporarily)

Mr. WING: I would like to have the Chair state the situation in regard to the reporting of the proceedings of the House. If the gentleman's motion would delay and hinder the mechanism which is used for reporting, I do not think that the gentleman would wish to press his motion.

I know that stenographers who are capable are very difficult to obtain. Men or women who are accurate and speedy are hard to get, and if this arrangement would facilitate the business of the House, I think we should well consider it, and if it would embarrass the reporter, I think it should be considered.

The SPEAKER: The Chair will state that it understands that it is very difficult, as the gentleman from Auburn states, to obtain a reporter or assistant reporter for either the House or the Senate, and there are very few who are capable or have had the experience to fill the position. The Chair agrees absolutely with the gentleman from South Portland, Mr. Boynton, that if there is available any man or woman in the State of Maine for this position, he or she should have it, but this order was an arrangement made by the present Reporter of the House who has had many years' experience, and the Chair believes that he has made effort to secure somebody from the State of Maine, and finds no one available at the present time, the court stenographers being available only for a short time and engaged in their particular courts. The question practically narrows down to taking a stenographer from outside the State and immediate provision should be made for one. The Chair will ask the reporter if this matter could be held up until next Tuesday without inconveniencing the House as to reporting its Record?

The Reporter replied that there should really be an Assistant Reporter on hand early next week, and that both the Senate Reporter and himself have been on the look-

out for someone in this State but that none are available.

Mr. BISSETT of Portland: It seems to me, Mr. Speaker and gentlemen, that if it is possible for this House to secure a reporter from the State of Maine it should be done. I believe our own people should do our own work.

The SPEAKER: The Chair will state that it knew nothing of this order until a few minutes ago, and knows nothing of Mr. Herrick, and has not talked with him directly or indirectly. If the Reporter thinks this matter could lie upon the table until Tuesday, and meanwhile efforts be made to procure an Assistant in Maine who can properly carry on this work, perhaps it would be well to do that.

Mr. WING: Mr. Speaker, I observe that the Assistant Reporter has resigned and the resignation has been accepted. Now this House has passed an order that we will meet here Tuesday afternoon next, and we must have the mechanism to carry on the business of the House. I am in favor of home folks too, but I know how difficult it is to obtain the services of a competent stenographer, a shorthand reporter, and I think that if business can be facilitated, we should do it. I hope the order will receive passage. We employed here four years ago an out-of-state man and I think that man concluded to remain in Maine and is now the reporter of the Senate. It will do no particular harm if we make a good citizen out of him. I am interested to see the business of the House go along.

Mr. KITCHEN of Presque Isle: Mr. Speaker, I will say that I think this is rather an unusual condition, and it seems to me that our present reporter is in a good position to know who is well qualified for this work, and while I do agree with others that we should employ Maine people wherever possible, I believe, under these conditions, we should secure a person immediately to do this work and I hope the order will prevail.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to ask the Reporter a question. Would it be possible to hold this man up until next Tuesday?

The Reporter replied that of course it would be possible to do so,

but that it might prevent his coming at all.

Mr. GREENLEAF of Auburn: Mr. Speaker, there is no doubt that everyone of us would like to employ a Maine person whenever and wherever we can. We are here to conduct this business in the best way we can. Some of us speak rapidly, some slowly, and some indistinctly. Much of this is very hard to get—it is a hard position.

The SPEAKER: Would the gentleman, (Mr. Boynton) in order to expedite business be willing that this matter lie upon the table and be assigned for Tuesday next?

Mr. BOYNTON: Yes, Mr. Speaker, I move that this matter be tabled and assigned for Tuesday next, and I ask for a division of the House:

A division of the House being had,

Forty-two voting in the affirmative and 75 in the negative the motion to table did not prevail.

The SPEAKER: The motion now before the House is upon the passage of the order. Is it the pleasure of the House that this order receive passage?

And the order received passage.

On motion by Mrs. Folsom of Norridgewock the rules were suspended and the gentlemen allowed to smoke during the remainder of the session today. (Applause)

On motion by Mr. Robie of Westbrook, it was

Ordered, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the advance journal of the House, said copy to be on the desk of each member at the opening of each daily session.

The Clerk of the House is also hereby authorized and directed to employ necessary clerical assistance and to make the necessary printing arrangements.

Mr. Douglas of Chelsea was granted leave to introduce out of order, under suspension of the rules, the following resolution:

Whereas, through the kind and thoughtful consideration of the Aroostook County Delegation to the Eighty-third Legislature, the mem-

bers of this House were enabled to observe Thursday, February 24th, 1927, as Potato Day, in a manner befitting the supreme position held by this King of Vegetables,

Therefore, be it resolved that the appreciation of this Body is hereby expressed to the Aroostook Delegation for the splendid specimens of this product from the Garden of Maine of which each member was a delighted recipient.

The resolution was adopted.

Paper from the Senate, out of order:

Ordered, the House concurring, that the committee on Ways and Bridges return the following bill referred to it:

House Paper No. 483, H. D. No. 125, an act relating to creation of mill tax highway fund and expenditure.

In the Senate, read and passed.

Mr. WING of Auburn: Mr. Speaker, I should like to hear from the committee on Ways and Bridges as to the reason for this.

Mr. KITCHEN of Presque Isle: Mr. Speaker and members of the House: This is new to me; I know nothing about it; and I move that this lie on the table.

Thereupon the order was tabled pending passage in concurrence.

Reports of Committees

Mr. Crockett from the Committee on Education reported "Ought not to pass" on bill an act relative to the School Equalization Fund. (H. P. 76) (H. D. 27)

Mr. Brewster from same Committee reported same on bill an act relative to school transportation. (H. P. 77) (H. D. 28)

Mr. Dudley from the Committee on Judiciary reported same on bill an act to abolish the superior Court of the county of Penobscot. (H. P. 277) (H. D. 64)

Mr. Aldrich from same Committee reported same on bill an act to abolish the Municipal Courts of Newport and Old Town. (H. P. 278) (H. D. 65)

Mr. Patterson from same Committee reported same on bill an act in relation to State funds for charity patients in public and private hospitals. (H. P. 1072) (H. D. 324)

Mr. Aldrich from same Committee reported same on bill an act defining and restricting the powers and duties of the State Highway Police. (H. P. 279) (H. D. 66).

Mr. Fuller from the Committee on Legal Affairs reported same on bill an act to establish Maine Board of Music. (H. P. 285) (H. D. 72)

Mr. McCart from the same Committee reported same on bill an act to prevent trespassing upon lands owned by and used by any water company or municipal corporation engaged in furnishing water for domestic consumption. (H. P. 179) (H. D. 52)

(Tabled by Mr. Merrill of Dover-Foxcroft pending acceptance of the report.)

Mr. Goodwin from the Committee on Legal Affairs reported "ought not to pass" on bill an act relating to the town clerk's duties at town meetings. (H. P. 381) (H. D. 97)

Mr. Littlefield from same Committee reported same on bill an act to create a Board of Registration of Master Plumbers. (H. P. 284) (H. D. 71)

Miss Laughlin from same Committee reported same on bill an act providing for the attesting of records of city and town clerks by volume. (H. P. 377) (H. D. 94)

Mr. Goodwin from same Committee on two remonstrances against passage of act to repeal acts incorporating the Kendalls Mills Village Corporation and the Fairfield Village Corporation (H. P. 372) and (H. P. 373) reported that same be placed on file as the subject matter to which they refer has previously been adversely reported.

Mrs. Folsom from the Committee on Library reported "Ought not to pass" on resolve in favor of the purchase of the history and maps of the people and the town of New Sweden.

Same member from same Committee on bill an act to provide for the completion of the vital records of the State (H. P. 289) (H. D. 73) reported that same be referred to the Committee on Public Health.

Mr. Bishop from the Committee on Mercantile Affairs and Insurance reported "ought not to pass" on bill an act relating to Insurance Commissioner. (H. P. 97) (H. D. 35)

Reports read and accepted and sent up for concurrence.

Mr. Robie from the Committee on Agriculture reported "Ought to pass"

on resolve in favor of Animal Husbandry. (H. P. 442)

Mr. Sturgis from same Committee reported same on resolve to appropriate money for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture. (H. P. 443)

Mr. Gillespie from the same Committee reported same on resolve making appropriation for the support and maintenance of the Maine Agricultural Experiment Station. (H. P. 440)

Mr. Crawford from same Committee reported same on resolve in favor of scientific investigation in agriculture in Aroostook County. (H. P. 441)

Mr. Sturgis from same Committee reported same on resolve in favor of Highmoor Farm in the town of Monmouth (H. P. 439.)

Mr. Hale from the Committee on Judiciary reported same on bill an act to enable the Home for Aged Men to hold property up to one million dollars (H. P. 43.)

Reports read and accepted and the bill and resolves ordered printed under the Joint Rules.

Mr. Wing of Kingfield from the committee on Judiciary on bill an act relating to the property of extinct or disbanded Congregational churches, Parishes of Societies, H. P. 49, H. D. 16, reported same in new draft under same title and that it "ought to pass."

Mrs. Folsom from the Committee on Library on bill an act to create and to define the powers and duties of a State Commission to represent the State in arranging and carrying out a program for the celebration of the bicentennial of the birth of George Washington, reported the same in a new draft, H. P. 945 under same title and that it ought to pass.

Mr. Leathers from the Committee on Claims on resolve in favor of the town of Leeds, for reimbursement for money expended in rebuilding bridge (H. P. 120) reported same in a new draft (H. P. 938) under same title and that it "Ought to pass."

Same gentleman from same Committee on resolve in favor of the South Kennebec Agricultural Society (H. P. 258) reported same in a new draft (H. P. 937) under same title and that it "Ought to pass."

(Tabled by Mr. Douglas of Chelsea pending acceptance of the report.)

Mr. Blaisdell from the Committee on Legal Affairs on bill an act to incorporate the Union River Railway Company (H. P. 286) (H. D. 109) reported same in a new draft (H. P. 934) under same title and that it "Ought to pass."

Mr. Sargent from same Committee on bill an act to provide for the retirement of firemen in the city of Augusta upon half pay (H. P. 382) (H. D. 98) reported same in a new draft (H. P. 935) under same title and that it "Ought to pass."

Mr. Decker from the Committee on Mercantile Affairs and Insurance on bill an act relating to insurance upon lives of directors, officers, agents and employes of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto (H. P. 7) (H. D. 7) reported same in a new draft (H. P. 939) under same title and that it "Ought to pass."

Mr. Littlefield from the Committee on Sea and Shore Fisheries on bill an act relating to close time on scallops (H. P. 296) reported same in a new draft (H. P. 936) under same title and that it "Ought to pass."

Report read and accepted and the new drafts ordered printed under the joint rules.

Mr. Bartlett from the Committee on Judiciary reported "Ought to pass" on act to incorporate the Bangor Bridge District (S. P. 96) (S. D. 36.)

Miss Laughlin from the Committee on Legal Affairs reported same on bill an act increasing the fees for permits for opening paved public highways (H. P. 378) (H. D. 95.)

Mr. White from the Committee on Library reported same on resolve to appropriate money for the erection of a new State Library (H. P. 470) (H. D. 121.)

(Tabled By Mr. Eustis of Strong pending acceptance of the report.)

Mr. Kane from the Committee on Sea and Shore Fisheries reported same on bill an act for the better protection of shell fish in the town of Georgetown (H. P. 617) (H. D. 163.)

Reports read and accepted and the bills and resolve having already been printed, the bills were read twice, the resolve read once and tomorrow assigned.

Majority report of the Committee

on Judiciary reporting "Ought to pass" on bill An Act relating to expenditures and returns of candidates for public office (H. P. 92) (H. D. 31.)

Report was signed by the following members:
Messrs.

MAHER of Kennebec
OAKES of Cumberland.
—of the Senate.

WING of Kingfield
BARTLETT of Bangor
ALDRICH of Topsham
HALE of Portland

—of the House

Minority report of same Committee reporting "Ought not to pass" on same bill.

Report was signed by the following members:

Messrs. CARTER of Androscoggin
—of the Senate

WING of Auburn
DUDLEY of Calais
PATTERSON of Castine
—of the House

(Tabled by Mr. Patterson of Castine pending acceptance of either report.)

First Reading of Printed Bills and Resolves

(H. P. 72) (H. D. 260) Resolve in favor of Alvin Bolstridge of Winterville.

(H. P. 74) (H. D. 261) Resolve in favor of the estate of Eddie Fitzgerald, Seven Island, Maine.

(H. P. 124) (H. D. 262) Resolve in favor of Clifford T. Kennedy of Vanceboro for reimbursement for expenditures for civil suit brought against him.

(H. P. 219) (H. D. 263) Resolve to reimburse the town of Lincoln for support of State paupers.

(H. P. 220) (H. D. 264) Resolve in favor of the town of Yarmouth.

(H. P. 257) (H. D. 265) Resolve to reimburse the Biddeford and Saco Railroad Company for over-payments of taxes.

(H. P. 260) (H. D. 266) Resolve in favor of the town of Abbot for reimbursement of monies expended for the support of Scott W. Pierce and family.

(H. P. 162) (H. D. 267) Resolve to reimburse the town of Washburn for support of a State pauper.

(S. P. 16) (S. D. 109) An act to

provide for the marking of the Maine and New Hampshire boundary.

(S. P. 33) (S. D. 120) An act relating to the taking of clams in Cutler.

(H. P. 910) (H. D. 254) An act to amend "An act to incorporate the Richardson Wharf Company approved April 2, 1856," as amended by an act approved February 13, 1880.

(H. P. 31) (H. D. 255) An act to set off a part of the town of Penobscot in the county of Hancock, and annex the same to the town of Castine.

(H. P. 182) (H. D. 256) An act to incorporate the Great Pond Railway Company.

(H. P. 909) (H. D. 252) Resolve providing a State pension for Joseph A. Trueworthy.

(H. P. 908) (H. D. 253) Resolve for Teacher's pension for Etta M. Paten.

Orders of the Day.

The SPEAKER: Under orders of the day the Chair lays before the House, House Amendment A to Senate Document 17, an act granting the Cumberland County Light and Power Company the right to exercise the power of eminent domain for certain purposes, H. P. 17, tabled by Mr. Chase of Cape Elizabeth, February 22, pending adoption.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, when the amendment was offered, I was in error, I suppose, in presenting the amendment before the bill had its first and second readings. In asking for the first and second readings of the bill at this time, I do not do so with the intention of pushing it toward its passage, but simply that it may be brought to the amendable stage. I move that the bill have its first and second readings at this time.

Mr. THURSTON of Appleton; Mr. Speaker, I understood that that bill was to go back to the committee. Is that the bill that the gentleman amended the other day?

The SPEAKER: It is the same bill. Perhaps the gentleman from Cape Elizabeth (Mr. Chase) can answer the gentleman from Appleton, Mr. Thurston, as to his future intentions.

Mr. CHASE: Mr. Speaker, the motion is purely to put the bill into the amendable stage. It is my intention if the amendment shall be adopt-

ed to have it recommitted to the committee.

Mr. WING of Auburn: Mr. Speaker, I move that the bill and amendment be recommitted to the committee from whence it came.

Mr. FOSTER of Ellsworth: Mr. Speaker, I rise to the point of information. I am wondering if that would be amendable, or if the amendment would be amendable, if the course suggested by the gentleman from Auburn, Mr. Wing, it taken.

The SPEAKER: The Chair will state that a motion to commit has precedence over a motion to amend.

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

The SPEAKER: The gentleman may state his point.

Mr. CHASE: Mr. Speaker, if an amendment is not in order how can the bill and amendment be recommitted to the committee?

The SPEAKER: The Chair will state that the amendment had already been offered and that the amendment goes along necessarily with the bill.

Mr. CHASE: Mr. Speaker, perhaps I had better explain at this time on whatever motion may be before the House what it is that I propose to do. I do not appear in this matter in the interests of the Cumberland County Power and Light Company. They have not asked me to do anything about this bill, and I do not take this action with any idea of forcing or trying to force definite action on this matter at this time. I am interested in having discussed in the committee and before this Legislature the general principle of granting power companies the right of eminent domain for the creation of high voltage transmission lines. I am interesting in discussing the general proposition of granting to public utility companies the right of eminent domain on distribution lines, but apparently that idea is opposed by many.

I would be glad if the problem of rural electrification in Maine could be simplified by giving the companies a real opportunity to build rural lines. While it is true that a large majority of the farmers in Maine are willing to co-operate with a power company who wishes to build a line to them, I can speak from experience in saying that it is a rare occasion when you build two or three miles of line, that there

is not someone along the line, someone who wants to obstruct the whole proceedings, who wants to make it expensive for the power companies, who wants to hold back the benefit to the others, and I have seen occasions where the limb of a tree costs one hundred dollars and I have seen occasions where a man would absolutely say "You cannot in any case go across this path."

I ought to say that the bill in its present form would apply only to lines which would be considered high voltage lines, that is, five thousand volts. That is a larger voltage than prevails on line you would call a distribution line.

This bill comes in as private and special legislation. I have no particular interest in the Cumberland County Power and Light Company. It is true that if this right should be granted to that company, it seems to me that it should be granted to the other electrical companies who are in the same business. But this being the proposition before the Legislature which involves this principle, I want to bring up the principle in connection with this matter, and I have tried to amend this particular private and special act so as to protect settled communities from having transmission lines built through their dooryards; and under Section 2 of the amendment it says that this right of eminent domain would not apply to lines or easements located within three hundred feet of an inhabited dwelling. That means my house or your house. With these limitations, it seems to me, this is a reasonable proposition to put up to the Legislature.

The proposition of eminent domain has been, I think, somewhat misunderstood. Some people seem to think that eminent domain is a survival of the Divine right of kings, but there is no more democratic doctrine in our constitutional law than the right of eminent domain which says that private property shall only be taken for public uses, and then only when public exigencies require. That is the exact working of the Constitution and that is the idea of it. Eminent domain means treating everybody alike. Eminent domain protects the weak and curbs the strong. Eminent domain means that the fellow who will play ball and who will co-operate in develop-

ment gets the same treatment as the fellow who obstructs. If you have had any experience in buying up rights for transmission lines,—some of you gentlemen may know that the way that is going on now, the man who will not play ball, the man who is nasty about it, the man who tries to hold up the whole proceedings, gets paid more, and the man who believes that the power should be got to the people in the cheapest and best way, and who is working in the interests of better service and lower rates, has to take less in order that the company may be able to afford to pay more to the obstructionist.

When this bill was first put up to the committee on Legal Affairs, I did not think it was a good bill, and I do not believe in the original bill as it was drawn at that time; and by this amendment I have been trying to bring this principle of eminent domain into such form that the committee on Legal Affairs may consider it on a definite basis; so that they may consider whether from the standpoint of the State it is desirable to extend this right to power companies.

Now railroads have the right of eminent domain; telephone companies have it; water companies have it. I believe practically every public utility company except the power companies,—and I believe there are some exceptions there. There is one company that has been granted this right of eminent domain; and with this science of electricity going on, and with the tremendous progress being made with it, I think it is time that the Legislature should seriously consider what should be the public policy of the State toward giving power companies the same right. So that I would like to have the amendment adopted, and if that could take place, to have the whole thing re-committed to the committee on Legal Affairs so that they might consider the proposition as a general principle and in the light of public policy.

I do not ask you to support the amendment at all out of courtesy to me. I wish that those here who are in favor of granting the right of eminent domain within reasonable restrictions, and those who are open-minded on the proposition but will-

ing to be convinced, would vote for the adoption of the amendment. Those who are opposed to granting this right will of course vote in opposition to it. That will accomplish my purpose in finding out whether the people of Maine, as represented here, want to make it possible for these companies, through the right of eminent domain, to give better service at lower rates.

Mr. WING of Auburn: Mr. Speaker, I have no particular quarrel with the gentleman from Cape Elizabeth (Mr. Chase). If the members will turn to House Document 245, they will observe that House Paper 17 was an act granting the Cumberland County Light and Power Company the right to exercise the power of eminent domain. This H. P. 17, as I recall it, was "ought not to pass." Mr. Speaker, does the record bear me out?

The SPEAKER: The gentleman from Auburn is correct.

Mr. WING: Whereupon the gentleman from Cape Elizabeth (Mr. Chase) offered this amendment: "Strike out all of said bill after the enacting clause and substitute in place thereof the following:" Now he asks this House to go on record in passing this amendment in favor of it. If the House passes it, the House has endorsed the principle, and the committee on Legal Affairs has been met by a vote of the House showing that they have passed this amendment. And do you think the committee on Legal Affairs would not pay some attention to the vote of this House on a measure that is recommitted to it?

My point is just here. If this amendment is offered, it becomes part and parcel of the legislation. The motion to recommit is to recommit this bill and the amendment to the committee. The committee can then hear the gentleman from Cape Elizabeth (Mr. Chase), the representatives of the Cumberland County Power and Light Company, or any other citizen, without any prejudice; but if we adopt this amendment we have put this House on record in favor of the principle of the amendment, and, if you then commit, you will embarrass the committee.

I have no particular quarrel with the idea of the remarks which the gentleman (Mr. Chase) has ad-

vanced here; but I think this amendment, which is practically a new bill, should go before the committee, and citizens, or the power company, or anyone else, can go there and be heard, and I am sure the committee will hear them fairly, carefully and respectfully. For one, I do not wish to embarrass the committee by a record vote of this House adopting this amendment; and I hope the motion to recommit will prevail.

Mr. CHASE: Mr. Speaker, so far as the record is concerned, I trust the record shows what is being said here, and I believe that I asked the members of the House not to go on record in favor of eminent domain, or against eminent domain, but to go on record whether they were in favor of giving further consideration to this matter; and I think that the record will show the remarks as well as the vote and the amendment.

Mr. WING: Mr. Speaker, if I may be permitted to answer the gentleman, the record will stand. If we are to vote to accept this amendment, we are on record in favor of the amendment quite regardless of the express wishes of the gentleman from Cape Elizabeth, (Mr. Chase). That is the point that I make, and I think the bill and the amendment should go to the committee without any embarrassing vote by way of adoption on the part of this House.

Mr. ALDRICH of Topsham: Mr. Speaker, it would seem to me, from what the gentleman from Cape Elizabeth, (Mr. Chase) last said, that the purpose which he desires to accomplish will be accomplished by adopting the motion of the gentleman from Auburn, Mr. Wing, because all that my friend from Cape Elizabeth (Mr. Chase) desires to have done is to indicate to the committee on Legal Affairs that we, if we adopt this amendment, are interested in having this entire matter reconsidered by taking into consideration the amendment which is recommitted; and under those circumstances it would seem to me rather unwise that we should be asked to pass upon the proposition of the wisdom of the amendment. But, as the gentleman from Auburn (Mr. Wing) has said, we should send it back to the committee as the gentleman from Cape Elizabeth (Mr. Chase) says that he wishes to have done.

Mr. FULLER of Southwest Harbor: Mr. Speaker and Members of

the Legislature: This bill has been before the committee and we reported it "ought not to pass." Now it comes here and an amendment is offered. We feel this way—or I will speak for myself—that we are perfectly willing for it to be recommended, but as for a vote being taken here, I do not think that is the proper thing to do.

The SPEAKER: Is the House ready for the question?

Mr. CHASE: Mr. Speaker, I would be glad to support the motion of the gentleman from Auburn, Mr. Wing.

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Wing, that this bill and amendment be re-committed to the committee on Legal Affairs. Is it the pleasure of the House to so recommit?

The motion prevailed and the bill and amendment were re-committed to the committee on Legal Affairs.

Mr. FOSTER of Ellsworth: I rise to a point of information.

The SPEAKER: The gentleman will state his point.

Mr. FOSTER: Mr. Speaker, I have an amendment here to offer to the amendment offered by the gentleman from Cape Elizabeth, Mr. Chase, and would it be the proper time to offer this now if it is going to be reconsidered by the committee?

The SPEAKER: The Chair will state that the amendment could have been offered today if it had not been for the intervening motion of the gentleman from Auburn, Mr. Wing, but the proper course now, the Chair believes, is to take the amendment before the committee on Legal Affairs when this matter is again reconsidered.

Mr. FOSTER: My amendment, Mr. Speaker?

The SPEAKER: Yes, your amendment, when the Chase bill, so-called, is again taken up by the committee on Legal Affairs.

The SPEAKER: The Chair lays before the House joint order relative to investigation of operation of Workmen's Compensation Law, tabled by Mr. Aldrich of Topsham, February 23, pending passage in concurrence.

Mr. ALDRICH of Topsham: Mr. Speaker, I would like to move that this order be referred to the committee on Mercantile Affairs and Insurance; and my reason for making the motion is that I consider that this is

a matter of considerable importance. There is involved the question of the expenditure, possibly, of a very considerable sum of money, and the committee on Mercantile Affairs and Insurance would seem to me to be the appropriate committee to consider this matter which apparently involves, to a very considerable degree, a question of insurance.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, moves that this joint order be referred to the committee on Mercantile Affairs and Insurance.

On motion by Mr. Foster of Ellsworth, the joint order was tabled, pending passage in concurrence.

The SPEAKER: We are still proceeding under orders of the day.

On motion by Mr. Kitchen of Presque Isle it was voted to take from the table order relative to mill tax, tabled earlier today by that gentleman.

Mr. KITCHEN of Presque Isle: Mr. Speaker, for the information of the House I will say that you will recall that a few days ago I introduced in the House the mill tax bill, which was referred jointly to the committees on Ways and Bridges and Taxation. It seems that there is a second bill introduced that has been referred to the committee on Ways and Bridges, and it is the wish of the committee on Taxation that they should sit in on this measure. That meets with my approval, and Mr. Speaker, and members of the House, I move that this order receive passage.

Thereupon the order received passage in concurrence.

Mr. ALDRICH of Topsham: Mr. Speaker, if this be a proper time for it, I should like to ask for a suspension of the rules in order that I might offer a resolve involving an appropriation of money for the Children's Heart Work Society, located in Portland, which through some error was overlooked and not presented in time under the joint order. I have been requested to offer this. This is a children's society which in the past has received an appropriation of somewhere in the neighborhood of two thousand dollars a year, and this present resolve calls for an appropriation of two

thousand dollars a year, or not exceeding two thousand dollars for the next two years, to pay for the care of some eighty children, I think, in that institution. I should not think of offering a resolve at this time, or asking for a suspension of the rules, under any other circumstances than such an one which apparently calls for some consideration.

Thereupon the rules were suspended and the resolve was received at this time; and on further motion by the same gentleman the resolve was referred to the committee on Appropriations and Financial Affairs.

Mr. FULLER of Southwest Harbor: Mr. Speaker, under suspension of the rules, I would like to introduce two bills. One is a petition of Henry Sawyer and others in regard to a close time on lobsters. The other is an act to repeal the law to establish a board of road commissioners in the town of Mt. Desert. Through some accident or mistake these bills did not reach here until yesterday noon. Under suspension of the rules I would like to have these bills presented at this time, they not being here in time under the joint order.

On motion by Mr. Fuller of Southwest Harbor, the rules were suspended and that gentleman was permitted to introduce out of order an act to repeal an act to establish a Board of Road Commissioners for the town of Mt. Desert in the county of Hancock; and on further motion by the same gentleman the bill was referred to the committee on Legal Affairs.

The SPEAKER: The Chair will state that the petition can be introduced in the regular way and the Chair will see that it is so done.

Mr. KINSMAN of Augusta: Mr. Speaker, I would like to ask the same privilege of having the rules suspended in regard to a measure pertaining to the city of Augusta. The regular city meeting comes the third Monday in each month, and a matter of great importance was brought up at the last meeting too late to be introduced here the 17th of this month. Therefore I would like the privilege of introducing this bill at this time and that it be referred to the committee on Legal Affairs.

Thereupon on motion by Mr. Kinsman of Augusta the rules were sus-

pended and that gentleman introduced an act to amend the city charter of the city of Augusta relative to the appointment of city officials; and on further motion by the same gentleman the bill was referred to the committee on Legal Affairs.

Mr. ROUNDS of Portland: Mr. Speaker, I have some petitions here that I would like to present out of order, and have them sent to the committee on Legal Affairs, under suspension of the rules.

Thereupon, on motion by Mr. Rounds of Portland the rules were suspended, and three petitions, House Papers 950, 951 and 952, pertaining to enacting a law permitting the electors of Portland to vote on the question of repealing Chapter 109 of the Special Laws of 1923 were received; and on further motion by the same gentleman were referred to the committee on Legal Affairs.

On motion by Mr. Eustis of Strong it was voted to take from the table House Document 42, an act in favor of Frenchville in the county of Aroostook, tabled by that gentleman, February 23, pending third reading.

Mr. EUSTIS: I wish to offer House Amendment A and in explanation of this amendment I will say that it is made by the committee on bills in the third reading and in no way changes the substance of the bill. I offer House Amendment A, and move its adoption.

House Amendment A to bill an act in favor of Frenchville in the county of Aroostook.

"Amend said bill by striking out the words in the caption 'in favor of Frenchville, in the county of Aroostook,' and inserting in place thereof the words 'to annex a portion of Frenchville to St. Agatha' and by striking out in the ninth line thereof after the words 'thence along the easterly' the words 'of the.'"

The amendment was adopted, and the bill as amended by House Amendment A had its third reading and was passed to be engrossed.

On motion by Mr. Eustis of Strong it was voted to take from the table House Document 238, H. P. 64, an act to eliminate Jackman from the Maine Forestry District, tabled by that gentleman February 23, pending third reading.

Mr. EUSTIS: I wish to offer House Amendment A and in explanation I will say that this act, paragraph seven of section sixty of chapter eight of the Revised Statutes has been amended in Chapter 38 of the Public Laws of 1917. The act as drawn amended the laws of 1916 rather than 1917, and the amendment corrects that error. I move the adoption of this amendment.

The SPEAKER: The Chair will state that the amendment is rather long, and is simply as the gentleman states to correct an error in printing

or some clerical error. The gentleman from Strong, Mr. Eustis, moves that the reading of the amendment be dispensed with.

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

On motion by Mr. Cram of Mt. Vernon

Adjourned until 4.30 P. M., Tuesday, March 1.