

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

Wednesday, March 2, 1927.

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

Prayer by the Rev. Mr. Bradford of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act creating a Department of Purchases, H. P. 907, H. D. 257, which by the House was referred to the committee on Appropriations and Financial Affairs on February 22.

Comes from the Senate, referred to the committee on Legal Affairs in non-concurrence.

In the House, on motion by Mr. Robie of Westbrook that body voted to recede and concur with the Senate in the reference of the bill to the committee on Legal Affairs.

From the Senate: Bill an act to amend the distribution of tax on gasoline, H. P. 66, H. D. 24.

Bill an act relating to creation of Mill tax highway fund and expenditure, H. P. 483, H. D. 125.

Bill an act relating to a tax upon gasoline, P. P. 754, H. D. 211.

Bill an act relating to a tax upon gasoline, H. P. 755, H. D. 212, which were in the House referred to the committee on Ways and Bridges and later recalled by Joint Order.

Comes from the Senate referred to the committees on Taxation and Ways and Bridges jointly in non-concurrence.

In the House that body voted to concur with the Senate in the reference of the above bills to the committees on Taxation and Ways and Bridges jointly.

From the Senate: Report of the committee on Library reporting "ought not to pass" on resolve for the purchase of one hundred copies of "Brief Biographical Dictionary of Who's Who in Maine, Vol. 1, 1926-27, H. P. 271, which was accepted in the House February 24th.

Comes from the Senate recommit-

ted to the committee on Library in non-concurrence.

In the House, on motion by Mr. Roy of Lewiston, tabled pending recommitment in concurrence.

From the Senate: Report of the committee on Insane Hospitals reporting "Ought not to pass" on resolve appropriating money for an addition to the third female wing of the Augusta State Hospital, S. P. 25.

Comes from the Senate, report read and accepted.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to inquire of some member of the committee on Insane Hospitals if any work is being done on that wing at the present time.

Mr. CLIFFORD of Bath: Mr. Speaker, in answer to the gentleman from Portland (Mr. Rounds) I would say that the committee decided that the Nurses Home is really more necessary than the wing. They thought that that would relieve the hospital so that they would have room enough without extending the wing.

Mr. ROUNDS—Mr. Speaker, may I ask the gentleman one more question?

The SPEAKER: The gentleman may state his question.

Mr. ROUNDS: Is it true that men are sleeping in cots in the hallways at the present time?

Mr. CLIFFORD: I think they have been, yes sir.

Thereupon on motion by Mr. Rounds the report was tabled pending acceptance in concurrence.

Senate Bills in First Reading

S. P. 122, S. D. 48: An Act to Amend Chapter 62 of the Public Laws of 1923, Relating to the production and sale of certified seed.

S. P. 23, S. D. 129: Resolve in favor of the town of Athens for reimbursement for sheep killed by dogs.

S. P. 63, S. D. 127: Resolve in favor of Mrs. Daniel Jewett.

S. P. 99, S. D. 130: Resolve to reimburse the town of Smyrna for support of John Pomeroy, a Civil war veteran.

S. P. 124, S. D. 128: Resolve to reimburse the city of Bath for sup-

port of William A. Griffin, a former resident of Malaga Island.

S. P. 178, S. D. 139: An act relating to taking of alewives in Eastern Penobscot River in the town of Orland.

From the Senate: Report of the committee on Insane Hospitals, reporting ought to pass on resolve making an appropriation for a Nurses Home at the Augusta State Hospital, S. P. 27, S. D. 134.

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

In the House, on motion by Mr. Rounds of Portland, tabled pending acceptance of report 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:

Agriculture

By Mr. Merrill of Dover-Foxcroft: An act to regulate the manufacture, distribution, sale and commercial use of cosmetics. (H. P. 965)

(500 copies ordered printed)

Inland Fisheries and Game

By Mr. Ruggles of Carmel: An act relating to the setting of traps in organized or incorporated places. (H. P. 966)

By the same gentleman: Petition of M. S. Leavitt and 14 others in favor of same. (H. P. 967)

Judiciary

By Mr. Merriman of Vassalboro: Remonstrance of J. L. Dean and 31 others against repeal of the Direct Primary law. (H. P. 968)

By Mr. St. Clair of Rockland: Remonstrance of Frank H. Ingraham and 29 others against same. (H. P. 969)

By Mr. Ellis of Fairfield: Remonstrance of Isabelle Plummer and 27 others against same. (H. P. 970)

By the same gentleman: Remonstrance of Roderick J. Mooney and 25 others against same. (H. P. 971)

By Mr. Bartlett of Bangor: An act relating to acknowledgements of bank officials by Justices of the Peace. (H. P. 972)

(500 copies ordered printed)

By the same gentleman: An act

relating to proceedings to bar actions on undischarged mortgages. (H. P. 973)

(500 copies ordered printed)

Public Health

By Mr. Merrill of Dover-Foxcroft: An act to accept the provision of the Act of Congress of the United States, approved Nov. 23, 1921 as amended and approved Jan. 22, 1927 entitled, An act for the promotion of the Welfare and Hygiene of Maternity and Infancy and for other purposes. (H. P. 974)

(500 copies ordered printed)

Salaries and Fees

By Mr. Littlefield of Kennebunk: An act relating to the Fees of Jurors. (H. P. 961)

Senate Paper, out of order.

Ordered, the House concurring, that the communication and the accompanying petition in relating to legislation regarding the Direct Primary Law be referred to the committee on Judiciary for investigation and report, both as to the sufficiency of the petitions and as to the appropriate legislation needed on the subject, with power to summon witnesses.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

Orders

On motion by Mr. Sturgis of Auburn, it was

Ordered, that the use of the House be granted to the Farm Club for the evening of Tuesday, March 8, 1927.

Senate Paper, out of order:

Ordered, the House concurring, that an invitation be extended to that nationally known, lovable and well beloved couple who are such good, old-fashioned Americans, Mellicie and Gram, to be the guests of this Legislature during the day of March 17, 1927; that there also be extended to them an invitation to be present at and participate in, so far as they see fit an old-fashioned dance which the "Old Timers" of this Legislature are to give at the Augusta House on the evening of the same day; and that the Secretary of the

Senate, in the name of the Legislature, cause this invitation to be extended in written form. (Applause)

Comes from the Senate, read and passed.

In the House, the order was read and passed in concurrence.

Reports of Committees

Mr. McKNIGHT from the Committee on Library reported "Ought to pass" on Resolve providing for the purchase of one hundred copies of Province and Court Records of Maine, 1638-1668. (H. P. 878)

Mr. BOYNTON from the Committee on Pownal State School reported same on Resolve in favor of the Pownal State School for maintenance. (S. P. 14)

Mr. WINSLOW from same Committee reported same on Resolve in favor of the Pownal State School for additions and improvements. (S. P. 15)

Reports read and accepted and the Resolves ordered printed under the Joint Rules.

Mr. ROY from the Committee on Library reported "Ought to pass" on Resolve for the purchase of 125 copies of the History of the town of Dresden. (H. P. 674) (H. D. 179)

Report read and accepted, and the Resolve having already been printed, was read once under suspension of the rules and tomorrow assigned.

Passed to be Engrossed

S. P. 108, S. D. 42. An Act to amend Section 1 of Chapter 311 of the Private and Special Laws of 1870, relating to the Oquosoc Angling Association.

H. P. No. 43, H. D. No. 277. An Act to enable the Home for Aged Men to hold property up to \$1,000,000.

H. P. No. 934, H. D. No. 283. An Act to incorporate the Union River Railway Company.

H. P. No. 935, H. D. No. 284. An Act to provide for the retirement of firemen in the city of Augusta upon half pay.

H. P. 936, H. D. 285. An Act relating to close time on scallops.

H. P. 939, H. D. 287. An Act relating to insurance upon lives of directors, officers, agents and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto.

Mr. DECKER of Portland: Mr.

Speaker, I move that this bill be tabled.

Mr. WING of Auburn: Mr. Speaker, I request a division of the House.

The SPEAKER: All those in favor of the motion of the gentleman from Portland, Mr. Decker, that this bill lie on the table will rise and stand until counted and the monitors will return the count. Is the House ready for the question?

Mr. WING of Auburn: Mr. Speaker, I now move to table this matter for consideration tomorrow morning. I am somewhat interested in prompt attention to business here. This bill has been read twice in the House and reported by the committee on bills in the third reading, and we may as well attend to it at one time as another. We must attend to some of these matters if we ever expect to adjourn this Legislature. I now move that this matter be assigned for tomorrow morning.

The SPEAKER: The Chair has not yet declared the vote on the division. Sixty-four having voted in the affirmative and nine in the negative, the motion of Mr. Decker of Portland to table pending assignment for third reading prevails.

On motion by Mr. Wing of Auburn the bill was then specially assigned for consideration tomorrow morning at 10 o'clock.

H. P. No. 946, H. D. No. 289. An Act relating to the property of extinct or disbanded Congregational churches, parishes or societies.

H. P. No. 534, H. D. No. 268. Resolve for the purchase of 250 copies of "Portland by the Sea."

H. P. No. 472, H. D. No. 269. Resolve for the purchase of 150 copies of "Two American Pioneers."

(Tabled by Mr. Eustis of Strong pending third reading)

H. P. No. 180, H. D. No. 270. Resolve for the purchase of 75 copies of "Matinicus Isle, Its Story and Its People."

H. P. No. 933, H. D. No. 271. Resolve in favor of Lewis F. Ryan, Civil War veteran.

H. P. No. 439, H. D. No. 278. Resolve in favor of Highmoor farm in the town of Monmouth.

H. P. No. 440, H. D. No. 279. Resolve making appropriation for the support and maintenance of the Maine Agricultural Experiment Station.

H. P. No. 441, H. D. No. 280. Resolve in favor of scientific investigation in agriculture in Aroostook county.

H. P. No. 442, H. D. No. 281. Resolve in favor of animal husbandry.

H. P. No. 443, H. D. No. 282. 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. No. 938, H. D. No. 286. Resolve in favor of the town of Leeds for reimbursement for money expended in rebuilding bridge.

S. P. 272, S. D. 96: An Act to amend Section 77 of Chapter 211 of the Public Laws of 1921, relating to reserved automobile registration number.

Was reported by the committee on bills in the Third Reading, read the third time, passed to be engrossed as amended by House Amendment A in non-concurrence, and sent up for concurrence.

Passed To Be Enacted

An Act to amend Chapter 11 of the Private and Special Laws of 1925 incorporating the Bay Point Village Corporation.

An Act to repeal acts incorporating the Kendalls Mills Village Corporation and the Fairfield Village Corporation.

An Act to regulate fishing in the Silver Lakes, so-called, in Manchester, Sidney, and Belgrade in the county of Kennebec.

An Act to provide for the marking of the Maine and New Hampshire Boundary Line. (S. P. 16) (S. D. 109)

(Tabled by Mr. Deering of Saco, pending passage to be enacted.)

An Act relating to taking of clams in Cutler.

An Act to incorporate the Southwest Harbor Water District.

(Emergency Measure)

An Act to authorize Towns of Bridgton and Harrison to assist in the preservation of railroad service to and from said towns.

The SPEAKER: This being an emergency measure, and requiring a two-third vote of the entire membership present on its passage to be enacted, all those who are in favor of the passage of the bill will rise and stand in their places until counted and the monitors will return the count.

A division being had,

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

An Act to Incorporate Trustees of St. Peters By-the-Sea Protestant Episcopal Church.

An act relating to Opportunity Farm Association.

An act relating to the jurisdiction in civil matters of Piscataquis Municipal Court.

An act to provide a better government for the town of Bar Harbor.

An act relating to the City of Bangor Water Works loan bill.

An act relating to Portland Terminal Company.

An act to change the name of The Associated Charities to The Family Welfare Society of Portland.

An act relative to automobile plates.

An act to regulate fishing in Twin Brooks, so-called, tributary to Azis-cogos Lake, county of Oxford.

An act granting Charles H. Scott the right to maintain a ferry across Eggemoggin Reach in Hancock County. (H. P. 141) (H. D. 147)

(Tabled by Mr. Patterson of Castine pending passage to be enacted.)

An act to prohibit fishing in Lily Pond in the town of Rockport, county of Knox.

An act relating to the unauthorized use of Insignia of war veterans.

An act relating to the charter of the Norway Water Company.

An act in relation to the Buckfield Village Corporation, especially to establish a municipal water system for said corporation.

An act to establish duck sanctuaries in Knox County.

An act to amend the charter of the city of Rockland to provide that the municipal fiscal year shall end on the first day of November.

An act relating to taking of clams in Addison.

An act to change the name of Tunk Pond to Tunk Lake.

An act to confirm the title of Rumill's Hub in Tremont, county of Hancock.

Finally Passed

Resolve in favor of Ward W. Westcott of Ellsworth, for partial reimbursement for expenditures in proceedings brought against him for his removal from his office of Sheriff of Hancock County.

Resolve in favor of the Cobbosseecontee Fish and Game Association.

Resolve authorizing the Governor to receive from the Secretary of War of the United States such "Other

Funds" remaining to the credit of the National Guard of this State and to distribute them for the benefit of said National Guard.

Resolve in favor of Joseph L. Paquin, for salary as Secretary of the Board of Prison Commissioners.

Resolve to appropriate money to aid in the screening of Alford's Lake in the county of Knox. H. P. 789, H. D. 170.

(Tabled by Mr. Deering of Saco pending final passage)

Resolve empowering and directing the Forest Commissioner to convey a lot of land in Wallagrass Plantation.

Emergency Measures

An act to amend the Charter of Rumford Falls Village Corporation.

The SPEAKER: This being an emergency measure, and requiring a two-thirds vote of the entire membership present on its passage to be enacted, all those who are in favor of the passage of the bill will rise and stand in their places until counted and the monitors will return the count.

A division being had,

One hundred and twenty-three voted, and all in the affirmative so the bill was passed to be enacted.

An act to obtain the benefit of credit allowed under Federal estate tax.

The SPEAKER: This being an emergency measure, and requiring a two-thirds vote of the entire membership present on its passage to be enacted, all those who are in favor of the passage of the bill will rise and stand in their places until counted and the monitors will return the count.

A division being had,

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

Orders of the Day

The SPEAKER: Under orders of the day tabled and today assigned, the Chair lays before the House an act to incorporate the city of Augusta Cony High School District, H. P. 871, tabled by Mr. Kinsman of Augusta on February 23 pending reference to a committee.

Mr. KINSMAN of Augusta: Mr. Speaker, on account of the delay in a school meeting caused by the Superintendent of Schools having to go away for a short time, I would like

very much to have this re-tabled and assigned for a week from today.

Thereupon the motion to re-table prevailed and the bill was specially assigned for Wednesday, March 9th.

The SPEAKER: The Chair lays before the House an act relative to passes on common carriers for Public Utilities Commission, H. P. 136, H. D. 168, tabled on February 24 by Mr. Foster of Ellsworth pending assignment for third reading.

Mr. FOSTER of Ellsworth: Mr. Speaker, I wish to correct a statement made by me last week in regard to the amount of money involved in this bill. When the Public Utilities Commission were before our committee, we were informed that the amount of money was approximately sixteen thousand dollars. Closely checking up on the amount, we find that it runs, for the last five years, from seven to ten thousand dollars, and I now yield to the gentleman from Kennebunk, Mr. Littlefield.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I introduced this bill and went before the committee and got a favorable report. Now I do not wish anyone in this Legislature to think that I think the Public Utilities Commission is not perfectly square. But a very few years ago this whole Legislature was riding on passes on the railroads. Those passes were taken away from this Legislature because they thought it would, perhaps, influence the Legislature. You can all see how that is. Mr. Foster (of Ellsworth) says that it costs seven to ten thousand dollars for the Public Utilities Commission and this, I want every member to understand, is simply for their riding through the State—nothing to do with their other expenses at all. They go before the committee and tell before the committee that it would cost this State fifteen thousand dollars to transport this committee for a year. Now you can see how absurd that thing is. They have got to travel two hundred and seventy-five thousand miles in a year, or more than one thousand miles every day in the year. Now if they do that, they have certainly got to travel all the time. So I see no benefit that the State derives from that. Now that turned out to be a mistake. They came to

me and told me that they had made a mistake, which I was willing to accept. Now they come to me, not, as Mr. Foster says, for from seven to ten thousand dollars, but Mr. Gurney told me that it would cost possibly between five and six thousand dollars.

Now, gentlemen, if it costs five or six thousand dollars, or even ten thousand dollars, if we are supporting a Commission in this State that are not worthy of their car fare, let us get rid of them. You can see right off that there is a bill here now for the railroads to pay their taxes. How in the world could they pay their taxes if everybody rode free? They will tell you that what the price of their rides would amount to would not make much difference, but go down to the corner this noon and you will see the people from that office get on to an electric car and go home to dinner. You will see the people from the next office get on the same car and go home to dinner. I do not know the difference in the price of stenographers or clerks about this State House, but it does not look right to me that they, from the Public Utilities Commission, go down, take out a pass and show the pass and ride free, while the next one takes out ten or twenty cents and pays their fare. I say that is absolutely wrong, and I do not know, but I think, that the majority of this House think the same.

Now this is only to take away the free transportation. We pay the Public Utilities Commission. I think—I have not spent any time on this—but I think we pay five thousand dollars to the chairman and forty-five hundred to each of the other two commissioners. But why should we transport them for nothing all over this State when they are the jury sitting to tell us whether that railroad is doing right or wrong? I cannot see, for the life of me, why they should ride free, any more than the governor, any more than a bank commissioner or any more than our State highway commission. And I hope that the members of this Legislature will vote to accept the committee's report.

Mr. FOSTER: Mr. Speaker, this matter was brought before the appropriations committee by the public utilities commission, who are asking for an extra appropriation this year of something like forty-five hundred dol-

lars, and it seemed to the committee that perhaps that it is justified. I ought to make one correction. I happened to have breakfast with Mr. Gurney this morning, and he said this would run to ten thousand dollars. I would like him to substantiate that statement if he is in the room. If this bill has passage, and that is true, it is going to increase the expenses of the Public Utilities Commission to some twelve or fifteen thousand dollars. I wish every member of this Legislature were privileged to sit in the hearing of the appropriation committee and listen to the appeals coming from our hospitals and our very worthy institutions of charity in this State. Gentlemen, you would find yourselves in a very uncomfortable position if you had not already reached the hard boiled stage. I think that, on the other hand, we should recall the governor's message that we must keep the tax rate to a materially reduced figure. Somewhere along the line, someone must be disappointed. It has been customary for the carrying company to issue passes to members of the public utilities commission and their associates and employees. I understand that seventy-five per cent. of their travel on business connected with the commission, and I am wondering if the members of this Legislature can think of any good reason why the State of Maine should force upon these carrying companies payment for this transportation when it is practically all done in its interest. It is hardly a parallel case, the withdrawal of passes from this Legislature as compared to this particular bill. If the public utility commission travel, they should travel at the expense of the State. I am not ready to believe that men of the type of Mr. Gurney, Mr. Trafton and Col. Greenlaw are going to be influenced in their judgment and to sell their honor and to forfeit the respect of men for the price of a railroad passage. I believe that this ten or twelve or fifteen thousand dollars can be applied to our charitable institutions and hospitals more satisfactorily than in the way proposed. I move, if it is in order, that we indefinitely postpone this bill.

Mr. ROUNDS of Portland: Mr. Speaker, I rise to state some facts in connection with this matter. It is not only Mr. Gurney, Mr. Greenlaw and the other gentleman, but there are some twenty-five people to whom we have to give an annual pass—and their friends. That amounts to a good lot.

I think it is more than fifteen thousand dollars. Therefore I think this is a very good bill, and I, for one, shall propose to stand by the committee's report, "ought to pass."

Mr. FOSTER: Mr. Speaker, just one other matter—the question of the abuse of these passes. I have also taken this up with Mr. Giddings, and he tells me that these matters of abuse are immediately taken up by the office and the people concerned given a talking to.

Mr. LITTLEFIELD: Mr. Speaker, I do not want anyone in this Legislature to think that I want to take one thing away from the hospitals or from any needy society of this State, but I would like to say that anyone who can figure a little, and that is all I can do, can see that it will not cost the people of Maine a cent apiece to take this public utilities commission around, if we pay their fare. And if it does not cost more than ten thousand dollars—by the way, I want to say that Mr. Gurney told me that it would be safe enough to call it ten thousand dollars. Now the appropriations committee, some of them, to say the least, have said that they thought this thing ought not to go because it would cost the State something. I do not believe that the people of this State have got where one cent apiece will make any difference.

Mr. LAIT of Old Town: Mr. Speaker, is there any obligation on the common carriers to issue passes to the public utilities, or is it just a courtesy extended to the members of that commission?

Mr. GREENLEAF of Auburn: Mr. Speaker, I believe that it is the law of the State that the members of the public utilities commission, their clerks and stenographers shall travel about the State free of charge. That amounts to this; that the Maine Central Railroad and other public carriers in this State go without the fare which these people would otherwise pay. In other words, the Maine Central Railroad and other common carriers are paying the expense of transporting this Public Utilities Commission around the State. If there is a hearing on the price of electric lights in the town of Fort Kent, the Maine Central Railroad and the Bangor and Aroostook Railroad must transport these people free of charge. People say the trains will run just the same anyway, but that finally works out,

in the worst cases, if you apply this rule by the law, to just such situations as we confront this morning, where we pass legislation to enable people living on a certain line where transportation is discontinued to have transportation. I can see no reason why we should compel common carriers in this State to do without revenue because it saves the State a certain amount of tax money.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I agree with the gentleman from Kennebunk (Mr. Littlefield) that a cent is not a very large amount when you say it quickly, but if we consider the matter, we all should be extremely reluctant to pay one cent apiece for every appropriation bill that has been introduced in this Legislature.

At the request of Mr. Thurston of Appleton, the bill was read by the Clerk.

Mr. HALE of Portland: Mr. Speaker, I will read the words which were omitted from the present law. They are as follows: "including free transportation to the commissioners, their clerks, agents and employees on any railroad, street railroad and vessel within the State, when engaged in the discharge of their public duties, or going to or returning therefrom." In other words, the duty of issuing passes is imposed on the carriers but applies only to persons engaged in public duties. Any person using the transportation for taking a fishing trip is acting in violation of the law.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Ellsworth, Mr. Foster, that this bill be indefinitely postponed. As many as are in favor of this motion will say aye; those opposed no.

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

The SPEAKER: The question before the House is on the assignment for third reading.

Thereupon, tomorrow morning at ten o'clock was assigned for the third reading.

The SPEAKER: The Chair lays before the House, S. P. 319, S. D. 117, an act to incorporate the Marshall Dam and Improvement Company, tabled by Mr. Piper of Jackman,

February 22, pending reference in concurrence.

On motion by Mr. Piper of Jackman, the bill was referred to the committee on Judiciary in concurrence.

The SPEAKER: The Chair lays before the House, House order relative to advertising hearings before committees, tabled by Mr. Hale of Portland, February 23, pending passage.

Mr. HALE of Portland: Mr. Speaker, the order in question relates to the number of times committee hearings may be advertised. It seems to me that this limitation is arbitrary, and that the House can better trust to the wisdom and discretion of the chairmen and secretaries of the committees, and on that account I move the indefinite postponement of the order.

The order was indefinitely postponed.

The SPEAKER: The Chair lays before the House, H. P. 26, S. D. 8, an act to authorize the Portland Railroad Company to operate motor busses, tabled by Mr. Rounds of Portland, February 23, pending first reading under suspension of the rules.

Mr. ROUNDS of Portland: Mr. Speaker, I move that it have its first and second readings, under suspension of the rules.

Thereupon the bill had its two several readings, and, on motion by Mr. Rounds of Portland, the bill was tabled pending assignment for third reading, this being done for the purpose of permitting Mr. Rounds to offer an amendment.

The SPEAKER: The Chair lays before the House an act relative to advertising signs along public ways, H. P. 47, S. D. 11, tabled by Mr. Hale of Portland, February 24, pending assignment for third reading.

Mr. HALE of Portland: Mr. Speaker, as the hour is already late and as we have other matters for discussion this morning I move that this lie upon the table and be specially assigned for tomorrow morning.

The motion prevailed and the bill was specially assigned for Thursday, March 3.

The SPEAKER: The Chair lays before the House an act relative to the bridge built across the Kennebec river between Bath and Woolwich, S. P. 315, tabled by Mr. Gilchrest of Thomaston, pending reference to a committee in concurrence.

Mr. GILCHREST of Thomaston: Mr. Speaker, I yield the floor to the gentleman from Dover-Foxcroft, Mr. Merrill.

On motion by Mr. Merrill of Dover-Foxcroft, the bill was re-tabled and specially assigned for Wednesday, March 9.

The SPEAKER: The Chair lays before the House the report of the committee on Legal Affairs on H. D. 52, 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, tabled by Mr. Merrill of Dover-Foxcroft, on February 25, the report being "ought not to pass" the pending question being acceptance or the report.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I wish to make a slight explanation here before making my motion. The purpose of this act was to prevent trespass upon lands owned and used by water companies. This bill was intended for our own situation in my own town, but those drafting it believed that it might accommodate other communities if it were made a general act. Therefore it was drawn in conformity with that idea. Immediately on presenting the bill, I discovered that it did not apply and could not apply to all situations throughout the State. The bill took its course and had this report, ought not to pass. It is my desire that legislation protecting our own individual case there shall be passed. We own all the land around this storage basis or reservoir and wish to protect it from pollution. That is the sole object of it, and I have been advised that the proper course is to move that this bill be referred back to the committee from whence it came. The members of that committee understand my reasons and I firmly believe will report under the new form, ought to pass, and for that reason, Mr. Speaker, I move that that bill be recommitted to the committee

on Legal Affairs from whence it came.

The motion to recommit the bill to the committee on Legal Affairs prevailed.

The SPEAKER: The Chair lays before the House "ought to pass" report in new draft, committee on claims, on resolve in favor of the South Kennebec Agricultural Society new draft H. P. 937, tabled by Mr. Douglas of Chelsea, February 25, pending acceptance of the report.

Mr. GREENLEAF of Auburn: Mr. Speaker, I should like to ask that this be retabled, as it has some connection with a resolve which has not yet been brought into the House from the committee; and in so moving I would say that I have the permission of the gentleman from Chelsea, Mr. Douglas.

The motion to retable prevailed.

The SPEAKER: The Chair lays before the House "ought to pass" report from the committee on Library 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, February 25, pending acceptance of the report.

Mr. EUSTIS of Strong: Mr. Speaker, I yield the floor to the gentleman from Saco, Mr. Deering.

Mr. DEERING: Mr. Speaker, in behalf of the appropriations committee, this resolve calls for an expenditure of a very large amount of money, and I move that this be retabled in order to give that committee time to consider it a little more thoroughly before any action is taken.

The motion to retable prevailed.

The SPEAKER: The Chair lays before the House majority and minority reports of the committee on Judiciary on an act relating to expenditures and returns of candidates for public office, H. D. 31, H. P. 92, tabled February 25 by Mr. Patterson of Castine, pending acceptance of either report.

Mr. PATTERSON of Castine. Mr. Speaker, I move the acceptance of the minority report, ought not to pass, and I would like to address the House upon the motion.

(At this point Miss Gail Laughlin, the Representative from Portland, assumed the Chair, amid the ap-

plause of the House, the members rising.)

Mr. PATTERSON continuing: Madam Speaker, gentleman and ladies of the House: This bill amends Section 18 of Chapter 6 of the Revised Statutes, by adding to the actual personal expenses of a candidate in the primary election, "newspaper advertising"; and, as under the existing law, the actual personal expense of a candidate, consisting of postage, telegrams, telephones, stationery, express and traveling, do not have to be returned, so under the bill "newspaper advertising" would be added to these several items which do not have to be returned.

The Judiciary committee was divided in opinion as to whether the bill should pass, and as one of the members of that committee who signed the minority report, ought not to pass, I wish to state my position in moving for the acceptance of the minority report.

I am absolutely opposed to the bill as it is now before us; but I would support a bill excluding all unlimited expenditures if one should be introduced. The proponents of this bill, as I understand, were the newspapers of the State, and I wish to make it clear that I do not, for one moment, imagine that the newspapers had any intention of attacking the primary law. Their position indeed is one with which I have a great deal of sympathy. They feel, very properly, that newspaper advertising is absolutely legitimate in political campaigns, and I do not take exception to this. The opinion of the newspapers in this important matter was discussed in a far better way than I could hope to do it, in an editorial which appeared, a few days since, in the columns of the Lewiston Journal. I suppose that editorial was written by Mr. Arthur Staples—and I believe that he is one of the leading editors, not only of New England, but of the United States—and not only of this time, but of all times. I say that with absolute sincerity because I believe it to be true. Now Mr. Staples (and I am sure it was his editorial because of its vivid style and vigorous language) discussed in it the matter of this bill. With your permission, Madam Speaker, I am going to read some portions of that editorial, to show the position of the proponents of this bill; and while I

do not agree with all the sentiments of the editorial, I think that I do agree with the portion which I shall read. This is the editorial:

"If the Maine Legislature refuses to include newspaper advertising among the allowably unlimited expenditures of candidates in primary elections, it should exclude all unlimited expenditures, such as telephone, telegraph, travel, express, etc., now allowable. We understand such a bill will be introduced. It should not permit the candidate to indulge unlimited expenditures that may be hidden, (made secretly in devious ways,) and refuse unlimited expenditure in the one and almost only way that is open and aboveboard, where every voter can see and check up what the candidate is spending.

It should not permit a candidate to telephone unlimitedly, (which only persons of great wealth can afford to do) or to bury the voters under masses of telegrams, also at great expense, (possible only to the rich;) or to send tons of stuff by express, to be delivered by henchmen here and there; or to travel unlimitedly at cost of time and money (impossible to the hardworking candidate at daily-toil) and decline to permit the only form of publicity that is open to the eyes of all."

Now I fully agree, that, if this legislature is going to refuse to include newspaper advertising among the "allowably unlimited expenditures of candidates in primary elections," in fairness to the newspapers, it should go further—just as this editorial suggests—and exclude all unlimited expenditures, such as postage, telephones, traveling expenses, and so fourth. I am of the opinion that to do so would strengthen the primary law, rather than to weaken it. I would be, myself, quite willing to see the limit increased somewhat, if all these items are to be included in the expenditures to be returned; indeed, in all fairness, it would have to be. I do not pretend to be able to say what the limit should be. Some people have suggested that it might be set at one half the amount of the salary in the office for which the candidate is running. For example, the salary of a United States Senator is ten thousand dollars a year; and, under such a suggestion, the limit of expenditure of a candidate for such an office would be \$5,000. If a candidate

wishes, and if it is necessary for him to spend one-half of the salary of the position to which he aspires, on the bare chance of being elected, I do not know that I should wish to deny any candidate such a privilege. Another suggestion is that there be no limit on expenditures, but that all must be returned, leaving public opinion to decide the question. As Mr. Staples' editorial said: "Excessive expenditures make a candidate ridiculous and creates a suspicion with the public." I presume in theory, at least, that assertion is true; just how far it may apply, in practice, is possibly a moot question.

But I did not rise for the purpose of discussing this particular line of thought. If a bill should be introduced, along any line, which I thought would strengthen the primary law, I should surely support it. But I do feel that the newspapers ought to be accorded absolutely fair treatment in this matter; and that newspaper advertising should be placed on the same par with circular or personal letters; and telephoning; and travel about the country; in primary election campaigns.

However, to my mind at least, it is an entirely different matter, to only amend the present law by placing newspaper advertising in the class for which no return is to be made, as is done in this bill. I know that the newspapers were absolutely fair in offering this bill. I say with absolute sincerity that I do not think, for one moment, that they had any intention of attacking the primary law, by so doing. But in effect, it seems to me—and it so seemed to a number of people who appeared in opposition to the bill at the committee hearing—that this bill, (while I do not think it was meant to do so), is virtually a step against the primary law. It perhaps is not an attack upon the principle of the law, but it seems to me that it is an opening of the door to attacks in the future.

To my mind this is not the time to discuss the merits or faults of the primary law, except in so far as necessary in speaking of this proposed amendment to the law. I realize that there are a number of people in Maine who are sincerely opposed to the law, and who wish it repealed entirely, with a return to the convention system. Those who so believe are entitled to their views,

and to repeal the primary law, through the means of a referendum, if a majority of the voters so desire. Others are in favor of certain modifications of the law. Others desire it to remain as it now exists.

I happen to be one of those who believe in the primary law. Therefore I am unwilling to see any amendment made to that law which in my opinion will tend to weaken it. I have already stated (and it perhaps is unnecessary to repeat except that I desire to make my position clear) that I feel that the candidate in the primaries should not be allowed to spend unlimited money in telephoning, or letter writing, or travel, and be restricted in newspaper advertising, which, as the editorial in the Lewiston Journal points out, is "the only form of publicity that is open to the eyes of all." I feel that if a bill should be introduced, putting all expenditures in the returnable class, with perhaps some increase in the amount of expenditures to be allowed, such a bill would merit the support of those who believe in the principle of the primaries. It is my belief that such a bill would strengthen the primary law, rather than weaken it.

But that is not the case in the bill now before us, which if passed will simply put newspaper advertising in the class of personal expenses, which do not have to be returned. To pass such a law, in my opinion, would make it impossible, in any election of importance, for a candidate of moderate means to compete successfully with a candidate of large means. The same applies, no doubt, to letter writing, or travel, or telephoning, or express—very well, then amend the law so that in none of these instances shall the candidate of wealth have an undue advantage over the candidate who is poor. But the bill before us does not do that; instead it adds another unlimited item of expenditure—and therefore I do not believe that it should pass. It was for the reasons which I have stated that I was one of those who signed the minority report on this bill, "ought not to pass." I do not pretend to speak for the others who signed that minority report; they can speak for themselves, if they wish, and their reason for so doing, may, in some respects, be different from mine.

But in closing, I must again re-

peat that it is my opinion, if this bill is passed, the primary law will be weakened. I am willing to see the law made stronger. I think it can be made stronger, and, that, at the same time, the newspapers can be treated fairly, in this matter of advertising; and given the justice to which they are entitled.

But this bill, in my opinion, weakens the law, and therefore I am unwilling to support it. I do not think it should be passed, and I have therefore moved for the acceptance of the minority report, "ought not to pass," upon the bill. In the interest of the maintenance of the primary law—an imperfect instrument, perhaps, but the best law for the fair selection of candidates that man has yet evolved—I trust that the motion for the acceptance of this minority report will prevail.

Mr. HALE of Portland: Madam Speaker, I have followed the remarks of the gentleman from Castine, Mr. Patterson. I introduced this bill and I signed the majority report that it ought to pass. I introduced the bill because it aims to correct an anomaly which I think cannot possibly be defended by anybody inside or outside of this House. I was very much interested to see that Mr. Patterson, the gentleman from Castine, made no attempt whatever to defend that anomaly. Let me repeat that under the present law, Section 18 of Chapter 6 of the Revised Statutes, a candidate for public office may spend any amount which he desires for postage, telegrams, telephones, stationery, express and travel, and be in no way accountable to anybody for a sum so expended, although it may run into thousands or tens of thousands and even hundreds of thousands of dollars. He is absolutely unaccountable, and it is easy to spend money that way. I think the offices which we are particularly interested in are the State wide offices of Governor and United States Senator. A person seeking one of those offices must seek to win the franchises in the Republican party of, I will say, one hundred thousand people. The postage on a circular letter to one hundred thousand people, if first class postage, as it probably would be, is two thousand dollars. That is more than all that a candidate is allowed to spend on campaign expenses for

which he is accountable. That says nothing about the expense of telegraphing, cost of telephoning, cost of stationery, and so on. If a man gets out, we will say, three thousand circular letters in a campaign—and that is not a unreasonable number—he is spending six thousand dollars on postage alone, and goodness knows how much else on his stationery, to say nothing of telegrams and telephones.

Now newspaper advertising is a form of publicity. Nobody will dispute that the circular personal letter which a candidate writes advocating his own candidacy is also a form of publicity. If the candidate goes about from county to county talking to his friends, possibly addressing public meetings, that is a form of publicity. The proposed bill says "and newspaper advertising". It does not limit it to fifteen hundred dollars but spend as much as you like on these other forms of publicity.

It seems to me that one of the newspaper men who appeared before our committee was amply justified when he said that the Statute might just as well provide that you account for every cent you spend when you travel by rail, but you need not account for anything you spend when you travel by an automobile. The Statute might just as well provide that you must account for every cent you spend when you travel in a Ford, but you need not account for anything you spend when you travel in a Pierce-Arrow, Rolls-Royce or a Locomobile. The existing law does not favor the poor man against the rich man. It favors the rich man against the poor man by leaving open to him this expensive and effective form of publicity for which he does not have to account at all in shutting off from the poor man by a like restriction the amount of money which he can spend in the poor man's better form of publicity—newspaper advertising. The law today is that a candidate for any office in this State, if he receives after his election a bill which he overlooked, however innocently, for advertising in the Machias Union or the Ellsworth American—two inches of advertisement—he has overrun his campaign expenses and his office is vacated. Now do not let anybody suppose that I am quoting the small country newspaper for any particular

reason, for they do as good work and are of as much service as any newspapers in the State. I do say that it is absolutely unfair to the candidates and unfair to the newspapers. I am not particularly interested in the newspapers at such; I am not particularly interested in the candidates as such; but I am interested in having genuine purity in primary elections, and not hocus-pocus purity, and this statute stands for hocus-pocus purity.

Now, then, I have a good deal in common with the gentleman from Castine, Mr. Patterson. If this bill throws the door too wide open, if it raises the ante too high, then we ought to put postage, telegrams, and so on in the same category with newspaper advertising, and have everything accounted for, with possibly a higher limit for the candidate for state-wide offices. I suggest that the means to accomplish that end is to accept the majority report, ought to pass, on this bill, to give this bill two readings, and then if the gentleman from Castine (Mr. Patterson), or anybody, wants to offer an amendment to consider the narrow issue of how this anomaly may best be corrected, that is a suitable and proper course; but I think the only thing to do now to reach a fair disposition of the topic is to accept the majority report, give the bill its two readings, and then offer such amendment as should be offered. I sincerely hope that the motion of the gentleman from Castine (Mr. Patterson) will not prevail.

Mr. ALDRICH of Topsham: Madam Speaker. It is with some trepidation that I rise to speak in favor of the majority report, especially as we are having come into the House every day petitions imploring us not to amend this wholly primary act, but I am somewhat emboldened to speak here when I read the comment by R. C. Hormell, Professor of Government in Bowdoin College, who has been a very strong advocate of the direct primary system, and who, I think, has some faith in it, but who, after commenting on the manner in which the primary law has acted in this State and after analyzing the purpose for which primary legislation was originally enacted, makes this very significant statement: "The present law in Maine is scarcely worth the paper it is writ-

ten on." In the matter before us we are considering only one section of that law, namely, the section that deals with expenditures of candidates. If I understand the argument of my friend from Castine, Mr. Patterson, it is that he is in favor in principle of the proposition represented by this proposed bill but that for fear this primary law, for which apparently he has the highest regard, may be weakened by reason of making an amendment, he would propose that we continue to have in force in this State a law, or section of a law, which he himself admits is unwise.

Let us examine this and see. It provides that you may spend, as has been pointed out, for postage, telegrams, telephones, stationery, express and travelling expenses just as much money as you please, and never report a dollar of it. It is said—let us get at this boggy right away—that this particular enactment was passed in the interests of the poor man. I do not believe that the poor man wants us or any other Legislature to pass legislation in favor of him alone. And I do not believe it is proper that we should pass legislation in favor of the poor man any more than in favor of the rich man. We should attempt to pass legislation which will act fairly on behalf of all men.

As to this claim which is made in respect to this, if you analyze this section of the law, you will find that the only man who profits by this limitation of fifteen hundred dollars is not the poor man or the rich man, but the man who is prominent politically, who is widely known in this State, and who, when the primary campaign comes on, does not need to spend a nickle. He is the man who is profited, not the poor man or the rich man. Your rich man is penalized by having to make a greater expenditure in certain ways than if this law were not so amended, for instance, if there are one hundred or one hundred and fifty thousand voters in this State whom this rich man wishes to reach, he can send a letter to every voter in this State imploring him to support him, and can spend seventy-five thousand dollars and not report one dollar, but if he goes into a printing office and prepares the same letter and his expenditure is more than fifteen hundred dollars, he thereby becomes a corruptionist. The statute which makes it

possible for such a situation to obtain is absolutely ridiculous, and the sooner we wipe it off the books, the better.

We hear much in these days of the lack of respect for law. We hear a great deal in these days of the unwillingness on the part of people to obey the law. The public men of this country and the people are very much concerned and discouraged over the situation. I want to submit to you that in my opinion one of the most prolific causes for this disregard of law, for this apparent disrespect of law which is so prevalent today, is to be traced to the fact that in Congress and in our Legislatures we carelessly, oftentimes, pass laws which the average man knows are not what they should be, which define as crimes what the sensible man knows are not crimes. And as long as Congress of Legislatures pass that kind of laws, you will have disrespect for law and disobedience to it. This Legislature can render no greater service to this State than to dedicate ourselves first to the proposition that we will pass no law here, especially no law of a penal character, which will not meet with the approval of the people. You cannot define a crime as such if it is not a crime, and you cannot legislate it to be a crime. And when a man puts a quarter page advertisement in the newspapers of this State, which would cost about two thousand dollars, if we legislate that that man is a corruptionist, every man knows that that is contrary to the fact, and you cannot expect that that type of legislation will meet with the respect or the obedience of the people. That type of legislation leads to one of two things, either to disrespect of law, which we find so prevalent today, or, in extreme cases, to revolution. I submit to you that when I went on a fishing trip last fall and, when going up to a farm house on the road found a dear old lady selling cider which she said had just come from the press—selling it by the glass—said to her "do you realize that under the laws of the State of Maine you are committing a crime," she could not understand it. I cannot either. If a person sells something absolutely harmless which contains no alcohol contents, and sells it by the glass, the mere fact that the law of the State of Maine says it constitutes a crime does not make that

true. Congress acts in a similar way. Those laws are put on the books, not because they are stating facts, but because enforcement officers find it difficult to enforce the law. When any such reason as that is given for the passing of a law, we are departing from safe grounds.

I have said enough. I submit to you that my friend from Castine (Mr. Patterson) indicates that he would apparently be favorable to the amendment. There is no more reason why a man should be limited in his expenses for printing than in his expenses for advertising. And I say to you that if this bill is passed, I am going to offer an amendment which will exclude from the class of expenditures that must be recorded the item of printing. What is there about the printing press? This type of expenditures is the type that is open and above board. Everyone knows what a man is expending in the advertising in newspapers. If he prints letters and sends them around, how can you say he is a corruptionist? He is not. I know of an instance of a man in a recent election who was attacked in a most scurrilous manner by a letter, and he desired to reply to that letter. And, if you will believe it, he found that under the limitations of this bill it would cost him more to get out his letter of reply than the law permitted him to spend, and the only way that he succeeded in getting that letter out was that the printer, being a friend of his, offered to do it for the price that the law allowed him to expend.

A law which puts any honest man in that position is ridiculous. It is a reproach to us, because you will, by such legislation, necessarily tend to make honest men, in the eye of the law, dishonest. So I say that is a step in the right direction. We find here—it has been brought to our attention—a section of this statute which must strike every man is ridiculous. Whenever such a matter comes to our attention and we find that kind of a statute on the books, we are rendering a distinct service in taking it from the books, in order that men may have respect for what we have left on the books. So far as I am concerned I sincerely hope that the State of Maine will put itself on record. We have been following those western states, from which this type of legislation came, long enough. I hope we will put ourselves

on record as being in favor of giving an honest man a fair chance to have an honest campaign, so that at the end of it, though he may have expended fifteen hundred or five thousand dollars for newspaper advertising, he can hold his head up and know that no one will charge him with being a corruptionist.

Mr. HOLMAN of Bangor: Madam Speaker and members of the House: I will weary you only for a moment. I wish to say this, that I do not regard this as the time and place for the discussion of the merits or the demerits of the primary system. I would like to say this however, that when any man, whether a professor or otherwise, tells us that the primary system is not worth the paper it is printed on, he does not know what he is talking about. (Applause) It is my opinion that the primary system, despite all its faults, is the best system that our government has ever devised. I have nothing against the newspapers of this State. I hope they will be able to collect every dollar they have expended in advertising the different candidates for offices; but I do feel that the time has come when all candidates, whether for large offices or for small offices, should be called on to account for every dollar they expend; and for that reason I believe that the present law should be amended and that we should compel our candidates to account for all postage, for all advertising, for all printed matter—in fact for everything—and that they should be kept within bounds, and by so doing not permit the millionaire to have an opportunity to advertise himself and the poor man, who may possibly have twice the merits, be compelled to mortgage his home or stay at home and do nothing and suffer defeat. I hope that the motion of the gentleman from Castine, Mr. Patterson, for the acceptance of the minority report, will prevail.

Mr. HALE: Madam Speaker, may I again point out to the House that I think that if the gentleman from Bangor, Mr. Holman, desires to accomplish what he says he desires to accomplish, the best method of doing so is to vote against the motion of the gentleman from Castine (Mr. Patterson)—vote to accept the majority report, give the bill its two readings and then to offer such amendments as he may desire. That is the orderly method of precedence.

Mr. HOLMAN: Madam Speaker, I feel that the suggestion of the gentleman from Portland, Mr. Hale, while it is offered with the best of intentions, would not serve us in the future as some of us feel that it should serve us. It seems to me that it would be better for us to defeat this measure entirely by accepting the minority report and then present a new bill covering the amendment and the suggestions that have been proposed here.

The SPEAKER pro tem: The question before the House is on the adoption of the minority report. Is there further discussion? Is the House ready for the question?

Mr. KINSMAN of Augusta: Madam Speaker, I ask for a division of the House.

The SPEAKER pro tem: The gentleman from Augusta, Mr. Kinsman, asks for a division. Will all those in favor of the acceptance of the minority report please rise?

A division being had,

Fifty-three voting in the affirmative and 70 in the negative, the motion to adopt the minority report failed of passage.

Mr. HALE of Portland: Madam Speaker, I move the acceptance of the majority report.

The SPEAKER pro tem: The gentleman from Portland (Mr. Hale) moves the acceptance of the majority report. The question before the House is on the acceptance of the majority report. Is there any discussion on that motion?

Mr. WING of Auburn: Madam Speaker, I move that the yeas and nays be called.

The SPEAKER pro tem: It has been moved by the gentleman from Auburn, Mr. Wing, that the yeas and nays be called.

(At this point the Speaker pro tem retired, amid the applause of the House, the members rising, and Speaker Martin resumed the Chair.)

The SPEAKER: This requires a one-fifth vote of the House. Those in favor of the yeas and nays being taken will rise and stand in their places until counted and the monitors will return the count.

A division of the House being had,

Twenty-eight voted in the affirmative and 78 in the negative, and a majority of one-fifth of the entire membership of the House being necessary, the motion failed of passage.

The SPEAKER: The motion before

the House is on the acceptance of the majority report.

Mr. HOLMAN of Bangor: Mr. Speaker, may we have a division?

A division of the House being had,

Seventy-five voting in the affirmative and 39 in the negative the majority report, ought to pass, was accepted.

Mr. WING of Auburn: Mr. Speaker, I move the indefinite postponement of the majority report, and move that the yeas and nays be called.

The SPEAKER: The motion for the yeas and nays requires one-fifth of the entire membership of the House.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I rise to a parliamentary inquiry. If we indefinitely postpone the majority report, what becomes of the bill?

The SPEAKER: The Chair will state that it would be the ending of the bill.

A viva voce vote being doubted,

A division of the House was had,

Thirty-six voting in the affirmative and 70 in the negative, the motion for a yeas and nays vote failed of passage.

Mr. SNOW of Brunswick: Mr. Speaker, I move that the House adjourn.

The SPEAKER: Is this the pleasure of the House?

Cries of "No, no."

A viva voce vote being taken on the motion to adjourn, that motion failed of passage.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Wing, to indefinitely postpone the majority report.

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

On motion by Mr. Hale of Portland, the rules were suspended, and the bill received its two several readings at this time, and tomorrow assigned.

Mr. HOLMAN of Bangor: Mr. Speaker, the bill having received its first two readings, I would like to ask now that it be tabled for amendment.

The SPEAKER: Does the gentleman (Mr. Holman) wish to make a motion that the House reconsider its action whereby ten o'clock tomorrow morning was assigned for its third reading?

Mr. HOLMAN: Mr. Speaker, I would like to do so.

Thereupon, on motion by Mr. Holman of Bangor, the House voted to reconsider its action whereby ten o'clock

tomorrow morning was assigned for its third reading; and on further motion by the same gentleman the bill was tabled pending assignment for third reading.

The SPEAKER: The Chair lays before the House joint order relative to investigation of operation of workmen's compensation law, H. D. 259, tabled by Mr. Foster of Ellsworth, February 25, pending reference to committee on mercantile affairs and insurance in non-concurrence.

Mr. FOSTER of Ellsworth: Mr. Speaker, in order to show that I have the strictest respect of the wishes of the gentleman from Auburn, Mr. Wing, to expedite the business of this Legislature, I am going to re-table H. D. 259 until ten o'clock tomorrow morning.

The joint order was so re-tabled.

The SPEAKER: The House is proceeding under orders of the day. Is there any further business?

Mr. PATTERSON of Castine: Mr. Speaker, I wish to take from the table, H. P. 141, H. D. 147, tabled by me earlier in the day, and I move to reconsider the vote whereby it was passed to be engrossed.

The SPEAKER: The Chair will state that the title of the bill is an act granting Charles H. Scott the right to maintain a ferry across Eggemoggin Reach in Hancock county; and the gentleman from Castine, Mr. Patterson, moves that the House reconsider its action whereby this bill was passed to be engrossed.

The motion prevailed.

The SPEAKER: The bill was tabled pending passage. It came in as an enacter this morning.

Mr. PATTERSON: Mr. Speaker, I now offer House Amendment A and move its adoption.

"House Amendment A"

Sec. 5. Said Scott, or his associates or assigns, shall give to the treasurer of state, a bond for the faithful performance of his duties under this act in such sum and with such sureties as may be approved by the county commissioners of Hancock county.

Mr. PATTERSON: Mr. Speaker, I will simply state for the information of the members that when this bill was checked up with the Attorney General's Department before its passage to be engrossed, it was found

that inadvertently the section relating to the bond had been left out. Of course that section must be in the act and therefore I offer this amendment.

Thereupon the amendment was adopted, and the bill as amended, on motion by Mr. Patterson of Castine, was tabled pending its passage to be engrossed.

Mr. HALE of Portland: Mr. Speaker, am I not right in supposing that the matters on the last page of the Advance Journal and Calendar are still in order?

The SPEAKER: The Chair will state that these were tabled yesterday and that the order to automatically take off the table on Wednesday only applies to matters tabled the previous week.

Mr. ROUNDS of Portland: Mr. Speaker, I wish to take from the table amendment A to House Document 23, an act relating to the excise tax on railroads, tabled by me March 1, pending adoption.

The motion prevailed.

Mr. ROUNDS: I move that the bill as amended have its first and second readings.

The SPEAKER: The Chair will state that the bill has already received its first and second readings. Does the gentleman desire to move that the House assign for its third reading tomorrow morning at 10 o'clock.

Mr. ROUNDS: Mr. Speaker I should like to table it because I have some figures that I would like to get at and show this House.

The SPEAKER: There was some question yesterday about the adoption of this amendment.

On motion by Mr. Rounds of Portland the amendment was adopted.

Mr. ROUNDS: Mr. Speaker, I now move to table, because I have some figures that I would like to bring in here.

Mr. WING of Auburn: Mr. Speaker, I rise to raise the question of a quorum.

The SPEAKER: The point of a quorum is raised. Will the monitors return the count?

One hundred and five standing, a quorum was declared.

The SPEAKER: Does the gentleman from Auburn (Mr. Wing) wish a roll call on that.

Mr. WING: Yes, Mr. Speaker.

A viva voce vote being taken,

Mr. PIPER of Jackman: Mr. Speaker, I move that the House now adjourn.

The House adjourned until ten o'clock tomorrow morning.