

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Friday, March 24, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Gibson of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Passed to be Engrossed.

The following bills and resolves were given their two readings and were passed to be engrossed under suspension of the rules.

An Act for the assessment of State tax for the year 1911.

An Act to incorporate the Anson Water Company. (Tabled on motion by Mr. Gowell of York, pending second reading.)

Majority and minority reports of the judiciary committee on Bill, An Act creating a single board of representative government for cities and towns in the State of Maine, came from House, that Branch having accepted the majority report of the committee, "ought not to pass." (Tabled on motion by Mr. Gowell of York, pending acceptance of the report.)

Majority and minority reports of the committee on education on Bill, An Act to provide for the distribution of the school mill fund and the common school fund, came from the House, the majority report accepted and the bill referred to the next Legislature.

Mr. MILLIKEN of Aroostook: Mr. President: I do not want to say anything at this time as to the merits of this bill, except to explain that it was introduced only after it became apparent to me that the so-called Grange bill could not be passed, and this was intended as a further and precise application of the principle embodied in the Grange bill.

Besides this bill, there are three or four other measures now pending in various forms in this Legislature which all have to do with the distribution of the school fund and the distribution of certain parts of it for certain purposes.

There is on the table of the Senate

an order looking toward the appointment of a committee on all these matters and requiring them to report to the next Legislature. In view of the several bills pending and the advisability of reaching some agreement as to what shall be done in the next Legislature, I move that the Senate ask for a committee of conference with the hope that it may work out something in regard to all these measures.

Mr. EDWARDS of Androscoggin: Mr. President: I hope that the motion of the Senator from Aroostook will not prevail, and move that we concur with the action of the House.

Mr. GOWELL of York: Mr. President: It seems to me that the Senator from Aroostook is simply asking for fair treatment in this matter. We have all heard of the Milliken bill, so called, and the action taken yesterday in the House, and we know that other matters are pending concerning the same subject.

I believe we have had committees of conference on several matters during the past week, of far less importance than this one.

I hope the motion of the Senator will prevail.

I think it is a fair proposition, and I will add that it means a great deal to the country towns in the State. The argument has been used in the House and in the lobby that it will take a large amount of money from the large cities. I understand that we are here to legislate for the whole State, and not for the cities alone. We all know that the Senator has been eminently fair, and we should sustain him.

Mr. STAPLES of Knox: Mr. President: Once more during this session I find myself in accord with the Senator from Aroostook.

I have always been opposed to the method by which our school fund has been distributed according to valuation. I don't know as I am in favor, I don't think I am in favor, of the bill of the Senator from Aroostook. I think the only fair way to distribute the school fund is by population, the number of scholars, and in the manner my brother suggests.

In the three matters pending, it seems to me a committee of conference should be appointed to work out some scheme whereby this matter may be equitably and fairly adjusted. The country towns have suffered and will suffer for the next year, until the next Legislature, if the bill on valuation is the method on which the mill tax is distributed.

I am heartily in favor of the motion and hope it will prevail.

Mr. OSBORN of Somerset: Mr. President: I think there is no more important measure to come before this Legislature than the distribution of our common school money. It has been discussed quite freely and different methods have been proposed, and I can see no reason why the Senate should not be treated just as fairly in this matter as the other Branch of the Legislature. I believe that we are a co-ordinate Branch of the Legislature and there is no good reason why we should fall into every method taken up by the House of Representatives. Let us have a committee of conference on this matter and see if we cannot work out some method of agreement that will be more satisfactory, at least, than the present method.

I hope the motion of the Senator from Aroostook will prevail.

Mr. FULTON of Sagadahoc: Mr. President: As a member of the committee on education, I hope the motion of the Senator from Aroostook will prevail.

The committee spent a lot of time considering these different methods, and it seemed to us after looking over the bill introduced by Senator Osborn, and talking it over carefully in the committee, that perhaps it could not go through this Legislature, and by the advice of gentlemen interested in educational matters, we decided to draft this bill, which perhaps unfortunately for some reasons, goes under the name of the "Milliken bill," and it is not supported perhaps by some because it is known as the Milliken bill.

Gentlemen, I am going to support this bill because I think it is right and

does justice to the various towns and municipalities throughout the State of Maine.

I do not believe that matters of this kind should be considered hastily. I do not believe that people should go into the lobby and trade and traffic on such matters as this, as I think has been done in this case. I believe people come here to represent the whole State, and should be broad-minded and fair-minded and consider what is for the interest of the State at large—not your locality or my locality. It is unfortunate that there is so much trading and trafficking here for personal gain in this Legislature. I will say that I am ashamed at the attitude I have seen some of the members take on these matters.

The PRESIDENT—The question is upon the motion of the Senator from Aroostook, that the Senate insist upon its action and ask for a committee of conference.

Mr. BOYNTON of Lincoln—Mr. President, I ask that the motion be put that we ask for a committee of conference, and not that we insist.

The motion as amended was adopted and the President appointed on the committee of conference on the part of the Senate, Messrs. Milliken, Boynton and Edwards.

Mr. Boynton explained that he should be very busy on the committee on Appropriations and Financial Affairs, and asked to have someone substituted in his place on the committee of conference.

The President thereupon substituted in the place of Mr. Boynton, Mr. Winslow of Cumberland.

House Document No. 158, An Act defining the main trunk line of highway through the State, came from the House endorsed "The House insists and calls for a committee of conference."

The President joined on such committee on the part of the Senate, Messrs. Allan, Pendleton and Foss.

House Document No. 627, An Act constituting nine hours a Day's work for public employees, came from the House, endorsed "The House insists upon its former action and asks for a committee of conference."

On motion of Mr. Mayo of Hancock, a committee of conference was appointed. The President joined on the part of the Senate Messrs. Allan, Blanchard and Leach.

The report of the committee on Ways and Bridges, on An Act to provide for the erection of the Portland bridge, "ought to pass," came from the House, by that Branch indefinitely postponed.

Mr. WINSLOW of Cumberland—Mr. President, In reference to the Portland bridge matter; situated as I am and have been, in consequence of being placed on the legislative committee to ascertain from expert authority the condition of that bridge, and further from the fact of being on the committee on Ways and Bridges, before whom these matters have come, and also on account of being one who represents Cumberland county, I wish to state at this time that in the first place there was a petition to this Legislature for authority to make research into this particular bridge and ascertain as to its strength and safety for public use. The committee, with that authority, employed well known, practical engineers, Sawyer and Moulton of Portland, and Prof. Harold S. Boardman, head of the Department of Engineers of the Maine University. Also as an expert witness, a Mr. Worcester of the Boston Bridge Company. Mr. Worcester had charge of the construction of this particular draw in this bridge at the time of its original construction. All of these several engineers have performed their several duties in the examination of the draw of the Portland bridge, and they have made their reports to the legislative committee of their findings, and this committee has reported back to this body of the Legislature.

The committee on Ways and Bridges held their hearing, and it was largely represented by the members of Cumberland county, and at that hearing the vote was carried by the committee that it "ought to pass." The bill has gone to the House and they have not conformed with the committee's report.

I should speak of the condition of the bridge, perhaps, and I will state that a little later I wish to offer an amendment. The bridge,—I speak of the bridge from one end to the other, —from the Portland side, extending from York Street over the railroad tracks of the B. & M. and M. C. R. R., crossing over the draw and on to the South Portland side. When I speak of the draw itself, it is that portion of the bridge which is used for the passage of vessels and this particular portion of the bridge is defective owing to its long continued service, and the original construction of the bridge. This particular iron construction of the draw was sufficient for the needs at the time of construction. The construction at that time did not call for anything of greater magnitude of strength than was put in there. During all the time intervening since then, this structure has become weakened by corrosion and the action of the elements and salt water. At the time the bridge was built there were no trolley cars that made use of this bridge or draw. Since that time the electric car service has acquired the use of the bridge through the county commissioners. Before doing so, it was insisted that the draw be strengthened which was done by putting in a certain number of girders underneath the track of the electric railroad. The railroad company made use of this bridge for a certain length of time, under the condition that they would make a change, extending their tracks outside of the bridge limits on the easterly side. The draw was congested on account of its narrowness, for when a car is on the draw it is impossible for a team to pass along side of it.

I have here the opinion of the engineers who examined the bridge, describing all the weak parts of this draw, and also have several drafts that have been taken of the weak parts that could be gotten at. There are certain sections of an iron bridge that are covered up and impossible to get at. By corrosion, they found that the structure of this bridge has depreciated since it was built fifty per-

cent. They inform me from I think a cor-

rect knowledge of the original bridge that they are making these bridges five times as strong now as they then thought was necessary. There is a chance of overloading this bridge, and when that occurs it may collapse, according to the testimony of the engineers.

While perhaps the railroad feels that they may safely pass over that bridge for the time being, I have noticed of late that they are very cautious to have not more than one car on the draw at one time. The engineers recommended that extreme caution must be had in passing over this draw and that it should not be overloaded at any time, and not more than one car should pass over it at one time, and that congestion such as might occur when the draw has been opened after being closed to allow the passage of vessels, should be avoided. As it has been in the past, they have taken chances in going over that draw.

I will state that some objections, and perhaps the principal one in reference to this Act in the House, is that the Cumberland county delegation thought this matter was not directly referred to them. They did not object to the bridge at the time it was built, and the finances of course is what hampers them in Cumberland county. It has become imperative that this thing must be done if a county bridge is to be maintained there, and there must be sooner or later a bridge constructed there, and the purpose of this bill is to devise means by which this bridge can be built. It was left entirely with the county commissioners to carry out all this under authority from the Legislature. We want this to go to the county commissioners so that they may have time to carry it out, and bring about the construction of the bridge at a reasonably early date.

The inhabitants of Cumberland county had an opportunity to be present at all hearings. The hearing at Portland was advertised and everybody that had any interest in the matter had a chance to be there. Perhaps some did not get to that hearing, but that was not the fault of the committee. At the hearing before the com-

mittee on Ways and Bridges, some exceptions were made because the county was not represented there. The Cumberland county delegation was in the building at the time and were knowing to the fact that the hearing was to take place.

Now, referring to the Cumberland county delegation, I believe they have some rights in the matter and we certainly wish to accord it to them, and they wish to state that they want to do everything they can, and that the construction of this bridge will meet with the approval of Cumberland county. We believe the amendment offered will fully cover the ground. I will offer the amendment and shall read a portion of it because I want it understood.

The PRESIDENT: I would suggest that the report of the committee be accepted.

Upon motion by Mr. Winslow, the report of the committee was accepted; the President read Senate Amendment A to Senate Document No. 193, and the amendment was then adopted.

On further motion by the same senator, the rules were suspended, the bill was given its two readings and was passed to be engrossed.

House Bill No. 659, An Act to ratify and confirm the organization of the Yarmouth Manufacturing Company, and to give said company additional powers. (Tabled on motion by Mr. Blanchard of Franklin.)

Passed to Be Engrossed.

(The following bills and resolves were given their two readings and passed to be engrossed under suspension of the rules.)

An Act to amend and extend the charter of the Belfast Electric Light Company.

An Act to amend Section 1 of Chapter 173 of the Public Laws of 1909, relating to compensation of register of deeds.

An Act to amend Section 115 of Chapter 15 of the Revised Statutes as amended, relating to the appropriation for Normal schools.

On motion by Mr. Milliken of Aroostook, House Amendment A (House Document No. 587) was adopted, and the bill as amended was then given

its readings and was passed to be engrossed.

An Act to incorporate the Young Men's Christian Associations and the Young Women's Christian Associations, organized or to be organized in this State.

An Act to amend Chapter 125 of the Private and Special Laws of 1895, entitled 'An Act to incorporate the York Shore Water Company.'

An Act to incorporate the Hermon Water Company.

An Act relating to drains and common sewers in the city of Bangor.

An Act to amend Chapter 256 of the Public Laws of 1909, relating to trustee process.

An Act concerning corrupt practices at elections, caucuses and primaries.

An Act to amend Section 13 of Chapter 117 of the Revised Statutes, as amended by Chapter 66 of the Public Laws of 1907, as amended by Chapter 195 of the Public Laws of 1909, relating to fees of witnesses before referees, auditors and commissioners appointed to take testimony.

An Act to amend Section 20 of Chapter 67 of the Public Laws of 1903, relating to the distribution of personal estate.

An Act to amend Chapter 52, Section 7, of the Revised Statutes, as amended by Chapter 134 of the Public Laws of 1907, relating to fraudulent evasions of payment of fares on steam railroads, street railroads, steamboats and ferries.

An Act to amend Section 16 of Chapter 86 of the Revised Statutes, relating to sale of shares of capital stock of a corporation on execution.

An Act relating to evidence in personal injury cases. (Tabled on motion by Mr. Gowell pending acceptance of the report of the committee.)

An Act to provide for the admission of evidence in actions for libel in certain cases.

An Act additional to Chapter 226 of the Private and Special Laws of 1909, incorporating the Guilford Water Company.

An Act to insure publicity with respect to the demands upon the State

and to facilitate the legislative committees in dealing with questions of appropriation.

An Act relating to abandoned burying grounds.

An Act to revive and extend the charter of the Kingman Development Company. (Tabled on motion by Mr. Milliken of Aroostook.)

An Act to incorporate the Kittery Sewer Company.

An Act to revive and extend the charter and organization of the South Paris Light, Heat and Power Company.

An Act concerning notaries public who are stockholders, directors, officers or employees of banks or other corporations.

An Act additional to Chapter 140 of the Private and Special Laws of 1909, in relation to the South Paris Village Corporation.

An Act to amend the Revised Statutes, Chapter 34, Section 1, relating to seals of notary public and validating their acts.

An Act relating to the termination of contracts for the sale or transfer of real estate.

An Act to consolidate the management of State institutions for insane and feeble minded.

An Act to provide for further analysis of commercial fertilizers.

An Act relating to insurance companies not authorized to do business in Maine.

An Act to amend Specification 1 of Section 13 of the Revised Statutes as amended by Chapter 4, Laws of 1909, relating to taxation of personal property.

Mr. Boynton of Lincoln presented Resolve in favor of the clerk and stenographer to the committee on Appropriations and Financial Affairs.

The Resolve was received and referred to the committee on Appropriations and Financial Affairs.

Reports of Committees.

Mr. Allan, for the committee on Appropriations and Financial Affairs, on Resolve in favor of F. W. Hill, Chairman of the committee on Agriculture, reported that the same "ought to pass."

The same Senator for the same committee, on Resolve in favor of messenger to the committee on Taxation, reported that same "ought to pass."

The same Senator for the same commit-

tee, on Resolve in favor of the clerk of the committee on Mercantile Affairs and Insurance, reported that the same "ought to pass."

Mr. Boynton, for the committee on Appropriations and Financial Affairs, on Resolve in favor of the clerk and messenger to the committee on Railroads and Expresses, reported that the same "ought to pass."

The same Senator for the same committee on Resolve in favor of the clerk of the committee on Manufactures, reported that same "ought to pass."

The same Senator for the same committee, on Resolve in favor of E. V. Allen, secretary of the committee on Taxation, reported that the same ought to pass.

Mr. Foss, for the same committee, on Resolve in favor of Harry Stetson, secretary of the committee on Interior Waters, reported that the same "ought to pass."

The same Senator, for the same committee, on Resolve in favor of the clerk and typewriter to the committee on Interior Waters, reported that the same "ought to pass."

The same Senator for the same committee, on Resolve in favor of J. M. Lyons, clerk of the committee on Labor, reported that same "ought to pass."

The reports were accepted, and the several resolves were tabled for printing under joint rules.

The committee of Conference on the disagreeing action of the two Branches of the Legislature in regard to House Bill No. 168, Bill, An Act relating to lumbering operations, report that they cannot agree. (Signed) Kellogg, for the committee.

The following joint standing committees made their final report:

The committee on Agriculture.

The committee on Library.

The committee on State Prison.

The reports were accepted and sent down for concurrence.

Bill, An Act to amend an Act to prevent throwing mill waste into the Baskahegan Stream.

In the House, under suspension of the rules, this Bill was given its two several readings and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook,

the rules were suspended, the Bill was read twice and was passed to be engrossed.

Finally Passed.

Resolve in favor of the Madawaska Training school.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and the protection of fish, game and birds.

Resolve in favor of the State School for Boys. (Tabled on motion by Mr. Noyes of Kennebec.)

Resolve in favor of Fort William Henry in the town of Bristol.

Resolve to provide for the insurance of Normal school buildings.

Resolve in favor of the town of Wal-
tham.

Resolve in favor of a highway bridge over St. John river between Van Buren Maine, and St. Leonard's, New Brunswick.

Resolve relating to an equestrian statute of Major General Oliver O. Howard.

Resolve for the preservation of the regimental rolls in the office of attorney general.

Resolve in favor of the Maine State prison.

Resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases for the year 1912.

Resolve in favor of the Maine Seed Improvement Association. (Tabled on motion by Mr. Milliken of Aroostook.)

Passed to Be Enacted.

An Act to annex Fryeburg Academy Grant in the county of Oxford to the town of Mason in said county.

An Act in relation to employment agencies.

An Act to change the eastern boundary of the town of Anson.

An Act to amend the charter of the Spencer Dam Company.

An Act to incorporate the Guilford Water District.

An Act additional to Chapter 70 of the Revised Statutes. (Tabled by Mr. Milliken of Aroostook for correction of title.)

An Act to amend Section 20 of Chapter 6 of the Revised Statutes, relating to polling places.

An Act relating to the protection of smelts along the coast of Maine from Casco bay to Penobscot bay.

An Act to amend Section 62 of Chapter 15 of the Revised Statutes, as amended by Chapter 58 of the Public Laws of 1905, relating to free High schools.

An Act to amend Section 3 of Chapter 129 of the Revised Statutes, as amended by Chapter 40 of the Public Laws of 1905, Chapter 144 of the Public Laws of 1909, relating to sale of milk.

An Act to amend by adding Section 36 of Chapter 94 of the Revised Statutes, relating to the creation of ponds for cutting and harvesting of ice for the market.

An Act to amend Chapter 213 of the Private and Special Laws of 1909, relating to fishing in Belgrade stream, in Kennebec county.

An Act relating to the change of location of the tracks of street railway companies. (Tabled on motion by Mr. Gowell of York.)

An Act to amend Section 2 of Chapter 22 of the Revised Statutes, as amended by Chapter 231 of the Public Laws of 1909, relating to sentence for maintaining nuisance.

An Act to legalize the acts and doing of the First Universalist Society or Orland, Maine.

An Act relating to criminal insane.

An Act to authorize the Aroostook Valley Railroad Company to extend its lines from Woodland to Caribou.

An Act to amend Chapter 359 of the Private and Special Laws of the State of Maine for the year 1903, in relation to sewers for the town of York.

An Act to amend Section 4 of Chapter 15 of the Revised Statutes, as amended, relating to union or two or more towns for employment of a superintendent of schools.

An Act to amend Chapter 369 of the Private and Special Laws of 1889, entitled "An Act regulating the appointment of members of the police force of the city of Bangor." (Tabled on motion by Mr. Milliken of Aroostook.

An Act to authorize the Rumford Village Corporation to raise money for the purpose of cleaning its streets and remov-

ing garbage and other refuse matter and provide for the disposal of same.

An Act to extend the charter of the Lincolnville Water Power Company.

An Act to amend Section 1 of Chapter 93 of the Revised Statutes, relating to recording of personal property, mortgages and sales.

Resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

This Resolve containing an emergency clause, a rising vote was taken and twenty-six Senators voting for its final passage, and none against, the Resolve was finally passed.

Mr. WINSLOW of Cumberland: Mr. President: I move to reconsider the action whereby Senate Document No. 212, An Act to regulate the number, also the number of pounds of land-locked salmon, trout, togue and white perch which can be taken or had in possession in any one day by one person, was passed to be engrossed.

This is a Bill which referred to the number of pounds of land-locked salmon, trout or togue that could be taken or carried out of the State. This Act was misunderstood and it will probably make considerable trouble in the future in the Fish and Game Department, and Mr. Brackett has asked me to have our action reconsidered and to substitute a new draft to take the place of this Bill.

Unanimous consent was granted and the action whereby the Bill was passed to be engrossed was reconsidered.

Mr. Winslow offered Senate Amendment A, a new draft of the Bill, and moved that it be substituted for Senate Document No. 212.

The motion was agreed to.

Upon further motion by the same Senator, the new draft under the suspension of the rules was read twice and passed to be engrossed.

Orders of the Day.

On motion by Mr. Gowell of York, Bill, An Act to provide for State certification of all teachers in public schools, was taken from the table.

Mr. OSBORN of Somerset, Mr. President, I shall have to take the same ground in regard to this bill that I have in regard to others, that unless

we can pass a bill that will better the present conditions we better pass none. I believe if this Act should pass that it would not better the conditions in regard to the schools in Maine. On the other hand, I believe it would be an injury to them. It would put the teachers in the rural sections of the State to much trouble and expense to obtain their certificates. It would increase the cost to the State.

I do not question the ability of the superintendent of school, his ability or his discretion in certifying proper persons to teach in the public schools of Maine, yet I do believe that supervisors in many localities are prepared to handle that question in a more practical manner than he can. They are thoroughly acquainted with the sections where they live, their financial ability to maintain schools, and it is conceded I think that it would to quite an extent increase the expense of maintaining schools, especially in the smaller municipalities of our State. Ought we to pass an Act here without consultation with the people that will increase the tax burdens and perhaps offer them no better school conditions? I firmly believe that we cannot in this hasty manner pass this bill without an opportunity for the people in the rural sections to present their protest.

If there is any bill that has been referred to the next Legislature where justification could be found for such action, where is the instance in which it could be applied better than in this, and let the people have an opportunity to look this matter over and thoroughly discuss it before they send men to the next Legislature to act on this matter?

I do not pretend to be able to discuss this matter from a scientific standpoint, as perhaps the gentlemen on our educational committee can do, but we should look at the practical side of this question and I believe if we do that we will see that we should not in this manner take up a question of so much importance and make such a radical change as this bill contemplates.

I hope it will not pass.

Mr. FULTON of Sagadahoc: Mr. President, as chairman of the commit-

tee which reported this bill, I will say that as I remember it there was no one appeared against this measure, and the committee was unanimous in the report that it "ought to pass." It seems to me there is no hardship in this bill as far as teachers are concerned. It seems to me it is in line with the examinations required by the United States government in regard to getting good service. Civil Service today is a well recognized principle in all the departments of the government of the United States, and it seems to me it would apply well here.

I am somewhat familiar with the teachers in the public schools in the rural districts, and I am satisfied that not more than 75 per cent. of the teachers that go into the ordinary country schools are fitted by experience or training to teach those schools.

The State has provided for State registration of various occupations, why should not some law be enacted that will require the teachers of children to receive the same treatment?

This Bill is endorsed by the Maine Teacher's Association. I am not going to speak any farther on this, except that I believe it is a proper Bill and I do not believe it should be referred to the next Legislature. We should settle these matters here.

Mr. EDWARDS of Androscoggin: Mr. President: Is this a new Bill, or a Bill in a new draft?

Mr. FULTON: Mr. President: I do not think so. It is House Bill No. 277, and I hope the gentlemen are all familiar with it. You all have it on your desks and should get yourselves familiar with it.

Mr. OSBORN: Mr. President: I would move to refer this bill to the next Legislature.

Mr. MILLIKEN of Aroostook: Mr. President: I hope the motion of the Senator from Somerset, to refer this Bill to the next Legislature, will not prevail. Then if the question comes up on the merits of the Bill and there is any serious opposition to it I shall be glad to answer any question I can, or explain it as well as I can. I believe in any event that we shall decide this Bill on the merits of the Bill itself. This Bill has been laid over one session in order to give people a full opportunity to become familiar with its merits,

and there is practically no opposition to it.

Mr. GOWELL of York: Mr. President: I do not wish to enter into any lengthy discussion in regard to this Bill. I remember that in this Legislature fourteen years ago a similar Bill was presented. I think the Bill was reported unanimously from the committee on Education, and the matter was almost unanimously voted to be indefinitely postponed. Since that time, at almost every session of the Legislature, a Bill of this kind has been presented. I will say honestly and frankly that the sentiment in favor of legislation of this kind has been constantly growing in the State of Maine. I do not care to stand here as being opposed to anything in the line of true advancement in educational matters. I understand this Bill has the endorsement of the State Superintendent of Schools and I understand that the committee has reported unanimously in favor of this Bill. I believe they have given it fair consideration and I have a great deal of respect for the personnel and the experience of the present committee on Education, but I believe, Mr. President, in this matter as in all matters, there are two sides to the question, and I believe as the Senator from Somerset has suggested, that there are many people in the State of Maine who might be affected by this Bill, who have not had an opportunity to be heard.

As we all know, the State of Maine is composed of many small towns, and consequently there are a great many small schools, especially in the rural districts. I think if we had the data of the districts before us we would find that a great many schools in Maine have an average attendance of from eight to fifteen pupils.

I believe that especially in this class of schools the local authorities can better handle the question than the State Superintendent. It has been well said here that we cannot legislate to make people honest, and I am sure that we cannot legislate to make good teachers. Under the present provisions of the Bill, college graduates and graduates of the State Normal School and certain other people are exempt from these examinations. We all know there are many college graduates who are not successful teachers. Many special qualifications tend to make successful teachers. In some departments this Bill would be a meritorious measure and an advancement in our

common schools, but I do not believe the State is ready for it.

I believe for any law to be successful it must have the endorsement of the majority of the people. I think this bill is favored by a great many people in the State; I believe that many teachers and many interested in school work have approved this bill, but many others are not now ready to give it their endorsement and support. I know that within the last two or three years in many rural sections of our State, the school boards have had difficulty in procuring teachers, and I think this would have a tendency to make it more difficult.

I believe, Mr. President, that it would be advisable to refer this to the next Legislature. I understand that since the last Legislature, 600 teachers have voluntarily presented themselves and taken these examinations. There is another feature of the bill to which I will refer briefly. In Section 5 it says, "Provided, however, that any person not holding a State certificate may be granted not more than one temporary non-renewable teaching permit for a period not to exceed one year." The friends of the bill say that with this proviso in the bill, there is nothing that will work a hardship to anyone. I will say that if the teachers of these schools are not competent at this time it seems to be a hardship for this law not to take effect at once.

I hope that the motion of the senator from Somerset will prevail.

Mr. MILLIKEN: Mr. President: The discussion seems to have drifted to the merits of the bill, and I will ask the indulgence of the Senate for a few minutes. I am not going to undertake to present in any complete form an argument in favor of this bill, but will point out a few of the considerations that the committee was influenced by. My excuse for doing so is that I am a member of the committee, and have been a member of that committee for three sessions. I think I have had an opportunity to get some idea of the educational system of the State and to what would be for its benefit. As has been said, this bill was unanimously reported by

the committee to start with. I submit that is worth something. It is an untried and new proposition. As a matter of fact Maine, while it is one of the states in the Union appropriating large sums for schools, is one of the last states in the Union to adopt State regulation. As a matter of fact only two other states except Maine have no regulation on the part of the State for the qualifications of teachers.

As was said by the senator from Sagadahoc, the State provides now for the regulation of the practice of law, medicine, dentistry, etc., and even for the occupation of plumbing. Certainly, where we provide for the regulation of all those things, there is reason for the providing for the regulation of our teachers. There is a further reason why the State should provide for some standard in the case of teachers, that does not exist in the practice of the professions to which I have alluded, and that is that the State of Maine is expending a million and a half dollars a year for education; is putting that amount of money directly into these various towns, and is also reaching into every town in the State and providing that every child between seven and 15 years of age must go to school. Neither parent, guardian, or anyone else, has any discretion in the matter, unless there is some reason satisfactory to the superintendent of schools why the child should not go.

In other words, we are expending an enormous amount of money and we are requiring that these children should attend school, and now we should safeguard those children. It may be interesting to know that last year in the schools of this State, there were 600 persons teaching with only a common school education. The object of this bill is to eliminate gradually services of this kind. Perhaps the members do not understand the provisions of the bill in regard to how it may work a hardship. In the first place, certificates are to be granted to teachers of experience without examination; that disposes of all teachers who have taught in the State and have had experience. It applies only

to those who start in new. In the next place the bill does not take effect until Jan. 1, 1913. That is giving time to the teachers themselves and to the towns to get ready for the application of this principle. If it should prove to be a hardship, the next Legislature, beginning in three or four days after this law goes into effect, will give an opportunity to have the law repealed.

There is opportunity under this bill for any town to grant a special teaching permit for one year to any teacher if an emergency requires it. That takes care of any emergency where an appointment may be required, by a teacher who has not a State certificate.

I am not going to argue this matter any further. I am simply going to say that the bill is in line with the best practice of the states of this country. It has practically the endorsement of every superintendent and teacher of this State. I believe it has the support of public opinion in the State.

I hope the motion of the senator will not prevail.

Mr. STAPLES of Knox: Mr. President, I did not intend to speak upon this matter, but having been connected with schools all my life, I do not believe in the bill. My first objection is this: The centralization of power into the superintendent of the common schools of the State. I do not believe in centralization of power in any one man to take charge of the important matters of the schools of this State. I am going to say that ever since the State has taken charge of the common schools, they have deteriorated. They are not so good today as they were before. That is a fact that everybody who has been connected with the common schools will agree with.

The people lose interest in the schools when the power in regard to the schools is taken out of the town. I am willing that this should apply to the cities and towns, but not to the country schools. Why? It is a fact that there are many hundreds of schools that have an average attendance of from eight to 15, and they have girls in the towns who are not able to get a State certificate who are perfectly competent to take charge of those scholars.

Let us let well enough alone. When you take the interest of the towns away, when you take the supervisors away, you will find that the people will lose interest in the cause of education, and that is the great thing. When you keep scholars interested and make them believe it is a grand thing to get an education, then you will do something for the interest of education, that is better than all this centralization of power.

I believe in education. I can recollect 35 years ago when we had our High schools and our country towns turned out better scholars than they do today. We have gone back in the country towns because the people have lost interest. I hope we have had centralization of power enough in this State. They have taken the power out of the towns and placed it in one man. It is too much power, however honorable he may be, for the towns in the State of Maine.

I hope the motion of the senator from Somerset will prevail and I ask that when the vote be taken it be taken by yeas and nays.

The question being upon the motion of the senator from Somerset to refer House Bill, No. 277 to the next Legislature, the yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Allen, Dodge, Donigan, Edwards, Foss of Androscoggin, Foss of Cumberland, Gowell, Hill, Kellogg, Leach, Mayo, Mullen, Noyes, Osborn, Pendleton, Smith, Staples, Stearns, Theriault, Winslow—20. Those voting nay were: Messrs. Blanchard, Boynton, Farrington, Fulton, Irving, Milliken, Moulton, Sanborn—8.

So the motion to refer the bill to the next Legislature was adopted.

On motion by Mr. Staples of Knox it was

Ordered, that a message be sent to the House of Representatives proposing a convention of both branches of the Legislature for the purpose of hearing a communication from the Governor.

The secretary was charged with the message, and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Boynton of Lincoln the rules were suspended and he presented Bill, An Act to amend paragraph 1 of Section 42 of Chapter 15 of the Revised Statutes as amended, providing for the payment from State funds of amounts paid on account of union superintendents.

Mr. MILLIKEN of Aroostook: Mr. President, this is a matter which has been before the committee already and disposed of at this session and will be one of the matters properly to come before the committee of conference. I would like to say that it properly came within the province of this committee, and I now move that it be tabled for printing.

The motion was agreed to.

Resolve providing for an appropriation to prevent the spread of glanders in the plantations of Jackman, Moose River and Dennistown, with statement of facts.

This resolve was introduced in the House today and under suspension of the rules was given its several readings and was passed to be engrossed.

The statement of facts was read, and upon motion by Mr. Boynton of Lincoln the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

On motion by Mr. Leach of Hancock, Senate report on Resolve in favor of the Eastern Maine Conference Seminary, was taken from the table.

The same senator then presented a statement of facts which he read to the Senate.

The statement of facts was received, and on further motion by the same senator the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

On motion by Mr. Kellogg of Penobscot, majority and minority reports of the committee on State lands and State roads, on Senate Document No. 234, An Act to fully provide for the registration of motor vehicles, was taken from the table.

On further motion by the same senator the majority report of the committee "ought to pass" was adopted.

The rules were suspended and the bill was given its two readings and was passed to be engrossed.

On motion by Mr. Gowell of York, Bill, An Act in regard to the location of street railways, was taken from the table.

On further motion by the same senator the bill was passed to be enacted.

On motion by Mr. Kellogg of Penobscot, Resolve in favor of Plantation No. 33, Hancock county, was taken from the table.

On further motion by the same senator the resolve was finally passed.

A message was received from the House, conveyed by its clerk, conveying the information that the House concurred with the proposition of the Senate to hold a joint convention in the hall of the House forthwith for the purpose of receiving a communication from the Governor.

Thereupon the Senate retired to the hall of the House, where a convention was held.

(For proceedings in joint convention, see House report.)

In Senate.

On motion by Mr. Milliken of Aroostook, House Document No. 648, An Act to amend Chapter 369 of the Private and Special Laws of 1889, entitled "An Act regulating the appointment of members of the police force of the city of Bangor," was taken from the table.

Mr. MILLIKEN: Mr. President: This is an Act to amend Chapter 369 of the Private and Special Laws of 1889. The affect of this bill is as follows: the principal affect is to change Section 6 of Chapter 369 of the Private and Special Laws of 1889 which now reads "Said marshal shall be elected by written ballot in convention of the board of aldermen and council and provided by the law and ordinances of the city of Bangor."

The new draft provides that the chief of police of Bangor shall be appointed by the mayor of that city and shall hold office during his pleasure. This is not the form in which this bill was reported by the committee, and it has been brought into this form in the House by an amendment added by Mr. Strickland of Bangor. I want to point out the fact that this is an attempt on the part of the Maine Leg-

islature to reach into the city of Bangor and make an arbitrary change without giving the city of Bangor any opportunity to be heard upon it in any way. Now in view of the fact that the city council and the aldermen, or rather the city government, is Republican, and the mayor of the city of Bangor is our good friend, the senator from Penobscot, a Democrat, it seems to me the effect of this bill is simply to remove the present chief of police and take his appointment away from the hands of the alderman and put it into the hands of the mayor. I have always opposed anything of that kind when anything like that has been attempted. I think this is going a little further than anything I have known of in the Legislature.

Mr. MULLEN of Penobscot: Mr. President: The senator from Aroostook, Mr. Milliken, has stated the matter right. It is a matter between the mayor and the city council to an extent, but I want to call the gentleman's attention to this fact. This bill was printed with its amendment in the Bangor Daily News, a very partisan Republican daily paper, without comment, and from then until now I have been unable to find anything in the Daily News, any objection to this bill whatever.

This bill has the approval of the ex-mayor of Bangor, and the recent ex-mayor, Mr. Beale, and it has the approval of the present city solicitor, who is a Republican, and is holding over under my administration. This bill has been given very careful attention. What I want if I assume the responsibility of the mayor of the city of Bangor is a police force and chief of police that will be somewhere under my control, and that is something they have not had in Bangor recently. I hope you will pass this bill just as it is.

Mr. MILLIKEN: Mr. President, what I want to know is, does this have the approval of the city government of Bangor?

Mr. MULLEN: Mr. President, so far as I know, I will say that it has, because the city government must be able to read the daily newspapers, and if they

object they should have objected in the daily press.

Mr. MILLIKEN: Mr. President, my position is that if there is any objection or doubt about this in the city of Bangor, the people there should have a chance to vote upon it. If there is no objection, and the senator will say there is no objection, there can be no objection here.

On motion by Mr. Mullen the bill was passed to be enacted.

Mr. SANBORN of Piscataquis: Mr. President, I would like the unanimous consent of the Senate to present a bill out of order, and will say just a word in explanation of it. There was a bill put in here a little while ago to abolish the third term of court in Piscataquis county. That bill passed the House yesterday and it will change the January term of court to March and divide the time up more evenly than it would be if left as it is now. Since the bill went through the House yesterday I have talked over the telephone with the leading lawyers of both parties in my county and they said they would be very glad if the bill went through, as it would make it very much better for them in the next two years.

The rules were suspended, the senator from Piscataquis presented bill, An Act relating to the terms of the supreme judicial court in the county of Piscataquis.

On further motion by the same senator the rules were suspended and the bill was given its two readings and was passed to be engrossed.

Mr. MILLIKEN of Aroostook: Mr. President, I called the attention of the senator from Bangor a moment ago to an error in the bill in regard to the city of Bangor, and the senator reposed sufficient confidence in me so that he has asked me to have the vote whereby the bill was passed to be enacted and passed to be engrossed, reconsidered so that the error may be corrected.

The motion was agreed to, and on further motion by the same senator the bill was referred to the committee on engrossed bills.

Mr. MILLIKEN: Mr. President, I move to reconsider the vote whereby this bill was referred to the committee on engrossed bills.

The motion was agreed to.

The same senator then offered Senate amendment A to the bill: "Amend by striking out of the title the word 'an' and substituting therefor the word 'and.'"

The amendment was adopted.

On motion by Mr. Kellogg of Penobscot the Senate took a recess until 2.30 o'clock this afternoon.

AFTERNOON SESSION.

Senate called to order by the President.

On motion by Mr. Staples of Knox, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, March twenty-seven, at 4:30 o'clock in the afternoon.

Sent down for concurrence.

Subsequently the order was returned from the House, concurred in by that Branch.

On motion by Mr. Winslow of Cumberland, the Governor's veto message was taken from the table.

The PRESIDENT: The question before the Senate is, shall this Bill become a law notwithstanding the objection of the Governor.

Mr. MILLIKEN of Aroostook: Mr. President: I think the Governor with the best intentions, has made a serious mistake. Under similar conditions in the past I have not hesitated to vote against a Republican Governor, and I shall vote for this Resolve notwithstanding the objections of the Governor. I ask when the vote is taken that it be taken by the yeas and nays.

The yeas and nays were ordered.

Mr. MILLIKEN: Mr. President: I understand that those in favor of the Resolve will vote yes, and those opposed no?

The PRESIDENT: Yes, those opposed to the Resolve will vote no. Those who wish to sustain the Governor in his veto will vote no; those who do not wish to sustain the Governor, will vote yes.

The secretary called the roll. Those voting yea were: Messrs. Irving, Milliken, Moulton, Smith, Stearns, Theriault—6. Those voting nay were: Messrs. Boynton, Dodge, Donigan, Edwards, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Hill, Kellogg, Leach, Noyes, Osborn, Pendleton, Sanborn, Staples, Winslow—17.

So the Resolve did not become a law over the veto of the Governor.

Majority and minority reports of the

committee on Interior Waters on An Act to incorporate the Upper St. John Log Driving Company, came from the House, that Branch having accepted the minority report and the Bill having received its several readings and passed to be engrossed.

On motion by Mr. Staples of Knox, the Senate concurred in the action of the House in adopting the minority report.

Upon further motion by the same Senator, the rules were suspended and the Bill was given its two readings and was passed to be engrossed.

On motion by Mr. Noyes of Kennebec, Resolve in favor of the State School for Boys, was taken from the table.

On further motion by the same Senator, the Resolve was finally passed.

Mr. Staples of Knox presented resolve in favor of the clerk and stenographer and messenger to the judiciary committee.

On further motion by the same senator, the resolve was referred to the committee on appropriations and financial affairs and sent down for concurrence.

On motion by Mr. Milliken of Aroostook, Bill, An Act relating to the taxation of railroad, telegraph and telephone companies, was taken from the table.

Mr. MILLIKEN: Mr. President: I asked to have this bill tabled so I might have a chance to look it over. I have looked into it, and in view of the emergency presented to us in the matter of revenue, I wish simply to suggest to the senators that here is an opportunity to get revenue to the extent of about \$132,000 a year for the next two years. I do not see any injustice in the bill. I think the matter as outlined by the senator from Somerset is a fair one.

Mr. IRVING of Aroostook: Mr. President: As a member of the taxation committee, I would like to say just a word in regard to this. The bill came into the committee one day before we were to report finally, and we did not have a chance to advertise the bill. That is the reason we did not act favorably upon it. I think the concensus of opinion of the committee was that the bill should pass. I do not think I could say that it would have had a

unanimous report that way, but I think we would have had a majority report that the bill "ought to pass." It is my personal opinion that there is a good deal of merit in the bill; that the law as it is on the statute book is wrong; that the railroad and telegraph taxes after being assessed by the State and paid into the State treasury should be used for State purposes and not be rebated back to the towns. It looks like an unfair thing to do.

Mr. OSBORN of Somerset: Mr. President: Perhaps there are some present who do not fully understand the situation and were not here the other day when it was taken up. I wish to call your attention to the fact that the bill provides simply to cut out the rebating of the telegraph tax that is now rebated back to the municipalities in the State, on the ground that this tax is paid indirectly by the people of all the state, and that the people of all the state should benefit from that tax, and not a few municipalities where there happen to be persons living owning railroad stock. It is rebated back to these municipalities in proportion to the amount of railroad stock held in those municipalities. As I said the other day, there are just two of our large cities that profit to any considerable extent by this scheme, and those are the cities of Portland and Bangor. Those two cities receive back about \$85,000 or two-thirds of the total amount, practically.

There are more than half of the municipalities of the State that receive nothing, and the most of the balance receive only a very small sum. I would be willing to let this go to the next Legislature if it were not for the present need of revenue. For that reason I hope the committee's report will not be sustained.

Mr. NOYES of Kennebec: Mr. President: As a member of the committee on taxation, I wish to say when this bill came to us we had but one day to act upon it. Taking into consideration the money that is involved in the different cities, Bangor, Portland, and Augusta has something like \$5000 or \$6000, Lewiston has quite an amount, I do not think it would be fair

to adopt this bill unless we had a chance to give it a fair hearing. That is why we referred it to the next Legislature.

Mr. MILLIKEN of Aroostook: Mr. President: I would like to ask the senator, as chairman of the committee on taxation, if he thinks there is any urgent need of revenue?

Mr. NOYES: Mr. President: I think I do, but we have also tried to raise it right and in the right places.

Mr. FULTON of Sagadahoc: Mr. President: Is there anything unfair in trying this matter now and settling it in this committee of the whole?

Mr. NOYES: Mr. President: While that is a question for the Senate to decide, I think all of these different cities perhaps have representatives they would like to hear from in a case like this.

Mr. OSBORN: Mr. President: I think the vote should be taken by the yeas and nays on this matter. I hope it will be voted down.

I do not understand that it is necessary, it is simply practice, to refer matters to a legislative committee, but there are things concealed in this bill that can be understood in three minutes just as well as three weeks, or a longer time. The simple, plain facts are all that can be brought out, and no amount of argument can change them. It seems to me we can act as fairly on this today, as we can two years from now.

I move that the bill be substituted for the report.

The yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Boynton, Dodge, Donigan, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Gowell, Irying, Leach, Milliken, Moulton, Osborn, Pendleton, Smith, Staples, Stearns, Theriault, Winslow—19. Those voting nay were: Messrs. Edwards, Hill, Kellogg, Noyes, Sanborn—5.

So the bill was substituted for the report.

On motion by Mr. Osborn, the rules were suspended and the bill was given its two readings and was passed to be engrossed.

On motion by Mr. Osborn of Somerset, Resolve to amend Section 8 of Article 9 of the Constitution of the State of Maine, relating to taxes, assigned for today, was taken from the table, and on further motion by the same senator was again tabled and assigned for Tuesday of next week.

On motion by Mr. Milliken of Aroostook, House Report No. 93 was taken from the table, and on further motion by the same senator was re-tabled and assigned for next Tuesday, the pending question being the acceptance of the report of the committee.

On motion by Mr. Theriault of Aroostook, House Document No. 641, An Act relating to corporations, was taken from the table.

On further motion by the same senator, Senate Amendment A to House Bill No. 641, was adopted: "Amend by striking out the title and inserting therefor the following title, 'An Act authorizing the secretary of State to prepare and publish a list of corporations delinquent in the payment of their franchise taxes.'"

The bill as amended was then given its two readings and was passed to be engrossed under suspension of the rules.

On motion by Mr. Milliken of Aroostook, House Bill No. 671, An Act to revive and extend the charter of the Kingman Development Company, was taken from the table.

Mr. MILLIKEN: Mr. President, I have examined the original charter. I think that the Legislature has been gradually getting more particular in the last few sessions about the provisions of these charters. This seemed a broader charter than would be granted now for this purpose. It seems to me that these people have not done anything under the old charter, but have come here for another instead of renewing the old one.

I will move to indefinitely postpone this bill, and if there is any objection and anybody moves to reconsider it next week I shall not object. I will say for the information of the senator from Knox that this charter is given this company for the purpose of doing a general manufacturing business.

One section of the bill gives them broad rights of eminent domain. I do

not understand that anything has been done under the charter. If the members of the committee object I will have it laid over until next week. I do not think this charter would be granted as new matter at this session.

Mr. STAPLES of Knox: Mr. President, this matter was before the judiciary committee, and I do not see but but little difference in this charter they had two years ago and the charters we have here this winter. They only ask that the charter be continued in force two years. That is all there is to the bill, and the judiciary committee was unanimous after the hearing.

Mr. MILLIKEN: Mr. President, I do not think I will insist upon a collision with the committee. I still think the charter is too broad, but will defer to the senator from Knox.

Mr. STAPLES: Mr. President, the senator from Aroostook is getting very obliging.

Mr. GOWELL of York: Mr. President, the committee on judiciary thought the charter was rather broad, but did not believe it was within our province to take away any rights they had under their existing charter. We believed that they came here in good faith and asked for their charter to be extended, and we thought it should be done.

On motion by Mr. Staples of Knox the rules were suspended and the bill received its two readings and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Senate Document No. 146, An Act for the better protection of the herring fisheries, was taken from the table.

Mr. MILLIKEN: Mr. President, I live up in the woods where we know very little about herring, except when we buy what are supposed to be herring we like to have herring. I tabled this in the absence of the senator from Hancock and now turn it over to him.

On motion by Mr. Mayo of Hancock the bill was indefinitely postponed.

On motion by Mr. Noyes of Kennebec, Resolve in favor of Michael Burns was taken from the table.

On further motion by the same senator, the report of the committee on this resolve, "ought not to pass," was accepted in concurrence.

On motion by Mr. Milliken of Aroostook, House Report of the committee on taxation, on Resolve in favor of the Aroostook State Normal school, "ought to pass" was accepted in concurrence, and on further motion by the same senator, the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

Bill, An Act to appropriate moneys for the expenditure of government for the year 1911, came from the House, that Branch having accepted the report of the committee on appropriations and financial affairs, "ought to pass."

The report of the committee was accepted in concurrence, and under suspension of the rules, the bill received its two readings and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Senate Document No. 207, An Act to provide for the better collection of inheritance taxes, was taken from the table.

Mr. GOWELL of York: Mr. President, pending second reading, I move that the bill be tabled for a correction.

The motion was agreed to.

On motion by Mr. Irving of Aroostook, House majority and minority reports on House Bill, No. 626, An Act to provide for the recording of tax on mortgages, was taken from the table.

Mr. IRVING: Mr. President, there seems to be a little confusion in regard to this bill, for according to the calendar it is an Act providing for tax on mortgages, and the House report is for the exemption of mortgages from double taxation.

The PRESIDENT: The title is incorrect on the calendar.

Mr. IRVING: Mr. President, I move that the minority report "ought to pass" be substituted for the majority report. Upon that motion I will say that the bill we are about to discuss is the exemption of mortgages from taxation, House Bill No. 622. It amends Section 6 of Chapter 9 of the Revised Statutes relating to taxation, and provides for the exemption of mortgaged real estate from double taxation. In that Section 6 of Chapter 9, I think there have been already 11 exemptions

made, and this is the 12th, and it reads: "All loans of money made by any individual or corporation and secured by a mortgage on real estate situated in this State"

This is an old bill. It came into the Legislature, at least it was here clamouring for a passage when I came to the Legislature in 1905. It has always come regularly every session since. It has always come from the same place, Portland, and strange as it may appear, always from the money lenders of Portland, and still stranger it comes in the interest of the poor man, according to the proponents of the bill. The claim made for it is that it will reduce the rate of interest so that the poor man can make loans at a less rate of interest, but as I have observed the workings of the law in places where mortgages were exempt from taxation, I find that does not obtain, that that does not establish the rate of interest. To illustrate how it does not work, I would call your attention to how the rates of interest have been in my community for the last 10 or 12 years. Prior to this last year, money in my county has been easy at 6 per cent. Money has been seeking loans on real estate at 6 per cent. notwithstanding the fact that mortgages were taxed. During the last year money has been scarce owing to the fact that our main product up there—potatoes—has been low and we have not realized much money from it. Money has been hard and the banks have been loaning it until they have loaned to their limit. The demand for money has increased and the rate has gone up, which goes to prove that it is not the fact that mortgages are taxed or not taxed that establishes the price of money. It is simply the supply and demand. Money is a commodity; it has its value and that value is determined by the supply and demand. If the demand is great and the supply limited, the price goes up.

Now the claim is made that this bill will help the poor man, but it strikes me that it will impose a greater burden on the poor man if we exempt all the mortgaged property in the towns and cities. We simply increase the rate of taxation, which I think I can show you later on

how it does work in some of the towns and cities of our State, and for the first example I will take the city of Portland from which this bill emanates. The city of Portland, according to the assessors' report of 1910, assessed \$5,847,275 as money at interest, and the tax assessed on that amount was \$126,301, almost one-tenth of their entire valuation was listed as money at interest. Thirty-three and one-third per cent. of their personal property listed as money at interest. If we enact this into law and \$126,000 or more is exempt from the taxes in the city of Portland, if one-tenth of all their valuation is wiped out, their tax rate must assuredly go up. The present tax rate is 21.6 mills on a dollar, and if this law should go into effect the tax rate would go up to 24 mills, an increase of nearly two and one-half mills. Would that seem to be fair to the property owners of Portland to wipe out that amount of their valuation and consequently raise their tax rate on the other property?

The next largest city, Bangor, assessed \$1,128,000 money at interest, and the tax is 2 per cent., 20 mills on the dollar, \$22,570, that is, about one-fifth of all its personal estate, is taxed as money at interest.

Now if we wipe that out of Bangor's assessment, won't the tax rate necessarily be increased? The present tax rate is 20 mills. It will increase it to 21 mills. We will take for example some of the smaller towns and see how it works. Take the town of Houlton in my own county. With a valuation of about \$3,000,000 in that little town they assess \$27,650 as money at interest, and that is one-fourth of all the personal estate. If this law should go into effect and that much property was relieved, their tax rate would go up, assuming that they have to raise the same amount of money, it will go up from 24.5 to 27 mills. Would that be fair, to relieve the man who has the money, and he has it or he would not be taxed, and I am sure nine times out of ten he is not taxed for all that he has. Any assessor will agree with me that we do not get all the money.

Mr. IRVING of Aroostook (continuing): We will take smaller towns, even, than Houlton. There is Newcastle in Lincoln county: They tax \$135,000 as money at interest, and their whole valuation is less than \$700,000. If

this law goes into effect their tax rate will be increased from 17.5 to 22 mills. It would have to work out that way for if you relieve so much property from taxation the tax rate on the balance must go up.

I think I have given you examples enough to show the working of the law. It is bound to work that way. This is a bad door to open. The proponents of this bill argued before the taxation committee that exemption of mortgages did not mean exemption of money at interest, and I do not know that it does, but any man who has been on the board of assessors knows that if this door is opened and the tax on mortgages is exempt by law, there is no assessor smart enough to catch the money that is not secured by real estate mortgages. You might catch a little the first year, but you would not the second, for any man who had money loaned on promissory notes, or money out in other ways, would say it was covered by a mortgage.

I think every assessor will agree with that proposition, that they would lose all the money listed as money at interest. Would it not be manifestly unfair, supposing any senator here had two notes of mine for a thousand dollars each, and one was a straight promissory note, not secured, and the other was secured by a mortgage on real estate, would it be reasonable to say that that promissory note, which might not be good and there might be a big question whether it could be collected, would it be reasonable to say that you should pay a tax on that note, but on the other you should be exempt?

If there is any class of property that we designate as personal property, that in its essentials is as good as real estate, it is a promissory note secured by real estate mortgage. The owner of such a note is virtually the bona fide owner of that real estate to the limit of his mortgage, and he continues to own it until his mortgage is paid.

We have had demonstrated to us in a beautiful manner how nice it would be to have a single tax system. We knew it would be a failure, that we could not work out. If we pass this law and exempt real estate mortgages, why

not go clear down the line and exempt other property, and I think you would have good reason for doing it.

There is one more thing in regard to how it will work in the State. There is in the State listed as money at interest \$12,000,000 in round numbers. If this law goes into effect we shall lose \$12,000,000 on the State's valuation. We decrease the State's valuation that much, and while it may seem like a small item, if I have it right, at the rate we have for 1911 and 1912, it will be a loss to the State of \$60,000 each year, the tax on \$12,000,000 at a 5 mill rate for the two years.

Do we want to open the door and let our \$60,000 of the State's tax? There is just one other point in regard to how it might affect the State, but I am not clear on this point and I do not say it for a fact. It is in regard to the real estate loans in savings banks and trust companies. I can see no reason why under the law they should not avoid the payment of their State tax, because the exemption reads "All loans of money made by any individual or corporation and secured by mortgage on real estate situated in this State." The banks and other corporations have real estate mortgages; they have loans secured by real estate mortgages and I can see no good reason why they could not and will not be exempt under the law. If they are, that would be a loss to the State of something like \$60,000 or \$70,000 a year.

I hardly think we want to open that door. I think any reasonable man who has been an assessor will agree that if we open that door to let out the tax on real estate mortgages that every nameable dollar listed as money at interest will go out through that door.

I trust the minority report will prevail.

Mr. NOYES of Kennebec: Mr. President: I hope the senator's motion will not prevail. As you will notice by this bill, the committee on taxation gave this question a very extended hearing and they were unanimous in the report with the exception of the senator from Aroostook; and it strictly applies to mortgages.

We all know that when a man buys

a farm for \$5000 and pays taxes on that amount, then turns around and mortgages it that he also pays a tax on that mortgage. It seems like pure and simple double taxation. I think the committee gave this bill a thorough threshing out. I hope the motion will not prevail.

Mr. STAPLES of Knox: Mr. President: I would like to ask the senator through the Chair if he knows how many mortgages on real estate are taxed in Kennebec county.

Mr. NOYES: I do not know.

Mr. STAPLES: Mr. President: I would like to ask the senator from Aroostook from what he makes his computations, from money loaned?

Mr. IRVING: Mr. President: Yes

Mr. STAPLES: Mr. President: I would like to ask if the senator has examined the mortgages in the county of Aroostook or any other county, to know just what rate of interest is paid?

Mr. IRVING: Mr. President: In regard to that I will say that prior to 1910 in Aroostook county money was seeking loans on real estate at 6 per cent.

Mr. STAPLES: Mr. President: I appear here today to discuss in a short time the question of taxation of mortgages on real estate. It is a question which affects the farmer of the State, it is a question which affects the mechanic of the State. We have always believed in equal taxation; it is not according to our system of government to have double taxation.

If a man buys a farm for \$3000 and gives a mortgage upon that farm of \$2500, he not only pays a tax upon that \$2500 upon property that he does not own, but he also pays a tax on the mortgage, because if my friend from Aroostook—if money is seeking loans at 6 per cent. in the county of Aroostook and they tax those mortgages in that county of Aroostook 2 per cent., will he tell me that the man who loans the money does not add that to the interest upon the mortgage. That has been my experience, and right there let me say, why should a man up in Aroostook county trouble to seek an investment of 6 per cent. on real estate if he does not make the

borrower pay the interest? He can go down to Bangor and take all the money you have in Aroostook county and let it with less expense for 4 per cent. in the banks. My experience, Mr. President and senators, has been, having had some experience in real estate transactions, that if a man comes to me and wants \$500 and I would be willing to loan it to him for 6 per cent., if I have to pay 2 per cent. on that mortgage as a real estate tax of course I will charge that amount to the man. I would say to him "My rate of interest is 5 per cent., but they have a law that taxes me 2 per cent. on mortgages and therefore you will pay me 8 per cent." You cannot find one man out of a hundred who would not do that thing. This causes hardship to the poor farmer who buys the farm and puts a mortgage on it. He pays a tax upon the farm he does not own, and then pays a tax of 2 per cent. more on the mortgage. You cannot tell me that any money lender does not add that 2 per cent. somewhere, and that the man who borrows the money has to pay it.

I have been given some facts in regard to the matter, and I understand how my friend makes Portland have so much money at interest. In Cumberland county there is at interest \$6,714,839. There are no statistics anywhere whereby you can find out the exact amount of mortgages that are out at interest. From the best authority I can get from the city of Portland and by looking over statistics, 20 per cent. of that whole \$6,000,000 is at interest in Cumberland county upon mortgages on real estate.

What is another result? They tax these mortgages 6 per cent. Any man who has money to loan will not put it out at 6 per cent. and take his chances, for he can step to the bank and put it out at interest at 4 per cent. without any risk.

The prosperity of Massachusetts since she took the tax off mortgages has been great. There has been a boom in building simply because the money that formerly passed out of the State on account of the taxation of mortgages, now remains in the State.

There is any quantity of money in

the State of Maine, but they will not loan it on real estate mortgages and take a chance of losing it or having to foreclose, for they can put their money into the bank with less trouble. And for this reason, this tax on mortgages, a large amount of our money that might go into enterprises and be for the good of the State is looked up in the banks. Take off this mortgage tax and you will see that money circulating all over the State of Maine, and you will see a degree of prosperity you have not seen for many years.

I have seen many times in my lifetime a poor man who has worked away as a young man and saved up a few hundred dollars and has come back to his native town and bought a farm for say \$1500. He has accumulated \$500 and he pays \$1500 for the farm but he does not own it at all. I say it is a great hardship for that young man, he may have a family and he is anxious to pay, that you shall say to him "You shall pay me 2 per cent. more interest, for it is no use disguising the fact that when you tax a mortgage the man who gives the mortgage pays that tax ninety-nine times out of a hundred.

I have dealt some in real estate myself, and if a man came to me and wanted \$500, where I could put it in the bank and get 4 per cent., do you suppose I would bother with a real estate transaction at 6 per cent. and take the chances of being obliged to foreclose? I would say to him "I want 6 per cent. net on my money. I have to take a mortgage from you and they will tax it under the laws of this State, and that gives me 6 per cent. I want 6 per cent., so you must pay me 8 per cent." I do not know how it is in Aroostook county, but everywhere I know anything about it, that is the case. If there is any class of men that should be relieved it is the honest farmers of the State. They must struggle, with a little family and pay their tax to the town and county and State, when they often do not own their farm.

My friend from Aroostook is a financial man and a shrewd man, and if a man came to him for money I know

that he is cunning enough to put it some way so that the borrower will pay that extra 2 per cent., and I say, it is not right or fair or just. I know that from Aroostook county ever since I have been a member of this Senate this matter has come down here to do away with the tax on mortgages. Let us relieve them this year; the young men who are striving to build up a home and are willing to pay one tax upon real estate, but are not willing to pay double taxation. They were led to believe by their education in the State of Maine that the people did not believe in double taxation. We do not believe, and my brother here will not say that he will go on record, if what I say is correct, as believing in double taxation. There is no member of this Senate who believes in double taxation. Let us wipe this off the statute book. It is a most monstrous thing and it is driving money out of the State of Maine today. How many foreclosures have been had by this tax that you have put upon the statute book?

I ask that the minority report be not accepted.

Mr. OSBORN of Somerset: Mr. President: I have been much interested in this discussion. It has been somewhat of a practical question with me for I have been one of those poor, unfortunate people that the senator has so eloquently described. Most of my life I have been paying taxes and interest also, yet is never happened that I was obliged to pay 8 per cent.; I always succeeded in getting money at 6 per cent. I think sometimes the other fellow has to pay some tax upon that money. I am inclined to think that is the experience of most people, so far as I have knowledge of it, in the State of Maine, and will continue to be their experience if we allow this law to stand as it is. The poor man that hires money and secures it by real estate mortgage can hire it at 6 per cent. and the lender of the money may, and probably will be assessed upon some portion of it; he knows he will not be on all of it, and rather than put his money in his savings bank and take 4 per cent. he will run the risk of dodging the assessors and will

loan his money to the poor man.

I have always noticed in my past experience that whenever individuals or corporations were seeking to get rid of a tax or increase a tax, they always bring in the cry of the poor unfortunate fellows that are being pressed, and their sympathy always gushes over and you can almost see the tears run down their cheeks. My own experience comes up, and I cannot help saying in my heart, "Hypocrisy!" But I won't say it here.

If there is any merit in this bill whatever, if farm mortgages or real estate mortgages should be exempt from taxation, then why not exempt from taxation money at interest? There can be no argument in favor of taxing a man on money at interest, when if he loans out the money and has it secured by a mortgage on real estate, he is exempt.

As the Senator from Aroostook plainly pointed out, it simply cuts out the taxation on money at interest. I hope this motion of the senator from Aroostook to substitute the minority report will prevail.

I could see more consistency in exempting stock on the farm than money at interest. As I have said before, and it is the experience of every assessor in the State, you do not get all the money at interest, you do get some of it, you will get something from the money lender, but if you get this law you will get nothing.

Mr. EDWARDS of Androscoggin: Mr. President: I would like to ask the gentleman from Aroostook a question. It seems to me that he is right on some of his topics. Supposing I should buy a farm for \$5000, and wanted to borrow \$2500 on the farm on a mortgage. I have \$2500 in my pocket. I can take that money and loan it, without any necessity, if I am a shrewd man, and that money will escape taxation, will it not?

Mr. STAPLES: Mr. President: If he is dishonest enough not to give it in. If a man buys a farm for \$5000 and pays \$2500 on it and loans out his other \$2500, I don't know for my life where that man would gain anything.

Mr. THERIAULT of Aroostook: Mr. President: This is getting interesting. I would like to ask a question of the

Senator from Knox. You have said, Senator, that this taxation of mortgages amounted to double taxation. Would it not be eminently fairer to exempt the mortgagor instead of the mortgagee?

Mr. STAPLES: Mr. President: I think not.

Mr. THERIAULT: Mr. President: If you are going to change this law, assuming that a man has a farm worth \$3000 and has a mortgage on it of \$1000, the farmer should pay a tax on \$2000 and the man who loaned him \$1000 owns \$1000 in that farm and should pay a tax on that amount. If you exempt either one, exempt the mortgagor.

Another thing is this: If this taxation is unjust and the present law is repealed and raise the rate of interest from six to eight per cent., are you not putting two per cent. in the hands of the money lender on existing mortgages?

Mr. STAPLES: Mr. President: Not if the money lender gets six per cent.

Mr. THERIAULT: Mr. President: The Senator has claimed that this taxation on mortgages raises the rate of interest, and consequently has raised the rate of interest on mortgages two per cent., and you will now put two per cent. in the hands of the money lender. Do you think he will decrease his interest rate two per cent.?

Mr. STAPLES: Mr. President: I believe the majority of the money lenders are honest, I know of men here who are money lenders and they get two per cent. more interest on account of the tax on mortgages. I say if this law is repealed I would not ask a man to pay that extra two per cent.

Now, in regard to Senator Osborn; I am glad he is so sympathetic. I do not know to whom he referred when he spoke of hypocrisy. I don't know as they have any mortgages in Somerset county. If you vote against the repeal of that tax on mortgages, I should be very fearful that something would drop sometime.

Now it is well known that there are a great many men—I believe the majority of mankind is honest, and will do what is right. We do not have but little money in our town. It is not like the rich men in Portland, but there are a great many men who step up to the assessors and give in what money

they have at interest, and then there is another side, when you have to doom them. This amount of \$5,847,000 includes what they doom taxes and what is voluntarily given in, and includes those that are doomed and have to pay. I do not claim that the senator intentionally made a misstatement, but the money at interest for the whole county of Cumberland is \$6,714,879, and in all the counties it is \$11,000,000. This does not indicate how much of that is upon mortgages. There are some counties that hardly tax mortgages at all and you cannot tell how much tax there is upon mortgages here. If the senator from Aroostook will lend money upon good real estate security and agree to pay the tax on the mortgages, I will find him all the customers he wants and arrange for all the money in the county of Aroostook.

Mr. STEARNS of Oxford: Mr. President, I have been very much interested in this discussion. I do not propose to take very much of the time of the Senate to elaborate upon my ideas. It occurs to me that this bill is improperly titled. I think the title should be "An Act to abolish the wicked and oppressive custom of dooming money lenders."

There have been many good things done here. I have heard some good stories since I have been here, and I remember one that the senator from Knox told me that pleased me very much. It was something like this, that three or four men were congregated together and were discussing the greatness of different men, and the great inventions that had taken place, some of the great inventions and some of the great inventors. They spoke of Fulton, and Morse, and Edison, those wonderful men and those wonderful inventors. A Jew, standing near, heard the conversation and was very much interested. After hearing them extolled, he approached the men and said: "Excuse me, gentlemen, but the man that invented interest was no slouch."

It occurs to me that the man that invented interest is the man in whose interest this bill is here. If I saw it in any other light I would feel differently about it. I have no doubt that the senator from Knox is as sincere in his

belief as I am in mine, but I cannot understand why sixty or seventy thousand dollars in our little town should be exempt from taxation under any law you might introduce, as it would be under this law, and why the poor farmer and the poor men of our community should be obliged to have their taxes increased to meet that condition.

I can see this in no other way and I hope the motion of the senator from Aroostook will prevail.

The question being on the motion of the senator from Aroostook to substitute the minority for the majority report, the yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Edwards, Fulton, Gowell, Irving, Kellogg, Leach, Milliken, Osborn, Sanborn, Stearns, Theriault,—11. Those voting nay were: Messrs. Allan, Blanchard, Boynton, Dodge, Donigan, Farrington, Foss of Androscoggin, Foss of Cumberland, Hill, Mayo, Moulton, Noyes, Pendleton, Staples, Winslow,—15.

So the motion to substitute the minority report was lost.

On motion by Mr. Staples of Knox, the majority report of the committee on taxation was accepted.

On further motion by the same senator, the rules were suspended and the bill was given its two readings and was passed to be engrossed.

Passed to Be Engrossed.

The following bills and resolves were given their two readings and were passed to be engrossed under suspension of the rules.)

Resolve in favor of the Maine School for Feeble Minded.

Resolve in favor of the Joint Stabding committee on ways and bridges.

Resolve in favor of Charles W. Hurley.

Resolve in favor of Edward W. Wheeler.

Resolve in favor of Charles W. Hurley.

Resolve in favor of the official reporter of the Senate.

Resolve in favor of Hortense K. Hopkins.

Resolve in favor of the stenographers to the recording officers of the Senate and House.

Resolve in favor of the clerk and stenographer to the committee on apportionment.

An Act to abolish the office of the recorder of the Western Hancock Municipal court.

An Act to amend Chapter 28 of the Revised Statutes as amended by Chapter 194 of the Public Laws of 1909, in relation to doors swinging outward; fire escapes or egresses from factories, workshops, tenement houses, halls and tenements; inspection, etc.

An Act to amend Chapter 88 of the Public Laws of 1907 as amended by Chapter 138 of the Public Laws of 1909, relating to compiling and teaching local history and local geography in the public schools.

Reports of Committees.

Mr. Allan, for the committee on appropriations and financial affairs, on Resolve in favor of the postmaster of the Senate, reported that the same "ought not to pass."

Mr. Foss, for the same committee, on Resolve providing for an appropriation for inspection of nursery stock and any duties required under Sections 3 and 4, Laws of 1907, as amended by Laws of 1909, reported that same "ought not to pass."

The reports were accepted and sent down for concurrence.

Mr. Boynton, for the same committee, on Resolve in favor of the clerk, stenographer and the messenger to the judiciary committee, reported that the same "ought to pass."

The same senator, for the same committee, on Resolve in favor of the chairman of committee on Indian affairs, reported that the same "ought to pass."

The reports were accepted and the resolves were tabled for printing under joint rules.

Passed to Be Engrossed.

(The following bill under suspension of the rules was given its two readings and was passed to be engrossed.)

An Act to extend the provisions of Chapter 315 of the Private and Special Laws of 1909, being "An Act to incorporate the Penobscot Bay Water Com-

pany," to March 26, 1913, and to amend said charter.

On motion by Mr. Milliken of Aroostook, House Document No. 517, An Act authorizing the State land agent to sell certain property of the State at Belgrade fish hatchery in the county of Kennebec, was taken from the table.

The same senator then offered Senate Amendment A to House Document No. 517: "Amend by striking out all after the word 'treasurer' in the fifth line thereof."

Mr. MILLIKEN: Mr. President: If the members of the Senate will refer to House Document No. 517, it will be apparent that this is an Act authorizing the State land agent to sell certain property of the State at the Belgrade fish hatchery. It contains a provision that this money shall be used for the construction of a cottage in connection with another fish hatchery, and if that money is not sufficient they shall use other money sufficient to complete the work properly. This strikes at that provision. That money will go into the treasury and when we get ready to build a cottage at Monmouth can appropriate money for that purpose.

Mr. EDWARDS of Androscoggin: Mr. President: I am a member of that committee, and it was the suggestion of the commissioner that we sell that property at Belgrade. They needed a cottage at Monmouth and were really obliged to have one. They could sell this property at a good advantage and there would be sufficient money coming from the sale to build the cottage at Monmouth. It was the unanimous vote of the committee.

Mr. MILLIKEN: Mr. President: As far as the money coming from this source or any other, is concerned, for myself I have never made any difference in paying my bills whether I took the money out of my vest pocket or some other pocket.

I have somehow gathered the impression today from what I have heard that there seemed to be a scarcity of money for appropriations.

Mr. Edwards asked for a yea and nay vote.

Mr. KELLOGG of Penobscot: Mr.

President, I haven't said a word today. I want to say that I am in favor of this amendment. If the administration is going to practice economy, and that is what the Governor told us today we must do, I think this is a good amendment and that the Democrats here should support it, even if it is introduced by a Republican.

Mr. NOYES of Kennebec: Mr. President, as I understand Senator Milliken's idea, it is simply to have the money pass through the treasurer's hands.

Mr. MILLIKEN: No, Mr. President, I don't want it to pass through the treasurer's hands, but I want it to pass into the State treasury and stay there until the next session of the Legislature.

The question being on the adoption of the amendment offered by Senator Milliken, the yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Allan, Blanchard, Boynton, Dodge, Donigan, Edwards, Farrington, Foss of Cumberland, Fulton, Gowell, Hill, Irving, Kellogg, Leach, Mayo, Milliken, Noyes, Osborn, Sanborn, Staples, Stearns, Theriault, Winslow—23. Those voting nay were: Mr. Pendleton—1.

So the motion was adopted.

On further motion by Mr. Milliken, the rules were suspended and the bill was given its two readings and was passed to be engrossed.

On motion by Mr. Kellogg of Penobscot, the action whereby House Document No. 822, An Act to amend Section 6 of Chapter 9 of the Revised Statutes relating to taxation, and to provide for exemption of mortgaged real estate from double taxation, was passed to be engrossed, was reconsidered.

Mr. KELLOGG: Mr. President, I move that this bill be tabled and assigned for Tuesday, and at that time I am going to offer an amendment to the bill providing that no man loaning money on a mortgage will charge over 5 per cent.

I want some one to look this over with me so that the amendment will be all right when presented. And if the Lord lets me live I will be here Tues-

day forenoon, and if I am not here you can take it off the table.

The motion adopted and the bill was re-assigned for next Tuesday.

Mr. BOYNTON of Lincoln: Mr. President, I ask unanimous consent to introduce a Resolve for grading and improving the State Capitol grounds, appropriating a sum of money not to exceed \$2000 for the year 1911 and a like sum for 1912, to be expended under the direction of the Governor and Council for grading and permanently improving the grounds.

Mr. KELLOGG of Penobscot: Mr. President, I would like to inquire whether this applies to the grounds on this side of the street or the other side?

Mr. BOYNTON: Mr. President, this means the grounds of the State Capitol, not crossing the street to the other side.

Mr. KELLOGG: Mr. President, I have no objection to that. There has already been a resolve passed to improve the grounds on the other side of the street.

The resolve was accepted and referred to the committee on appropriations and financial affairs.

On motion by Mr. Boynton of Lincoln,

Adjourned.

HOUSE.

Friday, March 24, 1911.

Prayer by Rev. Mr. Kearney of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to amend Chapter 2, Section 39, of the Revised Statutes, relating to persons before whom oaths required by the Constitution to qualify civil officers may be taken and prescribed.

On motion of Mr. Williamson of Augusta the votes were reconsidered whereby the House passed to be enacted and passed to be engrossed bill relative to the trustees of juvenile institutions.

Mr. Williamson offered an amend-