

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

**SENATE.**

Tuesday, February, 21, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Hope of Augusta

Journal of previous session read and approved.

The following bills, petitions, etc., were presented and referred:

**Judiciary.**

By Mr. Leach of Hancock—Bill, An Act to abolish the office of recorder of the Western Hancock municipal court.

By Mr. Noyes of Kennebe—Resolve providing for State paper.

**Legal Affairs.**

By Mr. Farrington of Kennebec—Bill, An Act to amend Section 50 of Chapter 18, of the Revised Statutes, relating to public health and contagious diseases.

**Reports of Committees.**

Mr. Donigan, for the committee on ways and bridges, on Resolve in favor of repairing a highway in the town of Moscow, and the Plantations of Caratunk and The Forks, reported the same in a new draft and that it 'ought to pass.'

The report was accepted and the bill tabled for printing under the joint rules.

Mr. Winslow, for the same committee, on Bill, An Act to amend Section 66 of Chapter 23 of the Revised Statutes, relating to duties of road commissioners, reported that the same "ought not to pass."

Mr. Edwards for the committee on inland fisheries and game, on An Act to amend Section 1 of Chapter 407 of the Private and Special Laws of 1907, relating to fishing in Bunganaut pond in Alfred and Lyman, in York county, through the ice, reported that same "ought not to pass."

Mr. Winslow, for the same committee, reported same on An Act to prohibit the use of dogs in hunting partridge (ruffed grouse) with dogs in the town of Penobscot, county of Hancock, with petition attached.

The reports were accepted and sent down for concurrence.

**Passed to be Engrossed.**

Bill, An Act relating to the election of assessors in towns.

Bill, An Act enlarging the Rumford Falls Village Corporation.

Bill, An Act relating to the tenure of office of the members of the fire department of Augusta.

Bill, An Act to incorporate the Bluehill Water Company.

Bill, An Act to amend the charter of South Portland.

Bill, An Act for the protection of deer in York county.

Bill, An Act increasing capital stock of Somerset Telephone Company.

Resolve in favor of John D. McDonald.

Resolve in favor of Documentary History of Maine.

Resolve in favor preservation of archives of Maine.

**Passed to Be Enacted.**

An Act to repeal Chapter 92 of the Public Laws of 1905, entitled "An Act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors.

An Act to extend the charter of the Sebec Power Company.

An Act to amend Section 56 of Chapter 32 of the Revised Statutes, relating to the disposal of money received for fines and penalties for violations of the fish and game law.

An Act to amend Section 5 of Chapter 49 of the Revised Statutes of 1903, as amended by Chapter 121 of the Public Laws of 1905, as amended by Chapter 179 of the Public Laws of 1907 relating to notice of injury to casualty insurance companies.

An Act to authorize the Wiscasset, Waterville & Farmington Railroad Company to dispose of a part of the property of said company.

An Act to extend the charter of the Jonesport Central Railroad Company.

**Orders of the Day.**

The PRESIDENT: There has been assigned for today, and it is first in order Bill, An Act to regulate the practice of Osteopathy. The question

before the Senate is on the substitution of the minority report for the majority report.

Mr. CHANDLER of Washington: Mr. President, As I understand it there are 18 Osteopaths who asked for this board, a board to be composed of six; in other words, one-third of their whole number. And that any one of the 18 who is a graduate of an Osteopath school, or who has practiced Osteopathy for a period of three months in the State of Maine, without any examination whatever, is entitled to practice medicine in the State of Maine.

As I understand it, a man by the name of Still claimed that he invented this treatment, but did not discover it. Their chief school is at Kirksville, Ind., and I will read you from the report of the foundation school that investigated these colleges throughout the United States. They found there the "American School of Osteopathy," established in 1902, and owned by two individuals.

Attendance: 360 (ranging in age from 18 to 54 years).

Teaching staff: 12, with 11 student assistants.

Resources available for maintenance: Fees, amounting to \$89,600. (Estimated.)

Laboratory facilities: These are absurdly inadequate for the number of students, as is likewise the teaching staff. A single room with a corresponding preparation room, is used as bacteriological and physiological laboratory, a six weeks' course being given by one teacher to successive squads of 32. In the same way separate additional laboratories are provided for chemistry, anatomy, and pathology. Material for pathological demonstration is bought; there is no museum, and no effort is made to save gross material. The dissecting-room is foul. The "professors" in charge of histology, pathology, and bacteriology are scribblers.

Clinical facilities: A hospital of 54 beds adjoins, but its work is practically all 'surgery'; the ward cases are 'occasionally used for clinics. Students witness operations.' Obstetrical

work is comparatively scanty. There is no other hospital in the town."

I understand that year they had one body for dissecting purposes, and were in hopes of having another. As I understand their treatment, they claim that every disease is caused by the misplacement of a bone and by relieving that misplacement they cure the disease. In other words, diphtheria is caused by the displacement of a bone in the neck. By reducing that misplacement they cure diphtheria. It is a well-known fact today in the profession, with the use of anti-toxin, in the early stages of diphtheria, the majority of the cases recover. Whereas, before anti-toxin was known diphtheria was one of the most dreaded disease the profession had to treat.

As to appendicitis, they claim it is caused by a misplacement of the twelfth rib, and they are advised not to treat it in the later stages. It is a well-known fact today in the profession that if appendicitis is not treated in the early stages, death will probably result in many cases.

Now, Mr. President, I think it is hardly right that these Osteopaths, who claim that every disease is caused by the misplacement of a bone, should have the rights to practice medicine that the regular physician has, who today has to be a college graduate, or practically that, in order to be admitted to a medical school, and after serving four years there and passing the Maine Board of Registration is entitled to hang out his shingle and allowed to practice medicine. I think they are small in numbers and that it would be better for them to wait and let us see what progress they make. If they do progress, it will be but a short time before the Legislature will give them a Board of Examination. At the present time I see no more reason for their asking for a Board of Examination than for Christian Science, or any other branch of that nature to ask for one.

I will say that there is hardly a gentleman in the Senate Chamber who has not received from five to twenty letters, practically the same and from the same source, advising him

to vote for this Board of Osteopathy.

I will second the motion of Senator Moulton that the minority report be substituted for the majority report.

Mr. EDWARDS of Androscoggin: Mr. President: I am in favor of the minority report because I believe this bill is an injustice to the people of the State, as well as to the educated physicians throughout the State. I want to read to you, with your permission, a definition as given of the word "Osteopathy" in 1903 in the International Encyclopaedia: "A method of treating diseases, by manipulation for which its adherents claim a universal curative power. It was invented by Andrew T. Still of Kirksville, Mo., in 1893. The underlying principles of Osteopathy are briefly as follows: The fluids of the human body contain greater or less amounts of chemical substances, inorganic and organic, that are at all capable of existence and hence carry a store of all drugs that may be required for checking and destroying any imaginable disease—disease itself is nothing but an abnormal effect of the powers of life and presumably arises along with the normal effect—motion, continually, only under the influence of the drugs in the body, the activity of those powers is immediately redirected along normal channels, and so disease no sooner arises than it is counteracted and destroyed. The re-establishment of health can be prevented only by one cause, viz: the slight dislacement of some bone which would materially form an obstruction to the flow of the drug-carrying fluid. Therefore to effect a cure of any disease whatever, all we have to do is to localize the causative displacement of the bone or bones and remove it by appropriate manipulations."

Now, Mr. President, they claim, as the senator before me has just said, in all diseases they use more or less manipulation: in diphtheria, by rubbing the neck, which would be, in my opinion, a very disastrous thing. In appendicitis there should not be any manipulation whatever. The quieter the person can be kept, and in its early stages operated upon—which

they do not believe in—the better. I think they are in a primitive stage, and at least we should allow them a little longer time before we give them this board. I understand there has been a bill introduced by the judiciary, with the medical bill, that they shall have the right to use "Dr." so-and-so, Osteopath, and I think that is more than they should have without some preliminary education, but the judiciary gives them that, and the right of a member on the Board of Registration. That, it certainly seems to me, is sufficient at this time. If they progress, as they say they will, it is then time for them to have more at our hands.

I am opposed to the bill, because it does not use the public fairly. It would not make any difference to me if one was next door. If you wanted a physician, you might get one of them as quickly as a Homeopath or a regular. I would not employ one at all. I do not object to their practicing as they do now. I have opposite me in my town a man who does a great deal of massage, and I have employed him to the amount of \$200 or \$300 this year. He does good work without this law; he calls himself a "Magnetic Healer."

I am opposed to this law because I believe it is almost a vicious law at this time.

Mr. STAPLES of Knox: Mr. President: I am not an Allopath, a Homeopath or an Osteopath, but purely an American citizen. I have imbibed some of that feeling of righteousness in the Declaration of Independence. I congratulate myself that I believe today as I always have in the equal rights of all parties under the law.

Now I know but very little about the mode of practice of Osteopaths. I do know that a great many people in this country believe in it. I believe they should be encouraged in the exalted way in which they are progressing.

I recollect only a few years ago when our Allopath brethren made the same fight against the Homeopaths that they are now making against the Osteopaths. Today the Homeopathic treatment in the State of Maine and in the whole country stands, as far as it is considered scientific, equal with

the Allopaths, and as many people, perhaps, employ Homeopaths today as they do Allopaths. I have great regard for the Allopaths and the Homeopaths. I have information from patients who have taken treatment by the Osteopaths and they declare that they have done them good; they preferred them to Allopaths or Homeopaths. If I were to employ an Osteopath, I have, under the Constitution of this grand county of ours, just as good a right to employ them as I have to employ an Allopath or any other kind of doctor. I claim that as an individual right, an inherent right, passed down to us from the formation of this government. And it will be a sorry day when that right is taken from the people.

Why, they would have us believe that the Osteopaths are not educated and are not doing anything to educate themselves and show their right to enter a profession. They have eight colleges today in the United States. There are five thousand practitioners in the United States; there are thirty-nine states that have given them just what they ask this State to give them. Thirty-nine states of this union. I believe that as a matter of right that we as American citizens should not deny them the right of registration.

Why, this board, this board of registration, appointed by the Governor, of five men, I think it is five, or ten, must be educated men from their profession or their college, and then that board—this bill lays down the education that they shall have. They shall be examined just the same as the Allopaths are today, by the registration board, all applicants. It is certainly a step in the right direction. Let us not deny the five thousand men and women in the State of Maine who believe in it. They have a right to do it. What would the Allopaths say if they came in here for a registration board—they have one today—and we should get up and say that they should not have one. We have just as good a right to say you should not have one as to say the Osteopaths should not have one. Let us raise the standard of treatment of all diseases by requiring higher qualifications so that our lives will be safer.

I know that we do not all thing alike;

I know of a good many men in the city of Augusta who believe in this kind of treatment, and they are not a low class of people. You will find some of the best men and some of the highest educated men and women in this country and city who believe in this kind of treatment.

Whether you have a registration board or have none, it will not make any difference to the Allopaths or the Homeopaths, for they will be employed just the same.

I did not intend to speak upon this matter. They only ask for a registration board. They lay down the fee and the qualifications, and when they are doing so much in this country with eight colleges scattered all over this grand country of ours, turning out men and women as Osteopaths who believe, and a great many people in this country believe, they are doing a mighty sight of good in this country of ours in curing people of diseases the other systems cannot touch.

I do not know their method particularly. But I know that I am acquainted with prominent men and women who have been treated by this process, and know that they say they have secured great benefits from that treatment. But I should not, my friends, oppose it so much upon that ground as I would upon the principle of equal rights to all parties, as long as they keep within the law, and that is the doctrine of Democracy. There is no question about it. It is a question defined by the Declaration of Independence, and handed all the way down from the Revolution to the present time. We may not deny equal rights to anybody. Suppose you pass this; will anybody get hurt by it? Do you not suppose the five thousand Allopaths will keep on practicing just the same? They say, we want to be on equal footing with the others; we will comply with the requirements of the bill which passed the legal affairs committee, unanimously, as I understand it, a committee composed of men of good judgment, knowledge and ability.

And now the Allopaths come in here today and say they must not have it. What is the reason? What is the trouble? Why do you object to it? I have no doubt you will have just about as much practice if this bill passes as you will if it does not. Now, upon that question we, as a Senate,

it seems to me, should do exact justice to all parties. Their method of treatment was gone over before the legal affairs committee thoroughly and completely, as I understand it, and that committee said it "ought to pass."

I believe that we should do wrong to our own feelings, wrong to our form of government, wrong to the principles which we believe in, if we do not give everybody, as long as they ask for anything that is legal and right, an equal chance before the law.

With these remarks, Mr. President, I move that the minority report be not accepted and that the majority report be accepted.

Mr. FARRINGTON of Kennebec: Mr. President, I merely want to call the attention of the senators to the different manner in which this case is being presented to this body today, to that in which it was presented before the committee, in one particular. In the hearing before the committee there was not one word said, not one inclination, not one announcement, against the method these people practiced.

On that point those who were opposed to the bill were entirely silent, and I wondered at the time, why. I soon learned. Instead of meeting those who asked for the bill, and stating then and there their objections to this method of treatment, when they could be then and there answered, what was the course? The next day I was taken privately to one side and very smoothly and kindly told that this was a fake. They did not say that before the committee. I know that old men have some old-fashioned notions. I have old-fashioned notions as to what is fair. I say that the fair way to try a proposition is for the parties to meet face to face, as they would in a court of law. I say it is not fair to hold back and wait until the other fellow is out of sight.

Now it appears the plan was that they would not attack this method before the committee where the other fellow could answer, but "we have our friends on the floor of the chamber, and they can then and there attack this method, and there will be no one there to defend it." Was that fair

treatment, or would it not have been fairer for the people to have presented their whole case to the committee that heard it?

We spent a lot of time, a good deal of talk, and the doctors told us what they were and how they had improved the last 50 years. And God knows I hope they will improve as much in the next 50 years. The strongest point before the committee and the point most strongly urged, was that there was no need of such a board; that we already had a registration board. It struck me then, and I think it is the same now, that if an Osteopath appeared before the present Board of Registration he would receive just about as much consideration as John Doe would if he should apply to a committee of the Woman's Christian Temperance Union and ask them to endorse his license to sell whiskey.

Mr. SANBORN: Mr. President, I would like to ask what amendments have been added?

The PRESIDENT: The bill has been printed in a new draft.

Mr. MILLIKEN of Arnoostook: Mr. President, the question of the senator from Piscataquis combined with the pleasure which I feel at finding myself in agreement with the senator from Knox, tempts me to say a few words on this question, although I know very well that members of the Senate have undoubtedly made up their minds how they will vote upon the proposition.

I want to call the attention of the members of the Senate first, to the parliamentary situation which exists here, and which is suggested by the question of the senator from Piscataquis.

We have here two reports of a committee. A minority report which says that the bill ought not to pass, and a majority report which recommends the passage of the bill in a new draft. Now at this stage of the discussion, gentlemen, only one question confronts us, and that question is, shall this Legislature adopt some bill, pass some Act to regulate the practice of Osteopathy in this State? I want to say that for myself I have reasoned the matter out in this way: That up to now we have

only to decide that question. If the minority report is accepted here we have said in effect that no system of regulating Osteopathy ought to be adopted in this State. If the majority report is accepted the bill is then before the Senate in amendable form, and I have no doubt that some amendments ought to be made, amendments that have been suggested or occurred to those interested in the bill since it was presented to the committee. I have thought of some myself that ought to be made. But for the present I say that this question is simply whether this State ought to provide some means of regulating the practice of Osteopathy. That is all the question there is before us now. Upon that question I have no concern with the details of the practice of Osteopathy, with the comparative methods of any schools of medicine. My concern is, and the concern of everyone of us should be, as representing the State of Maine, simply to know whether there are in fact people in this State who desire to buy the treatment known as Osteopathic treatment. If there are such people in this State, regardless of our opinion as to the value of the treatment, who desire to buy this treatment, the further question is whether it is advisable to regulate in some way the practice of Osteopathy so that those people may pay their money and get what they buy.

We have taken the position in this State, in many respects, that it is the proper function of the State government to safe-guard the purchaser of any commodity. We have taken an advanced position in the last few years in the so called "Pure Food Law," and have introduced laws of the State to safe-guard the purchaser of any food, and to provide, if a man buys Maine sweet corn, for instance, that the contents of the can shall be Maine sweet corn and nothing else.

We have gone further in respect to the regulation of the practice of medicine, or professions of that nature, because in that particular there is not only the element of protecting the purchaser and assuring him of getting the goods he wishes to buy, but there is an element of danger to life and

health in the practice of medicine by those not qualified to practice it. I say now that I believe there are people in this State who want to buy the Osteopathic treatment, and for that reason, just as we would safe-guard the purchaser of any commodity, it is proper for the State to adopt some regulation so that those people may get what they intend to buy; that they may know when they call in an Osteopathic physician that they are getting Osteopathic treatment.

I say further that the same reason for regulating medical practice applies in this case, namely, to some extent at least, the danger to the public on account of the practice of Osteopathy by those not qualified to practice it, and for these reasons I am in favor of some regulation in this State for the practice of Osteopathy. If the majority report is adopted the bill will be then in amendable form and some amendment should be offered to make the purposes of the bill more definite and remove any possible conflict between the practice of Osteopathy and the practice of medicine.

Mr. MOULTON of Cumberland: Mr. President:

The question now before the Senate is one of the most important that will be presented at this session of the Legislature because it deals with the lives and health of all citizens.

The practice of medicine and surgery has come down from early ages. Great advances have been made in its theory and practice. Everything that the ingenuity and research of man can discover for the relief of pain, the cure of disease, and the promoting of the health of mankind, is adopted by the medical profession, after careful examination and trial have proved its worth.

The medical practitioners do not hastily adopt new methods. They are not carried away nor captivated by new fads; nor by the claims of some new sect that old and long-tried and well-proven methods are of no benefit and should be discarded. They are quick to recognize, recommend and adopt newly discovered methods, when their value and worth have been shown by good results.



The medical profession is an honored and an honorable one, and includes among its members, past and present, men, scientists who have done as much for the benefit of mankind as any other class of men. Its efforts have always been directed to prevent disease, alleviate the sufferings of humanity and prolong and save the life of mankind, not to destroy it. To accomplish those results members of the profession have made the greatest sacrifices, even of their own lives, in their efforts to discover the causes of disease and to demonstrate the absolutely true method of prevention.

Those doctors in Cuba, that former hot-bed of yellow fever, who by scientific research were satisfied that the bite of a certain kind of infected mosquito was the active and sole cause of the spread of yellow fever, that dreadful disease which carried off its victims by thousands, having previously proclaimed their discovery and their belief that if those mosquitoes were destroyed there would be no yellow fever, in order to show to the world the truth of their discovery, allowed those mosquitoes to bite them, developed the disease and died, martyrs to the cause of saving human life, are but one of many examples of self-sacrifice by physicians and doctors for the benefit of humanity.

All honor to those men; and all honor to the profession to which they belong.

Cuba, and the Canal Zone in Panama, another former hot bed of yellow fever, by sanitation based upon the knowledge gained through the self-sacrifice of those doctors, are now free from the ravages of yellow fever, and are as healthful as any part of New England.

I might relate other examples of heroism and self-sacrifice of the members of the medical profession for benefitting the human race, were it necessary.

To accomplish results such as have come about through the efforts of the medical profession, the great advance made by it in the prevention, treatment and cure of disease, has required careful, long-sustained, and well-di-

rected thought, study and preparation.

Human health and life are too valuable, too sacred to be trifled with, or experimented with, and only those who have devoted years of study and preparation for it, who have had the benefits of the teachings and experience of men who have devoted their entire lives to those matters should be allowed to deal with its problems.

Long recognition of these truths, and a belief that the time had arrived when some radical step should be taken to prevent incompetent persons from practicing as physicians and surgeons, led to the creating of a medical registration board by the Legislature of this State in 1895.

By that act a standard of qualification for anyone who desired to practice medicine or surgery was created, and no one after that time could practice medicine or perform surgical operations for hire in this State until he had passed the required examination before the board of registration, showing his knowledge and proficiency and that he was properly qualified to practice his profession.

To meet certain conditions that existed in the State at that time, and to permit such citizens as preferred to, to employ persons to treat them when sick, who were not licensed by the board of registration, clairvoyants, persons practicing hypnotism, magnetic healing, mind cure, massage, Christian Science, or any other method of healing, if no poisonous or dangerous drugs were employed or surgical operations performed, were excepted from the provisions of the law so long as they did not use the initials "M. D." or the title of doctor or physician.

At that time there were no Osteopaths in this State, Osteopathy not having been invented until 1892 by Dr. A. J. Still in Missouri, and none of its disciples having reached here.

Osteopaths are included in the phrase "or any other method of healing if no poisonous or dangerous drugs are employed or surgical operations performed."

Mr. President and fellow senators: There are no restrictions upon the practice of Osteopathy in this State

except that Osteopaths are not allowed to use the title "M. D." or doctor or physician or administer poisonous or dangerous drugs or perform surgical operations.

In the amendment to the medical registration law which has been reported "ought to pass" by the judiciary committee, which is Senate bill No. 4, Osteopaths are expressly excluded from the medical registration law, in Section 5, of that bill, Page 6, amending Section 16 of Chapter 17 of the Revised Statutes which contains the medical registration law.

A further amendment to Section 4 of that bill has been suggested to the judiciary committee and has been adopted and reported by that committee amending Section 15 of the present law so that Osteopaths will be allowed to use the title "Dr." before their name provided they use the word "Osteopath" after the name, as for example, "Dr. Brown, Osteopath."

That amendment was suggested by the Osteopaths and pronounced by them as satisfactory, and has been adopted and reported by the committee.

The licensed doctors, physicians and surgeons do not claim to know all there is to be known in the treatment, or the cause and cure of all diseases, nor do they confine themselves to any one kind or method of treatment. They use and advocate the use of all kinds of well-tried and proved methods of treatment, including the use of medicines, surgical operations, massage and anything else that will relieve and cure disease that has been demonstrated as appropriate and efficacious.

They do not believe and they are utterly opposed to the theory that every disease is induced by one particular cause such as the displacement or dislocation of some bone particularly of the vertebrae of the spinal column, and that every disease and ailment of the human body can be relieved and cured by one method of treatment. If I am correctly informed, and I have read the manual of Osteopathy published by Dr. A. J. Still, who is admitted and heralded by Osteopaths to be the inventor, as he calls himself, of Osteo-

pathy, also Hazzard's manual of the practice of Osteopathy, also Riggs' manual, both of whom are well-known professors in Osteopathic schools and colleges, and whose books are the approved text books of the Osteopathic schools and colleges, every disease of the human body is caused by the displacement of some bone particularly some vertebrae, one or more in the spinal column or some lesion intimately connected therewith which causes constriction or compression of the nerves leading to different parts of the body, thereby interfering with circulation and stimulation of such parts of the body, by reason of which, disease ensues. That by replacing the bone that is out of place and stimulating the nerves by manipulation, circulation is improved, and by continuing the treatment they claim that the patient usually recovers.

The same kind of treatment, that is, manipulation, rubbing or stretching of the nerves, is recommended and is used by Osteopaths for every disease the human body is afflicted with, contagious, infectious, and all other diseases. Diphtheria, typhoid fever, measles, scarlet fever, tuberculosis, syphilis, constipation, piles, appendicitis and in fact every disease known to man.

They administer no medicines, and make no study of medicines and their use and application.

I will read from "Practice of Osteopathy," by Charles Hazzard, Ph. B., D. O., on treatment of diphtheria: "Numerous cases have been treated by Osteopathy. The lesions usually found in such cases are muscular and bony lesions in the neck. Dr. Still regards the important cause a contraction of the tissues of the throat and neck, including the scaleni muscles, drawing the first rib backward under the clavicle and thus disturbing its articulation with the first dorsal vertebra. These contractions about the throat interfere with the venous circulation through the pharyngeal and internal jugular veins, favoring a congested or catarrhal condition of the mucous membranes of the throat, and leading to diphtheria. It is well known that catarrhal conditions predispose to disease."

"In the treatment the main idea is to keep open the circulation to the throat and to thus prevent the formation of the membrane or to prevent its further growth."

"The internal throat treatment should be given to aid in gaining the same end. Proper precautions should be taken to protect the finger so that the child may not wound it with his teeth. The finger is inserted and swept down over soft and hard palate, fauces and tonsils, to relieve the local inflammation by starting the circulation."

In regard to the treatment of typhoid fever the same author says: "The main object of treatment, as pointed out, is to gain vaso-motor control of the intestinal blood supply, and to restore intestinal lymphatics to normal activity. Consequently the main treatment in these cases is spinal. It must be devoted particularly to the correction of the malpositions of the third, fourth and sixth lumbar as described above, and to the removal of any spinal, muscular, rib, or vertebral lesion present. Most of the treatment in these cases must be done upon the spine, leaving the abdomen almost entirely free from manipulation."

In regard to the treatment of appendicitis the same author says: "The first consideration is the removal of the lesion if possible in the patient's condition. This applies particularly to displacements of the eleventh and twelfth ribs. Here gentle manipulation and slight elevation may be sufficient to remove the irritation. Immediate attention should also be given to the relief of the constipation commonly present. If not soon affected by the treatment rectal injection should be employed. This measure materially aids conditions by removing the pressure of the bowel contents from tender points by giving freedom of circulation in the bowel, and by aiding to remove foreign bodies."

In regard to the treatment of constipation the same author says, page 174: "The stricture and adhesions may be manipulated with the purpose of softening, relaxing and breaking down. Foreign bodies and focal aggregations must be gradually loosened and worked along the

bowel. They are more readily handled than other forms.

"Some writers recommend thorough shaking of the patient. He is held by four men by the arms and legs, first with the abdomen upward, then downward, while the shaking is done. There should be much persistence in the treatment. The practitioner should remain continuously with the case and treat it as much as practicable until relieved. In the intervals, hot applications over the seat of the pain may be made."

In the treatment of croup, by Wilfred L. Riggs, D. O., page 76, of his book "Manual of Osteopathy," he says: "Thoroughly relax all muscles of the neck; steady and prolonged work is necessary. Extend the neck forcefully. Work downward over the jugulars to secure drainage. Dip finger in cold water and stimulate pharynx.

In diphtheria and membranous croup, isolation and disinfection are necessary. A disinfecting spray is necessary to the diseased part. Bichloride of mercury 1: 1000 or 2000 is perhaps best. Carbolic three per cent. solution in 30 per cent alcohol is much used. Boric acid and hydrogen peroxide are also used. Follow usual methods of reducing the fever."

The treatment for constipation, by giving the patient a good shaking in the manner described accords more with the initiation into some secret society than with the treatment of disease.

The treatment for diphtheria by spraying the child's throat with bichloride of mercury as recommended by Fazzard if a solution of the strength of 1 to 1000 would result in the death of the child if he swallowed the solution, inasmuch as bichloride of mercury is a deadly poison, of that strength.

We have no quarrel with Osteopathy so long as it is confined to non-contagious, non-infectious diseases, and to ailments where manipulation and massage are known to be beneficial.

We do not deny that Osteopathic treatment is beneficial in many instances and that good results have and will attend its use. We have placed high the standard of require-

ments for license to practice medicine and by the bill to amend the medical registration laws, unanimously agreed upon by the judiciary committee, in a new draft, we have raised a standard of preliminary education, also of medical education still higher, and more in accord with that of other states.

Maine is not the only State that has the benefit and has been the wisdom of enacting a medical registration law. Every state in the United States, the District of Columbia, Hawaii, the Philippines, Porto Rico have medical registration boards, and everywhere the standard is being raised.

We ask of you fellow senators not to lower the standard. Raise it rather than lower it.

Imitation is sincere praise. The Osteopathy bill in its new draft is a copy almost verbatim of the medical registration law, including the amendments in Senate bill No. 4, with only such verbal changes as make it apply to Osteopathy.

Mr. President and fellow Senators: We object to the Osteopath bill because it creates a new and separate board of registration, with the same number of members the same length of service, the same registration fee, eventually the same requirements of preliminary education before attending college, the Osteopath requiring graduation from the Osteopathic college, the medical registration law requiring graduation from a reputable medical college; the Osteopath bill further requiring their applicant for registration to pass an examination in the same branches as our applicant, except we require an examination in the science of medicine, while they require an examination in the theory and practice of Osteopathy.

In the definition of the practice of Osteopathy their bill adopts the language of the medical registration bill, simply changing the words, "doctors of medicine" to "practice of Osteopathy." The bill provides the same penalty of fine and imprisonment for violation of the provisions of their bill that the present law provides for violation of that law. The Osteopath makes the same sections for clairvoy-

ants, Christian Scientists, hypnotists, magnetic healers and other persons as the present medical registration law.

There are 1194 physicians and surgeons in this State, registered under the medical registration law; but there are only 18 qualified Osteopaths in this State, according to the statement of their representatives made to the legal affairs committee at the hearing of this bill.

It doesn't seem necessary or proper at this time, that this Legislature should create a separate registration board for Osteopaths.

Mr. President and senators: Their bill would allow all Osteopaths in this State, members of the Maine Osteopathic Association, holding a diploma of an Osteopathic college in good standing and who have practiced Osteopathy in this State for three months at the time this act takes effect to be licensed or registered without any examination whatever. That, to say the least, is not a very strict requirement or a hard test for the 18 Osteopaths to undergo who claim they are qualified practitioners, and able to treat every disease that human flesh is heir to.

One board of registration is enough for all sects. Let all who desire to practice medicine or cure disease pass the examination required by one board. Having passed that examination they may practice what they choose after they are licensed, as Allopaths, Homeopaths, Electric, Osteopaths or any other paths.

It is just as reasonable to create a separate board of registration for clairvoyants and another for persons practicing hypnotism, another for persons practicing magnetic healing, another for persons practicing mind cure and another for persons practicing Christian Science, as to create a separate board for registration for Osteopaths.

It has been stated in one of the newspapers within a few days, that the clairvoyants are to apply to this Legislature for a separate registration board.

Mr. President, I want to correct one statement made by Senator Staples of Knox. He says there are 39 states that already have Osteopath regis-

tration, separate and by themselves. The correct condition is that there are 19 states that have a bill similar to the one asked of this Legislature. There is no restriction in the medical registration bill at the present time. All anyone having in their minds the practice, excepting they are not allowed to use the title of "Dr." unless they put the qualification after their name. There is no law at the present time to prevent people buying Osteopathic treatment, as much as they want, provided they have the wherewith to buy it with. If you regulate the practice of Osteopathy there is no reason why the practice of Christian Science and Mind Cure should not be regulated.

Now fellow senators keep up the standard of requirements for practice of medicine for treating disease for the ailment of the human body. Raise the standard, don't lower it and the health and lives of the people of this State will be better preserved than ever before.

Mr. President, I move that when the vote be taken, it be taken by the yeas and nays.

The yeas and nays were ordered.

And the question being, shall the minority report be substituted for the majority report, the roll was called.

Those voting yea were: Messrs. Blanchard, Chandler, Edwards, Foss of Androscoggin, Foss of Cumberland, Gowell, Irving, Mculton, Mullen, Pendleton, Smith, Stearns, Theriault, Winslow.—15. Those voting nay were: Messrs. Allan, Boynton, Dodge, Farrington, Fulton, Hill, Kellogg, Mayo, Milliken. Noyes, Osborn, Sanborn, Staples,—14.

And the motion was carried and the minority report was substituted for the majority report, and the minority report was accepted.

Mr. Gowell of York presented the following order:

Ordered, That a committee consisting of the President of the Senate and two other senators on the part of the Senate, with such members as may be joined on the part of the House, be appointed to attend the funeral of Honorable Amos L. Allen, at Alfred, Thursday, February twenty-three, at

2 o'clock P. M., and that the secretary of the Senate transmit a copy of this order to the family of the deceased.

The order was given a passage and sent down for concurrence.

The President appointed Senators Gowell and Smith as a committee on the part of the Senate.

On motion by Mr. Donigan of Somerset, Senate Document No. 52, An Act for the ownership and maintenance of highway bridges by the State, was taken from the table, and upon further motion by the same senator was re-assigned for Thursday of this week.

On motion by Mr. Staples of Knox, Senate Document No. 80, joint Resolution in favor of direct elections of United States senators, with Amendment A, was taken from the table.

Mr. STAPLES of Knox: Mr. President and fellow senators, this is quite an important matter but I assure you I will be brief in the few words I have to say upon it.

When our Constitution was formed, a method was adopted for the election of the United States senators. At that time, it might have been all right, but the history of this country for the last 25 years has shown that a better method should be adopted for the purity of the election of the United States senators, so that the people should have a right to have a voice in the election of whoever they desire as their United States senator.

I believe that that right, as I have said before, is inherent in the people. I believe in that doctrine and that method of electing our officers, and that it will keep it down as close to the people as you possibly can. That is certainly my idea of pure, true Democracy, let the people have a right to say who they want, and vote for them directly. The great trouble with our elections—and those who have been in politics in the State of Maine, will bear me out in what I say—the great trouble today is in getting people to go to the polls. The average voter does not care whether he goes or not; he has lost interest in the affairs of the government. Why is it? They tell you that they have nothing to say; that a few control the whole—and that is the great trouble we have

in betting men to the polls today. What we want is to arouse the interest of the voter and put upon him responsibility, and let him feel his responsibility in the affairs of the government, and then there will be no trouble about getting men to the polls. Today they do not believe in or have any interest in politics. I found out in many years campaigning, that the worst trouble I had was to get people to the polls. I found them indifferent whether that man or this man was elected; whether this principle went up or that went down. When you put the responsibility upon them and let them understand and feel that they are a part of the government, then it is an educator that will bring them to the polls, and we will have a better government than we have today. I say that all over the country today, where Legislatures have elected United States senators—take Illinois, and we find there the most corrupt men elected, and in the United States Senate they will be thrown out because their election was procured by fraud. You cannot do that if you give the vote to the people. It would have been a great thing if Illinois had done that twenty years ago. It is a sad thing to see a United States senator disbarred from sitting in the Senate because his election was procured by fraud. It is a sad thing upon our form of government, and I believe our people today—~~I~~ know and believe that in the state of Massachusetts, in this last election, if the people could have voted direct they would not have sent Henry Cabot Lodge back to the Senate. Not that I know anything against him, but if the people could have voted direct they would have sent a different man because they did not believe in his administration.

I believe we have had many instances in the last twenty years that impress me very strongly that the people should have a right to vote direct for United States senators. I think the people of this State demand it at our hands today. We should throw our might in favor of an amendment to the Constitution whereby we may have that right. If you give them that right you will not find, in my honest opinion, a United States senator whose

title will be impeached or undertaken to be impeached on account of corruption, for the next 25 years.

I hope everybody in this Senate—I hope my friend from Aroostook will vote with me, as I a little while ago voted with him. Turn about is fair play.

I hope every Republican in this Senate will vote for it. I have the right to expect, as we have had it in our party platform every year,— I do expect every Democrat to vote for it, and I do hope my Republican friends will get into good company and vote with us.

Mr. MILLIKEN of Aroostook: Mr. President, it is said that when the average Englishmen meet at the breakfast table on a pleasant day, that one says to the other, "It's a fine morning. Let's go out and kill something." It will soon be said when the Legislature of the State of Maine meets on a pleasant day, "it is a fine day. Let's amend the Constitution." But, Mr. President and gentlemen of the Senate, the question of the direct election of United States senators by the people, although it is an interesting one and one upon which I have listened with great interest and profit from the senator from Knox, it is not the question involved in this resolution. Neither is the question involved in this resolution a question whether the Constitution of the United States shall be amended or not. The question is, whether this particular resolution, presented in the House about a week ago under the suspension of the rules and passed to be engrossed without reference to a committee, sent here to the Senate and proposed for passage without reference to a committee, shall be adopted.

Now I want to call the attention of the members of the Senate to the fact that we have not had very good luck, so far his session, with important matters proposed here for immediate passage without reference to a committee. We have sometimes found upon examination that there were important defects in the bill itself. I think it is advisable, and I will say here that the sort of argument I make here might properly have been made before a committee, but as it is proposed that it

should be passed without reference to a committee and passed at once, we must make here any argument we make as to the form of the resolution itself. And I shall connne myself to that, and when I get through I shall move that the resolution be indefinitely postponed. If anyone wishes to introduce another and send it to a committee I shall not oppose it.

For the purpose of getting back to the precise question before us it might be well to read the provisions of the Constitution itself, and then the resolution here proposed for passage without reference to any committee.

The article of the Constitution of the United States governing amendments is Article 5. "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution, or, on the application of the Legislatures of two-thirds of the several states, shall call a convention for proposing amendments which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or other mode of ratification may be proposed by Congress."

The resolution proposed here is as follows: I am going to include in it the amendment offered by the senator from Cumberland, as near as I can remember it.

The President informed the senator that the amendment was Senate Document No. 104.

Mr. MILLIKEN: I thank you.

The resolution itself is Senate Document No. 80, and Senate No. 194 is the resolution as amended. I will read the amended resolution:

"Whereas, we believe that senators of the United States should be elected directly by voters, and

Whereas, to authorize such direct election an amendment to the Constitution of the United States is necessary, and

Whereas, the failure of Congress to submit such amendment to the states has made it clear that the only practicable method of securing submission of such amendment to the states is through a constitutional convention to

be called by Congress upon application of Legislatures of two-thirds of all the states.

Therefore, be it resolved by the Legislature of the State of Maine hereby makes application to the Congress of the United States under Article 5 of the Constitution of the United States, to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States, providing for the election of United States senators by popular vote.

Section 2. This resolution duly authenticated shall be delivered forthwith to the President of the Senate of the House of Representatives of the United States with the request that the same shall be laid before the Senate and the House."

Mr. President, my first objection to this resolution is the one to which I have just alluded, namely, that there is no occasion for this proposition to be enacted under suspension of the rules and without reference to a committee. My next objection is that this resolution proposes, not an ordinary amendment to the Constitution of the United States, but an absolutely new, untried and revolutionary procedure in the history of this government. For while the Constitution of the United States authorizes two methods by which it may be amended, first by suggesting an amendment by Congress to the Legislatures of the states and ratification by the Legislatures, and second, by application by the Legislatures upon Congress for a constitutional convention, while those two methods are offered, the first method only has been used so far. Fifteen amendments to the Constitution of the United States have been adopted, as every schoolboy knows, and every one of those 15 have been adopted in the usual way, by suggestion on the part of Congress and ratification by the Legislatures of the states. This resolution proposes something new, namely, that Congress shall call a constitutional convention. That is my second objection. My third objection is that for the Legislature of the State of Maine at this time to pass this resolution in its

present form would be an insult to the Congress of the United States. Because this resolution states in distinct terms that it is passed by this Legislature on the assumption that it is useless to expect Congress to do anything about this matter, while everybody knows who reads the papers that Congress has this matter under consideration at this time. It is upon the calendar, a privileged question for early hearing, and if this Legislature passes this resolution in its present form and it goes to Washington and is laid before the Senate and House of Representatives in Washington, as herein provided, those senators and representatives in Washington will think, and rightly think, either that we are ignorant here and do not know what is going on in Washington, or deliberately intended to insult Congress. That is my third objection, that if passed it is a deliberate insult to Congress.

My fourth objection is that the resolution in its present form is not in accordance with the provisions of the Constitution applicable thereto. I call your attention again to the language of the Constitution providing as a second alternative, in the case of proposed amendments the following: "Or, on the application of the Legislatures of two-thirds of the several states, shall call a convention for proposing amendments which, in either case shall be valid to all intents and purposes, etc."

The original resolution introduced here was not subject to this particular objection, because it did provide in the Constitution for a constitutional convention for proposing amendments. It was seen that the resolution in that form was too broad, and an attempt was made, as I understand it, in caucus, to limit the scope of this resolution, providing for direct election of United States senators by the people.

Now, gentlemen, this Legislature, and any Legislature, if it sees fit, has a constitutional right to demand of Congress to call a constitutional convention for the purpose of amending the Constitution of the United States, and if two-thirds of the Legislatures

should make such a demand Congress must call such a convention, but no Legislature has any right, in making such a request of Congress to specify what amendments or what propositions for amendments shall be made in such constitutional convention, once it is called. Because it must be plain to any man who simply reads the provision in the Constitution itself, that once a convention has been called in response to this demand made by two-thirds of the Legislatures, the convention itself is the sole judge of what amendments shall be proposed.

As I said in the beginning, it is not a question of the direct election of the United States senators by the people; it is not even a question of whether it is appropriate for the Legislature of this State to put upon record any recommendation of proposed amendments to the Constitution of the United States. This resolution in the form presented here is objectionable on four grounds, for four reasons: first, because unusual procedure is asked for. We are asked to pass it without reference to a committee for consideration.

Second, if passed in its present form it is a deliberate insult to Congress, now considering the question.

Third, because it suggests a revolutionary scheme, something so far that has never been tried in the history of this government.

Fourth, because it is not in the form provided by the Constitution, and we have no right to suggest a particular amendment to be considered by the convention.

I move that the resolution be indefinitely postponed.

Mr. STAPLES: Mr. President: I am somewhat surprised by the remarks of the senator from Aroostook. I think in the first place that it is eminently proper that the matter took the course it did, without reference to a committee. It has no business before a committee. It is not a resolve in fact that requires the action of a committee. It is not proposed to have any law about it. It is simply a memorial to Congress and any representative or senator has the right to put it in under suspension of



the rules and have it passed and go along.

Now, of course, we know the constitutional convention, when that convention convenes, if they have two-thirds of the states to propose amendments, New Hampshire may have one amendment, New York and other states, several states no doubt have them, act upon such amendments as they deem fitting and believe will be good for the whole country. I think, while I did not draw this memorial, it was drawn by the senator from Cumberland. I think it is in due form for the purpose of this case. I believe we are voicing a large proportion of the wishes of the voters of Maine when we memorialize our representatives and senators in Congress to vote in favor of a constitutional convention.

There are people in this country, it does not apply to Aroostook county, who can always see a barn door before they see the barn. I am not one of those who believe we should split hairs upon this matter. It may not be worded to suit the cultured taste of the gentleman from Aroostook, but it is couched in good, strong, Democratic language, and the senator from Aroostook does not understand that language. I hope the time will come when he will become versed in its vernacular. It will broaden him out and he will not be confined to small ideas. As far as insulting Congress is concerned, I think the Senate of the United States today, with what has been before them in the election of United States senators by Legislatures, will stop to consider

I hope our senators will vote for it. I say they have had the lesson, and if they get together in convention they will do away with this source of corruption that has been a disgrace to the United States, and caused us not to be respected abroad, but looked upon as a country of millionaires and graft, because they have the right to say it, and because so many United States senators had a seat in Congress bought by a corruption fund. The object in putting this to the people is that the people may have a chance.

We will avoid those senators who have been a disgrace to this country.

I do not think the United States senators or representatives in Congress will feel so much disgraced as they have been by the election of United States senators by the Legislatures of the country. I do not think that will hold water.

In regard to the third proposition, I do not think there is anything in that. I do not think that is worth discussing.

Now we come to the fourth, "not in form." Well, I spoke about that. It is in the form of a memorial to Congress. In other words, if it was not so strong as that, I do not think it would make any difference. We want to memorialize Congress through the Legislature of Maine that we are in favor of a constitutional convention where this amendment we are in favor of shall be considered, and that is all there is to it. We want that according to the terms of the memorial. It is not only a memorial—they can phrase it in any kind of language to convey the idea. I don't care whether it is in form, let us convey the idea, and that is what the senator meant when he made that memorial. I hope every Democrat, and every Republican if they can, will vote with us, and I ask for a yea and nay vote.

MR. COWELL of York: Mr. President, I heartily concur with what the senator from Aroostook has said in regard to the form of this resolution, but I would beg leave to briefly express my views in regard to the principle involved. I know that this is not the popular side of the question, but if we would eliminate politics for a moment in considering this resolution and look to the question fairly as man talks to man in good faith we might well ask the question, would we be better represented in the United States Senate if this mode of election should prevail?

The State of Maine has been ably represented in the United States Senate by a long line of distinguished men who have served the State with marked ability, character and integrity, and we may well ask the question: "Would an election by the people have given

us better public servants than we have had in the past or raise the standard in the future?"

Governor Plaisted is quoted as having said during the last campaign that owing to the high standard of the supreme court of the State of Maine, should a vacancy occur in the personnel of that court during his term of office that political preference would not be considered in filling the vacancy. I maintain, Mr. President, that while the office of United States senator is not strictly speaking a judicial office the same principle would apply. For the first time in many years, Mr. President, the Democratic party in this State has become the majority party and at the commencement of this session of the Legislature we had occasion to elect a United States senator. I would ask the members of this Senate and the Legislature if they think for a moment that in the selection of our United States senator the voice of the people was not heard? Would they have made a different selection if an election had been held by the people? When we met in joint convention that day and I had the pleasure of listening to the United States senator-elect, I was proud of our choice. I have an idea it would be somewhat of a reflection upon the honorable men who have represented and are representing this State in the United States Senate, and a slight reflection upon this Legislature if this resolution should be given a passage.

Our forefathers embodied the present method of electing United States senators in the Constitution of the United States at the time of its adoption, and by the same Constitution safeguarded the rights of the common people, the people whom the senator from Knox always deems it a privilege to defend, and I believe that the rights of the people by that Constitution have always been preserved and that we should be reluctant to make any departure therefrom.

In creating the United States Senate at that time equal representation of the states and a long tenure of office was adopted so that the election of the members to that body would be removed as much as possible from politics and too

frequent elections, and whatever pernicious practices there might be resulting therefrom.

Mr. President, I believe the same principle holds good today, and although I have not given the subject much attention I have simply voiced my personal sentiment in regard to the resolution. I hope the motion made by the senator from Aroostook to indefinitely postpone this resolve will prevail, and I move that when the vote is taken it be taken by the yeas and nays.

Mr. WANSLOW of Cumberland: Mr. President, I am heartily in favor of this memorial having a passage. I believe it to be for the best interest of the people, and I mean largely the Democratic people.

I am not the author of that bill, although it came from Cumberland county. I offered the amendment, but that was not of my origin. It came from the same source as the original bill. I want to set the members of the Senate right on the matter. The bill came from the Cumberland county delegation.

Mr. STAPLES: Mr. President, just a word. I want to correct the senator from York in regard to the position of our honored United States senator-elect from Maine. If he was here today and voted, he would vote for this memorial. This is Democratic doctrine, and I am glad of another thing. My friend, the senator from York, congratulates us on having this Democratic Legislature for the first time for 30 years, and upon giving some Democrats office. Go back and think what you have done for thirty years. No Democrat could get in sight of an office, no matter how well qualified he was. But we do not care about that today. We will take you by the hand today and if you behave yourselves we will give you something.

Mr. COWELL: Mr. President, we are pleased to hear the promises of the senator from Knox and hope they will materialize.

Mr. MILLIKEN: Mr. President: The senator from Knox says he does not care anything about the form, and that it is in good Democratic form, and he hopes I may become familiar with it, I will say that I

am, I believe, fast learning, and if the senator from Knox, who is a lawyer and a responsible member of the majority, is satisfied with the form of the resolution, I have no complaint to make except as I conceive it to be the duty of the minority not to occupy the mere position of opposition or obstruction, but to point out those things as they exist. I thought it my duty to point out what I considered to be a defect in this resolution. I say now if it is the purpose of this Legislature merely to memorialize Congress on the election of United States senators, we should do one of two things, either refer this to a committee so that it may be hammered into shape, without such embarrassment as would be upon the floor of this Senate to have a resolution introduced and referred without reference to a committee, or have a proper resolution introduced and referred to a committee. I should be ashamed, as a member of this Legislature, to think that sometime within a few days a document is to be read in Washington which would lead the members of the House of Representatives and the Senate to believe that we either deliberately insult Congress, or that we are so ignorant down here that we do not understand what we have done.

Mr. Gowell moved that the vote be taken by yeas and nays, and the same was ordered, the question being: Shall the resolution be indefinitely postponed. Those voting yea were: Messrs. Blanchard, Chandler, Gowell, Irving, Milliken, Smith, Stearns, Theriault-8. Those voting nay were: Messrs. Allan, Boynton, Dodge, Donigan, Edwards, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Hill, Kellogg, Leach, Mayo, Noyes, Osborn, Pendleton, Sandorn, Staples, Winslow-19.

And the motion to indefinitely postpone was lost.

On motion by Staples or Knox the resolution was then given a passage.

Mr. STEARNS of Oxford: Mr. President, on account of the fact that it is late, and as there has been a good deal of discussion in the senate this morning,

and because of the fact that it is Governor's day in the Legislature, I move that the bill to abolish the office of the assistant attorney general be reassigned for tomorrow.

The motion was agreed to.

Mr. GOWELL of York: Mr. President, I move that the Senate reconsider the vote whereby it passed to be engrossed House Document No. 149, An Act for the protection of deer in Hancock county. I will say in explanation that I do this for the purpose of offering an amendment.

The motion was agreed to.

On further motion by the same senator, the bill was tabled pending second reading.

On motion by Mr. Donigan of Somerset, Senate Document No. 52, An Act for the ownership and maintenance of highway bridges by the State, was taken from the table, and on further motion by the same senator was reassigned for tomorrow morning.

On motion by Mr. Hill of Penobscot, House Document No. 127, An Act to amend Chapter 247 of the Public Laws of 1909, relating to packing and branding apples, was taken from the table.

On further motion by the same senator, Senate Amendment A to Section 2 of the bill was adopted.

On motion by Mr. Milliken of Aroostook, resolve in favor of screening Swan lake, in the county of Waldo, was taken from the table, and on further motion by the same senator was referred to the committee on inland fisheries and game, in concurrence.

On motion by the same senator, resolve in favor of Unity Plantation, was taken from the table, and on further motion by the same senator was referred to the committee on appropriations and financial affairs in concurrence.

On motion by Mr. Noyes of Kennebec, resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, was taken from the table.

On further motion by the same senator, the action whereby the resolve was passed to be engrossed was reconsidered.

On motion by the same senator,

Senate Amendment A to House Document 84 was adopted, and the bill as amended was passed to be engrossed and sent down for concurrence.

On motion by Mr. Gowell of York.  
Adjourned.

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### HOUSE.

Tuesday, February 21, 1911.

Prayer by Rev. Fr. LaRiviere of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Resolve proposing a memorial to Congress in favor of the Sulloway pension bill, came from the Senate having received passage in that branch. On motion of Mr. Wilson of Auburn, the rules were suspended, the resolve received its two readings and was passed to be engrossed in concurrence.

An Act to authorize the York Light and Heat Company to acquire additional properties, having been passed to be engrossed in the House, came from the Senate passed to be engrossed as amended by Senate amendment A.

The vote was reconsidered whereby this bill was passed to be engrossed, Senate amendment A was adopted, and the bill was passed to be engrossed as amended in concurrence.

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The following petitions, bills, etc., were presented and referred:

#### Inland Fisheries.

By Mr. Miller of Hartland—Remonstrance of W. H. Watson and 54 others against fishing in Frost Brook and Bragg Brook, so called.

The following petitions, bills, etc., were presented and referred in accordance with the privilege granted by the Speaker at the session of yesterday.

#### Judiciary.

By Mr. Colby of Bingham—An Act to amend chapter 526 of the private and special laws of 1871 entitled "An Act to confirm the doings of the Maine

Missionary Society and to incorporate said society."

By Mr. Clark of Portland—An Act relating to the salary of the judge of probate for the county of Cumberland.

By Mr. Phillips of Shirley—An Act to incorporate the Monson Water Company.

#### Banks and Banking.

By Mr. Hersey of Houlton—An Act to incorporate the People's Trust Company.

#### Shore Fisheries.

By Mr. McCurdy of Lubec—An Act to prevent the destruction of smelts in the waters of the towns of Lubec and Trescott in the county of Washington.

Also, An Act to protect lobsters in the waters adjacent to the shores of the towns of Lubec and Trescott.

#### Claims.

By Mr. Mace of Great Pond—Resolve in favor of the town of Waltham.

#### Pensions.

By Mr. Lawry of Fairfield—Resolve in favor of John Bradbury.

#### Report of Committees.

Mr. Scates from the Committee on Legal Affairs reported "ought to pass" on Bill, An Act to amend Section one of Chapter 84 of the Revised Statutes, relating to orders and notices by the Supreme Judicial Court.

Mr. Murphy from the Committee on Education reported same on Bill, An Act to amend Section 97 of Chapter 15 of the Revised Statutes, as amended, relating to the appropriation for the schooling in unorganized townships.

Mr. Lawry from the committee on Ways and Bridges reported same on Bill, An Act to repeal Chapter 404 of the Private and Special Laws of 1909, relating to the reconstruction of Portland Bridge.

#### First Reading of Printed Bills.

An Act additional to Chapter 406 of the Private and Special Laws of 1850, entitled "An Act creating the Norway Village Corporation," as amended by Chapter 451 of the Private and Special Laws of 1851, Chapter 314 of the Private and Special Laws of 1870, Chap-