

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

## HOUSE

Monday, April 11, 1927.

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

Prayer by the Rev. Dr. Quinby of Augusta

Journal of the previous session read and approved.

The SPEAKER: The Chair will read at this time a letter from Auburn, Maine, addressed to the Chair. Honorable Burleigh Martin, Speaker, Augusta, Maine.

Dear Mr. Martin:

Please convey to the House of Representatives my sincere appreciation of their friendly sympathy which has been so manifest in my recent bereavement, and thank them for their beautiful floral tribute.

The evident respect in which Senator Carter was held is a source of satisfaction to me as well as a comfort, and for the friendship of the House over which you preside, I am grateful. To you personally I add my sincere thanks.

Madam Carter joins me in this expression of appreciation.

Pray believe me,

Sincerely yours,

(Signed) CLAIRE S. CARTER.

April eleventh  
1927

Papers from the Senate disposed of in concurrence.

From the Senate: Final report of the committee on Salaries and Fees. In the Senate read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Report of the committee on Appropriations and Financial Affairs reporting ought to pass on resolve on the pay roll of the Senate of the Eighty-third Legislature, S. P. 624.

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

In the House read and accepted in concurrence, and the resolve read twice under suspension of the rules and passed to be engrossed in concurrence.

The following bills were received and upon recommendation of the committee on reference of bills were referred to the committee on Appropriations and Financial Affairs. (H. P. 1309)

By Mr. Eustis of Strong: Resolve in favor of Robert B. Williamson, Clerk of the Committee on Bills in the Third Reading.

By Mr. Deering of Saco: Resolve in favor of Lena I. Robertson, typist and proof-reader for the House Reporter, for extra services required after the close of the session as to proof reading. (H. P. 1310)

## Orders

Mr. Wood of Patten presented the following order:

Ordered, the Senate concurring, that the resolve in favor of Willis Myrick of Mt. Chase, county of Penobscot, for damage done piece of oats by porcupine, House Paper 829, be recalled from the office of the Secretary of the Senate.

The order received passage and was sent up for concurrence.

Mr. Ingraham of Bangor presented the following order:

Ordered, the Senate concurring, that all joint standing committees of the Eighty-third Legislature, except the committee on Appropriations and Financial Affairs, be, and hereby are, instructed to report finally before 5 P. M. Tuesday, April 12, after which time said committees shall stand dissolved.

Mr. PIPER of Jackman: Mr. Speaker, I move that the order lie on the table.

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

The SPEAKER: A division has been requested.

Mr. CHASE of Cape Elizabeth: I rise to a parliamentary inquiry.

The SPEAKER: The gentleman may make his inquiry.

Mr. CHASE: Are these joint standing committees dissolved, and will everybody cease to be a member of a committee at the end of this session. In the event of a special session would there be new committees? The order calls for dissolution of these committees.

The SPEAKER: The Chair feels that the gentleman from Cape Elizabeth (Mr. Chase) is debating the question.

Mr. FLINT of Monson: Mr. Speaker, would it be in order to amend this order?

The SPEAKER: There is a motion before the House to table it. The Chair will suggest that if the motion to table is lost, an amendment would then be in order. A division has been requested. As many as are in favor of the motion to table the order introduced by the gentleman from Bangor, Mr. Ingraham, will rise and stand until counted and the monitors will return the count. The House is voting upon the motion that this order lie on the table.

A division being had,

Sixty-six voting in the affirmative and 22 in the negative, the motion to table prevailed.

Mr. Hale of Portland presented the following order.

Ordered, that all matters tabled and unassigned shall be taken from the table automatically each day under orders of the day.

A viva voce vote being taken the order received passage.

#### Reports of Committees

Mr. Deering, from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on bill an act relating to maintenance of the State Highway Police (H. P. No. 46) (S. D. No. 14) as the subject matter has been covered by other legislation.

Mr. Sargent, from the Committee on Legal Affairs reported same on bill an act to amend charter of City of Westbrook (H. P. No. 874) (H. D. No. 182)

Miss Laughlin from the same Committee reported same on bill an act to amend the charter of the City of Westbrook (H. P. No. 875) (H. D. No. 187)

Mr. Deering from the Committee on Appropriations and Financial Affairs reported same on Resolve to appropriate money for the maintenance of State Highway Police (H. P. No. 38) (H. D. No. 14) as the subject matter has been covered by other legislation.

Mr. Pike from the Committee on Ways and Bridges reported same on resolve in favor of the Town of Troy (H. P. No. 807)

Reports read and accepted and sent up for concurrence.

Mr. Williams from the Committee

on Salaries and Fees on bill an act relating to the salary of the Clerk of Courts of Sagadahoc County (H. P. No. 1143) reported same in a new draft (H. P. No. 1306) under same title and that it "Ought to pass"

Mr. Wyman from the same Committee on bill an act to increase the salary of the Treasurer of York County (H. P. No. 925) reported same in a new draft (H. P. No. 1307) under same title and that it "Ought to pass"

Mr. Bishop from the same Committee on bill an act to increase the salaries of the County Commissioners of York County (H. P. No. 924) reported same in a new draft (H. P. No. 1308) under same title and that it "Ought to pass"

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

Mr. Foster from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve in favor of International Bridge over St. John River, Madawaska, Maine—Edmundston, New Brunswick, for a combined Immigration and Customs Office (H. P. No. 429)

Same gentleman from same Committee reported same on Resolve on the payroll of the House of Representatives of the 83rd Legislature (H. P. No. 1291)

(On motion by Mr. Deering of Saco, the rules were suspended, the resolve received its two several readings and was passed to be engrossed.)

Same gentleman from same Committee reported same on Resolve in favor of Simon Soctomah, Representative of the Passamaquoddy Indians to the Eighty-third Legislature (H. P. No. 1292)

(On motion by Mr. Foster of Ellsworth, the rules were suspended, the resolve received its two several readings and was passed to be engrossed.)

Same gentleman from same Committee reported same on Resolve in favor of Laurence Mitchell, Representative of the Penobscot Indians to the Eighty-third Legislature (H. P. No. 1294)

(The rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

Same gentleman from same Committee reported same on Resolve in favor of the Chaplains of the House of the Eighty-third Legislature (H. P. No. 1295)

(The rules were suspended and the resolve received its two several read-

ings and was passed to be engrossed.)

**First Reading of Bills and Resolves**

(H. P. 1215) (H. D. 623) An act to regulate the hunting of wild birds in the waters of Merrymeeting Bay.

(H. P. 1305) (H. D. 627) Resolve in favor of Opportunity Farm for assistance in obtaining a supply of pure water.

(H. P. 1302) (H. D. 624) Resolve in favor of the University of Maine.

(H. P. 250) (H. D. 628) Resolve in favor of procuring testimonials for the purpose of marking the unmarked graves of the soldiers of the Revolutionary War.

**Passed to be Engrossed**

(S. P. 81) (S. D. 337) An act increasing the allowance for clerk hire in the office of the Register of Deeds in the county of Aroostook, Northern District.

(S. P. 80) (S. D. 338) An act to increase the salary of the Register of Deeds in the county of Aroostook, Northern District.

(S. P. 113) (S. D. 339) An act to increase the salary of the Register of Deeds in Franklin County.

(S. P. 158) (S. D. 340) An act to increase the salaries of the clerks in the office of the Clerk of Courts, the Register of Probate and the Register of Deeds for Sagadahoc County.

(S. P. 307) (S. D. 341) An act relating to the clerk hire in the office of the Probate Court in Knox county.

(S. P. 308) (S. D. 342) An act relative to an increase in the salary of the Judge of the Houlton Municipal Court.

(S. P. 588) (S. D. 346) An act relating to the trapping of fur-bearing animals.

(S. P. 599) (S. D. 348) An act relating to recording of instruments and conveyances.

(S. P. 591) (S. D. 349) An act relating to consent required to be given in adoption of children.

(S. P. 592) (S. D. 350) An act relating to clerk hire in the office of Register of Deeds, Southern District of Aroostook county.

(S. P. 593) (S. D. 351) An act to amend section forty of chapter one hundred seventeen of the Revised Statutes, as amended, relating to the salary of the clerks of the Supreme Judicial Court.

(S. P. 594) (S. D. 352) An act to increase the amount to be paid for clerk hire in the office of the Clerk of Courts in the county of Cumberland.

(S. P. 595) (S. D. 353) An act relating to the salary of the clerk and deputy clerk of courts in Cumberland county.

(S. P. 596) (S. D. 354) An act relating to increase in clerk hire in the office of Register of Deeds, in Franklin County.

(S. P. 597) (S. D. 355) An act relating to clerk hire in the office of Register of Probate for Franklin County.

(S. P. 598) (S. D. 356) An act relating to the salary of the Judge of Probate of Knox County.

(S. P. 601) (S. D. 359) An act to regulate camping within the limits of game preserves, or sanctuaries.

(S. P. 611) (S. D. 362) An act to ratify, affirm and make valid certain doings of the City Council of the city of Bath.

(S. P. 612) (S. D. 363) An act to render unlawful all disturbances to the reception of radio waves used for radiotelephony.

(S. P. 613) (S. D. 364) An act relating to proposed changes in freight rates.

(S. P. 614) (S. D. 565) An act relating to the use of the proceeds of bonds authorized to be issued for State highways and bridges.

(H. P. 1268) (H. D. 592) An act relating to the Mill Tax Highway Fund.

(H. P. 1108) (H. D. 611) An act relative to the War Bond Sinking Fund.

(H. P. 1107) (H. D. 612) An act relating to compensation for injuries received by State employees.

(H. P. 1286) (H. D. 613) An act for the protection of black bass in the inland waters of the State.

(H. P. 1287) (H. D. 614) An act granting the right of eminent domain to electric power companies doing a public utility business.

(H. P. 1296) (H. D. 618) An act relating to the grading of apples.

(H. P. 1298) (H. D. 620) An act to amend Section 28 of Chapter 145 of the Revised Statutes, relating to the support of insane patients.

(A viva voce vote being taken, tabled by Mr. Fuller of Southwest Harbor pending third reading.)

(H. P. 1299) (H. D. 621) An act relating to front lights on motor vehicles and tractors.

(S. P. 586) (S. D. 344) Resolve in favor of Murtagh Hughes of Bangor, to reimburse him for loss sustained

in construction of State highway at Edgecomb.

(A viva voce vote being taken, tabled by Mr. Eustis of Strong pending second reading.)

(S. P. 587) (S. D. 345) Resolve to reimburse the town of Phippsburg for expenses incurred in fighting forest fires by the State Militia.

(Tabled by Mr. Rounds of Portland pending second reading.)

(S. P. 600) (S. D. 358) Resolve providing for the construction of an International Bridge over St. John River between the town of Fort Kent, Aroostook County, and the Parish of St. Francis, Madawaska County, New Brunswick.

(S. P. 603) (S. D. 360) Resolve to pay certain deficiencies.

(H. P. 1290) (H. D. 610) Resolve to provide for the payment of interest on Kennebec Bridge bonds during the period of construction of said bridge until tolls and rentals of said bridge shall become available therefor.

(H. P. 1288) (H. D. 615) Resolve in favor of Prison Commission.

(H. P. 1297) (H. D. 619) Resolve in favor of a fish screen at the outlet of Messalonskee Lake in the town of Oakland, county of Kennebec.

(H. P. 1300) (H. D. 622) Resolve to provide for the revision of the Statutes.

(H. P. 1265) (H. D. 590) An Act relating to compensation of Judges of Probate.

#### Passed to Be Enacted

An Act to change the closed time on deer in Hancock and Washington Counties.

An Act relating to transfer from sub-division of a department appropriation to another.

An Act providing compensation for court stenographers upon retiring by reason of disability. (S. P. 554) (S. D. 315)

(A viva voce vote being taken, tabled by Mr. Douglas of Chelsea pending passage to be enacted.)

An Act to amend the Revised Statutes, relating to the employment of children.

An Act to amend Chapter 209 of the Public Laws of 1925 relative to zoning ordinances.

An Act relating to State School Fund and especially relating to

High School tuition by Non-resident students.

An Act to authorize the treasurer and county commissioners of York County to procure a loan and issue bonds of said county therefor for the purpose of erecting additions to the court house.

An Act relating to clerk hire in the office of the Register of Probate of Aroostook County.

An Act to increase the salary of the Clerk of Courts in Franklin County.

An Act relating to the salary of the Register of Probate of Franklin County.

An Act relating to the salary of the Clerk of Courts of Knox County.

An Act to increase the salary of the County Attorney of Sagadahoc County.

An act relating to the salary of the treasurer of Knox county.

An act relating to the salary of the register of deeds for Sagadahoc county.

An act relative to the abolishment of grade crossings.

An act repealing certain inheritance tax laws as to non-resident decedents.

An act creating a city planning board for the city of Rockland.

An act to create a fish and game sanctuary within the limits of property of the Dover-Foxcroft Water District, in the town of Guilford, county of Piscataquis.

An act in relation to the building and lot of land in Bangor known as Bangor State Arsenal, being public land and owned by the State.

An act relating to the tenure of office of the chief engineer and members of the fire department of the city of Biddeford.

An act to increase the salary of the register of deeds in the county of Androscoggin (H. P. 1228) (H. D. 520).

(A viva voce being taken, tabled by Mr. Wing of Auburn and specially assigned to follow 15th unassigned matter.)

An act relating to clerk hire in the office of registry of deeds, of Penobscot county (H. P. 143) (H. D. 545).

(A viva voce vote being taken, tabled by Mr. Hammond of Van Buren pending passage to be enacted.)

An act relating to clerk hire in the office of register of probate of Penobscot county (H. P. 1242) (H. D. 550).

(A viva voce vote being taken, tabled

by Mr. Hammond of Van Buren pending passage to be enacted.)

An act to provide for compensation for justices of the superior courts (H. P. 1241) (H. D. 551)

(Tabled by Mr. Deering of Saco, a viva voce vote being taken, pending passage to be enacted, and specially assigned for tomorrow morning).

An act to amend the charter of the Union Mutual Life Insurance Company as amended by Chapter 526 of the Private and Special Laws of 1889.

An act relating to the salary of the judge of probate for Oxford county.

An act relating to the compensation of judge of probate in York county.

An act to amend the charter of the Bangor Gas Light Company by an increase in its capital stock.

An act relating to the increase of the salaries of the county attorney and the assistant county attorney for the county of Cumberland.

An act relating to the salaries of the county commissioners of Franklin county.

An act relating to clerk hire in the office of the register of probate in Waldo county.

An act relating to the increase of the salary of the county attorney for York county.

An act to increase the salary of the judge of probate of Hancock county.

An act relating to clerk hire in the office of the county treasurer of Kennebec county.

An act relating to fishing in the tributaries to Upper Shin Pond and in the tributaries to Sebocis River, in the county of Penobscot.

An act relating to fly fishing in the tributaries to the South Branch and West Branch of the Penobscot River down as far as Norcross, in the county of Penobscot, and in the tributaries to the East Branch of the Penobscot River down as far as Grindstone, in the county of Penobscot, and in the tributaries to the Allagash River and in the tributaries to the St. John River down as far as St. Francis, in the county of Aroostook.

An act to establish the legal length limit of square-tailed trout and landlocked salmon in Cumberland county.

An act relative to the county commissioners of Cumberland county.

An act to prohibit hunting with dogs in the town of Verona in the county of Hancock.

An act reducing the fishing license fee for non-residents and relating to ice fishing by non-residents.

An act relating to ice fishing in

Cochnewagon Pond, in Kennebec county.

An act relating to protection of fur-bearing animals.

An Act relating to the sale and possession of jacklights or lights fitted for use in the hunting of game in the night time.

### Finally Passed

Resolve in favor of the Pownal State School for additions and improvements.

Resolve in favor of the Maine State Agricultural Society for the State stipend for 1926.

Resolve appropriating money for the compilation and publication of data concerning the resources of the State.

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 other expenses incident to the administration of the Department of Inland Fisheries and Game.

Resolve providing for a State pension for Ivanilla Nute, of Lewiston.

Resolve in favor of Mrs. Katie Jesseman of Monroe for damages.

Resolve in favor of St. Louis' Home for Boys, at West Scarboro.

Resolve in favor of Henry A. Day, of Bangor, compensating him for loss sustained in road construction upon State Highway.

Resolve in favor of Lloyd F. Sewall of Bangor.

Resolve in favor of Olmsted Brothers, landscape architects.

Resolve in favor of Forest City International Bridge over St. Croix river between the township of Forest City, Washington County, Maine, and the Parish of North Lake, York County, New Brunswick.

Resolve in favor of the Maine State Prison for maintenance and current expenses.

(A viva voce vote being taken tabled by Mr. Deering of Saco pending final passage.)

Resolve in favor of a road leading from Long Pond to Rockwood and from Tarratine to Greenville.

Resolve in favor of establishing a feeding station or rearing station for fish at, or near, Jackman, in the county of Somerset.

Resolve for the propagation and distribution of pheasants.

Resolve in favor of the construction of a fishway at Aroostook Falls, on the Aroostook river, in the Province of New Brunswick.

#### Orders of the Day

The SPEAKER: Under tabled and today assigned the Chair lays before the House an act to provide for the exportation of surplus power, S. P. 523, S. D. 259, tabled by Mr. Hale of Portland, April 7, pending passage to be enacted; and the Chair recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE: Mr. Speaker, I move that the bill be passed to be enacted.

The SPEAKER: The gentleman from Portland (Mr. Hale) moves that this bill be passed to be enacted.

Mr. WING of Auburn: Mr. Speaker, I move that the roll of the House be called.

The SPEAKER: And the gentleman from Auburn (Mr. Wing) moves that the roll of the House be called. As many as are in favor of this motion will rise and stand until counted and the monitors will return the count.

A sufficient number arose.

The SPEAKER: The question before the House is upon the motion of the gentleman from Portland, Mr. Hale, that the act to provide for the exportation of surplus power, Senate Document 259, be passed to be enacted.

Mr. HALE: Mr. Speaker, I think I should like to say to the members before we start to vote that this is the so-called Smith bill that was debated by us at length the other day.

The SPEAKER: The Clerk will call the roll and each member will answer, voting either yes or no. A vote "yes" is for the passage of the bill and a vote "no" is against the passage of the bill.

YEA—Ayer, Bishop, Bissett, Blaisdell, Burns, Carleton of Portland, Chamberlain, Chase, Church, Cole, Crockett, Cyr, Daigle, Davitt, Deakin, Decker, Deering, Dennison, Douglas, Dudley of Calais, Eustis, Farrington, Flint, Forhan, Foster, Fuller, Gillespie, Goodwin of Lebanon, Greenleaf, Hammond, Hathaway, Heath, Holbrook, Jackson, Kane of Addison, King, Kinsman, Lait, Laughlin, Leathers, Marden, McCart, McIntire, McLean, Melcher, Merrill, Metcalf, Milliken, Patterson, Pike, Piper, Powers, Rawley, Richardson, Ruggles, Sargent,

Seavey, Snow, Staples of Eliot, Staples of Waterville, Sturtevant, St. Clair, Tucker, Vail, Wheeler, White, Wing of Kingfield—67.

NAY—Allen, Anderson of New Sweden, Bailey, Bartlett, Belleau, Bisbee, Boynton, Brackett, Brewster, Briggs, Brown, Bruce, Buker, Cain of Clinton, Carleton of Winterport, Chaney, Clifford, Comins, Cowell, Crawford, Dudley of Castle Hill, Ellis, Ferguson, Folsom, Gay, Gilchrist, Goodwin of Sanford, Hale, Hamel, Harris, Hawkes, Holman, Houghton, Hughes, Ingraham, Jones, Littlefield, Lowell, MacKinnon, Maloon, Marriner, McKnight, Mears, Morrill, Nadcau, Norwood, Page, Robie of Gorham, Robie of Westbrook, Rounds, Roy, Saucier, Smith, Snowman, Stone of Bridgton, Stone of Biddeford, Storm, Sturgis, Thurston, Tripp, Varnum, Webber, Weston, Williams of Falmouth, Williams of Webster, Wing of Auburn, Winslow, Wood—68.

ABSENT—Aldrich, Anderson of South Portland, Booker, Boston, Breen, Butler, Cram, Gagne, Greene, Griffin, Kitchen, Mansfield, Morin, Pendexter, Wyman—15.

Mr. HALE: Mr. Speaker, I ask leave to change my vote from "yes" to "no."

The SPEAKER: The gentleman from Portland (Mr. Hale) asks leave of the House to change his vote. As many as are in favor of the gentleman from Portland, Mr. Hale, changing his vote from "yes" to "no" will say aye; opposed will say no.

A viva voce vote being doubted,

A division of the House was had,

More than a majority of the entire membership of the House having voted in favor thereof—eighty-three—the gentleman from Portland, Mr. Hale, was permitted to change his vote from "yes" to "no," and it was so recorded.

Sixty-seven having voted in the affirmative and sixty-eight in the negative, the bill failed of passage. (Applause)

Mr. HALE: Mr. Speaker, I hereby give notice that tomorrow morning I shall move a reconsideration of the vote.

Mr. INGRAHAM of Bangor: Mr. Speaker, I move to reconsider now the motion just taken, and I hope my motion will not prevail.

Mr. HALE: Mr. Speaker, I ask for a ruling of the Chair. Is the gentleman's motion in order?

The SPEAKER: The Chair will rule that the gentleman from Bangor, Mr. Ingraham, is in order with his motion.

Mr. HALE: Then, Mr. Speaker, I



move that on the motion for reconsideration the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Portland, Mr. Hale, moves that the motion for reconsideration be taken by yeas and nays. As many as are in favor will rise and stand until counted and the monitors will return the count.

A sufficient number arose.

Mr. HALE: Mr. Speaker, will the Chair kindly explain to the members the effect of a yes or a no vote as to whether a "yes" vote is a vote in favor of the bill, and so forth.

The SPEAKER: The Chair will state that the gentleman from Bangor, Mr. Ingraham, has moved that the House reconsider its vote, and the gentleman from Bangor stated that he hoped his motion would not prevail. A vote "yes" on the motion will be to reconsider the vote, which would be indirectly or directly in favor of the so-called Smith bill. A vote "no" would be against reconsideration and against the Smith bill, and the Chair will further state that if the motion to reconsider fails to receive a passage the bill is defeated so far as this House is concerned. Is the House ready for the question? The Clerk will call the roll.

YEA—Ayer, Bishop, Bissett, Blaisdell, Burns, Carleton of Portland, Chamberlain, Chase, Church, Cole, Crockett, Cyr, Daigle, Davitt, Deakin, Decker, Deering, Dennison, Douglas, Dudley of Calais, Eustis, Farrington, Flint, Forhan, Foster, Fuller, Gillespie, Goodwin of Lebanon, Greenleaf, Hale, Hammond, Hathaway, Heath, Holbrook, Jackson, Kane of Addison, King, Kinsman, Lait, Laughlin, Leathers, Marden, McCart, McIntire, McLean, Melcher, Merrill, Metcalf, Milliken, Patterson, Pike, Piper, Powers, Rawley, Richardson, Ruggles, Sargent, Seavey, Snow, Staples of Eliot, Staples of Waterville, Sturtevant, St. Clair, Tucker, Vail, Wheeler, White, Wing of Kingfield—68.

NAY—Allen, Anderson of New Sweden, Bailey, Bartlett, Belleau, Bisbee, Boynton, Brackett, Brewster, Briggs, Brown, Bruce, Buker, Cain of Clinton, Carleton of Winterport, Chaney, Clifford, Comins, Cowell, Crawford, Dudley of Castle Hill, Ellis, Ferguson, Folsom, Gay, Gilchrist, Goodwin of Sanford, Hamel, Harris, Hawkes, Holman, Houghton, Hughes, Ingraham, Jones, Littlefield, Lowell, MacKinnon, Maloon, Marriner, McKnight, Mears, Morrill, Nadeau, Norwood, Page, Robie of Gorham, Robie of Westbrook, Rounds, Roy, Saucier,

Smith, Snowman, Stone of Bridgton, Stone of Biddeford, Storm, Sturgis, Thurston, Tripp, Varnum, Webber, Weston, Williams of Falmouth, Williams of Webster, Wing of Auburn, Winslow, Wood—67.

ABSENT—Aldrich, Anderson of South Portland, Booker, Boston, Breen, Butler, Cram, Gagne, Greene, Griffin, Kitchen, Mansfield, Morin, Pendexter, Wyman—15.

The SPEAKER: Sixty-eight having voted in the affirmative and 67 in the negative, the motion to reconsider prevailed, and the question now before the House is upon the final passage of Senate Document 259.

Mr. ROUNDS of Portland: I move that it lie on the table, Mr. Speaker.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves that this bill lie on the table and be specially assigned for tomorrow morning. Those in favor of this motion will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Fifty-eight having voted in the affirmative and 35 in the negative the motion to table prevailed.

On motion by Mr. Hale of Portland, the House recessed until 7.30 this evening.

#### After Recess, 7:30 P. M.

The Speaker in the Chair.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, joint order—relative to investigation of the hydroelectric powers of the State of Maine, H. D. 351, tabled April 7 by Mr. Morrill pending passage; and the Chair recognizes the gentleman from Gray, Mr. Morrill:

Mr. MORRILL: Mr. Speaker and members of the House; As was demonstrated this afternoon, we are dealing with a purely business proposition. It is the selling of surplus power. I do not know what surplus power is. I do not know of anyone that does. But I think it is our duty to protect the base of supply. That is why I offered this order. Should the Smith bill fail of passage or of approval of the Governor or on referendum, we shall face the same situation in two years that we do now. And I would like to have something different, something concrete, for the House to work on; and I offer Amendment A to the order and ask the passage of the order as amended.

The SPEAKER: The gentleman

from Gray, Mr. Morrill, offers House Amendment A to House Document 351, and moves its adoption and the Clerk will read the amendment.

House Amendment A to joint order relative to investigation of the hydro-electric powers of the State of Maine, H. D. 351.

Amend by adding at the end thereof the following:

"In the event that Senate Paper 523, bill an act to provide for the exportation of surplus power, known as the Smith bill, shall be enacted by this Legislature, and thereafter is approved by the qualified voters of the State of Maine at an election called for that purpose then in such case this order shall become null and of no effect."

Mr. MORRILL: Mr. Speaker, I move the passage of the order as amended.

The SPEAKER: Is it the pleasure of the House that House Amendment A be adopted?

On motion by Mr. Piper of Jackman, a division of the House was had and thirty-four having voted in the affirmative and fifty-six in the negative, the motion that Amendment A to joint order relative to investigation of the hydro-electric powers of the State of Maine, H. D. 351, failed of passage.

The SPEAKER: The question before the House is upon the passage of House Document 351.

Mr. PIPER of Jackman: Mr. Speaker, I move the indefinite postponement of House Document 351.

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

The SPEAKER: A division is requested. As many as are in favor of the motion to indefinitely postpone House Document 351 will rise and stand until counted and the monitors will return the count.

A division being had,

Sixty-two having voted in the affirmative and 39 in the negative, the motion to indefinitely postpone House Document 351 prevailed.

Mr. HALE of Portland: Mr. Speaker, I move that we reconsider the vote just taken, and I trust that my motion will not prevail.

The SPEAKER: The gentleman from Portland, Mr. Hale, moves that the House reconsider the vote just taken to indefinitely postpone. As many as are in favor of the motion to reconsider the vote just taken to indefinitely postpone will say aye; those opposed no.

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

The SPEAKER: The Chair lays before the House Senate Document 6, an act to amend the charters of all corporations making, generating, selling, distributing and supplying electricity, tabled on April 7 by Mr. Hale of Portland, pending passage to be enacted; and the Chair recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE: Mr. Speaker and members of the House: The House will know that no one may rise to discuss this bill without reluctance and sadness. The author of this measure and its sponsor in this Legislature was beloved and his memory is beloved beyond the lot of common man. In no mean and in no perfunctory sense he was a friend of mine. I was indebted to him—I shall never forget that I have been indebted to him for a thousand kindnesses. Differing from him profoundly in many public questions, no shadow ever came over our friendship; there was never any loss of cordiality in our relationship. For his devotion to what he deemed to be the right, he gave, I believe, his life.

Were it necessary to enact any legislation to preserve and keep fragrant the name of Charles B. Carter, I should be eager to sponsor that legislation. But the late Senator from Androscoggin was not a man who asked to have support for his measures from any motives of sympathy or kindness. He sought for the measures which he advocated support upon their merits or no support at all; and were he present tonight, I know he would be the first to say 'consider this matter as a measure, dispassionately and impersonally, with no thought of my feelings and my wishes.'

Mr. Speaker, to preface what I am about to say, I move the indefinite postponement of Senate Document 6. I have found in two trips which I have made to my own constituency—my own people—since these power measures were first proposed to this House a week ago last Friday, that people are puzzled to understand why it is necessary for this Legislature to pass four measures regarding water power, and many people have asked me, and I have been embarrassed to answer because I

cannot, for the life of me, see. Of course from my point of view the Smith bill, so-called, is the only bill which offers to the State and the people of the State anything constructive. The present measure is destructive and reactional. I said, in discussing the Smith bill, that I should not bore or trouble the House with any technical discussion as to constitutionality of the so-called Fernald Law. I do not wish to do that tonight. But one thing is absolutely certain, either the Fernald Law is constitutional or it is unconstitutional. And I submit to this House that if this bill, the purpose of which is to out-Fernald the Fernald Law, if the Fernald Law is constitutional, this bill is superfluous. If the Fernald Law is unconstitutional, then I say that this bill which attempts to do by indirection what the Fernald Law attempted to do directly, this bill is unconstitutional also. But, as I say, this bill out-Fernalds the Fernald Law and produces an effect which I want to discuss with some fullness.

Now let me give a resume of the provisions of this measure: I say it is retroactive—it is frankly retroactive. It starts out "each and every act of the Legislature passed since March 17th, 1831, incorporating any corporation for the purpose of making, generating, selling, distributing and supplying electricity is hereby amended and altered, and the express condition of limitation, that each and every such corporation so incorporated is expressly limited in its corporate powers as to the transmission of electricity to an area entirely within the boundaries of the State of Maine, is hereby enacted and made a part, limitation and condition of each and every such act, and each and every provision of each and every act of the Legislature inconsistent herewith is hereby repealed, and that each and every corporation hereafter incorporated for the above purposes shall be subject to the same conditions of limitation and restriction as hereinbefore set forth."

Now that means this, ladies and gentlemen: It means that what the Legislature of the State of Maine said to a corporation in 1890 or 1880 or 1870 or 1840 or 1832 is

changed. We say to these corporations "The promise we made you back there is not any good; we have got the right, as in the Dartmouth College case, to take that back and now we are taking it back. And the powers you have enjoyed you cannot enjoy any longer." And I say that if that legislation is constitutional, it is unjust. In so far as it was intended to be an inhibition on the export of water power, the Fernald Law did it fairly and squarely—I mean in so far as those who advocated the Fernald Law. As far as it seemed wise to go, they went. So that, in so far as this duplicates or attempts to fortify the Fernald Law, it is, as I say, either superfluous or unconstitutional. And, in either event, I cannot justify this Legislature in giving passage to such a measure.

Now the Fernald Law contains two provisions which are of the utmost importance and which have not been discussed before, and of course when we were considering these matters a week ago last Friday, these two bills received virtually no consideration.

I am about to read from the Fernald Law: "Nothing in this section, however, shall prevent any railroad corporation doing business in this State from transmitting electric current, however generated, beyond the confines of the State for the purpose of operating its road between some point in this State and any point or points beyond its confines." That meant, Mr. Speaker, that those who passed the Fernald Law in this State recognized the possibility that the Mountain Division of the Maine Central Railroad or the Boston and Maine Railroad between Portland and Portsmouth, or some other railroad in this State might wish to electrify its lines; and those who passed the Fernald Law conceived it to be proper that they might electrify their lines. If you pass the Carter bill, you make such a contingency absolutely impossible. You prevent a change in a railroad system which I think everybody admits would be desirable. And, as many members of the House now know, the Maine Central Railroad has already under consideration a project for electrification of at least a part of its lines. If you pass this

bill, that project must be abandoned, at least in so far as it might apply to any interstate lines.

More important still is the second section of the Fernald Law: "Nor shall this section (meaning the Fernald Law) apply to any corporation engaged on the third day of July, 1909, in conveying or transmitting electric current beyond the confines of this State, or chartered or empowered so to do, nor affect or impair any contract then existing for the transmission of electric current beyond the confines of this State." The people who passed the Fernald Law had no intention of passing a retroactive law. Senate Document 6 is a retroactive law.

Now let me illustrate how this works in a case that has been called to my attention in the past few days, the case of the Brown Corporation. That is a very large corporation engaged in the manufacture of pulp and paper. It is run by Maine men. It is financed largely on Maine capital. Its stock and securities are held largely by Maine people and by Maine banks. That corporation owns mills in the towns of Berlin, New Hampshire, and Shelburne, New Hampshire. Nearby, in the town of Gilead, Maine, it owns an undeveloped water power site. The mills were in existence before 1909. The undeveloped water power site, of course, was in existence before 1909. It was owned by the Brown Company or its predecessor corporation, the Berlin Mills Company, before 1909. In 1909 the Brown Corporation or its predecessor corporation had the right to ship power from Gilead, Maine, to run its mills in New Hampshire, which were only about ten miles away. It had that right prior to 1909. The right was reserved to it in the Fernald act. It is a right that exists in substance today, and no one denies it. If you pass Senate Document 6, you confiscate a valuable property right of that corporation.

I would like to know any legislative principle or any ethical principle by which this Legislature or any other Legislature can justify such an act of confiscation. I, myself, am not willing to sit here passively and be a party to it. And I hope the House will join with me in supporting my motion for the indefinite postponement.

Mr. ALDRICH of Topsham: Mr. Speaker, as the gentleman just pre-

ceding me has said, it is with very decided diffidence that anyone would rise to speak on this and on the next measure, especially to speak in opposition to it. And in addition to what the gentleman from Portland, Mr. Hale, has said, I should like to leave with you just one clause, which, so far as I recall, has not been mentioned in connection with these pending measures. It seems to be quite generally agreed that the constitutionality of the Fernald Law is a matter of very grave doubt. And I submit if that be so, the probable explanation for the general observance which has been given, and increasingly in recent days has been given to the Fernald Law, lies in the fact that the Fernald Law represents an established policy of this state which is, I had almost said, of some antiquity. That word is scarcely appropriate but will possibly convey to you the idea I have.

Now with respect to the Mill Act about which we have heard so much, our courts, in considering it, refused to question the constitutionality of it. Why? Because they say it has obtained so long—because of its antiquity it has become a part of our law which must be recognized. While the same is not true to the same extent of the Fernald Law, it is my judgment that one great reason today why the Fernald Law will confer the protection which it was intended to confer lies in the fact that anyone, any corporation, would hesitate for a long time before questioning its constitutionality. And I believe that that will be so whether you pass the Smith bill or do not pass the Smith bill.

But if Senate Document 6 and the succeeding measures are to be passed—and so far as I can see what my brother from Portland has said strikes me as being quite correct, that Senate Document 6 is intended to out-Fernald the Fernald Law, in other words, is intended to strengthen the Fernald Law—I submit to you that if we passed Senate Document 6 there would be no reason why anyone, any corporation which is affected by it, would have the slightest hesitancy in attacking the legality of that measure. Why? Because it is a new act. There is no antiquity attaching to that. And you and I are perfectly justified at any time when new legislation is put upon the books, if we feel that it

unjustly affects us, and no one will criticise you or me, if we start litigation for the purpose of testing its validity. And what I fear and believe will result—of course I have no idea what may happen to the Smith bill—but what I fear is that if these Senate Documents (6 and the next one) are passed, there will be conferred—assuming that it is still the desire of this State to continue the policy represented by the Fernald Law—it is my judgment that if we pass these two measures, you give any corporation which feels today that it does not desire to comply with the principle of the Fernald Law the opportunity of indirectly testing the validity of that law without arousing any resentment whatsoever.

I submit to you that I believe any corporation in the State of Maine would, at this late day, hesitate seriously about going into Court to attack the Fernald Law, because the Fernald Law of course does not represent the only means you have for controlling your Maine corporations. You will recall that about a week ago our friend from Auburn spoke in favor of, and succeeded in inducing you to pass, an act which placed a franchise tax on these corporations. What do you think would happen if it continues to be the established policy of the State of Maine to abide by and insist upon the Fernald Law—what would happen to any Maine corporation that went into Court at this late day and attacked it? I do not think there is any slightest doubt that that corporation would feel that lash of some measure of reprisal which would make it an unprofitable proceeding.

But if you pass Senate Document 6, there is no reason why any corporation, if it so desires, cannot, with perfect propriety, attack that law, and in attacking that law, indirectly attack or bring before the court the Fernald Law, and thus by indirection succeed in doing what I believe it would not dare to do by direction. So, from that standpoint, in my judgment, assuming, as these bills do assume that the Fernald Law is to continue to be the policy of the state of Maine, it is my solemn judgment that if we enact them, we will weaken the Fernald Law rather than strengthen it.

For that reason, in addition to the reasons advanced by the gentleman from Portland, (Mr. Hale), but

especially for that reason, I am in favor of the gentleman's motion.

Mr. WING of Auburn: Mr. Speaker, a few words as to why I speak in support of this measure. It strikes me that we are talking about simple things in rather an abstruse way; that we have lost sight of certain fundamentals in our eagerness to protect what are called business interests. I suppose that the State of Maine is a sovereign State, a member of a union of sovereign states. Now it may be that you say to me that States' rights were decided in the war between the States; but the fact remains that in everything not conceded to the Federal Government, the State of Maine is yet supreme, supreme within its own domain. I believe that it has never been decided but what a sovereign state had a right to protect the property of its citizens and to preserve the natural resources for the benefit of its citizens. Else why do we have churches and schools? Why do we encourage agriculture? Why do we have a Mill Act? Why do we have other things of a similar kind and character, if it is not to protect the citizen in the use of the natural resources of the State, for the benefit of the people in the State?

I doubt if the Supreme Court has ever held that a State has not the right to protect its natural resources by legislation of different kinds and characters. If it be said to me that the natural gas cases are contrary to this, I answer that in the natural gas cases the gas was omitted to commerce between the States over a period of years, and an exact opposite condition obtained from what obtains in Maine with reference to our hydro-electricity. In other words, since 1909 we have pursued a policy of the non-transportation of hydro-electric power. In other words, we have said to the world that the hydro-electric power which comes from the waters of Maine is for the citizens of Maine and their comfort and their use and their own development of their own wealth. In the natural gas cases just the opposite obtained, as I say. They shipped the gas out of one State into another and people were accustomed, and had a right, to say that they should have the gas. But we in Maine have never shipped the electricity out of the State. And the states of New Hampshire, Massachusetts or Rhode Island cannot say that they have the right to have the electricity of Maine, because we have not been shipping it to

them right along, and because they have never had it.

Now I say we are talking about simple things in abstruse terms. We say that it is wrong, or it has been said to me that it is wrong, to say to a corporation, "You can do thus or so," and then later say "You cannot." Now that is not quite true. It is in that untruth, as I may say, that the philosophy of this bill consists. And the principle is a very simple one. It is whether the State of Maine shall take possession of a public service corporation, serving the public, using the public, living out of the public, and say to that public corporation "you shall do thus and so and no more." This bill separates the transmission of electricity from the generation of electricity. And that is a matter which has been very much discussed.

To come back to principles which I am about to state to you, the Constitution of the State of Maine says this: "Corporations shall be formed under general laws and shall not be created by special acts of the Legislature, except for municipal purposes, and in cases where the objects of the corporation cannot otherwise be attained; and, however formed, they shall forever be subject to the general laws of the State.

Now that has been the law since Maine was a State. That is a part of our law. That is fundamental, that every person who takes a charter takes it with that provision in it, subject to it. It is known when it takes the charter that it is subject to the general laws of the State. As a result of the Dartmouth College case, to which my brother Hale has referred, there was passed a statute which says this: That acts of incorporation passed since March 17, 1831, may be amended, altered or repealed by the Legislature as if express provision therefor was made in them, unless they contain a special provision but this section shall not deprive the courts of any powers which they shall have at common law over a corporation or its officers.

Now if you say to me that a corporation comes here and says "We have invested money and you must not touch us because we come to the Legislature and tell how much money we have spent and what we propose to do"—if you say to me that they did not know that that was in the law and that they were taking their charter subject to that right, I should say they were foolish. This statute has

been so long on the books that men of the corporate persuasion think it is of such long antiquity that it ought not to be used. Now, if you believe, if you think that the natural resources of the State of Maine, of the sovereign State of Maine, are worth being saved to the citizens of Maine, you need have no hesitation about this bill. If you think they are for exploitation, if they are to be turned into the unearned increment and sent broadcast, if that is what you think Maine water power is for, then, gentlemen, vote for the bill. But if you wish to vote for a piece of legislation which serves notice on the public service corporation that the law and the constitution and the statutes mean something, you cannot vote for this bill. It might be just as well that these men of the corporate persuasion find out where they are, at one time as at another. It might be very comfortable for succeeding Legislatures and their members if they found that out.

Now this statute does not repeal the Fernald Law. It does not out-Fernald the Fernald Law. It constitutes a new and definite principle of the law. The Smith bill, on the other hand, is an insidious repeal of the Fernald Law. It does indirectly what its sponsors were not manly enough to do directly. If its sponsors had come before this Legislature and said "Let us repeal the Fernald Law", you and I and every person within the sound of my voice would know what it meant. Instead of that, they get up a scheme that combines some of this law in that it separates generation from transmission. They throw out a bribe of rural electrification of the State, and get another kind of arrangement with the permitter and permittee, and commit the whole transaction to the control of the Federal government, because Congress has the right to control commerce. The States gave that to it, but the States did not give Congress or the Federal Government the right to regulate corporations.

And that is just where the point is, that if you wish to regulate corporations and save your hydro-electricity from the grasp of the regulating hands of the Federal government, which ruined the railroads of this country, and their credit, here is your opportunity. But if you wish to commit all the hydro-electricity, all this great de-

velopment of it, if you wish to commit it to the tender mercies of a bureau in Washington, it is your privilege so to do. And if I happen to differ with you, it is my privilege so to differ. But I do not want to be regulated in everything that I do, from Washington. I have seen the railroads regulated to the extent that their credit is gone. I have seen about everything regulated. Schools are the last thing they tried to regulate from Washington. But I do not want the hydro-electric development of my State regulated from Washington. You can either take one or the other. You can take Federal regulations by the avenue of the Smith bill or you can take State regulation by the avenue of regulating the charters of these corporations. If you say to me that that will hurt business, I doubt it, because any sound lawyer knows these things. It is not reactionary to use the law that you have to protect your inheritance. Capital is scared always. Capital is said to be timid. Capital always wants special privilege. It wanted it even in the days of 1909 when I, in this State House, voted for the Fernald Law.

Now I do not intend to weary you. We want to finish this Legislature, close this session, and go home. We want to do what is right. I know you desire to do what is fair; and you are to choose whether or not you will regulate hydro-electricity by the avenue of these corporations which you have the right to do, under the Constitution and the statute, or whether you will permit the entire development to the tragedy of Federal regulation. I hope the House will pass this bill back to the Senate, from whence it came. I hope that the Senate will have the chance to vote on this bill along with the House, and I hope we may give it a passage. I oppose the motion of the gentleman and hope it will not prevail. (Applause)

Mr. HALE of Portland: Mr. Speaker, I want to take time very briefly to answer one or two things which my friend from Auburn (Mr. Wing) has said. He has postulated his whole argument about public service corporations serving the public. I never said "boo" about any public service corporation except as I spoke of the railroads. I was talking about the Brown Corporation which is run by men in my town and which is not

a public service corporation any more than my friend from Auburn is a public service corporation or any more than I am. Those people bought a mill in New Hampshire and they bought a power site in Maine. They bought it to use together. And why do we legislate away from them the right which they had before the Fernald Law and which the Fernald Law saves to them and which exists to them today? I would like to ask the gentleman from Auburn to tell me why that right is not confiscatory. I do not care about whether it is constitutional or not or what the Supreme Court of the United States is going to say. Is it sensible, just and sane and is it fair? My friend talks about men of the corporate persuasion. My heavens! I thought any three individuals of this State had a right to form a corporation. Are not the rights of corporations just as great as the rights of individuals? I thought the day had gone by when you could wave your arms around and talk about corporations and expect to see the people beneath your soap box shout "rah, rah, rah!" (Applause). I am a man of the corporate persuasion and so is my friend from Auburn, Mr. Wing. I have sat beside him on the committee year after year. I have seen him prick up his ears at any suggestion of retroactive legislation. I have heard him protect corporate rights, but now he is here talking to you about men of the corporate persuasion. Let us be as fair to corporations as we are to individuals. There is no question of Federal control about the Brown Company. They own this power site; they own the mill; they are not selling power; they are using it for their own mill, just as I am using this lead pencil. Why shouldn't they? (Applause)

The SPEAKER: The question before the House is upon the motion of the gentleman from Portland, Mr. Hale, that Senate Document No. 6 be indefinitely postponed.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, may I ask that when the vote is taken it be taken by the yeas and nays?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that when the vote is taken, it be taken by the yeas and nays. As many as are in favor will rise

and stand until counted and the monitors will return the count.

A sufficient number arose.

The SPEAKER: The question before the House is upon the indefinite postponement of Senate Document No. 6. Each member will answer "yes" or "no" when his or her name is called. A vote "yes" is in favor of the motion to indefinitely postpone and a vote "no" is against it.

YEA—Aldrich, Anderson, New Sweden; Ayer, Bissett, Blaisdell, Booker, Burns, Carleton, Portland; Chamberlain, Chase, Church, Clifford, Crockett, Cyr, Daigle, Davitt, Deakin, Decker, Deering, Dennison, Douglas, Dudley, Calais; Dudley, Castle Hill; Eustis, Farrington, Flint, Forhan, Foster, Fuller, Gillespie, Goodwin, Lebanon; Greenleaf, Hale, Hammond, Hathaway, Hawkes, Heath, Holbrook, Hughes, Jackson, King, Kinsman, Lait, Laughlin, Leathers, Marden, McIntire, Melcher, Merrill, Metcalf, Milliken, Pike, Piper, Powers, Rawley, Richardson, Roy, Ruggles, Sargent, Seavey, Snow, Snowman, Staples, Elliot; Staples, Waterville; Sturtevant, St. Clair, Tucker, Vail, Wheeler, White.

NAY—Allen, Anderson, South Portland; Bailey, Bartlett, Belleau, Bisbee, Boynton, Brackett, Brewster, Briggs, Brown, Bruce, Buker, Cain, Clinton; Carleton, Winterport; Chaney, Cole, Comins, Cowell, Crawford, Ellis, Ferguson, Folsom, Gay, Gilchrest, Goodwin, Sanford; Harris, Holman, Ingraham, Jones, Littlefield, Lowell, MacKinnon, Maloon, Marriner, McKnight, Mears, Morrill, Norwood, Page, Patterson, Robie, Gorham; Robie, Westbrook; Rounds, Smith, Stone, Bridgton; Stone, Biddeford; Storm, Sturgis, Thurston, Tripp, Varnum, Webber, Weston, Williams, Falmouth; Williams, Webster; Wing, Auburn; Wing, Kingfield; Winslow.

ABSENT—Bishop, Boston, Breen, Butler, Cram, Gagne, Greene, Griffin, Hamel, Houghton, Kane, Addison, Kitchen, Mansfield, McCart, McLean, Morin, Nadeau, Pendexter, Saucier, Wood, Wyman.

Yes—70.

No—59.

Absent—21

Mr. ROY of Lewiston: Mr. Speaker, I wish to change my "no" to "yes."

Mr. WING of Auburn: Mr. Speaker, I noticed a certain movement of the gentleman. It is my understanding that while the roll call is being taken, no member can leave his seat.

The SPEAKER: The gentleman is correct.

Mr. ROY: Mr. Speaker, I got up to attract the attention of the Chair. No one came near me and no one

induced me to say yes. The Chair was busy so I sat down.

The SPEAKER: The gentleman from Lewiston, Mr. Roy, asks leave to have his vote changed from "no" to "yes."

On motion by Mr. Wing of Auburn, the House voted to grant the gentleman from Lewiston, Mr. Roy, that privilege.

Seventy having voted in the affirmative and 59 in the negative, the motion to indefinitely postpone prevailed.

Mr. HALE of Portland: Mr. Speaker, I move that the vote be reconsidered, and I hope my motion will not prevail.

Mr. WING of Auburn: Mr. Speaker, I move that the matter be made plain to the gentleman from Lewiston.

The SPEAKER: The gentleman is out of order. The question before the House is upon the motion of the gentleman from Portland, Mr. Hale, that the House reconsider its action whereby it just voted to indefinitely postpone Senate Document No. 6. As many as are in favor—

Mr. WING: Will the Chair state the effect of the motion?

The SPEAKER: The Chair will state that the effect of the motion, if carried, is to again put before the House Senate Document No. 6. If not carried it means that Senate Document No. 6 is defeated. Is the House ready for the question?

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

The SPEAKER: The Chair lays before the House Senate Document 261, an act to amend the charter of Maine corporations incorporated for transmission of electricity and to limit the rights of foreign corporations authorized to do business in Maine for similar purposes, tabled by Mr. Hale of Portland, April 7, pending passage to be enacted; and the Chair recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE: Mr. Speaker, this is a companion measure to Senate Document 6, and should, I think, accompany its companion. Insofar as this measure contains anything which is actually of merit from the legislative standpoint, its desirable features are embodied in the Smith bill. I can see no justification or



value in the passage of this measure, and I move its indefinite postponement.

Mr. WING of Auburn: Mr. Speaker, I rise to support the motion of the gentleman from Portland, Mr. Hale. This measure, if Senate 6 had passed, would have been necessary. Inasmuch as the House has not passed Senate 6, I am quite content that the motion prevail.

The SPEAKER: The question before the House is upon the motion of the gentleman from Portland, Mr. Hale, that Senate Document 261 be indefinitely postponed. As many as are in favor of this motion will say aye; those opposed no.

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

The SPEAKER: The Chair lays before the House Senate Document 262, an act to create a commission to investigate and to negotiate a compact regarding water power and electricity in New England, tabled by the gentleman from Portland, Mr. Hale, April 7, pending passage to be enacted; and the Chair recognizes the gentleman from Portland.

Mr. HALE: Mr. Speaker, I have never been in favor of this measure, and I am not in favor of it now. I am not going to take up time in discussing it because it was fully discussed the other day and we had a roll call on it, and I am not going to try to reverse that verdict. Before the session this afternoon my friend, the Senator from Cumberland, Senator Oakes, handed me an amendment which he wished to have made to this bill in the House, and for the purpose of offering the amendment which I think is pleasing to the friends of the bill—certainly pleasing to its sponsor—I move that the rules be suspended and that we reconsider the vote whereby we passed this bill to be engrossed. If that motion prevails I will offer the amendment.

Thereupon, on motion by Mr. Hale, the rules were suspended and the House voted to reconsider its action whereby this bill was passed to be engrossed.

Mr. HALE: I now offer House Amendment A to Senate Document 262, and move its adoption:

House Amendment A to Senate Document No. 262, an act to create a commission to negotiate a treaty regarding water power and electricity in New England.

Amend in the fifth line thereof by striking out the words "to be constituted by the Legislatures thereof"

Thereupon, a viva voce vote being taken, House Amendment A was adopted and the bill having had its three several readings was passed to be engrossed as amended.

Mr. HALE: Mr. Speaker, I further suggest, if in order, that if matters can be expedited by getting this measure to the Senate before it adjourns today—

The SPEAKER: The Chair will state that it is advised that the Senate has adjourned.

Mr. PAGE of Skowhegan: Mr. Speaker, I move that Senate Document 262 be indefinitely postponed.

Mr. ALDRICH: Mr. Speaker, I will not take more than two minutes of the members' time in supporting this motion. I simply want to call attention to the fact that so far as I know this compact proposition has never before been entered into between any states except where there was a matter of common interest about which there might be, or had been, dispute; and in order to avoid such dispute it became desirable to reach an agreement. I wish to call your attention to the fact that there is no New England state that I know of that has anything to offer the State of Maine should we enter into the compact. A compact contemplates an agreement—a contract. Maine has the water power. Neither Massachusetts, New Hampshire, Connecticut, nor any of the rest of them, have anything to offer Maine so far as I know; and if you were here and heard Professor Frankfurter when he addressed, not this body, but an audience, upon this very subject, you will recall that he practically said that he realized that such a proposal as we have here would be an interesting experiment which he hoped Maine would undertake. That is, all you would be doing would be experimenting, and I have very grave fears that before you get any agreement with these other states which have nothing to offer you, you will give a great deal. For that reason only, as they have nothing to give us in return for what we would give them, I am opposed to this bill.

Mr. HOLMAN of Bangor: Mr. Speaker, it is not my purpose to take any time of the House this evening. I feel, however, that the other states of New England have much to offer the State of Maine by providing for us a market for any surplus that we may have and may desire to transmit to other states. I am simply rising at this time, Mr. Speaker, to ask that we have a roll call on this matter.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I too, will be very brief. A compact between the states, to be approved by each and all of them and by the Federal government is a long and rocky road; and if there is no hope in the minds of the great majority of this House that such a compact can be effected, and effected promptly, I think that we are only wasting time, and that we may waste as much money by passing a bill which now provides for an appropriation of twenty thousand dollars a year to accomplish a thing which very few of us believe can be accomplished within a great many years.

The SPEAKER: A yea and nay vote has been requested by the gentleman from Bangor, Mr. Holman. As many as are in favor of the vote so being taken will rise and stand until counted and the monitors will return the count.

A sufficient number arose.

The SPEAKER: The question before the House is upon the motion of the gentleman from Skowhegan, Mr. Page, that Senate Document 262 be indefinitely postponed. The Clerk will call the roll and each member will answer yes or no as his or her name is called. A vote yes is in favor of the motion; a vote no is against it.

YE—Aldrich, Allen, Anderson, New Sweden; Anderson, South Portland; Ayer, Bailey, Bartlett, Belleau, Bisbee, Bissett, Boynton, Brackett, Briggs, Bruce, Burns, Cain, Clinton; Carleton, Portland; Chamberlain, Chase, Clifford, Cowell, Crawford, Crockett, Cyr, Daigle, Davitt, Deakin, Decker, Deering, Dennison, Douglas, Dudley, Castle Hill; Ellis, Eustis, Farrington, Folsom, Forhan, Foster, Fuller, Gillespie, Goodwin, Lebanon; Greenleaf, Hale, Hammond, Hathaway, Hawkes, Heath, Holbrook, Hughes, Ingraham, King, Kinsman, Laughlin, Leathers, Littlefield, Lowell, Maloon, Marden, McIntire, Melcher, Merrill, Metcalf, Milliken, Morrill, Norwood, Page, Pike, Rawley, Richardson, Roy, Ruggles, Scavey, Snow, Staples, Eliot; Staples, Waterville; Sturtevant, St. Clair, Tucker, Vail, Wheeler, Williams, Falmouth; Williams, Webster.

NA—Blaisdell, Booker, Brewster,

Brown, Buker, Carleton, Winterport; Chaney, Church, Cole, Comins, Dudley, Calais; Ferguson, Flint, Gay, Gilchrist, Goodwin, Sanford; Harris, Holman, Jackson, Jones, MacKinnon, Mariner, McKnight, Mears, Patterson, Piper, Powers, Robie, Gorham; Robie, Westbrook; Rounds, Sargent, Smith, Snowman, Stone, Bridgton; Stone, Biddeford; Storm, Sturgis, Thurston, Tripp, Varnum, Webber, Weston, White, Wing, Auburn; Wing, Kingfield; Winslow.

ABSENT—Bishop, Boston, Breen, Butler, Cram, Gagne, Greene, Griffin, Hamel, Houghton, Kane, Addison; Kitchen, Lait, Mansfield, McCart, McLean, Morin, Nadeau, Pendexter, Saucier, Wood, Wyman.

Yes—82.

No—46.

Absent—22.

The SPEAKER: Eighty-two having voted in the affirmative and 46 in the negative, the motion to indefinitely postpone prevails.

Mr. PAGE of Skowhegan: Mr. Speaker, I now move that we reconsider the vote just taken whereby we voted to indefinitely postpone, and I hope my motion will not prevail.

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

(At this point Mr. Deering of Saco assumed the Chair amid the applause of the House)

The SPEAKER pro tem: The Chair lays before the House Report "A" of the Committee on Judiciary reporting "Ought not to pass" on bill an act to create a Board of Boiler Inspection within the Department of Labor and Industry (S. P. 410—S. D. 200) and

Report "B" of the same Committee on same bill reporting same in a new draft (S. P. 552—S. D. 343) under title of an act to provide for the safety of life and property and to create a board of boiler rules which shall formulate rules and regulations for the safe construction, use and operation of steam boilers; to provide for the enforcement of the rules and regulations of the board of boiler rules; to provide for the inspection of steam boilers and the fees to be charged therefor; and to provide a penalty for the violation of the provisions of this Act and that it "Ought to pass." Tabled by Mr. Bartlett of Bangor, April 8, pending acceptance of either report; and the Chair recognizes the gentleman from Bangor, Mr. Bartlett.

Mr. BARTLETT: Mr. Speaker; now that the waters have flowed quietly through their natural channel to the sea, and there being no further use so

far as I can see for boilers, I move the acceptance of Report A and yield the floor.

Mr. ROBIE of Westbrook: Mr. Speaker, I hope that the motion of the gentleman from Bangor, Mr. Bartlett, will prevail for I think that this bill is imposing more or less of a hardship on the people of the State. I think the matter can be gotten at in a much more simple way than the way it is now and I hope that the motion will prevail.

Mr. STAPLES of Waterville: Mr. Speaker, I do not want to take much time but I think if you understood this bill you would look at it a little differently. The gentleman (Mr. Robie of Westbrook) has said that it imposes a hardship on the people who operate boilers. I do not know exactly the number of boilers there are in this State, but there are 550 boilers needing inspection that are not insured. This bill does not call for the inspection of insured boilers. All it calls for is inspection of boilers not insured. We need some protection for the men who run these boilers and the men who work around them. In Massachusetts they have a boiler inspection law, and there the men who run them are inspected. Here we have neither. If we had a law that made men who run these boilers pass examinations we would be getting somewhere; but if you could see the boilers around here in Maine that are being used that have been condemned in Massachusetts and brought down here for Maine men to run, it would scare you.

They say that no accidents happen. Accidents have happened in this State and there is a record of them. I cannot see why a boiler that is set on a bed should not be inspected as much as one that is on wheels. A locomotive boiler has to be inspected. I think in 1910 the Federal law was enacted for the inspection of boilers and in five years' time the fatal accidents were reduced 31 per cent by such inspection. Inspection not only protects the men running them but it protects the owners. I think it is a just law and should be passed.

Mr. VARNUM of Westbrook: Mr. Speaker, I do not wish to take up the time of the House, but I would like to point out some inconsistencies in the bill. On Page 5 of the bill, section 6, starting with line nine "The State Boiler Inspector shall have no jurisdiction over a boiler insured by

any company authorized to sell boiler insurance in the State of Maine." On the next page, section 7, "in the performance of his duties the State Boiler Inspector is authorized to condemn any boiler within his jurisdiction," if he hasn't got any authority, how is he going to condemn? He cannot. On Page seven in line 9, "such inspection certificate shall be valid for not more than sixteen months from the date of inspection." And further down "no inspection certificate issued by a special inspector shall be valid for more than six months after the boiler for which it was issued shall cease to be insured by the insurance company by which the inspection was made." There is an inconsistency there. The insurance companies do not think a boiler is safe unless it is inspected at least once in six months, and sometimes oftener. There is a chance there for a boiler to go sixteen months. I leave it to you whether that is safe. The insurance companies do not think it is. Therefore, I hope that the motion of the gentleman from Bangor, Mr. Bartlett, to accept report A will prevail.

Mr. CYR of Waterville: Mr. Speaker, I dislike to disagree with my friend from Waterville (Mr. Staples) but when you create a new commission to inspect boilers, you are spending some more money in the State of Maine for which I do not believe there is any call. I have run boilers on my jobs and I think I know about them. I never have had any accident and I have run them for the last twenty years. I think if there is anything to be done, it should not be a commission to inspect boilers, but rather a commission to inspect the men who run the boilers. The boiler is always fitted with a safety plug, and if you have got plenty of water and men competent to run the boilers, there is no danger whatever of explosion. And I will say no more because I do not wish to keep this House any longer. I hope the motion of the gentleman from Bangor (Mr. Bartlett) will prevail.

Mr. PATTERSON of Castine: Mr. Speaker, as one of the members of the Judiciary committee who signed report B, which is ought to pass in new draft, I simply want to go on record as hoping that the motion of my friend from Bangor, Mr. Bartlett, will not prevail. This act is entitled—it is a very long title and I will not attempt to read it all. It

begins "An act to provide for the safety of life and property."—The Commissioner of Labor, whom I presume is familiar not only with his duties but with boilers in this State came before the committee and said there are a great number of boilers—I think the gentleman from Waterville, Mr. Staples, has said 350—but anyway a great number of boilers that were brought into this State from Massachusetts where they have been condemned; that they have been brought into Maine, painted over, set up and were being operated in Maine today—boilers that have been condemned by states having a proper law. I say that that constitutes a duty when human life is at stake and one human life is worth more than the amount called for under this bill, in my humble opinion. I simply want to read section five as some members of the House perhaps have not read the bill: "This act shall not apply to boilers in marine or railroad service which are under the inspection regulations of the United States government; or to boilers used solely for propelling motor vehicles; or to boilers of steam fire engines brought into the State for temporary use in times of emergency to check conflagration; or to portable boilers used for agricultural purposes only; or to low pressure boilers which carry pressures not exceeding fifteen pounds per square inch other than those located in public buildings."

I believe, gentlemen and ladies of this House, that any bill that serves to protect human life is a good bill and it does not make any difference if you say that no accident has happened. An accident to one of these condemned boilers may happen tonight and people may be killed, and I say that human life is worth more than the few thousand dollars it may cost to put this bill in operation. I hope that the motion of my friend from Bangor, Mr. Bartlett, will not prevail.

Mr. BOOKER of Rumford: Mr. Speaker, I would like to have the bill lie on the table and be specially assigned for Wednesday morning.

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

Mr. STAPLES of Waterville: Mr.

Speaker, just one thing in regard to the expense. The first two years there is an appropriation of \$6,500 a year, but after that it will be nearly self-sustaining if not wholly.

My brother from Waterville (Mr. Cyr) tells me that these boilers are not dangerous. He says they are not dangerous if water is kept in them. That is perfectly true if they do keep water in them. They say accidents have not happened but I have records of accidents in 1922 and 1923, in one instance two were killed and one badly injured, and in another one man was killed and two severely burned; so we do have them right here in Maine.

Mr. GREENLEAF of Auburn: Mr. Speaker, I understand that the Massachusetts laws are very strict in the matter of boilers. One rule that they have there is that all seams shall be double riveted. That does not hold true in a great many other states. I believe from what I know about boilers that a great many of these boilers condemned in Massachusetts and brought into Maine and sold are boilers of that type—single riveted instead of double riveted. Therefore, I do not think that this matter of 350 should be taken too seriously.

Mr. ROBIE of Westbrook: Mr. Speaker, as I understand this bill the provisions apply to all boilers operating for fifteen years and that they shall be covered by the regulations of the American Society of Mechanical Engineers. I will say that that is a highly technical book and no one except the man of technical inclination could understand it. For that reason I do not think that we should operate these boilers under that code or that this bill should support that code. As I said before, I think this law can be gotten at in a much more simple way than this that we have here.

Mr. ROUNDS of Portland: Two years ago the committee on Salaries and Fees—there came into the committee that the boiler inspector of the State of Maine had not inspected boilers for five years. It looks to me very queer that they should have some boiler inspectors in this State to look after them. The United States government requires boilers to be inspected every year and they

have to have a thorough inspection. Some of these boilers are not cleaned out, not even washed out for years and the rust corrodes there, and the first thing they know they either blow up or blow down. I have been within fifty feet of one when it blew down, that was a locomotive boiler. These boilers will rust, and while they look all right, if you put pressure on them they will give way. I had one myself—twenty-one feet long and seven feet in diameter and which the United States Inspector said was all right and thicker than she was twenty years before; but when they took the plates out, some of them were not much thicker than a knife blade. She was carrying forty pounds of steam, and I have had five hundred people right on top of that boiler. It is time that the State looked after this as well as the United States. I hope the motion of the gentleman from Bangor (Mr. Bartlett) will not prevail.

Mr. BARTLETT: Mr. Speaker, these insurance companies have their own inspectors. This act creates a commission of four members, the fifth member to be the Commissioner of Labor, who is to be the Chairman of that commission. My point in the committee was that if they wanted an inspector of boilers, why create a commission? You have got a Commissioner of Labor, he could appoint a Boiler Inspector, as I suggested, and he would function as efficiently as he would under a commission. Now with this commission of five, with the Commissioner of Labor as Chairman, the chances are nine out of ten that the say so of the Commissioner of Labor would be final; so I see no necessity of creating a new commission for the inspection of boilers.

Mr. BOOKER of Rumford: Mr. Speaker, I think if the people would talk with the Commissioner of Labor they would understand why the State of Maine is trying to bring this thing about. Only a few years ago the Commissioner of Labor found a boiler that had been inspected and found it was of no value whatsoever. He told the man who owned it that it was not fit to use. Finally the mill was torn down and the boiler was sold for junk. Then in order to protect himself and to protect the people of the State he was going

to bring suit against this man. The man employed a lawyer and asked him under what Statute he was bringing the suit. They are trying to create a law here to protect not only the man who runs the machinery but the property and the people who work around the mill. I do not recall when it was, but not a great many years ago down below here in a town across the river, a boiler blew up at the ice house works, I think the flywheel blew out into the middle of the river as much as six or seven hundred feet away. Also up where I live a boiler blew up a few years ago and there were one or two people killed; also another one down in Georgetown. I am not familiar with many of the proceedings about this, but in these portable mills wherever they get water out of clay and material like that, the boiler fills up and corrodes. The condition of the water has a lot to do with it, and if they bring in old boilers from Massachusetts or any other state, that are in poor condition and if the boilers use poor water and are poorly managed they certainly will cause a great deal of trouble. Therefore, I hope that the motion that has been made will not prevail.

Mr. ALDRICH of Topsham: Mr. Speaker, in as much as reference has been made to a boiler in my locality, I might say that I am familiar with the case. My reason for opposing this bill and those who signed the majority report is this: That there is no need of it. I am familiar with the boiler the gentleman spoke of, and I am familiar with the fact that the law as it stands today does not give the Commissioner of Labor the authority either to condemn a boiler or to impose any penalty upon a man for having an improper boiler; but there is no need of the appointment of a boiler commission to cover that situation. All in my judgment that is needed under the present law is to have an amendment which will make it possible for boiler inspectors, or some member of the labor department who is a boiler inspector, to condemn that boiler and provide a penalty for the man who does not comply with the order. There is no need of having a complicated boiler commission to handle that situation in this state.

Mr. Staples of Waterville was

granted permission to speak for the third time.

Mr. STAPLES: Mr. Speaker, this commission that he speaks of is not to inspect boilers but is a commission to be appointed, without pay, to formulate a set of boiler rules that the boiler inspector should be governed by. This commission does not examine boilers, it examines the boiler inspector. You have got to have somebody to go there and see that the boiler inspector knows his business. This commission is appointed, without pay, to formulate a set of rules for the boiler inspector to go by; that is all.

Mr. PATTERSON: Mr. Speaker, I rise for the second time to speak upon this matter. I simply want to correct a statement that my friend from Topsham (Mr. Aldrich) made inadvertently. He spoke of signing the majority report. There was no majority report of the committee. It was Report A and Report B, each signed by five men. In other words, the committee divided fifty-fifty. I simply speak of that because I know that this House likes pretty well to follow the majority reports, but in this case there is no majority report.

Mr. EUSTIS of Strong: Mr. Speaker, I move the previous question.

Mr. ROUNDS of Portland: Mr. Speaker, I rise to make the statement that at that time I think the law was changed and the Public Utilities had charge.

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

The SPEAKER pro tem: The gentleman will state his point.

Mr. BARTLETT: I understood the gentleman from Strong, Mr. Eustis, moved the previous question.

The SPEAKER pro tem: If he did, the Chair did not understand him.

Mr. EUSTIS: Mr. Speaker I move the previous question.

The SPEAKER pro tem: All those in favor of the Chair entertaining the previous question will say aye; contrary minded no.

A viva voce vote being taken, the previous question was ordered.

The SPEAKER pro tem: All those in favor of the main question being now put will say aye; contrary minded no.

A viva voce vote being taken, the motion to put the main question prevailed.

The SPEAKER pro tem: The question before the House is the

motion of the gentleman from Bangor, Mr. Bartlett, on the acceptance of Report A "ought not to pass." All those in favor will say aye; contrary minded no.

A viva voce vote being doubted,

A division of the House was had,

Sixty-five voting in the affirmative and 34 in the negative, the motion to accept Report A "ought not to pass" prevailed.

(At this point Mr. Deering of Saco retired amid the applause of the House and Speaker Martin resumed the Chair.)

The following papers were taken up out of order under suspension of the rules:

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Appropriations and Financial Affairs reporting ought to pass on resolve to celebrate the Two Hundredth Anniversary of the battle of Lovewells Pond, S. P. 273, S. D. 374.

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

In the House, read and accepted in concurrence, the resolve received its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Report of the committee on Appropriations and Financial Affairs reporting ought to pass on resolve in favor of General Mark L. Hersey, S. P. 607, S. D. 375.

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

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

From the Senate: Report of the committee on Appropriations and Financial Affairs reporting ought to pass on resolve in favor of the Commissioners of Pharmacy of the State of Maine, S. P. 167, S. D. 173.

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

In the House report read and accepted in concurrence, the resolve had its two several readings under suspension of the rules and on motion by Mr. Belleau of Lewiston the resolve was passed to be engrossed in concurrence.

From the Senate: Report of the committee on Inland Fisheries and Game on resolve for screening certain lakes and ponds, S. P. 629, S. D. 370, reporting ought to pass in new draft.

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

In the House, report read and accepted in concurrence, the resolve had its two several readings under suspension of the rules and on motion by Mr. Flint of Monson the resolve was passed to be engrossed in concurrence.

---

From the Senate: Report of the committee on Inland Fisheries and Game reporting ought to pass on resolve in favor of a feeding station for fish at the outlet of Sebago Lake in the county of Cumberland, New draft S. P. 628, S. D. 339.

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

In the House, report read and accepted in concurrence, the resolve had its two several readings under suspension of the rules and on motion by Mr. Stone of Bridgton the resolve was passed to be engrossed in concurrence.

---

From the Senate: Report of the committee on Judiciary reporting ought to pass in new draft on bill an act relating to primary elections, S. P. 626, S. D. 371.

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

In the House, report read and accepted in concurrence; the bill had its three several readings; and on motion by Mr. Patterson of Castine the rules were suspended and the bill was passed to be engrossed in concurrence.

---

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act relating to apothecaries and the sale of poisons, reporting same in new draft, S. P. 610, S. D. 361.

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

In the House, on motion by Mr. Kinsman of Augusta tabled pending

acceptance of the report in concurrence.

---

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act relating to advertising signs upon public highways, reporting same in new draft, S. P. 589, S. D. 347.

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

In the House, report read and accepted in concurrence, the bill had its two several readings, and on motion by Mr. Hale of Portland the rules were suspended and the bill had its third reading and was passed to be engrossed in concurrence.

---

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act to amend Section five of Chapter 95 of the Revised Statutes of 1916, in relation to mortgages of real estate, reporting same in new draft, S. P. 637, S. D. 372.

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

In the House, read and accepted in concurrence, the bill received its two several readings and on motion by Mr. Goodwin of Sanford, the rules were suspended and the bill received its third reading and was passed to be engrossed in concurrence.

---

From the Senate: Report of the committee on Salaries and Fees reporting ought to pass in new draft on bill an act relating to the compensation of the Judge of Probate for Sagadahoc county, S. P. 642, S. D. 376.

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

In the House, read and accepted in concurrence, the bill received its two several readings, and on motion by Mr. Clifford of Bath, the rules were suspended, and the bill received its third reading and was passed to be engrossed in concurrence.

---

From the Senate: Report of the committee on Ways and Bridges reporting ought to pass in new draft

on bill an act conferring authority upon municipal officers to enforce the laws and the rules and regulations relating to trucks upon the highways.

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

In the House, read and accepted in concurrence, and the bill received its two several readings, and on motion by Mr. Littlefield of Kennebunk the rules were suspended, and the bill received its third reading and was passed to be engrossed in concurrence.

From the Senate: Bill an act to apply surplus funds toward state construction, S. P. 647.

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

In the House:

Mr. DEERING of Saco: Mr. Speaker, I move that the rules be suspended and that the bill be accepted and given its several readings at this time.

Mr. HALE of Portland: Mr. Speaker, I do not wish to oppose the gentleman's motion, but I am interested to know what is in the measure.

The SPEAKER: The Chair will state that the bill is rather long and would suggest that if the gentleman from Saco (Mr. Deering) can explain it, it might save time rather than to have it read.

Mr. DEERING: Mr. Speaker, the object of this bill is to enable payment for the construction of buildings rather than to let the money lapse over into the reserve fund—set it up into a construction fund—if that explains it.

Thereupon, under suspension of the rules the bill had its three several readings and was passed to be engrossed in concurrence.

From the Senate: Report of the committee on Public Buildings and Grounds reporting ought to pass on resolve in favor of State Park Commission, H. P. 883, H. D. 548.

Comes from the Senate report read and accepted and the resolve passed to be engrossed as amended by Senate Amendment A.

In the House, on motion by Mr. Kinsman of Augusta, the House vot-

ed to reconsider its action whereby this resolve was passed to be engrossed.

The SPEAKER: The Clerk will read Senate Amendment A.

(Senate Amendment A read)

On motion by Mr. Kinsman of Augusta, Senate Amendment A was adopted in concurrence; and on further motion by the same gentleman the resolve was passed to be engrossed as amended by Senate Amendment A in concurrence.

From the Senate: Resolve in favor of Augusta State Hospital, S. P. 26, S. D. 153 which was finally passed in the House, March 29, and recalled to the Senate from the Governor by order.

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

In the House, on motion by Mr. Kinsman of Augusta that body voted to reconsider its action whereby this resolve was finally passed; and on further motion by the same gentleman the House voted to reconsider its action whereby this resolve was passed to be engrossed.

(Senate Amendment A read by the Clerk)

Thereupon Senate Amendment A was adopted in concurrence, and the resolve as amended by Senate Amendment A was passed to be engrossed in concurrence.

The following Reports from Committees were taken up out of order under suspension of the rules:

Mr. Church from the Committee on State School for Boys, State School for Girls and State Reformatories reported "Ought not to pass" on Resolve appropriating money for the purchase of additional real estate for the State School for Girls (H. P. 747)

Same gentleman from same committee reported same on Resolve in favor of the State School for Girls at Hallowell (H. P. 897.)

Reports read and accepted and sent up for concurrence.

Mr. Morrill from same Committee on Resolve in favor of the State Reformatory for Men for maintenance, personal services, repairs and equipment (H. P. 1093) reported same in a new draft (H. P. 1312) under same title and that it "Ought to pass."

Mr. Church from same Committee on



Resolve in favor of the State School for Girls at Hallowell (H. P. 895) reported same in a new draft (H. P. 1311) under same title and that it "Ought to pass"

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

Mr. Church from same Committee reported "Ought to pass" on Resolve in favor of State School for Girls (H. P. 896.)

Mr. Williams from same Committee reported same on Resolve in favor of the State School for Boys (H. P. 1095.)

Mr. Morrill from same Commit-

tee reported same on Resolve in favor of the State Reformatory for Men for the completion of a building, now in process of erection (H. P. 1094.)

Mr. Church from same Committee reported same on Resolve appropriating money for the purchase of additional real estate for the State School for Girls (H. P. 746.)

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

---

On motion by Mr. Hale of Portland,  
Adjourned until tomorrow morning  
at ten o'clock.