

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fifth Legislature

OF THE

STATE OF MAINE

1931

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, February 13, 1931.

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

Prayer by the Rev. Mr. McWhorter of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act making air transportation companies public utilities. (S. P. 398) (L. D. 472)

Comes from the Senate referred to the committee on Public Utilities.

In the House, on motion by Mr. Biddle of Portland, tabled pending reference in concurrence.

From the Senate: Bill an act providing for the disposition of monies collected from tax on gasoline used in aeroplane engines or purchased for such purposes. (H. P. 766) (L. D. 270) which was referred to the committee on Ways and Bridges in the House on February 3.

Comes from the Senate referred to the committee on Ways and Bridges and Aeronautics and Radio Control in non-concurrence.

In the House:

Mr. BIDDLE of Portland: Mr. Speaker, I move that we return this to the Senate in non-concurrence as to the reference to the committee on Ways and Bridges, and that we concur in the matter of referring it only to the committee on Aeronautics and Radio Control.

The SPEAKER: The Chair would state to the gentleman from Portland that there are two ways to approach this matter, one by a motion to recede and concur with the Senate, the other to suspend the rules with the consent of the House and move a reconsideration of the action of the House. The more simple method is a motion to recede and concur. Is the Chair correct in understanding that the gentleman wishes to refer this to the committee on Aeronautics and Radio Control alone?

Mr. BIDDLE: Yes, Mr. Speaker.

The SPEAKER: Then the Chair

thinks the proper method will be to ask for a suspension of the rules and then move for a reconsideration of the action of the House.

Mr. BIDDLE: I so move.

Thereupon the rules were suspended and the House voted to reconsider its action whereby this bill was referred to the committee on Ways and Bridges; and on further motion by the same gentleman the bill was referred to the committee on Aeronautics and Radio Control in non-concurrence.

Senate Bills in First Reading

S. P. 135, L. D. 418: Resolve in favor of M. Isabel Libby of Saco.

S. P. 136, L. D. 419; Resolve in favor of Nellie F. Hill of Saco.

S. P. 231, L. D. 417: Resolve authorizing the Forest Commissioner to convey a certain lot of land to Edmund B. Lapointe.

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

Appropriations and Financial**Affairs**

By Mr. Webster of Buxton: An act relating to better fire protection for municipalities (H. P. 1029)
(500 copies ordered printed.)

Education

By Mr. Tompkins of Houlton: An act relating to school committees (H. P. 1030)
(500 copies ordered printed.)

Inland Fisheries and Game

By Mr. Burr of Mattawamkeag: An act closing to fishing Wyman Brook, in Aroostook County (H. P. 1031)
(500 copies ordered printed.)

Judiciary

By McLoon of Rockland: An act relating to aid for grandmothers of orphan children (H. P. 1032)
(500 copies ordered printed.)

By Mr. MacPherson of Easton: An act relating to contributory negligence (H. P. 1033)
(500 copies ordered printed.)

By Mr. Biddle of Portland: An act to define and limit the jurisdiction of courts sitting in equity, and for other purposes (H. P. 1034)
(500 copies ordered printed.)

Public Health

By Mr. Worthen of Corinth: An

act providing for the completion of the vital records of the State (H. P. 1035)

(500 copies ordered printed.)

By Mr. Church of Hallowell: An act relating to plumbing regulations (H. P. 1036)

(500 copies ordered printed.)

Taxation

By Mr. Cram of Mount Vernon: An act to provide for compensation to the State for the use of public highways by motor vehicles used for the conveyance of passengers for hire (H. P. 1037)

(1000 copies ordered printed.)

By the same gentleman: An act amending Chapter 29 of the Revised Statutes of Maine (Revision of 1930) and to provide for compensation to the State for the use of public highways by motor trucks (H. P. 1038)

(1000 copies ordered printed.)

By Mr. Rounds of Portland: An act exempting charitable organizations from excise tax (H. P. 1039)

(500 copies ordered printed.)

Ways and Bridges

By Mr. Rogers of Greenville: Petition of Russell S. Newton and 80 others in favor of the construction of the Jackman-Greenville road (H. P. 1040)

By Mr. Perham of Paris: An act relating to the removal of snow from highways (H. P. 1041)

(500 copies ordered printed.)

Papers from the Senate, out of order.

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 17, at four o'clock in the afternoon.

In the Senate read and passed.

In the House read and passed in concurrence.

Reports of Committees

Mr. McCart from the Committee on Judiciary reported ought not to pass on bill an act prohibiting unattended live stock being allowed on the highways (H. P. 207) (L. D. 117)

Report read and accepted and sent up for concurrence.

Mr. Jacobs from the Committee on Education on resolve in favor of granting teacher's pension to Cora B. Crabtree of Vinalhaven (H. P. 178) reported same in a new draft (H. P. 1043) under same title and that it ought to pass.

Mrs. Day from same committee on resolve granting teacher's pension to Mrs. Susan Pope (H. P. 20) reported same in a new draft (H. P. 1044) under same title and that it ought to pass.

Mr. Tompkins from the Committee on Judiciary on bill an act to amend the charter of the President and Trustees of Colby College (H. P. 594) (L. D. 202) reported same in a new draft (H. P. 1042) under same title that it ought to pass.

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

Mr. Varney from the Committee on Judiciary reported ought to pass on bill an act to extend the charter granted to the Union Terminal Company (H. P. 580)

Mr. Snow from same Committee reported same on bill an act to provide for the general up-keep, enlargement and betterment of the Law Library in the county of Androscoggin (H. P. 200)

Mr. Burkett from same Committee reported same on bill an act relating to the right of Warren Memorial Foundation to hold property (H. P. 583)

Mr. Blaisdell from the Committee on Legal Affairs reported same on bill an act authorizing the payment of an annuity by the city of Portland to Rosa B. Reidy (H. P. 622)

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

Mr. Tompkins from the Committee on Judiciary reported ought to pass on bill an act to repeal Section 2 of Chapter 10 of the Private and Special Acts of 1887, entitled "An act additional to the acts which constitute the charter of Colby University" (H. P. 596) (L. D. 204)

Same gentleman from same Committee reported same on bill an act additional to the acts which constitute the charter of Colby College, formerly Colby University (H. P. 595) (L. D. 203)

Same gentleman from same Committee reported same on bill an act relating to certified copies of certain records in county of Aroostook (H. P. 203) (L. D. 145)

Mr. Blaisdell from the Committee on Legal Affairs reported same on bill an act to amend the charter of the city of Portland (H. P. 212) (L. D. 122)

Same gentleman from same Committee reported same on bill an act to increase the powers of the Fort Kent Village Corporation (H. P. 216) (L. D. 125)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

Mr. Hathaway from the Committee on Taxation reported same on bill an act relating to taxation of shares of stock of trust and banking companies (H. P. 711) (L. D. 233)

(Tabled by Mr. Tompkins of Houlton pending acceptance of the report)

First Reading of Printed Bills

(H. P. 621) (L. D. 538) An act relating to the Bangor Theological Seminary.

(H. P. 624) (L. D. 537) An act to provide a better government for the town of Bar Harbor.

(H. P. 1026) (L. D. 536) Resolve in favor of Harry C. Aldrich.

Passed to Be Engrossed

(S. P. 45) (L. D. 24) An act relating to manner of payment of teachers' retirement fund collections.

(S. P. 372) (L. D. 391) An act relative to county buildings.

(H. P. 14) (L. D. 28) An act relating to the enforcement of the Blue Sky Law.

(H. P. 16) (L. D. 30) An act relating to fees paid by dealers in securities.

Orders of the Day

The SPEAKER: Under orders of the day the Chair recognizes the lady from Fairfield, Mrs. Carter.

Mrs. Carter of Fairfield was granted unanimous consent to introduce out of order, under suspension of the rules, resolve in favor of the town of Fairfield; and on motion by the same member the resolve was referred to the committee on Ways and Bridges.

Mr. Bearce of Hebron was granted unanimous consent to introduce out of order, under suspension of the rules, resolve in favor of the town of Canton; and on motion by the same gentleman the resolve was referred to the committee on Claims.

Mr. Cooper of Chelsea was granted unanimous consent to introduce

out of order, under suspension of the rules, resolve providing for a State pension for Hannah C. McLaughlin; and on motion by the same gentleman the resolve was referred to the committee on Pensions.

Mr. SCATES of Westbrook: Mr. Speaker, yesterday I promised the gentleman from Portland, Mr. Burkett, that I would take from the table the 9th unassigned matter, being House Amendment A to Joint Order relative to appointment of a Joint Select Committee on Apportionment, tabled by me February 11th, pending adoption of amendment, and I now move to take it from the table.

I just want to say a word to correct an error or misapprehension that has been floating around the lobby and also for the Record and the benefit of the press. I was a member of the Legislature of 1911—that Legislature was Democratic in both branches. It had as one of its duties the reapportionment of the State. I had the honor to be a member of that committee and I want to say this that there were three members of the minority party on those two committees on the part of the House,—not wholly as a recognition of the minority party but rather as an acknowledgment of their rights and that the members of the minority party were actually members of this House and as such had a right to be appointed on the most important functions of the Legislature, like having a representation on every important committee. This is all I have to say, and I now yield to the gentleman from Lisbon, Mr. Jack.

Mr. JACK of Lisbon: Mr. Speaker, I now ask leave to withdraw Amendment A to the order.

The SPEAKER: The gentleman asks leave to withdraw House Amendment A.

Leave being granted, House Amendment A withdrawn.

Mr. JACK: Mr. Speaker, I now move passage of the order.

The motion prevailed.

Mr. JACK: I now move that the committee on the part of the House shall consist of seventeen members. This is our twentieth legislative day. We have had twenty prayers issued over us. Presumably, spiritually at least, we should be prepared to take issue on

a proposition that has justice and equality in it. I could have had this matter come to a head yesterday, but for the benefit of some of my friends who do not agree with me, I thought perhaps one more prayer would not be amiss.

Now what is the proposition? The Constitution under Article IV says: "The Senate shall consist of not less than twenty, nor more than thirty-one members, elected at the same time, and for the same term, as the representatives, by the qualified electors of the districts into which the State shall from time to time be divided.

"Sec. 2. The Legislature, which shall be first convened under this Constitution, shall, on or before the fifteenth day of August in the year of our Lord, one thousand eight hundred and twenty-one, and the Legislature at every subsequent period of ten years, cause the State to be divided into districts for the choice of senators. The districts shall conform, as near as may be, to county lines, and be apportioned according to the number of inhabitants. The number of senators shall not exceed twenty at the first apportionment, and shall at each apportionment be increased, until they shall amount to thirty-one, according to the increase in the House of Representatives."

Now it must be apparent to the members here that this is an important proposition. It must be apparent to the members here that there is only one way under this Dome to decide a proposition which has to do with the entire citizenship of the State of Maine, and that is to decide it with justice and equality to all concerned.

Now let us see what the Census says. Androscoggin county, which I anticipate will be alluded to a little later as a Democratic community, but as to which I will call your attention to the fact that it does not have a Democratic county official,—has a population of 71,214, with two Senators. On the other hand Kennebec county—I am simply pointing out the inequality now—with a population of 70,691, a little less than a thousand under Androscoggin county, has three Senators. On the other hand Hancock county, with a population of 30,721 has two Senators; Oxford, with a population of 41,483, has one

Senator; Somerset, with a population of 39,111, has two Senators.

As this committee has been apportioned, or the set-up, the two counties, Washington—which I did not mention—with a population of 37,826, has two Senators, the two counties that stand to lose are protected with two votes, one in the Senate and one in the House. The three counties that stand to win, Cumberland is entitled to another Senator and is protected with two votes, Androscoggin which is entitled to another Senator if there is to be a division made by law, and it is a situation that cannot be avoided if it goes by the Constitution—unfortunate perhaps, but nevertheless necessary—Androscoggin with one vote to protect its interests.

Now I imagine that there was an advantage in having two votes on the part of those who stand to lose. I can imagine that there was a disadvantage on the part of those like Androscoggin and Oxford who stand to win with only one vote; and my next inquiry is who is responsible for the set-up. I was more convinced that there was an advantage when I discovered that there was opposition to Androscoggin being levelled up and its interests protected as they should be if justice is done, and can we afford to do anything different? Well, I anticipate that you will hear the snap of the party whip; but can the snap of the party whip lick a man into doing an injustice to his State? Think that one over! I assume that there will be a hereafter, as there usually is.

Now it is admitted by the members that there has been a coalition between what is known as the Republican insurgents and the Democratic party. Is it necessary, I say, for the wing of the Republican party, which is only asking for fair play, which is only asking for a fair deal, to go into the Democratic party to have its rights respected?

Now these things do not just happen. These set-ups are not the result of a conference of the members of this House. As a matter of fact it is the slimy hand of dirty politics from a distance that you cannot see but we can understand.

If you believe that it is your duty, in violation of the oath which you have taken here, to vote against what is fair and square to the citizenship of the State of Maine, to vote against a proposition which only gives one of the largest counties in the State—twice as large as two of the counties that have four votes to protect their interests—and leave us only one perhaps when the record is read again Androscoggin county may not be what it is today. The people over there believe that they are entitled to two votes. Down in your hearts you know that Androscoggin county is entitled to two votes, and what will your verdict be? Once again I say you will hear the snap of the party whip, but can the snap of the party whip drive you into doing an injustice to any citizen, to any county, to any part of your State of Maine. (Applause).

Mr. Speaker, when we vote I move that the roll be called.

The SPEAKER: The question before the House is on the motion of the gentleman from Lisbon, Mr. Jack, that the committee to be appointed shall consist of seventeen members. The Chair recognizes the gentleman from Portland, Mr. Burkett.

Mr. BURKETT: Mr. Speaker, I first want to offer House Amendment A to the motion of the gentleman from Lisbon, Mr. Jack, to substitute the numeral "16" for the numeral "17" as the number of the committee to be appointed.

I think perhaps it might be well to take a little time to explain the parliamentary situation before the House, because I find that there are quite a number who do not exactly understand what the situation is. The original order came from the Senate providing for the appointment of a committee, to be known as the Reapportionment Committee, to consist of seven members on the part of the Senate and such number as the House might join. That is probably not exactly the wording of the order but that is what it provided. That left the House free to add to the committee any number that it chose. As I understand the parliamentary situation, the action

that we take here today does not need to be concurred in by the Senate. When the order came into the House it was tabled, and has been on the table until today, so that as it stood at the opening of this session the order had not been adopted nor the number fixed. Acting upon the first motion that the gentleman from Lisbon made, the House has now adopted the order; so that the only matter before us today is the fixing of the number of the committee. The gentleman from Lisbon, Mr. Jack, has moved that that number be seventeen. I move to amend it by substituting sixteen, and I want to briefly explain my reasons for so doing, not with any idea of snapping any party whip, but simply to have the House see the matter as I see it, if possible.

It has been obvious to everyone that there was some dissatisfaction with the membership of the committee that the Speaker indicated he was to appoint. I have done my best here for the past two or three weeks, in all the spare time that I had, to straighten out inequalities that it was claimed existed in that committee. Some of them have been adjusted. This matter of Androscoggin county is still before you today. I think we have all been patient in the matter. I do not know of any attempt that has been made by anybody—I know I have not made any such attempt—to snap any party whip or to force anybody to do anything on this matter.

The original plan of the House was for a committee of sixteen, one from each county, Androscoggin county to have its one member the same as my county. If we had gone on the basis of population, Cumberland county would have been entitled to a considerably larger number on that committee than the Speaker proposed to appoint, but no point was made about this. It seemed to me that Androscoggin county would be very ably represented on this committee. I understood the appointment of the gentleman from Livermore Falls, Mr. Sturtevant, was suggested. I felt very sure that he would make an excellent representative on that committee and that the interests of Androscoggin county would be ably protected. The addition of one member on the part of Androscoggin county, or any other county,

does not give them the chance to control the action of that committee. There will be twenty-three or twenty-four members on the committee, and they could not by the addition of one more member control the activities of the committee. When this committee had had its hearings and Mr. Jack has been given his opportunity to appear, as everybody else from Androscoggin county, that committee would then report to this House its findings. The matter would then be open for discussion. There is no one of us here who is not going to do everything he can to see that Androscoggin county has a fair deal, and, if the committee should go so far as to discriminate against it, I feel very sure that everybody here, irrespective of the party with which they are affiliated, would assist Mr. Jack and the other members from Androscoggin to correct those inequalities.

This is the end of the sixth week of the session. We have been criticized somewhat for having delayed this matter so long. Meanwhile, the work of this House has gone along, other than the appointment of these two committees, in an orderly way. I have word from the Clerk's office that we are ahead in the work that we have accomplished of the last session or any previous session. The committees are functioning well and everything is going along in an orderly manner. I think it now time that this matter should be settled, and I think that a representation of one man from each county on the part of the House is a fair method of settlement. The committee ought to be appointed and ought to go to work. There is a lot of detail to attend to and a mass of important data to study. I hope that my amendment will prevail.

Mr. PERHAM of Paris: Mr. Speaker, I rise in support of the amendment offered by the gentleman from Portland, Mr. Burkett, that sixteen members be appointed. I might say at this time that I could not be classed as one tail of the party whip in any way. I might like to state again that between Oxford and Androscoggin counties there is the best of political feeling. Again I would like to digress a bit and state that this year Donald Partridge of Oxford county was elected as Congressman from

the District and that Androscoggin county was largely instrumental in assisting Oxford county to elect him. I happened to be one of the four men on the steering committee for Oxford county in his behalf and I know what I am talking about in that matter. Therefore, I have no reason to slam Androscoggin county or take exceptions. The best political friendship has existed in the past between us and will undoubtedly exist in the future.

Also I would state that Oxford county has the opportunity of gaining another member, yet on this reapportionment committee we do not have but one member. The Senate did not see fit to appoint a Senate member from Oxford county. I feel that we in the House can run our own business. I may be wrong but I think we can. Furthermore, I feel that the Senate feels the same way and that they can run their own business. Certain things have gone on and a certain feeling has come about, and I have no question that, regardless of whether they are able to run their own business or not, they are going to do so. Therefore I feel that we had better run our business and let the Senate take care of its own.

I might say that for Oxford county John MacKinnon is placed on our committee and that is O. K. from the Republican end and whether we win or lose in this reapportionment, we absolutely rely on this committee to take care of Oxford county's just desserts. We have no fear in Oxford county in regard to committee members, and I will state that we are satisfied to have sixteen members appointed and we feel sure that we will get a square deal. I also feel on this matter of reapportionment this year that the matter will be justly decided regardless of the fact that possibly some small counties which stand to lose have two members.

I think I have said enough to give you folks an idea of how we stand in Oxford county. I feel that I must speak on this matter because of the talk floating around through the hall that Oxford county was dissatisfied and that we wanted another member. Now we do not and we are absolutely satisfied to rely on a just decision by the members of the committee if we have sixteen, and I again O. K. the amendment by the gentleman from Port-

land, Mr. Burkett, that we have sixteen members.

I might state this much that there is no question but that Oxford county will stand solid with Androscoggin to see that she gets her just desserts, and I think every other county will feel the same way. With regard to the possible loss of one man, I do feel that it would have been very nice if Androscoggin could have avoided that.

Mr. POTTER of Bangor: Mr. Speaker, Penobscot as well as Oxford county has decided that the committee should go along as previously appointed.

Mr. JACK: Mr. Speaker, I understand I have a right to speak twice on this matter.

The SPEAKER: The gentleman is correct.

Mr. JACK: As to the point raised by one of the members, if not two, insinuating or intimating the equality of the situation as it now exists, I wish to reiterate the fact that Androscoggin county, which is entitled to another Senator, has only one vote. I wish also to reiterate the fact that Cumberland county, which has an opportunity to gain a Senator, has two votes, one in the House and one in the Senate. Franklin county, which has no chance to gain or lose, has a member in the House and a member in the Senate. Hancock county, which stands the chance of losing, has a member in the Senate and a member in the House. Kennebec county, which will probably neither lose nor gain, has a member in the Senate and a member in the House. Piscataquis, with no chance to win or lose, has a member in the Senate and a member in the House. Washington county, which may lose, has a member in the Senate and a member in the House. York county, which stands neither to win or lose, has a member in the Senate and a member in the House.

Now why is Androscoggin county left out of the picture? That is the proposition for you to consider. Honeyed words will serve their purpose as a veneer to cover up the truth. If two votes are of value to one county, why should they not be of value to another county? We are about to vote, I assume. If you want to perpetuate an injustice to a county that has some 71,000 people, that only asks for an equal opportunity with the others and with some that have nothing to gain or

lose and others that have something to gain or lose but are protected, when you once vote may your consciences be so clear that when you go back home you can say "I did my duty irrespective of the wishes of anyone, be it party machine or otherwise."

Mr. JACOBS of Auburn: Mr. Speaker, I come from Androscoggin county, the city of Auburn. We feel in that county that we have not had right usage in the apportionment of these committees. I do not rise to second all that the gentleman from Lisbon (Mr. Jack) has said, but if perchance we could have equal rights upon this apportionment committee by having one extra, giving Androscoggin county two where it now has only one, I feel that this House would be serving Androscoggin county's purposes. The gentleman from Lisbon (Mr. Jack) has outlined the situation which we feel keenly in Androscoggin county, and I hope that his motion to add another, making seventeen to the apportionment committee will prevail.

Mr. GIBSON of Harrington: Mr. Speaker, it appears to me that this fight has been taken to the wrong body. The House of Representatives, as I understand it, is giving each county representation on that committee. Therefore, each county is being equally treated by the House, and I do not see why any county should come here and ask us to give them representation over another county. This fight, it seems to me, should have been taken to the Senate and I say that this House is being asked to fight a battle that should not be here at all.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Burkett, to amend by striking out the numeral "17" and inserting the numeral "16"; the Chair recognizes the gentleman from Westbrook, Mr. Scates.

Mr. SCATES: Mr. Speaker, I have listened with a great deal of interest to the discussion here on this matter. Now I am absolutely neutral, and I suggest to my friends across the political arroyo that I can offer a solution to all their troubles. I am a man of peace and conciliation, and I would suggest that you, Mr. Speaker, take into consideration the fact and appoint a Democrat on that committee to

act as referee. (Laughter and applause)

The SPEAKER: The Chair will take into consideration the gentleman's suggestion. (Laughter) Are you ready for the question?

Mr. JACK: I ask for the roll call.

Mr. PERHAM: Mr. Speaker, will you state whether we are working merely on the first motion of Mr. Jack's or on that of Mr. Burkett? I rise for information.

The SPEAKER: The gentleman from Lisbon, Mr. Jack, moves that when the vote is taken it be taken by the yeas and nays. The consent of one third of the members present is necessary. All those in favor of the vote being so taken, will rise and stand in their places until counted and the monitors have returned the count.

The necessary number not having arisen, the motion for a roll call was lost.

Mr. PERHAM of Paris: Mr. Speaker, please explain again whether we are voting on the amendment as offered by Mr. Burkett, so that everyone will know how to vote.

The SPEAKER: The immediate pending question is on the motion of the gentleman from Portland, Mr. Burkett, to amend the motion of the gentleman from Lisbon, Mr. Jack, by striking out the numeral "17" and inserting the numeral "16."

Mr. PERHAM: I understand that a vote of yes is in favor of Mr. Burkett's amendment.

The SPEAKER: The gentleman is correct.

A viva voce vote being taken the amendment was adopted.

Mr. JACK: Mr. Speaker, I call for the roll call on the next proposition; and I wish you would make it plain this time to the members present. We have some ninety new members here.

The SPEAKER: The gentleman from Lisbon (Mr. Jack) moves that the vote on his motion as amended be by roll call. Those in favor of a roll call will please rise and stand until counted.

An insufficient number having arisen the motion for a roll call was lost.

The SPEAKER: The question now before the House is on the adoption of the motion as amended. All those in favor of the adop-

tion of the motion will specify it by saying aye; and those opposed, no.

A viva voce vote being taken, the motion as amended was adopted.

On motion by Mr. Jack of Lisbon the House reconsidered its action of yesterday whereby an act to provide for the appointment of a Commission on Pensions for State employees (S. P. 321) (L. D. 301) was referred to the committee on Pensions; and on further motion by the same gentleman it was tabled, pending reference.

The SPEAKER: The Chair at this time will announce its appointments on the Reappointment Committee, the gentleman from Sanford, Mr. Allen, for York county; the gentleman from Livermore Falls, Mr. Sturtevant, for Androscoggin county; the gentleman from Caribou, Mr. Briggs, for Aroostook county; the member from Gorham, Mrs. Day, for Cumberland county; the gentleman from Wilton, Mr. Blanchard for Franklin county; the gentleman from Franklin, Mr. Blaisdell for Hancock county.

The Chair takes this opportunity to state that that appointment varies from the list of appointments prematurely published and the change has been made by the Chair to rectify a misunderstanding for which the Chair assumes full responsibility.

The gentleman from Augusta, Mr. Farris, for Kennebec county; the gentleman from Rockland, Mr. McLoon for Knox county; the gentleman from Boothbay Harbor, Mr. Lewis, for Lincoln county; the gentleman from Mexico, Mr. McKinnon, for Oxford county; the gentleman from Old Town, Mr. Davis for Penobscot county; the gentleman from Milo, Mr. Hathaway for Piscataquis county; the gentleman from Bath, Mr. Wright for Sagadahoc county; the gentleman from Skowhegan, Mr. Friend for Somerset county; the gentleman from Monroe, Mr. Littlefield for Waldo county, and the gentleman from Lubec, Mr. Peacock for Washington county.

The SPEAKER: Information that the Code order has passed the Senate enables the Speaker to announce the Code Committee at this

time; and the Chair recognizes the gentleman from Portland, Mr. Burkett.

Mr. BURKETT: Mr. Speaker, when that order was passed providing for a committee of ten on the part of the House and the Chair announced the appointment of a committee it honored me by appointing me House chairman, and also included on that committee the gentleman from Westbrook, Mr. Robie, making two members from Cumberland county. Now the situation as it stands now, as I understand it, and concurred in the Senate, there should be a committee of sixteen, one from each county.

The SPEAKER: The gentleman is correct.

Mr. BURKETT: That makes it necessary for one or the other of us in Cumberland county to resign from this committee. I know Mr. Robie will be a very valuable member and that he will serve on the committee with distinction. He has more time to do the work than I have, and while I am sensible of the honor of being House chairman of the committee, I am pleased now to ask the Speaker not to appoint me on that committee, and I ask the privilege of resigning, if necessary.

The SPEAKER: The House hears the explanation. This Code order has been passed and no committee has been appointed as yet so that the House simply takes cognizance

of the explanation of the gentleman from Portland, Mr. Burkett, and the Chair will appoint the gentleman from Westbrook, Mr. Robie, for Cumberland county; the gentleman from Mount Vernon, Mr. Cram, for Kennebec county; the lady from Lewiston, Mrs. Morey, for Androscoggin county; the gentleman from Rumford, Mr. Meicher, for Oxford county; the lady from Bangor, Miss Martin, for Penobscot county; the gentleman from Blue Hill, Mr. Snow, for Hancock county; the gentleman from Limerick, Mr. Quint, for York county; the gentleman from Greenville, Mr. Rogers, for Piscataquis county; the gentleman from Vanceboro, Mr. Holbrook, for Washington county; the gentleman from Whitefield, Mr. Bailey, for Lincoln county; the gentleman from Northport, Mr. Hills, for Waldo county; the gentleman from Richmond, Mr. Hawkes, for Sagadahoc county; the gentleman from Rangeley, Mr. Ellis, for Franklin county; the gentleman from Canaan, Mr. Lancaster, for Somerset county; the gentleman from Fort Fairfield, Mr. Ashby, for Aroostook county; and the gentleman from Vinalhaven, Mr. Smith, for Knox county.

On motion by Mr. Patterson of Freeport,

Adjourned until next Tuesday afternoon, February 17th, at 4 o'clock.