

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Thursday, March 7, 1929.

Senate called to order by the President.

Prayer by the Rev. Harold R. Carter of Auburn.

Journal of previous session read and approved.

From the House: An act relating to amount to be paid for clerk hire in the office of Register of Probate for Kennebec County. (S. D. 248)

(In Senate, March 1, passed to be engrossed and sent down for concurrence).

In the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body reconsidered its former action whereby the bill was passed to be engrossed; House Amendment "A" was adopted in concurrence and the bill as so amended by House Amendment "A" was passed to be engrossed in concurrence.

From the House: An act relating to the appointment of Trustees of Normal Schools. (S. D. 26)

(In Senate, February 22, passed to be engrossed and sent down for concurrence).

In the House, indefinitely postponed in non-concurrence.

In the Senate,

Mrs. PINKHAM of Aroostook: Mr. President, I move that we concur with the House in the indefinite postponement of this bill. I had not intended to make any statement about this as I think it is fairly well understood here but last night's Portland Evening News states that the bill will bar Democrats from holding offices. That is absolutely not true. In fact, if the bill had passed, four Democrats could have been appointed on the Board of Trustees.

The PRESIDENT: The Senator from Aroostook, Senator Pinkham, moves that the Senate concur with the House in the indefinite postponement of the bill. Is this the pleasure of the Senate?

The motion prevailed.

From the House: An act relat-

ing to Board of Registration in Optometry. (S. D. 65)

(In Senate, February 23, passed to be engrossed and sent down for concurrence.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Martin of Kennebec, tabled pending consideration.

Papers from the House disposed of in concurrence.

From the House: An act relating to selling and dispensing electric power. (H. D. 1575)

(Committee on Reference of Bills suggested reference to Committee on Public Utilities)

In the House, indefinitely postponed.

In the Senate, indefinitely postponed in concurrence.

From the House: The Committee on Legal Affairs, on bill An act relating to the Department of Public Welfare (H. D. 371) reported that the same ought not to pass.

In the House, recommitted to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Dwinial of Knox, tabled pending consideration.

House Bills in First Reading

Resolve providing for a State pension for Charlotte Hill, of Biddeford. (H. D. 534)

An Act establishing a game preserve on Swan Island in Kennebec River, county of Sagadahoc. (H. D. 149)

An Act to establish a game preserve in the town of Windham, Cumberland County. (H. D. 261)

An Act to incorporate the Sanford Water District. (H. D. 492)

An Act relating to the Maine Wesleyan Seminary and Woman's College. (H. D. 612)

An Act to provide pensions for the regular policemen of the city of Westbrook. (H. D. 616)

An Act to provide pensions for the regular drivers of the fire department of the city of Westbrook. (H. D. 613)

An Act to authorize the town of South Bristol to raise money for the purpose of helping keep in repair the cemeteries in said town. (H. D. 617)

An Act to amend the certificate of organization of the Damari-scotta-Newcastle Water Company. (H. D. 536)

An Act relating to the purposes of the Milo Water Company. (H. D. 537)

An Act to incorporate the Franklin Water Company. (H. D. 538)

An Act relating to deputy town clerks. (H. D. 532)

An Act to correct a clerical error in section 1 of chapter 222 of the Public Laws of 1923 (H. D. 533) (relating to investment of permanent funds of towns and cities and of quasi municipal corporations)

An Act to amend section 117 of the Revised Statutes relative to military parades on election days. (H. D. 615)

Resolve relative to compensation of Clarence W. Peabody, Commissioner of the Revision and Consolidation of the Public Laws. (H. D. 531)

An Act relating to State Juvenile Institutions. (H. D. 539)

Resolve in favor of Reformatory for Women for maintenance and other purposes. (H. D. 530)

An Act relating to a tax upon gasoline. (H. D. 30)

(In the House, the bill passed to be engrossed as amended by House Amendment "A".

In the Senate, on motion by Mr. Douglas of Hancock, tabled pending adoption of House Amendment "A")

An Act relating to the Hancock Sullivan Bridge. (H. D. 541)

Resolve in favor of Eagle Lake (H. D. 611)

Resolve in favor of the town of Peru (H. D. 540)

The following petition was received and on recommendation by the committee on reference of bills was referred to the following committees:

Agriculture and Inland Fisheries and Game

By Mr. Leland of Piscataquis: Petition of Perley P. Sawyer and 13 others from South Dover Grante, Dover-Foxcroft, Maine, in favor of a bounty on bears sufficient to protect the towns and plantations where damage is being done to valuable domestic animals by bears (S. P. 660)

Sent down for concurrence.

Orders

On motion by Mr. Slocum of Cumberland, it was

Ordered, the House concurring, that Senate Paper 635, Senate Document 276, Resolve appropriating money for the construction of a new motor boat for Sea and Shore Fisheries, and Senate Paper 637, Senate Document 274, Resolve for pay and expenses of wardens of Sea and Shore Fisheries, be recalled from the Committee on Sea and Shore Fisheries and referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

Bills in First Reading

An act relating to increase of salary of County Attorney of Androscoggin County (S. D. 316)

An act relating to increase of salary of Assistant County Attorney of Androscoggin County (S. D. 317)

An act to increase the salary of the Register of Probate of Androscoggin County (S. D. 318)

Reports of Committees

Mr. Douglas from the Committee on Inland Fisheries and Game, on bill An act making it lawful to kill foxes and skunks (S. D. 88) reported that the same ought not to pass.

The same Senator, from the same Committee, on bill An act to prohibit the transportation of live wild hares or rabbits beyond the limits of this State (S. D. 128) reported that the same ought not to pass.

Mr. Nickerson, from the Committee on Taxation, on bill An act to amend the statute relating to pension of the blind (S. D. 7) reported that the same ought not to pass.

The reports were severally read and accepted.

Sent down for concurrence.

Mr. Spear, from the Committee on Appropriations and Financial Affairs, on Resolve in favor of Newell Lewey, Representative of the Passamaquoddy tribe of Indians (S. P. 564) reported that the same ought to pass.

The same Senator, from the same Committee, on Resolve in favor of the Commissioners of Pharmacy

(S. P. 192) reported that the same ought to pass.

The same Senator, from the same Committee, on Resolve appropriating money to restore the early records in the office of the Register of Deeds for York County (S. D. 60) reported the same in a new draft, under the same title (S. P. 661) and that it ought to pass.

The same Senator, from the same Committee, on Resolve appropriating money for the expenses of the electoral college (S. P. 93) reported that the same ought to pass.

The same Senator, from the same Committee, on Resolve in favor of Philip T. Carroll (S. P. 33) reported that the same ought to pass.

Mr. Campbell, from the Committee on Banks and Banking, on bill An act relating to administration upon estates of persons who have disappeared and not been heard from for a period of at least seven years from the date of disappearance (S. D. 194) reported the same in a new draft, under the same title (S. P. 662) and that it ought to pass.

The reports were severally read and accepted and the bill and resolves laid upon the table for printing under the joint rules.

The same Senator, from the same Committee, on bill An act relating to bonds to be given by officials, trustees or employees of savings banks (S. D. 191) reported that the same ought to pass.

Mr. Page, from the same Committee, on bill An act to re-letter paragraphs "E" and "F" of subdivision 12 of section 27 of chapter 144 of the Public Laws of 1923, relating to collateral loans (S. D. 192) reported that the same ought to pass.

The same Senator, from the same Committee, on bill An act relating to investments in industrial bonds by savings banks (S. D. 225) reported that the same ought to pass.

The reports were severally read and accepted, the bills each read once and tomorrow assigned for second reading.

Mr. Murchie, from the Committee on Legal Affairs, on bill An act to adopt the uniform criminal extradition act (S. P. 153—1927) reported the same in a new draft, under the title of An act relating

to the extradition of persons charged with crime, and to make uniform the law with reference thereto (S. P. 663) and that it ought to pass.

Mr. Crosby, from the Committee on Military Affairs, on Resolve in favor of the Department of Maine Grand Army of the Republic (S. P. 190) reported that the same ought to pass.

Mrs. Pinkham, from the Committee on Public Health, on bill An act relating to dental hygienists (S. D. 35) reported the same in a new draft, under the same title, (S. P. 664) and that it ought to pass.

Mrs. Carter, from the Committee on Taxation, on bill An act relative to exemption from taxation of estates of veterans (S. D. 9) reported the same in a new draft, under the title of bill An act relating to exemptions from taxation (S. P. 665) and that it ought to pass.

The reports were severally read and accepted and the bills and resolve laid upon the table for printing under the joint rules.

Passed to be Engrossed

An act providing for retirement of court stenographers and their compensation (H. D. 28).

Mr. Martin of Kennebec offered the following amendment and moved its adoption: "Senate Amendment A to House Document 28. Amend Section 2 of said act in the third and fourth lines of said section by striking out the words 'sixty-five' and inserting in place thereof the word 'seventy'. Also amend said section in the sixth line thereof by striking out the words 'three-quarters' and inserting in place thereof the words 'two-thirds'. So that said section as amended shall read as follows: 'Stenographers of the Supreme Judicial and Superior Courts, after having served twenty-five years in either or both courts and having reached the age of seventy years, may retire and shall receive for the remainder of their lives annual compensation divided into monthly payments equivalent to two-thirds of the salary paid stenographers for active service in said courts.'" The amendment was adopted.

Thereupon, on motion by the same senator the bill as so amended was laid upon the table pending

passage to be engrossed, in non-concurrence.

An act relating to the Millinocket Municipal Court. (H. D. 80)

An act relating to the property of extinct or disbanded Baptist or Free Baptist Churches, parishes or societies. (H. D. 124)

An act relating to wards in the city of Portland. (H. D. 278)

An act relating to annual report, in the South Portland Sewer District. (H. D. 279)

An act confirming the construction of the ferry wings at Peaks Island. (H. D. 294)

An act to repeal sections 4 and 10 inclusive of chapter 39 of the Revised Statutes relative to public warehouses and warehousemen. (H. D. 347)

An act requiring the State Highway Commission to file with county commissioners a record of location and change of location of State highways, State aid highways and third class highways. (H. D. 390)

An act to amend the Bridge Act, so called, providing for State and county aid in the construction of highway bridges. (H. D. 391)

(On motion by Mr. Weeks of Somerset, tabled pending passage to be engrossed.)

Resolve in favor of C. J. Thomas, compensating him for the loss of a cow. (H. D. 459)

An act to incorporate the "New England Public Finance Co." (S. D. 312)

Resolve for a teacher's pension for Sadie Cummings. (S. D. 310)

(On motion by Mrs. Pinkham of Aroostook, tabled pending passage to be engrossed.)

Resolve providing for a State pension for Mabel Paul Ferrow of Belfast. (S. D. 311)

(On motion by Mrs. Pinkham of Aroostook, tabled pending passage to be engrossed.)

An act to incorporate the Maine Pharmaceutical Association. (S. D. 93)

Resolve for the construction and equipment of an industrial building at the State Reformatory for Men. (S. D. 119)

(On motion by Mr. Harriman of Kennebec, tabled pending passage to be engrossed.)

An act granting authority to the State Highway Commission in the reconstruction of intra-State bridges. (S. D. 211)

An act to incorporate the Monroe Loan Society of Maine. (S. D. 313)

On motion by Mr. Oakes of Cumberland, the Senate voted to reconsider its action just taken whereby An act relating to wards in the city of Portland (H. D. 278) was passed to be engrossed; and on further motion by the same Senator the bill was tabled pending passage to be engrossed.

On motion by Mr. Douglas of Hancock, the Senate voted to reconsider its action taken earlier in today's session whereby the report of the Committee on Inland Fisheries and Game "ought not to pass" on bill An act making it lawful to kill foxes and skunks (S. D. 88) was accepted; and on further motion by the same Senator the report was laid upon the table pending acceptance.

The PRESIDENT: At this time the Chair will ask the Senators if they will pay strict attention to the enactors when the titles are read and if any Senator desires to table an enactor it is better procedure to make the motion to table as soon as the title is read by the Secretary.

Passed to be Enacted

An act relating to the Portland Terminal Company. (S. D. 182)

An act to dissolve the Somerset Railway Company and the Washington County Railway Company. (S. D. 183)

An act to repeal Section 34 of Chapter 142 of the Revised Statutes relating to the employment of convicts in the State Prison. (S. D. 72)

An act to change the name of Birch Island in Sebago Lake to Grey Boulder Island. (S. D. 217)

An act to change the name of Ward Pond in the town of Sidney, Maine, to Ward Lake. (S. D. 122)

An act relating to the location of ways crossing railroad tracks and station grounds. (S. D. 117)

An act providing for the inspection, registration and safety of vessels engaged in inland navigation under the jurisdiction of the Public Utilities Commission. (S. D. 146)

An act relating to appropriations for public and private hospitals. (S. D. 216)

An act making it unlawful to fish

for smelts in certain parts of Washington and Hancock counties. (S. D. 226)

An act relating to the digging of clams in the town of Wells. (S. D. 227)

An act to regulate the trapping of fur-bearing animals. (H. D. 59)

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. (H. D. 449)

An act to regulate fishing in Bent's Pond in New Sharon and Vienna. (H. D. 78)

An act for the better protection of trout in Lake Cobbosseecontee in the county of Kennebec. (H. D. 88)

An act relative to the salary of the Judge of the Ellsworth Municipal Court. (H. D. 450)

An act regulating the taking of shad in the Nonesuch river in Scarborough. (H. D. 451)

An act relating to the taking of additional land by railroad corporations; proceedings before Public Utilities Commission. (H. D. 138)

An act relating to the destruction of fish in East Machias waters. (H. D. 140)

An act to regulate the taking of clams in the town of Phippsburg. (H. D. 452)

An act relating to the jurisdiction of the Eastport Municipal Court. (H. D. 429)

An act to empower the Westfield Electric Company to sell its property to Gould Electric Company, and for other purposes. (H. D. 453)

An act relating to the salary of the Treasurer of Kennebec county. (H. D. 454)

An act relating to Deputy Clerk of Courts of Kennebec county. (H. D. 455)

An act increasing the amount of the exemption from taxation of household furniture. (H. D. 295)

(On motion by Mr. Page of Somerset, tabled pending passage to be enacted).

An act relative to examination papers of applicants for admission to the bar (H. D. 368)

An act relating to the regulation of the practice of the system, method or science of healing known as Osteopathy. (H. D. 358)

An act concerning the guardianship of incompetent veterans and of minor children of disabled or deceased veterans, and the commitment of veterans and to make uniform the

law with reference thereto. (H. D. 364)

An Act relating to rules of construction; signatures. (H. D. 394)

An act relating to rules of construction; corporate seals. (H. D. 395)

An act relating to classifications of stock. (H. D. 431)

An act relating to the formation of corporations having stock without par value. (H. D. 430)

An act relating to the lobster industry within two miles of the shore of Monhegan Island. (H. D. 457)

Finally Passed

Resolve in favor of the Bangor State Hospital. (S. D. 28)

Resolve for the giving of the State's assent to the Act of Congress of May 22nd, 1928 (Copper Ketchum Act). (S. D. 58)

Resolve providing for an honorarium for Otis O. Roberts of Dexter. (S. D. 215)

Resolve authorizing the Forest Commissioner as Land Agent to convey a certain lot of land to W. Asahel Darling. (H. D. 458)

Resolve authorizing the Forest Commissioner to convey to the Gould Electric Company the right to flow a certain piece of land on the public lot in township ten, range four, west of the east line of the State, Aroostook county. (H. D. 383)

Resolve in favor of Fred A. Budge of Mattawamkeag. (H. D. 413)

Resolve authorizing the Forest Commissioner to release the State's interest in lots numbered three, four and six in township fifteen, range six, west of the east line of the State, Aroostook county, Maine, to Clara E. Hodgkins of Farmington, Maine. (H. D. 460)

(Emergency Measure)

An act to create the Gray Water District. (H. D. 302)

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

Twenty-nine Senators having voted in the affirmative and none opposed, the bill was passed to be enacted.

Orders of the Day

On motion by Mr. Dwinal of Knox, the Senate voted to take from the table House Report from

the Committee on Legal Affairs "ought to pass" on An act making explicit certain powers of the Park Commission (H. D. 215) tabled on March 6th by that Senator pending consideration.

Mr. DWINAL of Knox: Mr. President, the action taken in the House, as I understand it, was to recommit this bill to the Committee on Legal Affairs and my information is that it was merely on the point of a definition of Baxter Boulevard in Portland. The committee is busy and has seventy or eighty bills before it that have not as yet been advertised and I believe that matters of this kind can be taken care of by amendment. I therefore move that the report of the committee "ought to pass" be accepted in non-concurrence.

The motion prevailed.

Thereupon the bill received its first reading and tomorrow assigned for second reading.

On motion by Mrs. Carter of Androscoggin, the rules were suspended and the Senators were allowed to smoke.

On motion by Mr. Murchie of Washington, the Senate voted to take from the table An act to aid in the enforcement of statutes governing the use of vehicles on closed or restricted ways and bridges (S. D. 309) tabled on March 6th by that Senator pending passage to be engrossed.

Thereupon the same Senator offered Senate Amendment "A" and moved its adoption: "Senate Amendment 'A' to Senate Document 309. Amend Senate Document Number 309 by striking out the word 'violators' in the tenth line of the printed document and inserting in place thereof the words 'persons caught violating the provisions of said statutes and orders' and by striking out the last sentence of said printed bill."

The amendment was adopted and the bill as so amended was passed to be engrossed. Sent down for concurrence.

On motion by Mr. Bragdon of Aroostook, the Senate voted to take from the table An Act providing for the appointment of Clerks of Courts, (S. D. 34), tabled on March

6th by that Senator pending motion to indefinitely postpone.

Mr. BRAGDON of Aroostook: Mr. President, when this matter came up before the Senate yesterday, after the amendment proposed by the Senator from Washington, Senator Murchie, was voted down, I felt that I did not sufficiently understand what was the purport of the remaining part of the measure, and so tabled it that I might inform myself, and as the bill is a very short one I will read it so that every member of the Senate may know what we are voting on. (Mr. Bragdon then read Senate Amendment A to Senate Document 34, An Act Providing for the Appointment of Clerks of Courts, (S. D. 253).

You will observe that this official is to be appointed by the Governor and requires the chief justice of the Supreme Judicial Court to make recommendations, but there is nothing to suggest that the Governor is in any way required to observe those recommendations. The bill itself, does not provide that such recommendations shall be made by the leading politicians of the county, but doubtless that was felt to be unnecessary.

I have sat here in my seat through almost two sessions of the Legislature and never yet have taken up a minute of your time in inflicting my views upon you, and I know that in view of that record, you will pardon me if I take up a longer time in the discussion of this matter than you feel it deserves, for I believe there is a principle involved in this form of legislation that is worthy of our serious consideration.

A great deal has been said and written in recent years about the advisability of taking political matters out of politics, and the impression seems to prevail that it would be a kindness to our citizens to relieve their minds of all their public duties. New and strange forms of government have been proposed for our cities and towns, providing for the appointment of public officials, the assessment of the taxes, and the transacting of all the public business of the municipality and relieving its citizens of practically all their civic duties except the payment of their

taxes and no doubt future amendments to its charters, after this system has been a little better developed and worked out, may provide for that also.

Legislators, who are themselves a political product, appear at times for apparently no explainable reason to entertain a more or less well-founded suspicion that the people who elected them and sent them down here to the Legislature were incompetent to make a choice of public officials, and so we have been going on and on from year to year, taking first this matter and then that out of politics.

We have at this time in this State House, one head of a department who is still elected by the people and four where the choice is made by the Legislature, and I ask you to look that group over and decide for yourselves whether they are less competent and efficient than those appointed by executive action and if political consideration had any less to do with their appointment.

It has been stated that the clerk of courts is purely a court official, one in which the public is not interested, and I say to you that he is also clerk of the county, he is clerk for the county Commissioners, and in counties like Aroostook, Washington, Somerset, Hancock and Piscataquis where there are many unincorporated townships containing a large mileage of country roads, he has many duties to perform in connection with the county commissioners that are not judicial duties, and the public is still interested in his election and the choice should not be taken from them.

Do you Senators feel that you have been unjustly treated by the public? I don't think that I have. I have come down here to this Legislature six times out of eight attempts, and I submit to you that when the people have demonstrated that they are capable of making a righteous and intelligent choice six times out of eight (laughter) they have hung up a record for efficiency that even a chief justice and chief executive might regard with feelings of envy.

Now, I do not want you to misunderstand me that I place implicit confidence in the people, for I don't.

They make mistakes, but I give them credit of doing just as well as they know how and that is doing pretty well, and it is doing better than governors can do, for you know that just as soon as one of our hitherto respectable citizens is elevated to that office that he becomes at once automatically a candidate for the United States Senate. Of course, it is true that all of them in the past have not attained this end, and it is probably equally true that some may fall of attainment in the future, but hope still springs eternal in the human breast, and with this laudable ambition constantly before their minds they would be much less than human if they should fail to be appreciative of past favors or apprehensive of the future.

A long time ago, something like forty years to be more explicit, I conceived the idea that I would like to be a lawyer and I put in a little more than two years in preparation in the office of a prominent local attorney, as was the custom of the period. But it gradually dawned upon me that my honesty and modesty were of such peculiar and pronounced types that I could never hope to succeed in that profession, and so upon more mature deliberation, I decided upon a calling where the requirements and qualifications were not of so exacting a nature. At that time our clerk of courts was Michael M. Clark. His predecessor was Ransom Norton, and I have heard the attorneys of that period speak in the most complimentary terms of both of those officials. And when Mr. Clark died in office, after a long term of eminently satisfactory service, the people of our county selected as his successor, his son, who had served a long apprenticeship in that office, and was doubtless the best qualified man in our county for the position. And we have gone on with those same capable and efficient clerks of courts for more than 50 years and there is enough left of the present incumbent so that barring accidents, acts of Divine Providence, and ill advised legislation, we may well hope to round out a full three-quarters of a century with that same high class grade of service before we are called upon to

choose the fourth one. And I have faith to believe that even while I probably will not be present on that occasion, that the people of that date will be just as well qualified to pick out his successor as we have been in the past.

Now let me call your attention to what might have happened, and what would have happened if the Legislature of 1909, of which I was a member, had in its wisdom seen fit to take this particular office out of politics. As I recall the matter now, that Legislature did perform some acts of legislation that the people of the State saw fit to criticise, and at the next election the State was carried by the Democratic party. And while we may all have reason to doubt that a Republican governor could ever be moved by political considerations in making his appointments, I think that the members of this Senate, as at present constituted, could entertain no such doubt as to what would be the attitude of a Democratic governor with that good old Jacksonian maxim, "To the victors belong the spoils" firmly engraved in his make-up, and we would have witnessed the spectacle of our efficient clerk of courts being replaced by some aspiring politician whose principal qualification was that he had been instrumental in bringing about the political upheaval, and this would have happened, not only in Aroostook, but in every other Republican county of the state.

I know that some of the younger members of this Senate may feel disposed to ridicule the idea of the Democratic Party ever making any trouble for us in the future, but I have been interested in political matters so long a time that I realize that it has performed some strange antics in the past and I do not feel that it has ever played 'possum from choice, but it has developed a very disagreeable habit of coming to life at the most inopportune and unexpected moment, and even if its corpse is too far along in the process of putrefaction to make us any further trouble, we must admit that we have at the present time, and for several years past, had two distinct wings of the Republican Party, and I think that

you may feel that each time one of those wings wins out, that there will be political debts to be paid.

Now why this anxiety to get this particular office out of politics? It is true that we have had many instances of inefficiency, corruption, and fraud in official circles in this State. If I am correctly informed, we have had one justice of the Supreme Court appointed by the Governor, and out of politics under the purview of this act, impeached and removed from office. We have had sheriffs and county attorneys, court officials in a truer sense of the term than is the clerk of courts, removed from office and even sent to Thomaston and Atlanta, and matters have occurred in the nearer past that may have created the impression in some parts of our State that the people are just as well qualified to pick out public officials as is the Governor.

Now in view of these shining examples of inefficiency, and corruption in political circles in the past, why this anxiety to take this particular office out of politics that for the last 109 years has worked out admirably? Why take it out of politics for the sole and simple reason that the people of one individual county of the State, in one isolated instance, tried the experiment of mixing religion with politics and found that they would not mix any more today than they would in the days of the adoption of our Constitution?

I think that we have gone far enough on this course of taking matters out of politics and it is time to call a halt, and I hope when the vote is taken this morning, that you will see fit to vote "Yes" on the motion of the Senator from Kennebec, (Senator Harriman), on the indefinite postponement of this bill. And Mr. President, I will move that when this vote is taken it be taken by yeas and nays, so that the people of our State, at whose hands we are here in duty bound to guard their rights and privileges and to look out for their best interests, may have an opportunity to learn whether we have been as trustful of them as they were of us.

The PRESIDENT: Is there further debate? The Chair will state

that the question before the Senate is on the motion of the Senator from Kennebec, Senator Harriman, to indefinitely postpone the bill, and Senator Bragdon moves when the vote is taken it be taken by yeas and nays.

The yeas and nays were ordered.

The PRESIDENT: The Chair will again state the question. The question before the Senate is on the motion of the Senator from Kennebec, Senator Harriman, that the bill be indefinitely postponed. Those in favor of the motion to indefinitely postpone the bill will vote "yes" when their names are called. Those opposed to the indefinite postponement, will vote "no" when their names are called. Is the Senate ready? The Secretary will call the roll.

The roll was called.

Those voting yes were Senators Allen, Bond, Bragdon, Campbell, Carter, Harriman, Littlefield, Martin, Murchie, Nickerson, Noyes, Oakes, Pinkham, Slocum, Spear, Weatherbee—16.

Those voting no were Senators Boulter, Crockett, Crosby, Douglas, Dwinal, Greenleaf, Leland, Minott,

Mitchell, Page, Weeks, Wheeler—12

Absent—Senators Carlton, Dunbar—2.

Sixteen having voted in the affirmative and twelve in the negative, the motion to indefinitely postpone prevailed.

Mr. MARTIN of Kennebec: Mr. President, earlier this morning I tabled a certain matter referring to optometry and I would like it moved, if the Senate will reconsider that action.

The PRESIDENT: The Senator from Kennebec, Mr. Martin, asks permission to take from the table An Act relating to a board of registration in optometry, (S. D. 85).

The motion to take from the table prevailed.

Thereupon, on further motion by the same Senator, the bill was indefinitely postponed in concurrence.

The PRESIDENT: Is there anything else that can be taken from the table at this time?

On motion by Mr. Boutler of York

Adjourned until tomorrow morning at ten o'clock.