

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

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**HOUSE**

Thursday, March 31, 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.

From the Senate: Final report of the committee on Pensions.

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Senate Bills in First Reading**

S. P. 541, S. D. 293: An act to prohibit the use of more than two lines for fishing at any time in one boat or other vessel or conveyance in part of the Rangeley Chain of Lakes, so-called.

S. P. 260, S. D. 204: Resolve in favor of the Western Maine Sanatorium for the construction of annex to reception room.

S. P. 262, S. D. 206: Resolve in favor of the Northern Maine Sanatorium for maintenance, personal services, repairs and equipment.

S. P. 267, S. D. 210: Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment.

S. P. 268, S. D. 211: Resolve in favor of the Central Maine Sanatorium for the construction and equipment of a Nurse's Home.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the Committee on Education on bill an act providing for the improvement of conveyance of pupils to common schools (S. P. 331) (S. D. 176) reporting same in a new draft (S. P. 532) (S. D. 281) under same title and that it "Ought to pass".

Comes from the Senate reports read and accepted and the bill indefinitely postponed.

In the House, on motion by Mr. Thurston of Appleton the House voted to concur with the Senate in the indefinite postponement of the bill.

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act to repeal acts incorporating the town of Concord, S. P. 303, S. D. 104.

Comes from the Senate the bill and report indefinitely postponed.

In the House, on motion by Mr. Fuller of Southwest Harbor it was voted to concur with the Senate in the indefinite postponement of this bill.

From the Senate: Bill an act to prohibit the bedding, advance baiting, feeding, or corning, so-called, of wild ducks, H. P. 1161, H. D. 407, which was in the House passed to be engrossed, March 18,

Comes from the Senate indefinitely postponed in nonconcurrence.

In the House, on motion by Mr. Blaisdell of Franklin it was voted to recede and concur with the Senate in the indefinite postponement of the bill.

From the Senate: Report of the committee on Legal Affairs reporting ought not to pass on bill an act to establish a uniform license law for summer camps, S. P. 220, S. D. 87.

Comes from the Senate recommit- ted to the committee on Legal Af- fairs.

In the House, recommit- ted in con- currence.

From the Senate: Bill An Act to make certain the legal boundaries of the town of Old Orchard and set off to the town of Old Orchard from the city of Saco any right, title or interest which the city of Saco may have within said boundaries (H. P. No. 873) (H. D. No. 230)

which was recommit- ted to the Com- mittee on Legal Affairs by the House

Comes from the Senate the report of the committee on Legal Affairs reporting that same be referred to the next Legislature, accepted in non-concurrence.

In the House, on motion by Mr. Littlefield of Kennebunk, a viva voce vote being taken, the matter was retabled pending reconsideration.

From the Senate: Bill an act relating to Juvenile Institutions. (H. P. No. 336) (H. D. No. 296) which was passed to be enacted in the House March 16.

Comes from the Senate indefinite-ly postponed in non-concurrence.

In the House, on motion by Mr. Bebeau of Lewiston it was voted to concur with the Senate in the indefinite postponement of this bill.

Mr. ROUNDS of Portland: Mr. Speaker, I rise to ask a question about the Western Maine Sanatorium Water Tank. Does any one know whether they have got a water tank there or not?

Mr. BOOKER of Rumford: I will say that they have not, Mr. Speaker.

Mr. ROUNDS: Mr. Speaker, I move that we reconsider our vote whereby it was voted ought not to pass.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves that the House reconsider its action

Mr. ELLIS of Fairfield: Mr. Speaker, may I not ask if a water tank is not provided in Senate Amendment A to one of the former bills that we passed?

The SPEAKER: The Chair will have the amendment looked up. (Referring to Senate Amendment A) Senate Amendment A at the end reads as follows: "and for the fiscal year from July first, 1927 to June 30, 1928, the sum of thirty-five hundred dollars shall be applied for the construction of a water tank." Does the gentleman wish to make any motion?

Mr. ROUNDS: No, Mr. Speaker.

#### Reports of Committees

Mr. Sturgis from the Committee on Agriculture reported "Ought not to pass" on Resolve making appropriation for Northern Maine Fair. (H. P. No. 691)

(Tabled by Mr. Kitchen of Presque Isle pending acceptance)

Mr. Gillespie from same committee reported same on bill an act for the better protection of sheep. (H. P. No. 1105) (H. D. No. 366)

Mr. Robie from same Committee reported same on bill an act relating to the sawing and packing of shingles. (H. P. No. 1152)

Same gentleman from same Committee reported same on bill an act to regulate the sale of substitutes for butter. (H. P. No. 978) (H. D. No. 317)

Mr. Farrington from same Committee reported same on bill an act to repeal Section 9 of Chapter 35 of

the Revised Statutes relating to payment for condemned cattle. (H. P. No. 995)

Mr. Gillespie from same Committee reported same on bill an act to regulate the manufacture, distribution, sale and commercial use of cosmetics. (H. P. No. 965) (H. D. No. 309)

Mr. Sturgis from same Committee reported same on bill an act relating to dog licenses. (H. P. No. 1017) (H. D. No. 353)

Mr. Rounds from the Committee on Claims reported same on Resolve in favor of James K. Boardman of Kittery. (H. P. No. 123)

Same gentleman from same Committee reported same on Resolve in favor of Norman J. Raitt of Eliot. (H. P. No. 122)

Same gentleman from same Committee reported same on Resolve in favor of Clinton D. Gerrish of Dyer Brook, compensating him for damages done his automobile by a deer. (H. P. No. 336)

Mr. Aldrich from the Committee on Judiciary on bill an act to permit County Commissioners to establish a county farm. (H. P. No. 1123) (H. D. No. 379) reports that legislation thereon is inexpedient.

Mr. Bartlett from the same Committee reported "Ought not to pass" on bill an act to regulate advertising. (H. P. No. 1038) (H. D. No. 339)

Same gentleman from same Committee reported same on bill an act relating to evidence in cases arising from personal injury and property damage. (H. P. No. 1122) (H. D. No. 378)

Mr. Hale from same Committee reported same on bill an act relating to the heirship of an illegitimate child. (H. P. No. 1067) (H. D. No. 355)

Same gentleman from same Committee reported same on Resolve proposing an amendment to Section 14 of Article 5, Part First, of the Constitution of the State of Maine, providing for the election of a governor to fill a vacancy in that office. (H. P. No. 1149) (H. D. No. 390)

Mr. Wing from same Committee on bill an act validating acts and deeds valid except for certain irregularities. (H. P. No. 1039) (H. D. No. 341) reported further legislation thereon is inexpedient.

Mr. Greenleaf from the Committee on Public Health reported "Ought not to pass" on bill an act relating to sanitary wrappers for ice cream cones. (H. P. No. 1073) (H. D. No. 356)

Mr. Pendexter from the Committee on Towns reported same on bill an act to set off from the town of Gouldsboro and add to the town of Bar Harbor certain islands. (H. P. No. 750) (H. D. No. 208)

On motion by Mr. Blaisdell of Franklin it was voted to accept the unanimous report of the Committee "Ought not to pass."

Mr. Breen from same Committee reported same on bill an act relating to uniform accounting in cities and towns. (H. P. No. 901) (H. D. No. 244)

Mr. Stone from same Committee reported same on bill an act to encourage and provide for a system of uniform accounting in cities, towns and village corporations. (H. P. No. 1148) (H. D. No. 369)

Mr. Metcalf from the Committee on Ways and Bridges reported same on bill an act relating to the registration of motor vehicles. (H. P. No. 684) (H. D. No. 181)

Same gentleman from same Committee reported same on bill an act providing for the State to take over all bridges on the state highways. (H. P. No. 103) (H. D. No. 37)

(Tabled by Mr. Norwood of Warren pending acceptance)

Mr. Lowell from same Committee reported same on bill an act relating to fees for registration of vehicles. (H. P. No. 283) (H. D. No. 70)

Same gentleman from same Committee reported same on bill an act relating to the left light on the front of automobiles. (H. P. No. 753) (H. D. No. 210)

Same gentleman from same Committee reported same on bill an act relating to a tax upon gasoline. (H. P. No. 754) (H. D. No. 211)

Mr. Ayer from same Committee reported same on bill an act relating to registration of motor vehicles by non-residents. (H. P. No. 722)

Same gentleman from same Committee reported same on bill an act to amend the distribution of tax on gasoline. (H. P. No. 66) (H. D. No. 24)

Same gentleman from same Committee reported same on bill an act

to revise the schedule of fees for registration of motor vehicles. (H. P. No. 50) (H. D. No. 17)

Mr. Pike from same Committee reported same on bill an act relating to appropriation of motor vehicle registration and operators' license fees. (H. P. No. 44) (S. D. No. 12)

Mr. Kitchen from same Committee reported same on Resolve to appropriate money for the maintenance of the Motor Vehicle Department of the office of the Secretary of State. (H. P. No. 36) (H. D. No. 12)

Same gentleman from same Committee reported same on Resolve to appropriate money for the State Highway Department. (H. P. No. 37) (H. D. No. 13)

Mr. Marden from same Committee reported same on bill an act relating to maintenance of State Highways and State Aid Highways. (H. P. No. 67) (H. D. No. 25)

Same gentleman from same Committee reported same on bill an act relating to application of gasoline taxes collected. (H. P. No. 765) (H. D. No. 213)

Same gentleman from same Committee reported same on bill an act relating to appropriation of automobile fees. (H. P. No. 45) (S. D. No. 13)

Reports read and accepted and sent up for concurrence.

Mr. Sturtevant from the Committee on Banks and Banking reported "Ought to pass" on bill an act to enable trust companies to discontinue branches or agencies (H. P. 953)

Mr. Rounds from the Committee on Claims reported same on Resolve in favor of Olmsted Brothers, Landscape Architects (H. P. 823)

Same gentleman from same Committee reported same on Resolve in favor of the town of Castine, for reimbursement of money paid out for the care of State Paupers (H. P. 163)

Mr. Kinsman from the Committee on Public Buildings and Grounds reported same on Resolve in favor of The State Park Commission (H. P. 883)

Mr. Smith from the Committee on Salaries and Fees reported same on bill an act relative to clerk hire in the office of Registry of Deeds of Penobscot County (H. P. 143)

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

Mr. Melcher from the Committee on Salaries and Fees on bill an act

to provide compensation of Justices of the Superior Court (H. P. 184) (H. D. 60) reported same in a new draft (H. P. 1241) under same title and that it "Ought to pass."

(Tabled by Mr. Williams of Webster pending acceptance and 500 copies ordered printed.)

Mr. Smith from same Committee on bill an act relating to clerk hire in the office of Register of Probate of Penobscot county (H. P. 293) reported same in a new draft (H. P. 1242) under same title and that it "Ought to pass."

Report read and accepted and the new draft ordered printed under the Joint Rules.

#### First Reading of Printed Bills and Resolves

(H. P. 1090) (H. D. 531) An act relative to State Aid apportioned to cities and towns for the improvement of highways.

(H. P. 1234) (H. D. 532) An act relating to the town of Gorham.

(H. P. 891) (H. D. 534) An act relating to fees of witnesses.

(H. P. 961) (H. D. 535) An Act relating to the fees of jurors.

Mr. WING of Kingfield: Mr. Speaker, this bill is a duplicate of H. D. 437, as amended by House Amendment A, which I believe we passed yesterday to be engrossed. I, therefore, move the indefinite postponement of this bill.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, is this bill the one we had a debate on yesterday?

The SPEAKER: The Chair will say no.

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

Mr. HALE of Portland: Mr. Speaker, I understand this is a different bill having the same provisions as the one we debated yesterday.

The SPEAKER: The Chair so understands and it would be simply a duplication.

(H. P. 1097) (H. D. 536) An act to amend the charter of the Belfast Water District so as to authorize the refunding of bonds.

(H. P. 1237) (H. D. 538) An act to create a game sanctuary in the town of Kennebunk, to be known as the Bragdon's Wild Life Sanctuary.

(H. P. 1238) (H. D. 539) An act to prohibit the trapping of muskrats in Ward Stream, in the towns of Newburg, Hermon and Hampden, in the county of Penobscot.

(H. P. 1239) (H. D. 540) An act relating to the care and support of paupers and other dependent persons having no settlement within the State.

(H. P. 563) (H. D. 530) Resolve in favor of the town of Surry.

(H. P. 1236) (H. D. 537) Resolve in favor of the town of Sherman to assist in the support of a pauper.

#### Passed to Be Engrossed

S. P. 11, S. D. 6: An act to amend the charters of all corporations making, generating, selling, distributing and supplying electricity.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, is that one of the so-called power bills,—the first Carter bill?

The SPEAKER: The Chair will state that it is Senate Document No. 6, introduced by the Senator from Androscoggin, Senator Carter.

Mr. CHASE: Mr. Speaker, I think that is one of the power bills, and the understanding was that they should all be tabled until tomorrow; and I move that this one be tabled with them.

Mr. WING of Auburn: Mr. Speaker, I understood the agreement was that they were to be read the third time today and then tabled.

Mr. CHASE: That is correct, Mr. Speaker, and the bill was read the third time, was it not?

The SPEAKER: The Chair will so state and the pending question is its passage to be engrossed. The gentleman from Cape Elizabeth moves that this lie on the table and be specially assigned for tomorrow.

The motion prevailed.

(S. P. 360) (S. D. 133) An act to amend Section 92 of Chapter 211 of the Public Laws of 1921, relative to disposition of motor vehicle fees.

(S. P. 364) (S. D. 141) An act relating to school moneys of Tribe of Indians of Old Town Island.

(S. P. 367) (S. D. 144) An act relating to the employment of children.

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

(S. P. 369) (S. D. 146) An act to provide for the maintenance of highways on which legislative road resolve appropriations have been expended.

(S. P. 493) (S. D. 245) An act relating to the apportionment of State Aid to Agricultural Societies.

(S. P. 522) (S. D. 261) An act to amend the charters of Maine cor-

porations incorporated for transmission of electricity and to limit the rights of foreign corporations authorized to do business in Maine for similar purpose.

(On motion by Mr. Chase of Cape Elizabeth, tabled pending passage to be engrossed, and specially assigned for tomorrow.)

(S. P. 216) (S. D. 286) An act relating to ice fishing in Annabessacook Lake, in Kennebec County.

(S. P. 540) (S. D. 292) An act relating to the issuance of permits to propagate game birds, game and fur-bearing animals.

(S. P. 542) (S. D. 294) An act relating to the protection of wild hares or rabbits.

(H. P. 104) (H. D. 38) An act in relation to the breaking of roads in winter.

(H. P. 149) (H. D. 48) An act relating to the construction of a raised road across the bar between Deer Isle and Little Deer Isle, in the county of Hancock.

(H. P. 850) (H. D. 216) An act to regulate ice fishing in the Belgrade Chain of Lakes so-called, in the counties of Kennebec and Somerset.

(H. P. 1037) (H. D. 338) An act relating to notice in divorce actions.

(H. P. 1069) (H. D. 359) An act relating to State Highways.

(H. P. 1066) (H. D. 363) An act to provide for the organization, operation and supervision of credit unions and to define their powers.

(On motion by Mr. Hale of Portland re-committed to the committee on Judiciary.)

(H. P. 1151) (H. D. 391) An act making the Clerk of Courts of Waldo County Recorder of the Belfast Municipal Court.

(H. P. 1099) (H. D. 392) An act to define and regulate the sale of oleomargarine.

(H. P. 602) (H. D. 512) An act to incorporate the City of Belfast School District.

(H. P. 393) (H. D. 513) An act to increase the salary of the Sheriff of Piscataquis County.

(H. P. 395) (H. D. 514) An act relative to the salary of the Judge of the Municipal Court of Brunswick.

(H. P. 543) (H. D. 515) An act to make the chairman of the Androscoggin County Commissioners a full time office with the duty of superintendence of Buildings and to in-

crease his salary to fifteen hundred dollars.

(Tabled by Mr. Belleau of Lewiston pending third reading.)

(H. P. 678) (H. D. 516) An act to increase the salary of the Register of Deeds of Oxford County.

(H. P. 1226) (H. D. 518) An act relating to pensions for the blind.

(H. P. 1227) (H. D. 519) An act to increase the salary of the Clerk of Courts in Oxford County.

(H. P. 60) (H. D. 521) An act relative to clerk hire in the office of Clerk of Courts, Penobscot County.

(H. P. 610) (H. D. 522) An act to increase the salary of County Attorney for Oxford County.

(H. P. 677) (H. D. 523) An act relating to clerk hire in the office of Register of Deeds for Oxford County.

(H. P. 1229) (H. D. 524) An act to increase the salary of the County Treasurer for Oxford County.

(H. P. 1230) (H. D. 525) An act relating to the salaries of the Judge and Recorder of the Bangor Municipal Court.

(Tabled by Mr. Lait of Old Town pending passage to be engrossed.)

(S. P. 236) (S. D. 287) Resolve to reimburse Elliottsville Plantation for support of John Lynch, a State pauper.

(S. P. 275) (S. D. 288) Resolve in favor of the town of Oakland for money paid for Mothers' Aid.

(S. P. 339) (S. D. 289) Resolve providing for a State pension for Mabel Armstrong, of Lewiston.

(S. P. 340) (S. D. 290) Resolve providing for a State pension for Bertha J. Hodson, of Lewiston.

(S. P. 341) (S. D. 291) Resolve providing for a State pension for Nellie Buck, of Lewiston.

(S. P. 543) (S. D. 295) Resolve providing for a State pension for Timothy F. Donovan, of Lewiston.

(S. P. 188) (S. D. 296) Resolve to reimburse the town of Phippsburg for burial expenses of the child of John Murphy, Jr., a former resident of Malaga Island.

(S. P. 189) (S. D. 297) Resolve in favor of the county of Somerset, for reimbursement for expenses incurred in the sickness and death of John Stewart.

(S. P. 544) (S. D. 298) Resolve to reimburse the town of Littleton for care and burial expenses of Arthur Berube, of Burby, a Spanish War

Veteran, having no settlement in the State.

(H. P. 706) (H. D. 517) Resolve in favor of George E. Sparrow of Pittston for reimbursement for damage done his fowl by foxes.

(H. P. 1231) (H. D. 526) Resolve in favor of Frank Tozier for reimbursement for money expended while working as constable in smallpox quarantine.

Mr. VARNUM of Westbrook: Mr. Speaker, I move that the rules be suspended and that the members be allowed to smoke.

A viva voce vote was doubted.

The SPEAKER: The Chair is in doubt, and does the gentleman (Mr. Varnum) wish to withdraw his motion?

Mr. INGRAHAM of Bangor: I ask for a division, Mr. Speaker.

The SPEAKER: A division is requested. As many as are in favor that the rules be suspended and that smoking be allowed will rise and stand until counted and the monitors will return the count.

Mr. SNOW of Brunswick: Mr. Speaker, I would like to state that a great many of us are opposed to tobacco smoke. I am for one, and it seems to me that the members here who are slaves to tobacco ought to go two hours in the day without smoking. (Applause.)

Mr. ROY of Lewiston: Mr. Speaker, I am not a smoker myself. I do not mind whether the men smoke or not, but the question came up in the lobby some time ago and a man there said he was a slave to his pipe. He said that he wished someone would make a motion in the House to stop smoking because that was the only time he could rest therefrom. As far as I am concerned I do not care. While I do not smoke, I like to see others.

Mr. ROBIE of Westbrook: Mr. Speaker, I think we would have an appreciable increase in attendance if the members were allowed to smoke.

Mr. LAIT of Old Town: Mr. Speaker, I am not a slave to tobacco or to anything else but my wife; but if the ladies of this House will agree to permit the men of the House to smoke, I will vote that way. If they do not wish the men of the House to smoke, I will not vote.

Mr. PATTERSON of Castine: Mr. Speaker, I am something of a smoker, but if smoking is obnoxious to any members of the House, I certainly would be willing to give up my pleasure for the few hours we are here in

the Legislature; but there is one statement to which I do object and that is the remarks of my good friend, Mr. Snow, and my good friend, Mr. Roy. They both referred to smokers as slaves to tobacco. I think that is rather a narrow position to take, and I say this in all kindness to those gentlemen. I get a good deal of pleasure out of smoking but I could give it up tomorrow and not smoke again and I decidedly object to the term they used and I am sorry they used it.

Mr. STURGIS of Auburn: Talk about people being slaves to tobacco! I have been on the car from Lewiston to Augusta when a man had to stop the car, get out, and get in the front of the car in order to smoke. I consider that man a slave to tobacco. I do not smoke a great deal. A man who smokes a cigar is all right but a cigarette is death to the natives. (Laughter and applause.)

The SPEAKER: The question before the House is on the motion of the gentleman from Westbrook, Mr. Varnum, that the rules be suspended and that smoking be allowed. This requires the affirmative vote of two-thirds the members present and voting. As many as are in favor of the motion will rise and stand until counted, and the monitors will return the count.

A division being had,

Sixty-one voting in the affirmative and 23 in the negative the motion prevailed.

Mr. DAIGLE of Madawaska: Mr. Speaker, since the gentlemen have been allowed some privileges that of course will make them satisfied, I would like to extend a certain privilege to the ladies in return for their politeness and courtesy to the gentlemen, and that is that the ladies be allowed to take snuff. (Laughter.)

The SPEAKER: The Chair does not feel that that motion is exactly in order.

Mr. THURSTON of Appleton: Mr. Speaker, I move that we recess for ten minutes.

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

### Passed to be Engrossed—Continued

S. P. 524, S. D. 262: An Act to create a commission to investigate and to negotiate a compact regarding water power and electricity in New England.

(Tabled by Mr. Hale of Portland,



pending passage to be engrossed, and specially assigned for tomorrow morning.)

S. P. 523, S. D. 259: An act to provide for the exportation of surplus power.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, at this time I wish to offer an amendment to Senate Document 259, and I will state that it is with the consent of the proponents of the bill.

The SPEAKER: Mr. Merrill of Dover-Foxcroft offers House Amendment B to Senate Document 258 and moves its adoption, and the Clerk will read the amendment.

House Amendment B to Senate Document 259.

Senate Document 259 as amended by House Amendment A is hereby further amended by inserting therein after section sixteen as section seventeen thereof the following:

"Section 17. If and when, with the consent of Congress, any agreement or compact shall be entered into by and between the State of Maine and another state or states relative to any of the subjects covered by this act, thereupon any and all provisions of this act shall be subject to the terms of said agreement or compact, and any and all contracts and permits for the sale of surplus power, as provided for in this act shall be governed by and subject to the terms of said agreement or compact in like manner and with the same effect as if express provision therefor were contained in said contracts and permits."

Said document is further amended by renumbering the subsequent sections of said bill accordingly.

Thereupon House Amendment B was adopted and ordered printed.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, at this time I wish to offer House Amendment C to Senate Document 259 as amended and will state that it is with the consent of the proponents of the measure.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Merrill, offers House Amendment C to Senate Document 259 as amended, and moves its adoption and that it be printed. The Clerk will read the amendment.

House Amendment C to Senate Document 259 as amended.

Senate Document 259 as amended is hereby further amended by striking out the words "second Monday in September in the year A. D. nineteen

hundred and twenty-seven," in the third and fourth lines of the last section thereof, and inserting in place of the words stricken out the following words: "first Monday in May in the year A. D., nineteen hundred twenty-eight."

Thereupon House Amendment C was adopted and its printing ordered, and the bill had its third reading.

On motion by Mr. Merrill of Dover-Foxcroft, the bill as amended was tabled and specially assigned for tomorrow morning.

H. P. 1193, H. D. 438: Resolve authorizing James H. Kerr of Rumford, in the county of Oxford to bring a suit at law against the State of Maine.

The SPEAKER: The Chair will state, before taking up the enacters, that the act to secure the completion of the topographic mapping of Maine was, through possibly a printer's error, left off of the House calendar, and should be the second tabled and today assigned matter.

Mr. WING: Was the topographic mapping of the State resolve read?

The SPEAKER: The Chair will state that it was tabled and specially assigned for today, and through some error it does not appear on the calendar. It should be the second matter "tabled and today assigned"

### Passed to Be Engrossed

An Act to authorize the County of Washington to issue its bonds in an amount not exceeding four hundred seventy-five thousand dollars for the purpose of refunding its bonds now outstanding and maturing in the year one thousand nine hundred and twenty-eight.

An Act to extend the charter granted to the Sandy River and Rangeley Lakes Railway Company.

An Act relating to the authorization of issue of stocks, bonds and notes by public utilities.

An Act relating to the State Department of Health.

An Act to renew the charter of the R. & T. Cement Railroad.

An Act to establish a board of police of the City of Waterville.

An Act to provide for the filling of vacancies in the office of constable in cities.

An Act relating to closed time on greater and lesser yellowlegs.

An Act relating to salaries of registers of probate.

An Act making the father and mother joint natural guardians of their minor children with equal powers and rights.

An Act relating to increase or decrease of capital stock, or stock, bond or scrip dividend of public utilities.

An Act to incorporate the Franklin Water Company.

An Act to amend the act incorporating the Livermore Falls Water District.

An Act relating to Robert W. Traip Academy.

An Act to extend the charter of the Central Heating Company of Portland.

An Act to amend Act entitled "The Insolvent Law."

An Act relating to Winterport Ferry Company.

An Act relating to requiring children between certain ages to attend school unless excused or excluded by the Committee.

An Act relating to the taking of white perch in certain waters in Washington and Kennebec counties.

(Tabled by Mr. Williams of Webster, pending passage to be enacted.)

An Act to repeal a law to establish a board of road commissioners for the town of Mount Desert, in the County of Hancock.

An Act to regulate the taking of pickerel in Union River in the County of Hancock.

An Act relative to the salary of the Mayor of the City of Augusta.

An Act to name the State Park at Kittery, in the County of York.

An Act relating to salary and expenses of the county commissioners of Lincoln County.

An Act relating to the Lincoln Municipal Court.

#### Finally Passed

Resolve appropriating money to reimburse the town of Orland for support of George Savoy.

Resolve to appropriate money for the purpose of operating fish hatcheries and feeding stations for fish, for the protection of fish, game and birds and for printing the report of the Commissioner of Inland Fisheries and Game, and for maintenance of the Maine State Museum and for other expenses incident to the ad-

ministration of the Department of Inland Fisheries and Game.

Resolve in favor of Mary Louise Wilcox of Caribou, compensating her for personal injuries.

Resolve to reimburse the Committee on State Sanatoriums for expenses.

Resolve to reimburse the Town of Kingman for support of Ed. Priest, a State Pauper.

Resolve in favor of the Town of Medway, for reimbursement of amount expended for the care and maintenance of Martin Reardon, a pauper.

Resolve in favor of the Purchase of "Maine Physicians Members of the Massachusetts Medical Society at the Separation."

Resolve in favor of the Town of Cherryfield, in the County of Washington, for reimbursement for moneys expended in defense of three actions at law brought against it.

Resolve that the chickadee is hereby declared to be the State bird for the State of Maine.

#### Orders of the Day

The SPEAKER: Under tabled and today assigned the Chair lays before the House ought not to pass report of committee on Inland Fisheries and Game on an act relating to Sunday hunting, H. P. 270, H. D. 63, tabled on March 29 by Mr. Cyr of Waterville, the pending question being acceptance of report; and the Chair recognizes the gentleman from Waterville, Mr. Cyr.

Mr. CYR: Mr. Speaker, I yield the floor to the gentleman from Old Town, Mr. Lait.

Mr. LAIT: Mr. Speaker and members of the Legislature: In regard to this act, the repeal of the present law which does not permit Sunday hunting, with all due courtesy and respect to the committee that held a hearing on this bill, believing that they were fair minded enough to listen to all who appeared in opposition and in favor of the measure, but believing that the popular voice and the majority vote of our State, if it could have been heard at this hearing, would have made it a different type of hearing; believing that the people and the popular voice of the State wish to be permitted to hunt on Sunday, but because of the fact of unorganization are unable to have counsel or appear before this committee to voice their preference in

regard to this bill, I am in favor of the repeal of the present law.

The law as it now exists, in my opinion, is the greatest piece of bad legislation ever passed in this State. When we stop to think that we permit Sunday fishing and Sunday golf, and other things on Sunday, such as automobile driving, etc., yet say to the man who carries the burdens of the State and of his family and of all our industries on his shoulders "because you cannot take the time off to go hunting on a week day because of the loss of compensation, therefore we will not permit you to go hunting on Sunday if you see fit to do so," we see that it is inconsistent. We must respect the man who carries the burden, the men who work in our mills and industries and on our farms. It reminds me of Napoleon exiled to St. Helena. There they were constructing his home up on top of the mountain, and the wife of the Governor-General had a great desire to play up to so-called blue blood. One day, while coming down from the top of a hill where they had been watching the construction of permanent headquarters for Napoleon while in exile on St. Helena, as they were coming down the narrow path of the mountain, about half way down a gang of Chinese coolies was coming up the hill with burdens on their shoulders, carrying material for the construction of the home. The wife of the Governor-General shouted to the coolies to step aside; but Napoleon, a man who always recognized where the burden was placed, stepped aside, doffed his hat and said, begging the men's pardon, "we must respect the men who carry the burdens."

Therefore I say the men who work in our industries and on our farms and in our mills and in the woods, the man who carries the burden of business and the burden of his family and cannot afford to lose a day whereby he would lose compensation that should go to his family for the maintenance of his children and wife—why not permit him, if he pleases, to go hunting on Sunday? Why should we, in any way, turn this State of ours over into a big game preserve for the few? Why should we make it a private game preserve? The only good argument I have heard against permission of Sunday hunting is that it would de-

plete the wild game of the State. Let us stop and think of it. The wild game of the State belongs to the people of the State, and even though it might deplete the wild game, have not they the right, as the owners of that game, to do with it as they wish? If Sunday hunting will deplete wild game, why will not Sunday fishing deplete the fish? And there was no word with reference to the depleting of fish heard on this matter.

I now move, Mr. Speaker, to substitute the bill for the report.

The SPEAKER: The gentleman from Old Town, Mr. Lait, moves that the bill be substituted for the report.

Mr. CRAWFORD of Houlton: Mr. Speaker, just a word with regard to Sunday hunting. I do not believe it is the right thing to do to open our woods to Sunday hunting. For one reason, it would fill the woods with a great many people with guns, and the roads running through those woods or near those woods would not be as safe as they are at the present time on Sunday. A great many accidents come from hunting. My friend, Mr. Lait, from Old Town, says that the people on the farms want Sunday hunting. I think that is a mistake. I do not believe the men and women on our farms of Maine stand for Sunday hunting. He says the people in the shops and factories cannot find time for hunting except on Sunday. I think that is a mistake. They find time for every other thing they want to do and take time off for it. I think it would be a mistake for this State to go on record as favoring Sunday hunting. It would be a step in the wrong direction. The laws have been for right and righteousness in the past, and we should maintain them; and I sincerely hope we will maintain them.

Mr. MARRINER of North Vassalboro: Mr. Speaker, I do not believe this bill has one chance of becoming a law. But I should feel that I was remiss in performing my duty if I did not rise in opposition to the member from Old Town (Mr. Lait). In the first place, I represent a rural community where the effect of Sunday hunting would be most serious. I do not know much about the history of Napoleon, but I do know that the great majority of my constituency, including all the better element, are opposed to this measure. Furthermore, I was brought up to respect the Sabbath; and it seems to me that this is about

the last vestige of Sunday law that we now enforce. What are we going to hand to our posterity for Sunday laws, an attitude of respect for Sunday or not? If I were the only one opposed to this measure, I should be proud to be that one. Therefore I hope that the motion of the gentleman from Old Town will not prevail.

Mr. STORM of Westmanland: Mr. Speaker, this is a unanimous report, and as a member of the committee I just want to say that the bill had a fair hearing, and that I, for one, do not think this bill ought to pass. This is a very short bill, but may, if passed, have very far reaching effects as, in my opinion, it will release a lot of irresponsible people into the woods who otherwise may not get in there.

If this bill becomes a law, it is almost sure to raise the number of accidents in the woods. I have here a few figures that may be of interest to consider. In 1923, there were twenty-eight accidents in the woods, three of which happened on Sunday; in 1924, there were sixteen, with three on Sunday; in 1925, eighteen and four on Sunday; in 1926, fifteen with three on Sunday. This seems to be a high per cent for Sunday and seems to me a good argument why this bill should not be passed.

Mr. HOLMAN of Bangor: Mr. Speaker, I will move that this bill and report be indefinitely postponed.

Mr. LAIT: Mr. Speaker, if I may be permitted to ask the gentleman from Aroostook County (Mr. Storm) a question I would like to know whether these were hunting accidents on Sunday and if the law existed at that time?

Mr. STORM: They were not.

Mr. STURGIS of Auburn: Mr. Speaker, the hunting law is not the only law in the State of Maine that is not observed.

I was appalled at the idea of the gentleman from Old Town, Mr. Lait, saying that the majority of the people in the State of Maine, if they had to vote on that question, would vote for an open hunting season on Sunday. I second the motion of the gentleman from Bangor, Mr. Holman, to indefinitely postpone this measure.

The SPEAKER: The motion of the gentleman from Bangor (Mr. Holman) that the report and bill be in-

definitely postponed takes precedence, so that that is the question now before the House. As many as are in favor of the motion of the gentleman from Bangor, Mr. Holman, that the report of the committee and the bill be indefinitely postponed will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had,

A sufficient number having arisen, the motion of the gentleman from Bangor, Mr. Holman, that the report of the committee and the bill be indefinitely postponed prevailed.

The SPEAKER: The Chair lays before the House H. P. 1156, H. D. 401, an act to secure completion of the topographic mapping of Maine in cooperation with the United States Geographical Survey, tabled by Mr. Crawford of Houlton the pending question being final passage; and the Chair recognizes the gentleman from Houlton, Mr. Crawford.

Mr. CRAWFORD: Mr. Speaker, I tabled this matter because I felt that it involved a large amount of money and that the House should not vote on it while many members were absent from the hall. I do not wish to appear to oppose anything that is for the betterment of Maine. If we can save money by having this mapping, and it is the will of the majority of this Legislature, I am satisfied that it should go on. But I feel that on a matter as important as this, we should have as many members in the House as possible. I yield to the gentleman from Appleton, Mr. Thurston.

Mr. THURSTON: Mr. Speaker, I move the indefinite postponement of this bill. I am, at this time, opposed to this bill calling for an appropriation of \$25,000 to map the State of Maine. Already \$180,000 has been spent, I am told, and now they are calling for \$400,000 to be paid in yearly installments of \$25,000 to \$50,000 each year. The federal government will also supply an equal amount, \$400,000, making in all \$800,000 to be spent in mapping the State of Maine. Including the \$180,000 already spent, nearly \$1,000,000 will be spent in mapping the State of Maine. Therefore, Mr. Speaker, I hope the motion to indefinitely postpone will prevail.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I rise only to say that I am still in favor of the bill. The propo-

sition that has been presented to the Legislature was reported by the committee, was argued in the House, and I presented such arguments as I had an opportunity to present and a reasonable time to present, showing why this expenditure meant a saving of money. It is not a waste of money. It is a proposition whereby, by spending money, you get back more than you spend.

The House appeared at that time to be in favor of the proposition. There was no opposition to it. There was no opposition to it before the committee. The commissioner of agriculture appeared in favor of the bill, the highway department and engineers testified that in their department alone they would expect a saving largely in excess of the expenditure. At this time I consider, in a way, that I and others who are here supporting this measure, are in a position to say that we are trying to sell to the State of Maine, through the Legislature, a proposition that is of benefit to the State of Maine. And all we ask of this House is a reasonable opportunity to sell it to them. I ask anyone opposing this bill to come and say why he opposes it. If there are matters that he does not understand, we ask him to come up and ask those questions so that we may have a fair and square opportunity to sell this proposition, and to meet every objection, which I believe we can do.

Now I say in substance, as I said before, if these maps are not any good, we don't want to spend a nickel for them. Mr. Thurston said that \$180,000 has been spent. He might have said that the State has spent only half of it. If the maps are not any good, let us not spend a nickel. If they are good, and do mean saving, and the making of money for the State of Maine, let us spend every cent we can reasonably get our hands on for these maps.

Now, I say that this program, thus turned out by people entirely familiar with this proposition—I say that this program built in this way over a nine-years' period, compared with the present method of spending money in dribbles will mean a saving of \$60,000 to \$65,000. Also, if this bill passes in its present form, the War Department has agreed to send down a fleet of their airplanes to go over the State and make a preliminary horizontal picture map, and thus a

further saving of \$25,000 to \$35,000 will be effected. Here is the comparison: Shall we go on as we are doing now, which will cost \$500,000 to complete the map of this State, or shall we embark on a sensible program offered by men who know what they are talking about and which will cost \$400,000? Indeed, they think it can be done for \$350,000 to \$375,000, just doing what is absolutely necessary to complete the job. I hope every one who has any question about this proposition and wants to go into any phase of it will give us a fair opportunity to sell it to you and meet every objection, which I believe we can do.

Mr. PAGE of Skowhegan: Mr. Speaker, at the hearing on this bill before the Public Utilities Committee I think there were more proponents for this bill than in favor of any other bill we have heard. And there was no opposition. As was said before in the House, the Highway Department alone saved last year approximately \$67,000 on the construction of twenty-two bridges. And as I understand it, the money, the first \$25,000 a year for the first two years, is provided for through the Public Utilities Commission and in the State Highway Department, and they figure that by giving up that amount of money they are going to make money. I oppose the motion to indefinitely postpone a business proposition by which the State of Maine can make money.

Mr. ROBIE of Gorham: Mr. Speaker, my experience with maps has been of a military nature. Perhaps I can see more in these maps than the ordinary layman can. I think this is a business Legislature. I think that if we come back fifty years from now and stand on the Speaker's rostrum, we should be able to say, aside from the fact that this Legislature tried to save expense, that the Legislature completed the mapping of Maine—that the Eighty-third Legislature was the one that finished putting Maine on the map. (Applause.)

These maps are of great use in many ways. He has spoken of the engineers. We come down here every two years and pass a grist of special legislation in regard to brooks and ponds, etc. To a stranger who comes here without knowing just the lo-

cality covered by those brooks, etc., those maps give it all in detail. They also show the roads which enable one to get about. They are used a great deal by real estate dealers. They are now putting the real estate on to the Government map, and they are definitely assigning this a place. They are used by attorneys in settling their cases.

I would like to say a few words in regard to forestry. The foresters are in favor of this map proposition. Now to take up wild lands and timberlands, we have something over \$72,000,000, which is one-tenth of the taxable portion of this State. These men, as I have said before, are in favor of this mapping proposition, and I think some consideration is due to them. This mapping will materially aid in fire prevention in that district. For the last twenty-three years the average loss to this State in taxable property through fires has been \$171,860. I think we can well afford to spend some money to aid in checking that tremendous loss. This proposition is one of the few that if we pass it, it is done for all time. I hope the motion of Thurston (of Appleton) will not prevail.

Mr. ALDRICH of Topsham: Mr. Speaker, it was my fortune recently, after this bill was introduced, and had received consideration here, to sit at dinner with two very eminent engineers. I took occasion at that time to present to them, as nearly as I could remember it, the statements which had been made by the gentleman from Cape Elizabeth (Mr. Chase). And I simply say, as a contribution to the matter handed on to this House, that those engineers coincided in every particular with the conclusions which the gentleman from Cape Elizabeth reached when he first spoke upon this bill. In view of that situation, I believe that we would be doing a very wise thing, although it seems like spending a considerable amount of money—we would be doing both a wise and constructive thing to pass this legislation.

Mr. GREENLEAF of Auburn: Mr. Speaker, I just want to consider one feature. I believe that the gentleman from Cape Elizabeth (Mr. Chase) has proved conclusively that all the progress of this State, in industrial lines, in water power development and

storage and all that, hinges absolutely on these maps that the expense of development will be greatly decreased by them. I think it ill behooves anyone living in sections already mapped, which the sections not already mapped have helped pay for, to sit in this House and deny to those in the more remote sections of the State the benefit to be derived from this proposition. And those members living in the sections that have not been mapped can well afford to pay this tax on account of the benefit that will come to them from these maps.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I wish to add my contribution. I have been on the Ways and Bridges Committee and even in the comparatively small way that the maps would benefit us in the work of that committee, it has become very apparent that they would simplify the work of that committee and enable us to come to wise decisions in the matter of road construction and bridges. We have the assurance of men who are specialists in their various lines in the Departments of this State, who have assured us in the strongest terms that the completion of the map of Maine as proposed in this bill will furnish the various Departments an instrument which will permit them to do their work much more efficiently and very much more economically for the State. If that is true, I submit to you, what business man, if shown a piece of machinery or an instrument that would enable him by the outlay of the price of it, to very much more than double his income and his profits, would refrain from the purchase of it as a wise business proposition? I simply submit that to you. I am heartily in favor of this bill, and I sincerely hope that the motion to indefinitely postpone will not prevail.

Mr. EUSTIS of Strong: Mr. Speaker, I feel that this bill is in line with our "develop Maine program" and I hope the motion to indefinitely postpone will not prevail.

Mr. KITCHEN of Presque Isle: Mr. Speaker, as one who is deeply interested in the growth of the State of Maine, I am heartily in favor of this bill. I sincerely hope that the motion of the gentleman from Appleton, Mr. Thurston, to indefinitely postpone will not prevail.

Mr. BOOKER of Rumford: Mr.

Speaker, the engineers of our company up there have asked me to favor this bill. All details have been gone over and I will make no further statement except on the lines of hydraulics and reforestation it will be of much benefit to people of that section of the country.

Mr. THURSTON: Mr. Speaker, I come from the rural section and am heartily in favor of standing by the farmers. I see no benefit to the farmer from these maps.

Mr. DEERING of Saco: Mr. Speaker, I do not think there is much question as to the sentiment of the house as to the desirability of continuing the topographical mapping. The question which seems to rise, I think, is "where is the money coming from to pay for it?" But I will tell you where it will come from. Your committee on Appropriations considered that money very thoroughly. We thought it was a lot of money to raise by direct tax. So we went to the different Departments of the State which represent all your interests. The Highway Department have agreed to take from their budget \$10,000 and set that up as their contribution toward mapping the State. We next went to the Agricultural Department. I have just come from Mr. Washburn's office this morning, and he said that without increasing his appropriation one dollar, he will deduct five thousand dollars from it and give to this purpose. The Public Utilities Department have contributed their part, \$5,000. The Commissioner on Forestry will contribute not less than \$5,000 and up to \$10,000. In no case will those contributions add one dollar to what is to be appropriated to them by the Legislature. The Department of Agriculture will take its share from its unexpended balance which would lapse into the contingent fund, and each Department will do the same. There will be a little from each item down the list in each Department. That gives us over \$20,000 which the Departments of the State will contribute for this purpose, and with that assurance, and it is an absolute assurance because they have given permission to deduct these amounts from their appropriations, I feel there can be no objection to the State raising the necessary money to carry on the work. For that reason I am

heartily in favor of the bill and I oppose the motion to indefinitely postpone it.

Mr. THURSTON: Mr. Speaker, may I ask the gentleman from Saco, Mr. Deering, a question.

Permission was given Mr. Thurston to address the House the third time.

Mr. THURSTON: Mr. Speaker, it seems that these different departments have more money than they need. Does the gentleman from Saco think that it would be wise to cut out part of their appropriation?

The SPEAKER: The gentleman from Saco (Mr. Deering) may answer if he so desires.

Mr. DEERING: The Departments have certain monies coming to their Departments, not appropriated, from which they are able to take these funds, and this, in no way, affects the appropriations made by the Legislature.

Mr. BISSETT of Portland: Mr. Speaker, I move the previous question.

The SPEAKER: The previous question is moved. As many as are in favor of the Chair entertaining the previous question will rise and stand in their places until counted and the monitors will return the count.

A division of the House was had.

The SPEAKER: A sufficient number having arisen, is it the pleasure of the House that the main question be put now? Those in favor will rise and stand in their places until counted and the monitors will return the count.

Mr. SMITH of Bangor: Mr. Speaker, I do not understand what we are voting on at this time.

The SPEAKER: The question now before the House is whether the Chair shall put the main question to the House. A majority vote will decide whether the main question shall be put. If the majority vote for it, the main question will then be put by this vote. Those in favor of the main question being put will rise in their places and stand until counted and the monitors will return the count.

A division of the House was had.

The SPEAKER: A sufficient number having arisen, the main question will be put now.

Mr. PIPER of Jackman: Mr. Speaker, I move that the vote be taken by a yea and nay vote.

The SPEAKER: The gentleman from Jackman, Mr. Piper, moves that when the vote be taken, it be taken by a yea and nay vote. Those in favor of this motion will rise and stand until counted and the monitors will return the count.

Mr. HOLMAN of Bangor: Mr. Speaker, it seems to me it is unnecessary to take a yea and nay vote, we have so much business to transact. I wish the gentleman would withdraw that motion and have a division.

The SPEAKER: The motion is still before the House that a yea and nay vote be taken.

Mr. THURSTON: Mr. Speaker, I would favor Mr. Piper's motion. I want to see how many will stand by the farmers and how many want to increase taxation and how many to decrease taxation.

The SPEAKER: The question before the House is on the motion for a yea and nay vote. As many as are in favor will rise and stand until counted and the monitors will return the count.

A division being had,

A sufficient number having arisen, the yeas and nays were called for.

The SPEAKER: The question before the House is on the indefinite postponement of this bill, it being the motion of the gentleman from Appleton, Mr. Thurston. A vote yes is for the motion to indefinitely postpone and a vote no is against the motion and for the bill.

Mr. CARLETON of Winterport: Mr. Speaker, I would like to be excused from voting or paired with the gentleman from Howland, Mr. Deakin. He came to me this morning and we were in opposition on the matter and he has been called away.

Thereupon Mr. Carleton of Winterport, was excused by the House from voting by reason of having arranged a pair.

The SPEAKER: The Clerk will call the roll.

YEA—Anderson of New Sweden, Ayer, Belleau, Bisbee, Brackett, Brown, Buker, Farrington, Gilchrist, Greene, Harris, Leathers, Lowell, MacKinnon, Marriner, McKnight, Mears, Morin, Norwood, Rounds, Staples of Waterville, Sturgis, Thurston, Vail, Wing of Auburn, Winslow—26.

NAY—Aldrich, Allen, Anderson of South Portland, Bailey, Bissett, Blaisdell, Booker, Boston, Breen, Brewster, Briggs, Bruce, Burns, Butler, Cain of

Clinton, Carleton of Portland, Chamberlain, Chaney, Chase, Church, Clifford, Cole, Comins, Cowell, Cram, Crawford, Crockett, Cyr, Daigle, Davitt, Decker, Deering, Dennison, Douglas, Dudley of Calais, Dudley of Castle Hill, Ellis, Eustis, Ferguson, Flint, Folsom, Forhan, Fuller, Gagne, Gay, Gillespie, Goodwin of Lebanon, Goodwin of Sanford, Greenleaf, Griffin, Hale, Hammond, Hamel, Hathaway, Hawkes, Heath, Holbrook, Holman, Houghton, Hughes, Ingraham, Jackson, Jones, Kane of Addison, King, Kinsman, Kitchen, Lait, Laughlin, Littlefield, Maloon, Mansfield, Marden, McCart, McIntire, McLean, Melcher, Merrill, Metcalf, Page, Patterson, Pendexter, Piper, Powers, Rawley, Richardson, Robie of Gorham, Robie of Westbrook, Roy, Ruggles, Sargent, Saucier, Seavey, Smith, Snow, Staples of Eliot, Stone of Bridgton, Stone of Biddeford, Storm, Sturtevant, St. Clair, Tripp, Tucker, Varnum, Webber, Weston, Wheeler, White, Williams of Webster, Wing of Kingfield, Wood, Wyman—112.

ABSENT—Barlett, Bishop, Boynton, Foster, Milliken, Morrill, Nadeau, Pike, Snowman, Williams of Falmouth—10.

PAIRED—Carleton of Winterport and Deakin of Howland.

The SPEAKER: Twenty-six having voted in the affirmative and 112 in the negative, the motion to indefinitely postpone failed of passage.

On motion by Mr. Chase of Cape Elizabeth the bill was passed to be enacted.

On motion by Mr. Hale of Portland, a viva voce vote being taken on a motion to reconsider the action whereby this bill was passed to be enacted failed of passage.

The SPEAKER: Under table and today assigned the Chair lays before the House Senate Report ought to pass in a new draft from the committee on State Lands and Forest Preservation on bill an act relating to the operation of portable saw-mills, new draft S. P. 498, S. D. 252, tabled by Mr. Littlefield of Kennebunk, March 30, pending acceptance of the report in concurrence; and the Chair recognizes the gentleman from Kennebunk, Mr. Littlefield.

On motion by Mr. Littlefield the report was accepted in concurrence and the bill had its first two readings.

Mr. LITTLEFIELD: Mr. Speaker, I now move that this bill lie on the table. There is an amendment to this bill and Mr. Violette is out of



town and will return on the four o'clock train this afternoon.

Thereupon the bill was tabled pending assignment for third reading.

The SPEAKER: The Chair lays before the House H. P. 429, a resolve in favor of the International bridge over the St. John River, recalled by a House order, and recognizes the gentleman from Presque Isle, Mr. Kitchen.

On motion by Mr. Kitchen, it was voted that this resolve be committed to the committee on Appropriations and Financial Affairs.

The SPEAKER: Under unassigned matters the Chair lays before the House Senate Report ought to pass in a new draft of the committee on Judiciary on bill an act to incorporate Somerset Woods Trust, S. P. 530, S. D. 273, tabled by Mr. Piper of Jackman, March 28, pending assignment for third reading; and the Chair recognizes the gentleman from Jackman, Mr. Piper.

On motion by Mr. Piper tomorrow was assigned for the third reading at the hour of convening.

The SPEAKER: The Chair lays before the House the second unassigned matter, an act to regulate the sale of cider, new draft S. P. 525, S. D. 267, tabled by Mr. Hammond of Van Buren, March 28, pending first reading; and the Chair recognizes the gentleman from Van Buren, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, I yield the floor to the gentleman from Eddington, Mr. Comins.

On motion by Mr. Comins the bill was given its first two readings and tomorrow assigned.

The SPEAKER: The Chair lays before the House the third unassigned matter, bill an act to obtain the benefit of credit allowed under Federal estate tax, H. P. 239, H. D. 58, which was passed to be enacted in the House, March 2, tabled by Mr. Hammond of Van Buren, March 28, pending reconsideration; and the Chair recognizes the gentleman from Van Buren, Mr. Hammond.

On motion by Mr. Hammond, the House voted to recede and concur with the Senate in the passage of

this bill to be engrossed as amended by Senate Amendment A.

The SPEAKER: The Chair lays before the House the fourth unassigned matter, bill an act relating to fees of deputy sheriffs in attendance upon the court, H. P. 960, H. D. 466, tabled by Mr. Littlefield of Kennebunk, March 28, pending assignment for third reading; and the Chair recognizes the gentleman from Kennebunk, Mr. Littlefield.

On motion by Mr. Littlefield tomorrow was assigned for the third reading of this bill.

The SPEAKER: The Chair lays before the House the fifth unassigned matter bill an act to amend an act to abolish the Board of Public Works of the city of Lewiston and to provide a Highway Commission, H. P. 1211, H. D. 469, tabled by Mr. Hamel of Lewiston, March 28, pending second reading; and the Chair recognizes the gentleman from Lewiston, Mr. Hamel.

Mr. HAMEL: Mr. Speaker, I yield to the gentleman from Lewiston, Mr. Belleau.

Mr. BELLEAU of Lewiston: Mr. Speaker, the matter having been taken from the table, I move that the vote whereby this report in a new draft was accepted be reconsidered by this House.

The SPEAKER: The gentleman from Lewiston, Mr. Belleau, moves that the rules be suspended and that the vote whereby the House accepted the report of the committee ought to pass be reconsidered.

The motion prevailed.

Mr. BELLEAU: Mr. Speaker, I move that the original bill, 236, be accepted in place of House Document No. 469.

Mr. FULLER of Southwest Harbor: Mr. Speaker, this matter came before the committee of which I am a member and a goodly number appeared there and expressed their opinion in regard to this Board of Public Works very strongly, saying it was 'doing' excellent work; and it seemed to be very much better to leave it as it is at the present time. I trust the motion of the gentleman from Lewiston (Mr. Belleau) will not prevail.

Mr. BELLEAU: Mr. Speaker, we appeared before the committee and

we either did not have the talent to make ourselves understood or else we were misunderstood.

In 1921—and I might say before—many matters were presented and placed upon the city which we represent. Many members of the House will remember that a police bill was presented and passed and today we have in the city of Lewiston a police bill. We cannot raise the salary of an officer unless he comes here to be raised or reduced. A few years after that police bill we had imposed on us a Highway Commission, and, without reading, Mr. Speaker, this commission was composed of three men for six years. We might not have come to the Legislature at this time had it not been for the fact that the bill was defective. Under that bill the mayor could not appoint legally a member of it whose term expired in 1925 and the next one's term expired in 1926; and when we came to this Legislature we practically had no commission. Well, we came to this Legislature, went before the committee on Legal Affairs and we asked three amendments to that bill. In the first place, three members of the commission are not sufficient. One is sick, one is out of town and the other cannot act alone; so we asked the first amendment to make that commission five members, four members for one year, two years, three years, four years, and the mayor ex-officio. I submit to the members of this House whether or not on such an important commission the mayor of the city should not be there. We want a commission of four members and the mayor ex-officio without compensation. This law of 1921 provided one thousand dollars for each member. You go to the city of Lewiston and consult our business men and every one of them will tell you that it was outrageous to compel us to pay one thousand dollars for each commissioner, and they had received in six years eighteen thousand dollars.

Now, members of the House, what we want is a commission of four and the mayor ex-officio, and save the three thousand dollars. Why do we want to save that three thousand dollars? I read from the Lewiston Journal: "We favor a stout, determined campaign for reduction of State, county, and city and town tax-

ation. Waste is everywhere. We should have a development of taxpayers' associations all over Maine. We should begin in Lewiston. We should have immediate response by a reduction of at least two mills taxation in Lewiston the present year. This relief is required by industries, real estate, transportation companies, commerce, trade, labor, rent-payers, and professional people, salaried persons especially."

We had an election. There was no opposition to our candidates as people had read in the paper. Now the mayor says: "Lewiston has got to be very careful. The textile and industrial situation of the city is such that we must follow out a strict policy of economy. The citizens should save now as they did during the war for the outlook is not too encouraging."

Although stating that he did not want to alarm the citizens he wished to make it clear that unless certain inducements are made we are liable to lose many of our textile mills. Interests outside the city, he said, were offering them inducements to move these plants.

Mr. Speaker and members of the House, it is not my intention to take much of your time but we are in a situation that is quite critical. The mills are practically at a standstill; the shoe shops are the same; commerce is not in the best of condition. We want a little reduction of our taxes. We have promised a corporation to whom we cannot give a two hundred thousand dollars tax to relieve them as we did the Maine Central. We can do this by saving three thousand dollars here and there. We saved fifty thousand dollars in the city of Lewiston last year. We need it to build a high school. We want to save fifty thousand dollars more this year through that same process. This three thousand dollars is paid for absolutely nothing. Just think of three selectmen in any of your towns getting one thousand dollars apiece. We have got a mayor to whom we pay the large salary of twenty-two hundred dollars so he can give his time to the highway. We want a commission of four men and the mayor ex-officio without salary so that Lewiston will benefit eighteen thousand dollars in six years. I hope I have made myself clear. I ask you not to give me your support but to

give the city of Lewiston your support, the city I represent.

Mr. McCART of Eastport: Mr. Speaker, I have no desire to meddle with the affairs of Lewiston, but I believe that I should set before the House our reasons for reporting the bill in new draft.

At the time we could find nothing wrong with the present Board of Public Works of Lewiston, but there did seem to be something wrong with the law passed in 1921. There was some doubt as to the authority of the mayor to appoint the present board. The thing we did find wrong seemed to be a current of politics in this matter. It seemed as though at the last election there was one member of the board who did mingle in politics and without any reflection on the gentleman from Lewiston (Mr. Belleau). He was not the one who made the statement; but there was a statement made something like this: "If we can get this law passed, that fellow is going out. We don't like him." We did not think in the committee that the people of Lewiston should bring their political affairs here for us to settle. In the opinion of the committee it was thought best to make that correction in the law of 1921 which gives the mayor the authority to appoint successors and let them take the matter home and settle it themselves.

Mr. BELLEAU: Mr. Speaker, one word more. House bill 236 relieves Lewiston of three thousand dollars, and the new draft, Mr. Speaker and members of the House, never would have been heard of had it not been for the fact that a man appeared before the committee and made a little threat about one man. Now is that reasonable? A man may appear before a committee or before this Legislature and he may be able to handle the English language splendidly, and he may not, but before the committee he may make what I would call a slip.

We have men in the city of Lewiston—not many but a few—who would keep those three men for the sake of giving them three thousand dollars a year; but the bulk of our taxpayers, the mills and the merchants are not in favor of it. We were elected to this House by an overwhelming majority. We elected the mayor unanimously; there was no opposition. We have no other motives except to save that three thousand dollars. As I have

said, we want a commission composed of five men, the mayor ex-officio, without compensation.

Members of the House, why should we compensate our Highway Commission in Lewiston? We have got a Board of Aldermen composed of seven men and they do not receive a cent. We have a school board of fourteen who do not receive a cent. The water board does not receive a cent. The trustees of our Public Library, of whom there are seven, do not receive a cent. The police bill has been imposed upon us and the police commission gets five dollars per meeting. Now why should we give three thousand dollars for this commission when we can get a commission of four with the mayor without compensation? We have got a splendid citizenship, splendid people to accept these positions, men like the Honorable Frank A. Morey, once Speaker of this House who has served on the Water Board for a great many years. We want to save this three thousand dollars. The tax of the city is the lowest in the State of Maine—thirty-two mills—but we promised the corporations that we should try this year to make it thirty mills but unless we save three thousand dollars here and three thousand dollars there we cannot and I ask the House to support this measure.

Miss LAUGHLIN of Portland: Mr. Speaker, I ask for a point of information. What is the motion of the gentleman from Lewiston (Mr. Belleau)?

The SPEAKER: The motion of the gentleman from Lewiston is to substitute the original bill which is H. P. 673, H. D. 236 for the report of the committee.

Mr. WING of Auburn: Mr. Speaker: it is not my custom to interfere with the affairs of my neighbor, but I rise to support my good friend for many years, the distinguished representative from Lewiston, Mr. Belleau.

The bill which came before the Legislature of 1921, as I understand it, had a very serious defect in it in that the commission which was then appointed carried in the bill no provision for its continuance; that is, when the term of the commissioner expired there was no provision in the law for the appointment of his successor. As I understand this matter, H. D. 236, which is the measure

sought to be substituted for the new draft, takes care of that particular situation—that defect in the law. It further provides that these commissioners shall serve without pay. The new draft H. D. 469 also takes care of the defects in the law but continues the payment of one thousand dollars apiece to each commissioner.

As I understand it, the representative from Lewiston (Mr. Belleau) desires that the defect in the law be corrected and that the law be further amended, so to speak, so that these commissioners as appointed by the mayor of the city of Lewiston shall serve without pay; and he argues that they should so serve because other members of the city government of Lewiston serve without pay, and he says that he wishes it for the reason that that will in a measure reduce the burden of taxes that the city of Lewiston pays.

If that is a reasonable request—and it strikes me that it is—this House should support his motion; and I take this opportunity to endorse this particular piece of legislation. I have no quarrel with the committee on Legal Affairs, but if a representative from the city of Lewiston says that he represents the wishes of the people of Lewiston that they be relieved of an annual charge of three thousand dollars for the support of a commission, I think this House should give him respectful attention. (Applause).

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Belleau, that the original bill H. D. 236 be substituted for the report of the committee. As many as are in favor of this motion will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the original bill for the report prevailed.

On motion by Mr. Belleau the rules were suspended, the bill was given its first and second readings and tomorrow assigned.

The SPEAKER: The Chair lays before the House the sixth unassigned matter, House Amendment A to bill an act to create the office of Deputy Treasurer of Cumberland county, H. P. 457, H. D. 117, tabled by Mr. Hale of Portland, March 28, pending adoption of the amendment;

and the Chair recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE: Mr. Speaker, I move that the amendment be adopted.

Mr. ROUNDS of Portland: Mr. Speaker, may we have the amendment read?

(House Amendment A read by the Clerk).

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

The SPEAKER: The Chair lays before the House the seventh unassigned matter House report ought not to pass of the committee on Claims on resolve in favor of the town of Bucksport for refund of an inheritance tax, H. P. 164) tabled by Mr. Patterson of Castine, March 29, pending acceptance of the report; and the Chair recognizes the gentleman from Castine, Mr. Patterson.

On motion by Mr. Patterson, the report was accepted.

Mr. Hale of Portland presented the following order out of order and moved its passage:

Ordered, that when the House rises this morning it be to recess until five o'clock this afternoon.

The order received passage.

The SPEAKER: The Chair lays before the House the eighth unassigned matter bill an act to provide for compensation of Justices of the Supreme Judicial Court, H. P. 1184, H. D. 499, tabled by Mr. Sturgis of Auburn, March 29, pending third reading; and the Chair recognizes the gentleman from Auburn, Mr. Sturgis.

Mr. Sturgis: Mr. Speaker. I yield to the gentleman from Appleton, Mr. Thurston.

Mr. THURSTON of Appleton: Mr. Speaker, I move the indefinite postponement of the bill. As I have sat here from day to day during this session and watched the bills go through, I have come to the conclusion that I have never seen a better running machine to dispose of the taxpayers' money than this Legislature. It runs so smoothly, Mr. Speaker, that I confess that I hate to get up here and throw a wrench into its gears. But I am here in the

interest of the farmer, and I do not want the lawyers to get everything.

This is a bill to increase the salaries of the Justices of the Supreme Judicial Court. There are eight Justices of the Supreme Court who receive a salary of six thousand dollars a year and expenses while attending court, and they also receive forty-five hundred dollars a year when they are retired at the age of seventy. This bill calls for an increase of two thousand dollars a year, making their salary eight thousand dollars a year and expenses. And if we should grant it, they would receive six thousand dollars a year when they are retired at the age of seventy.

If you compare the salary of the judges with that of the other State officials, you will find that they are paid more than any other official, including the Governor, who receives only five thousand dollars a year. Under the present salary, we have been able to get judges who compare favorably with the judges of the other states; and recently a well-known lawyer was elevated to the bench who ranks among the foremost lawyers of New England. Under present conditions, when the farmers are being taxed beyond reason and the industrial and financial condition of the State is in very bad shape, I hope my motion to indefinitely postpone will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Appleton, Mr. Thurston, to indefinitely postpone this bill.

Mr. DUDLEY of Calais: Mr. Speaker, I sincerely trust that the motion made by the gentleman will not prevail. I believe that the people of the State of Maine should pay the judges a salary commensurate with the duties they have to perform; and those who come into contact with them know that they give more time to their work than two-thirds of the lawyers of the State. Their duties are arduous and take practically all of their working days. We have now, and always have had, a Supreme Judicial Court in the State of Maine, of which we have been justly proud, a court made up of men of sound integrity and excellent ability.

I think that there is not one on the

bench today who was not earning more in his private practice than he received as a Justice of the court, and of course either of them could retire and enter private practice and earn many, many times what this salary contemplates, eight thousand dollars a year. This is a salary that is being earned by many country lawyers working far less time than the judges work. Our taxes are high. The burden is heavy. But the people of the State of Maine are not niggardly. They believe that the men who serve them on the bench are entitled to reasonable compensation and reasonable compensation seems to me to be, as I have said, compensation commensurate with their work. I trust that the motion will not prevail.

Mr. PATTERSON of Castine: Mr. Speaker, this matter has been so well covered by the gentleman from Calais, Mr. Dudley, that it is perhaps needless for anyone else to say anything upon the question. I heartily endorse everything he has said. I would wish to point out, however, that this raise of salary to the eight judges, of two thousand dollars a year, is only sixteen thousand dollars. And last night before the investigating committee of the Highway Department—and most of you were there—it was testified, as I recall, that one mile of the State highway, concrete construction I presume, cost \$67,000. I have information this morning from a member of the committee on Ways and Bridges that the cost of one mile of gravel road, State highway, is \$20,000. The cost of one mile of State Aid construction is \$10,000.

I do not believe that this House will refuse to give these judges an increase of \$16,000, which is less than the cost of one mile of State highway, gravel construction, and only about one-fourth the cost of one mile of State highway of concrete construction. That seems to me ridiculous and absurd. I do not like to differ with my good friend, Mr. Thurston, but I certainly hope, in this case, that his motion to indefinitely postpone will not prevail.

Miss LAUGHLIN of Portland: Mr. Speaker, I want to say just a word and put myself on record as against this motion of the gentleman from Appleton, Mr. Thurston, and in favor

of the increase of salary to the judges of \$2,000 a year.

The gentleman from Calais (Mr. Dudley) has said the Justices could earn more at practice. That to me is not the last word, in that I believe that men who are appointed to the Supreme Court may have such a record of achievement that the salary would not be the main object. But it does seem to me that they should be paid at least a salary which will maintain them in such way as is proper for Justices of the Supreme Court of this State, a salary which at least is proper to maintain the dignity of the State of Maine. (Applause).

Mr. McINTIRE of Norway: Mr. Speaker, I am not a lawyer and my affairs are not of such consequence that I have dealings with the Supreme Judicial Court. But if the time ever comes that I do come before that court, I shall hope, at least, to find \$8,000 men there to hear my cause. In the meantime I am perfectly willing to pay taxes to support salaries of this size, just as I am willing to pay insurance on my house even though I have no intention of burning it. I am perfectly willing to go home and defend that position before the farmers who sent me here. (Applause).

Mr. LOWELL of Lincoln: Mr. Speaker and members of the House: I wish to go on record at this time as opposing this bill. I am not prepared, and I will not attempt, to discuss it in detail. I simply will say that I oppose it on general principles. This bill in question is no stranger in this House. It has been here before and will no doubt continue to come to future Legislatures until such time, perhaps, as its purpose may be accomplished. It comes to this Legislature in a little different form, with an amendment tacked upon it, but the real purpose is the same, to increase the salaries of the Justices of our Supreme Judicial Courts. Is there any good and sufficient reason why this Legislature should increase their salaries? Were they not eager to obtain the office? Did they not know, when they aspired and were appointed to their respective offices, just what the salary of that office was to be? They certainly did. They were not buying a pig in a bag.

Well, they tell us, or their political

friends tell us, that they should be granted this increase from the fact that they are so very efficient, and from the enormous increase in the volume of business, and that their time is fully occupied with the duties of their office. We are not questioning their efficiency: but we do believe that they earn many dollars outside their offices. And the very fact that they occupy such a position gives them additional business.

Under the provisions of this act, should it become a law, the salaries of those officials would be increased to eight thousand dollars, with a retiring salary of six thousand dollars, which will be fine! But what about the other fellow! What about those who pay this increase in salary? What about the little fellow who is digging out a bare existence for himself and family upon a farm upon our rocky New England hillsides? What about his salary when he is forced to retire, worn out from honest toil in his efforts to obtain money to pay taxes to increase salaries of the various officials over our state?

The watchword of this Legislature, I believe, is economy. Let us practice economy at this time. To my mind, the money could be much more wisely and judiciously expended in the care of our unfortunates and in the support of our over-crowded institutions. And after listening to the reading in this House of the numerous requests for increase in salaries, I believe the time has come to discourage and check this practice, which has become more and more apparent with each session of the Legislature, to check and discourage the requests for increase in salaries of various officials over our state, and that future legislatures may not be flooded with bills of this nature. I sincerely hope that the motion to indefinitely postpone this bill will prevail. (Applause)

Mr. HALE of Portland: Mr. Speaker, the gentleman from Lincoln (Mr. Lowell) who has just spoken, is under a misapprehension, I am certain, which I think it is my duty to correct. The gentleman stated that the Justices of the Supreme Judicial Court derive income outside of their salaries, and that their official position makes it possible for them to earn other money. I have here, Mr. Speaker, a letter from the Chief Justice of the Supreme Judicial

Court, which I think it is fair to read. He says:

"March 21, 1927.

Dear Brother Hale:

Many reports have come to me indicating that there is some misunderstanding as to the sources of income of the members of the Bench. It occurred to me that a letter from me that you could use at least to correct any erroneous impression which might exist in the mind of any member of the Legislature would not be out of place.

Of course every lawyer understands that we cannot practice our profession or give advice of any kind for pay. Every matter involving a question of law might come before us and, while not prohibited from so doing by any statute, judicial ethics at least would require that we should not prejudice any question in advance. We are, therefore, dependent solely upon our salaries for an assured income.

It is true that occasionally we receive some fees as referees, but there is no certainty of any income from this source, and the amount received is almost negligible. In the first place, a reference is never ordered except by agreement of the parties, and the court does not encourage them, except where a county is saved money by avoiding a jury trial, which is true in practically every case, as the fees and expenses in a reference case rarely exceed twenty-five dollars, and a jury trial would cost a county from fifty to one hundred dollars. The fees of the judge in such matter, fixed by a rule of court, is only ten dollars per day—hardly day pay for an expert laborer—except in cases of great importance involving important questions of law, on questions of fact difficult to present to a jury when the parties themselves are willing to add to the compensation allowed by the court. But such cases are very rare, and I am quite sure that the average amount received by the several judges of the court during my period of service on the bench would not exceed one hundred dollars per year. If my present income from this source continues for the remainder of the current year as in the past three months, it will total just zero.

It is entirely uncertain whether any amount will be received from this source. The court has no control over it. It is only undertaken at the

request of the parties and to save expense and as a speedy way to end litigation.

This applies to the Superior as well as to the Supreme Court. Every judge must give up his private practice and devote himself solely to the service of the state.

The income from a law practice, as you know, has increased so rapidly in the past twenty-five years and even in the last ten years, that it is becoming more and more difficult to prevail upon those of ability and of the requisite judicial temperament to accept a place on either bench.

I am Very sincerely,  
SCOTT WILSON"

Now, Mr. Speaker, there is considerable congestion in the courts. The only very important remedy for that is to appoint, as soon as a vacancy occurs, a Justice of the Supreme Judicial Court in that part of the State where the congestion is greatest, either in York or Cumberland county. I am informed, on the highest authority—I do not know that I am authorized to quote my informant—that it will be probably impossible to select any of the persons considered most desirable or available for that position because no one of those persons is willing to make the sacrifice of salary or of income which the acceptance of such a position would involve. I do not think it is any reflection on them that they are not willing to give a good many thousand dollars a year for the sake of serving on the Supreme Judicial Court. Every man has to be a little bit selfish about his own income and his own way of living.

Now, then, the difference between a sound administration of justice in this state and a mediocre or a bad administration of justice is more than sixteen thousand dollars. A single justice, by the incompetent handling of one term of court, can cost the county and the taxpayers that much, to say nothing what he costs the litigant. An error of law committed by a Justice at nisi prius means that the injured litigant takes an appeal, and that appeal is costly not only to the litigant, but to the State. I must say that if denying this increase of salary is economy, it is not my idea of economy; and I think that anybody will vote for this increase and against the motion of the gentleman from Appleton (Mr. Thurston) if he believes in doing justice to those who do justice for us. (Applause)

Mr. ELLIS of Fairfield: Mr. Speaker, in stating that I am opposed to the passage of this bill I will add that I am in no way prejudiced against lawyers. But it seems to me that this is a large increase to ask for at this time when we are being told that we must ease up on taxation. And I am wondering, if we do increase the salaries of our public officials, how those of us who are taxed for this are going to increase our income.

Mr. STAPLES of Waterville: Mr. Speaker, I suppose I have a right to speak on this, on general principles, as a working man. And I would like to feel that the judges of the Supreme Court of Maine have a compensation that in some small degree matches up with the dignity of their office. If we were going to appoint brick layers, locomotive engineers, or farmers to the position of judges of the Supreme Court, if you please, why six thousand dollars would be plenty, I think. But where they are selected from one of the most highly respected professions, in the country and among the best of that profession, I think that they should receive more for their work than a working man would demand, and this, on account of the ability that it requires to do their work. As a working man I would like to register as being in favor of an increase in the salaries of the judges of the Supreme Court. (Applause)

Mr. DECKER of Portland: Mr. Speaker, it seems to me good judgment to go on record in favor of increasing the judges' salaries, and I am in favor of this bill.

Mr. GRIFFIN of Biddeford: Mr. Speaker, I move the previous question.

The SPEAKER: As many as are in favor of the Chair entertaining the previous question will rise and stand until counted and the monitors will return the count.

A sufficient number arose.

The SPEAKER: A sufficient number having arisen the question now is shall the main question be put now? As many as are in favor will rise and stand until counted and the monitors will return the count.

A sufficient number arose.

Mr. PIPER of Jackman: Mr. Speaker, I move that the vote be taken by a roll call.

The SPEAKER: As many as are in favor of this motion will rise and stand until counted and the monitors will return the count.

A division was had,

Thirty-seven voting in the affirma-

tive, which was a sufficient number, the motion prevailed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Appleton, Mr. Thurston, that this bill be indefinitely postponed. A vote yes is in favor of the motion, a vote no is against it and in favor of the bill. The Clerk will call the roll.

YEA—Anderson, South Portland; Bailey, Belleau, Bisbee, Boynton, Brackett, Briggs, Buker, Butler Carleton Winterport; Clifford, Comins, Crawford, Daigle, Douglas, Dudley, Castle Hill; Ellis, Gilcrest, Hamel, Houghton, Hughes, Lowell, Malon, Marriener, McKnight, Mears, Morin, Norwood, Powers, Robie Gorham; Saucier, Stone, Bridgton; Storm, Sturgis, St. Clair, Thurston, Tripp, Webber, Weston, White, Williams, Falmouth; Winslow.

NAY—Aldrich, Allen, Anderson, New Sweden; Bissett, Booker, Boston, Breen, Brewster, Brown, Burns, Cain, Clinton; Carleton, Portland; Chamberlain, Chase, Cowell, Cram, Crockett, Cyr, Davitt, Decker, Deering, Dennison, Dudley, Calais; Eustis, Ferguson, Folsom, Forhan, Fuller, Gagne, Gay, Gillespie, Goodwin, Lebanon; Goodwin, Sanford; Greenleaf, Griffin, Hale, Hammond, Harris, Hathaway, Hawkes, Heath, Holbrook, Holman, Ingraham, Jackson, Jones, Kane, Addison; Kinsman, Kitchen, Lait, Laughlin, Littlefield, Mansfield, McCart, McIntire, McLean, Melcher, Merrill, Metcalf, Page, Patterson, Pendexter, Pike, Piper, Rawley, Richardson, Robie, Westbrook; Rounds, Roy, Sargent, Seavey, Smith, Snow, Staples, Eliot; Staples, Waterville; Stone, Biddeford; Sturtevant, Tucker, Vail, Varnum, Wheeler, Williams, Webster; Wing, Auburn; Wing, Kingfield; Wood, Wyman.

ABSENT—Ayer Bartlett, Bishop, Blaisdell, Bruce, Chaney, Church, Cole, Deakin, Farrington, Flint, Foster, Greene, King, Leathers, MacKinnon, Marden, Milliken, Morrill, Nadeau, Ruggles, Snowman.

Yes—42.

No—86.

Absent—22.

The SPEAKER: Forty-two having voted in the affirmative and 86 in the negative, the motion to indefinitely postpone failed of passage.

Mr. HALE of Portland: Mr. Speaker, I move that we reconsider the vote just taken, and I trust my motion will fail.

Mr. ROUNDS of Portland: Mr. Speaker, I would like it taken by a yea and nay vote because I want to put an amendment on that.

The SPEAKER: As many as are in favor of having the motion to reconsider the vote taken by a yea and nay



vote will rise and stand until counted and the monitors will return the count. No one rose and the motion failed of passage.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Hale, that the House reconsider its vote whereby the motion to indefinitely postpone failed of passage.

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

Thereupon the bill had its third reading and was passed to be engrossed.

On motion by Mr. Cyr of Waterville,

Recessed until 5 o'clock this afternoon.

### After Recess

The Speaker in the Chair.

Papers from the Senate disposed of in concurrence.

### Senate Bill in First Reading

S. P. 459, S. D. 229: An act in relation to filing of complaints against removal of names from list of qualified voters.

From the Senate: Report of the committee on Maine Publicity on resolve appropriating money for the compilation and publication of data concerning the resources of the State, S. P. 3, S. D. 2, reporting same in a new draft, S. P. 503, S. D. 270 under same title and that it ought to pass.

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

In the House, on motion by Mr. Eustis of Strong it was voted that the report of the committee be accepted in concurrence and the resolve had its first reading.

(Senate Amendment A read by the Clerk)

Thereupon Senate Amendment A was adopted in concurrence.

Mr. BOYNTON of South Portland: Mr. Speaker, looking for information on the bill that is before us, I would move that it be tabled and specially assigned for tomorrow morning.

A viva voce vote being taken, the motion failed of passage, and the resolve was assigned tomorrow morning for its second reading.

### Reports of Committees Out of Order

Mr. Leathers from the Committee

on Claims reported "Ought to pass" on Resolve in favor of the town of Caribou for reimbursement of monies expended in defending five actions at law (H. P. No. 452)

Mr. Allen from same committee reported same on Resolve in favor of the town of New Vineyard, for reimbursement for damage done by bears in killing sheep (H. P. No. 453)

Same gentleman from same committee reported same on Resolve to reimburse the town of Webster for support of Paul Pomeroy and wife, State paupers (H. P. No. 707)

Same gentleman from same committee reported same on Resolve in favor of the town of Hiram for refund of taxes erroneously paid (H. P. No. 810)

Mrs. Gay from the Committee on Education reported same on Resolve in favor of the Trustees of the University of Maine (H. P. No. 460)

Mr. McKnight from the Committee on Salaries and Fees reported same on bill an act relative to an increase in the salary of the Judge of the Presque Isle Municipal Court. (H. P. 390)

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

Mr. Ferguson from the Committee on Aeronautics and Radio Control on Resolve to appropriate funds for the construction of and preparation for the use as an air port a portion of Muster Field, Augusta, Kennebec County Maine (H. P. No. 322) reporting same in a new draft (H. P. No. 1251) under same title and that it "Ought to pass."

Mr. Leathers from the Committee on Claims on Resolve in favor of the town of Robbinston, for reimbursement for money expended on road (H. P. No. 819) reported same in a new draft (H. P. No. 1245) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve in favor of the town of Kennebunkport for reimbursement for services and money expended in caring for James Ford (H. P. No. 822) reported same in a new draft (H. P. No. 1246) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve in favor of B. E. Lurchin compensating him for storage of dynamite and exploders in his building (H. P. No. 702) reported

same in a new draft (H. P. No. 1247) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve in favor of Malcolm B. O'Brien for compensation due him for labor performed for the State of Maine (H. P. No. 703) reported same in a new draft (H. P. No. 1248) under same title and that it "Ought to pass."

Same gentleman from same committee on Resolve in favor of the town of Leeds, for reimbursement for money expended in rebuilding bridge (H. P. No. 120) reported same in a new draft (H. P. No. 1249) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve in favor of George Grant of Bangor, compensating him for personal injuries in a collision with a moose (H. P. No. 816) reported same in a new draft (H. P. No. 1250) under same title and that it "Ought to pass."

Mr. Dudley from the Committee on Judiciary on bill an act relating to the registration of undertakers (H. P. No. 468) (H. D. No. 119) reported same in a new draft (H. P. No. 1243) under same title and that it "Ought to pass."

Mr. Chamberlain from the Committee on Public Health on bill an act relating to the obtaining of vital records of the State (H. P. No. 478) reported same in a new draft (H. P. No. 1253) under title of an act for the completion of the vital records of the State and that it "Ought to pass."

Mr. McKnight from the Committee on Salaries and Fees on bill an act to increase the salary of Register of Deeds, Oxford County, Western District (H. P. No. 893) reported same in a new draft (H. P. No. 1244) under same title and that it "Ought to pass."

Unanimous Report of the Committees on Public Utilities, Interior Waters and Judiciary on bill an act to create the Kennebec Reservoir Company and define the powers thereof (H. P. No. 865) (H. D. No. 189) reporting same in a new draft (H. P. No. 1254) under same title and that it "Ought to pass."

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

On motion by Mr. Piper of Jackman the rules were suspended and the bill was given its first and sec-

ond readings, 500 copies were ordered printed and tomorrow was assigned for its third reading.

### Passed to be Enacted

The following bills on their passage to be enacted, and resolves on their final passage, were taken up out of order under suspension of the rules:

An Act relating to Oak Grove Seminary.

An Act relating to Eastern Standard Time.

An Act to provide for an approach to the Kennebec Bridge and to acquire the same by purchase or eminent domain.

An Act establishing Mount Bigelow Game Preserve in the counties of Franklin and Somerset.

An Act to set off a part of the town of Sebec and annex the same to the town of Bowerbank.

An Act relating to the increase of capital stock of certain corporations charged with the performance of a public duty, and to duties payable to the State for such increase.

An Act relating to capital stock.

An Act relating to acknowledgments by bank officials by Justices of the Peace.

An Act to change the salary of the Superintendent of the State School for Boys.

An Act relating to appeal in non-support cases.

An Act to incorporate the Casco Title Guaranty Company.

An Act relative to catching smelts in Salt Pond in the town of Blue Hill.

An Act to regulate fishing in certain brooks in the town of Durham, in the county of Androscoggin, and the towns of Freeport and Pownal, in the county of Cumberland.

An Act to repeal Chapter 181 of the Private and Special Laws of 1917, establishing a close time on lobsters.

An Act relating to the Military Law.

An Act relating to the taking of beaver and muskrat.

An Act relating to the salary of the Clerk of Courts in Lincoln County.

An Act to incorporate the Sandy River and Rangeley Lakes Railroad Company.

**Finally Passed**

Resolve in favor of Mrs. Blanche M. Banks of Auburn.

Resolve in favor of William H. Hall of Augusta.

Resolve to reimburse the town of Milo for support of a State pauper.

Resolve to reimburse the town of Unity for support of a State pauper.

Resolve to reimburse the town of Smyrna for support of a State pauper.

Resolve to reimburse the town of Prentiss for poultry killed by dogs and wild animals in the year 1917 and 1918.

Resolve in favor of the town of Whitefield, for reimbursement for sheep killed by dogs.

Resolve to reimburse the city of Bangor for support of Oscar L. Morrill, a State pauper.

Resolve to reimburse the town of Lee for support of Oliver T. Lyons, a State pauper.

Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance, and education thereof.

Resolve in favor of the Charles H. Cutter Coal Company of Boston.

Resolve to compensate Mary A. Stevens, for personal injuries due to defect in a building of the property of the State of Maine.

Resolve in favor of the Department of Maine, Grand Army of the Republic.

Resolve to reimburse the city of Bangor for support and burial expenses of Maud Ward, a State pauper.

Resolve to reimburse the city of Bangor for support of Richard Googins, a State pauper.

Resolve to reimburse the town of Danforth for support of Isaac Paul and family, Indians.

Resolve in favor of W. S. Poland of Belfast, for reimbursement for amount paid the State for dog tax, for which no refund was made.

Resolve reimbursing the town of Island Falls for money paid to the family of Josiah H. Hunt, a Soldier of the World War.

Resolve to reimburse the city of Bangor for support of Thomas Burns, a State Pauper.

(At this point Mr. Wing of Auburn assumed the Chair, the members rising and applauding)

The SPEAKER pro tem: The

Chair places before the House the ninth unassigned matter bill an act relating to the conveyance of pupils of high school grade, H. P. 708, H. D. 459, tabled by Mr. Pike of Lubec, March 29, pending third reading; and the Chair recognizes the gentleman from Lubec, Mr. Pike.

Thereupon on motion by Mr. Pike the bill had its third reading and was passed to be engrossed.

The following order was introduced out of order under suspension of the rules by Mr. Bartlett of Bangor, being granted permission so to do by a viva voce vote.

Ordered, the Senate concurring, that there be returned to the House from the committee on Mercantile Affairs and Insurance H. D. 291, bill an act relating to liability insurance premiums.

Thereupon the order received passage, and was sent up for concurrence.

The SPEAKER pro tem: The Chair places before the House the tenth unassigned matter, being House Amendment A, (H. D. 529) to bill an act relative to the fees of sheriffs and their deputies, H. P. 888, H. D. 465, tabled by Mr. Kinsman of Augusta, March 29, pending adoption; and the Chair recognizes the gentleman from Augusta, Mr. Kinsman.

On motion by Mr. Kinsman of Augusta the House adopted House Amendment A, and the bill had its third reading and was passed to be engrossed as amended by House Amendment A.

The SPEAKER pro tem: The Chair places before the House the eleventh unassigned matter being House Amendment A (H. D. 528) to bill an act relating to diplomas to be issued by State Normal Schools, H. P. 1216, H. D. 473, tabled by Mr. Page of Skowhegan, March 29, pending adoption; and the Chair recognizes the gentleman from Skowhegan, Mr. Page.

On motion by Mr. Page of Skowhegan, House Amendment A was adopted, and the bill had its third reading and was passed to be engrossed as amended by House Amendment A.

The SPEAKER pro tem: The Chair places before the House the twelfth unassigned matter, bill an

act relating to the tenure of office of the chief engineer and members of the Fire Department in the city of Biddeford, H. P. 1219, H. D. 476, tabled March 29 by Mr. Littlefield of Kennebunk pending third reading; and the Chair recognizes the gentleman from Kennebunk, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, I yield the floor to Mr. Cyr, of Waterville.

The SPEAKER pro tem: The Chair recognizes Mr. Cyr of Waterville.

Mr. CYR: Mr. Speaker and members of the House, this bill has been presented as a public law, after the time had expired to present private and special laws, and it was referred to the committee on Legal Affairs. But the people of Biddeford who were against this bill did not appear at the hearing, knowing that it was a special law and thinking it did not have much show of going by as a general law. But an amendment to the bill came from the committee as a special law for Biddeford, and I have been asked by some citizens of Biddeford if I would not refer this bill back to the committee on Legal Affairs so that they may have a chance to appear before the committee. I so move, that the bill be referred to the committee on Legal Affairs.

Mr. McCART of Eastport: Mr. Speaker, is the motion to recommit?

The SPEAKER pro tem: I understood it was so, and I was about so to state it.

Mr. McCART: The gentleman has stated some facts. This matter first came before the Legal Affairs Committee out of order, and at the time of the hearing all the proponents were from Biddeford; there were no opponents. It developed into a hearing of Biddeford men. The bill simply provides that the Chief and members of the Fire Department shall be permanent members unless removed for cause. After the hearing the committee thought that they should not pass a public law for all the cities of the State simply at the desire of citizens of Biddeford. But in view of the fact that there were a number of people from Biddeford all apparently wanting the law, we passed it in a new draft. The new draft provides that this act shall not be effective until the same has been approved by a majority vote of the

inhabitants of Biddeford entitled to vote at any election held before December 31, 1928. That gives them practically two years. I think it only gives them one more municipal election in which to decide the matter.

The representation from Biddeford was not at all political. There was an insurance broker who happened to be interested in the Fire Department and a representative from the Chamber of Commerce, and one man who claimed to be a large stockholder in a business concern. There seemed to be a reasonable demand for this action in Biddeford. We are now approaching the last of the session. I cannot see any injustice to the people of Biddeford if the act is passed; they have not got to accept it. I think that the real injustice would be in compelling the proponents of the bill to come back here and the Legal Affairs Committee to have a hearing sometime next week. I think we have given this matter all the time it deserves.

Miss LAUGHLIN of Portland: Mr. Speaker, I hope the motion to recommit to the committee on Legal Affairs will not prevail. This bill, as the gentleman from Eastport (Mr. McCart) has set forth, came first to apply to the tenure of office of the Fire Department of any cities, with a provision that any city could take advantage of its terms. As the gentleman from Eastport has said, the proponents were all from Biddeford and told the conditions there. So far as it affects Biddeford, this bill is exactly the same as the original one, namely, for any city that will accept its provisions. Now it is for Biddeford, if Biddeford accepts these provisions by a vote of the people of Biddeford.

The bill was widely advertised in Biddeford, and the people there generally understood that they were going to get this measure through; and the Legal Affairs Committee spent some time, because there was a large number of the proponents there listening to it. And the arguments were largely on the merits of the tenure of office as affecting cities, particularly Biddeford, and solely for the purpose of getting rid of politics in the Fire Department, so that men would not have to be appointed members of the Fire Department

every year merely as a matter of politics, but that they should build up a Civil Service in the Fire Department. We had the insurance people come to tell us the difference it would make in the condition of the fire rates. So, in essence, the bill reported is exactly the same as the bill discussed and advertised, whether they should have tenure of office in the Fire Departments in cities, including Biddeford. I see no reason whatever for recommitment or for any rehearing. The persons interested have had every opportunity to be heard.

Mr. CYR: Mr. Speaker, my point is that that bill was not advertised as a special law. It should have been. Therefore my reason is that the people of Biddeford who were against this bill, seeing it was a general law, thought it did not have a ghost of a show to pass. I do not think it is using everybody in Biddeford right to advertise a bill as a public law and then turn it into a private law. If I cannot get it recommitment, I will make another motion by and by.

The SPEAKER pro tem: The question is on the motion of the gentleman from Waterville—

Mr. GRIFFIN of Biddeford: Mr. Speaker, I think it is a strange thing when the citizens of Biddeford appeal to the gentleman from Waterville, (Mr. Cyr) to present their case. Mr. Speaker and members of the Legislature, this is simply a piece of political chicanery whereby an attempt is being made to kill this fire bill. I am not concerned with the fact that the whole opposition to this bill has been stimulated and provided by a gentleman from Biddeford who has been present here this week. This same gentleman knew that this bill was coming up. It was widely talked of in Biddeford, and almost daily references were made in our local paper to this general bill.

Now, gentleman, an attempt is being made by recommitting it to the committee again to either kill it or, under pressure of business now as we are getting ready to close, to have it referred to the next Legislature. One of the things in this bill, gentlemen, is that we simply ask that the Fire Department and the Chief may be permanent members. As conditions are in Biddeford now, it is possible to fire the whole Department if

they don't vote right, and giving us a brand new set of men. Some new member will go to a fire and he doesn't know where the fire plugs are and they are looking around hunting for them while the property is burning.

They knew the bill was coming up; they knew it was a Biddeford measure; they knew Biddeford would accept its provisions. Where were the opponents to it? And the type of proponents are the very best type of men in our community, including a representative of the Chamber of Commerce who represented fifty merchants, the largest property owners on Main street, an insurance broker, an attorney and a banker.

Now, gentlemen, we feel it is an injustice to make those men come here again. Every one of those men were property owners. They were interested in this bill because it was going to give them a very efficient Fire Department.

I do not want to take up too much time, gentlemen, and I will simply ask you to balance the fact that the committee gave us a unanimous majority report and the fact that there is a referendum provision in this bill which provides that the people vote on it themselves. We simply ask this Legislature to give us permission to vote on this bill.

The SPEAKER pro tem: The pending question is the motion of the gentleman from Waterville, Mr. Cyr, to recommit this measure, H. D. 479, to the committee on Legal Affairs. As many as are in favor will say aye: those opposed no.

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

Thereupon Mr. Griffin offered the following amendment and moved its adoption:

House Amendment A to H. D. 476, H. P. 1219.

Is hereby amended by adding thereto the following section:

"Section 4. All acts or parts of acts inconsistent with this act are hereby repealed."

Thereupon the amendment was adopted and the bill had its third reading and was passed to be engrossed on a viva voce vote, as amended by House Amendment A.

The SPEAKER pro tem: The Chair places before the House the thirteenth unassigned matter, an act relating to the South Portland Sewerage District,

H. P. 876, H. D. 231, tabled by Mr. Anderson of South Portland, March 29, pending passage to be engrossed; and the Chair recognizes the gentleman from South Portland, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I present House Amendment A and move its adoption, as follows:

House Amendment A to House Paper 876, House Document 231. "An act relating to the South Portland Sewerage District."

Amend by adding at the end thereof the following:

Sec. 2. This act shall take effect when accepted and approved by a majority vote of the legal voters in the South Portland Sewerage District, voting at an election to be especially called and held for the purpose. Such special election shall be called by the municipal officers of the city of South Portland upon request of the trustees of the District and shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the board of registration of said city of South Portland shall not be required to prepare for posting, or the city clerk to post, a new list of voters, and for the purpose of registration of voters said board shall be in session the three secular days next preceding such election; the first two days thereof to be devoted to the registrations of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said session.

The city clerk shall reduce the subject matter of this act to the following question:

"Shall the act to increase the borrowing capacity of the South Portland Sewerage District be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No," their opinion of the same.

The result is said district shall be declared by the municipal officers of said city, and due certificate thereof filed with the city clerk.

Thereupon the amendment was adopted and the bill having had its three several readings was passed to be engrossed as amended by House Amendment A.

The SPEAKER pro tem: The Chair places before the House the fourteenth unassigned matter being House report ought to pass of the committee on Labor on bill an act to es-

tablish and maintain free employment offices, H. P. 371, H. D. 91, tabled by Mr. Piper of Jackman, March 29, pending acceptance of the report; and the Chair recognizes the gentleman from Jackman, Mr. Piper.

On motion by Mr. Piper the report was accepted, and the bill being a printed bill the rules were suspended, it received its two readings and tomorrow assigned.

The SPEAKER pro tem: The Chair places before the House the fifteenth unassigned matter being House report ought to pass in new draft of the committee on Inland Fisheries and Game on bill an act relating to smelts, H. P. 928, H. D. 272, —new draft, H. P. 1232, tabled by Mr. Hawkes of Standish, March 29, pending acceptance of the report and the Chair recognizes the gentleman from Standish, Mr. Hawkes.

On motion by Mr. Hawkes, the report ought to pass in new draft was accepted, and the bill tabled for printing under the Joint Rules.

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

The SPEAKER: Is it the pleasure of the House to take up out of order a resolve recalled from the Governor? The Chair lays before the House Senate Document 202 a resolve in favor of Wallace W. Yates of Grand Lake Stream, Washington County, and recognizes the gentleman from Portland, Mr. Rounds.

On motion by Mr. Rounds the House voted to reconsider its action whereby this resolve was finally passed; and on further motion by the same gentleman the resolve was re-committed to the committee on Claims.

Paper from the Senate, out of order. Bill an act conferring authority upon municipal officers and road commissioners to enforce the laws and the rules and regulations relating to trucks upon the highway.

Introduced into the Senate under suspension of the rules and referred to the committee on Ways and Bridges.

In the House so referred in concurrence.

The SPEAKER: The Chair lays

before the House a communication from the Governor.

March 31, 1927.

To the Honorable Senate and House of Representatives:

The Constitution provides for communications between the executive and legislative branches of the government on matters of importance to the State.

In the Legislative Record, in the course of the discussion upon a recent message to the Legislature dealing with the railroad excise tax there appeared charges of serious inaccuracies.

The Legislature is naturally and properly concerned with the correctness of any figures that are presented affecting its action upon a pending bill. It seems proper and perhaps privileged that the Legislative Record should contain the references to the official reports from which this information was supplied.

The legislative prohibition upon any questioning of the good faith of a member of the Legislature was scrupulously observed in the message from the executive and is likewise observed in this communication.

In the special message under the heading "General Revenue" the following statement was made:

"The revenues of the State for the past four years from this railroad tax have been as follows:

1923....	\$2,305,000
1924....	2,385,000
1925....	1,911,000
1926....	1,914,000"

These figures were quoted from the official returns in the office of the State auditor as they appear in the reports of the budget committee for 1925 and 1927.

Figures were read to the House of Representatives from the report of the State assessors which were stated to be the railroad taxes "collected" for these several years. These were inconsistent with the figures given by me. No such figures are to be found in the report. As a matter of fact the report of the State assessors contains no figures whatever for taxes collected.

It might be argued that the proposed measure should be compared with the existing measure upon the basis of the taxes assessed in the several years. This would have involved no question as to the accuracy of the figures that were used and is a matter that is entirely open to debate. The quoted figures, however, were not used for this purpose but were used to show a discrepancy in figures contain-

ed in the message of the chief executive to the Legislature.

The accuracy of the statement was also challenged that "the 1926 surplus of the Maine Central Railroad Company was \$1,270,000 or somewhat more than 9% upon the common stock." The term "surplus" as applied to these figures is taken from the statement of the president of the Maine Central Railroad Company as published in the Portland Press Herald on January 26, 1927, and also the statement that this constituted earnings of more than 9% upon the common stock.

Under Chapter 75 of the Public Laws of 1917, the official annual report of the Maine Central Railroad Company was required to be filed with the Public Utilities Commission on or before March 1st, 1927. This report was not filed until March 28th, 1927. This was three days after the tax reduction bill was passed. If this report had been available in the office of the Public Utilities Commission, as required by law, any member of the Legislature could very easily have verified the accuracy of my statement since on page 43 it appears that the net income of this road for 1926 was exactly as stated in my message.

All figures used in the message from the executive to the Legislature were taken from the official records, either of the railroad or the State, or from what purported to be official statements furnished by the railroad to the newspapers.

Respectfully submitted,

(Signed) RALPH O. BREWSTER,  
Governor of Maine.

(Applause)

The SPEAKER: The Chair awaits a motion.

On motion by Mr. Piper of Jackman the communication was ordered printed and placed on file.

Mr. KINSMAN of Augusta: Mr. Speaker, I move that we adjourn.

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

On motion by Mr. Lait of Old Town it was voted to take from the table H. D. 525, an act relating to the salary of the Judge and Recorder of the Bangor Municipal Court, tabled by that gentleman earlier in the day; and on further motion by the same gentleman, the bill was passed to be engrossed.

On motion by Mr. Sturgis of Au-

burn it was voted to take from the table the seventeenth unassigned matter, bill an act to increase the salary of the Register of Deeds in the county of Androscoggin, H. P. 1228, H. D. 520, tabled by that gentleman, March 30, pending assignment for third reading; and on further motion by the same gentleman tomorrow morning was assigned for its third reading.

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On motion by Mr. Chase of Cape Elizabeth, it was voted to take from the table the eighteenth unassigned matter bill an act regulating speed at intersecting ways, S. P. 397, S. D. 174, tabled by that gentleman, March 30, pending third reading; and on further motion by the same gentleman the bill had its third reading and was passed to be engrossed in concurrence.

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On motion by Mr. Fuller of Southwest Harbor it was voted to take from the table the twenty-second unassigned matter, being majority report ought not to pass and minority

report ought to pass of the committee on Legal Affairs on bill an act relating to marriage certificates, S. P. 197, S. D. 79, tabled by that gentleman, March 30, pending acceptance of either report.

Mr. FULLER: Mr. Speaker, with the consent of the member who signed the minority report, I now move that we accept the majority report in concurrence with the Senate.

The majority report was accepted in concurrence.

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On motion by Mr. Bartlett of Bangor the Messenger was instructed to reserve the seats in the House for members and their friends at the Highway Commission hearing by written order for a period of not over ten minutes after the opening of the hearings.

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On motion by Mr. Kitchen of Presque Isle,

Adjourned until nine o'clock tomorrow morning.