

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Wednesday, March 29, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Coons 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, under suspension of the rules, were given their two readings and were passed to be engrossed.)

An Act for the assessment of State tax for the year 1912.

Resolve in favor of the Washington State Normal School.

Resolve in favor of the Old Town Survey between Old Town and Milford.

Resolve authorizing the county commissioners of Cumberland county to procure plans for a bridge. (Tabled on motion by Mr. Winslow of Cumberland for the purpose of offering an amendment.)

Resolve in favor of the chairman of the committee to attend the funeral of the Hon. Amos L. Allen.

An Act to authorize the county commissioners of Piscataquis county to pay the fees incurred in the Joseph Cyr inquest.

Resolve to amend the Constitution with reference to the seat of government. (Tabled on motion by Mr. Milliken.)

Resolve in favor of Juliet Moody.

Resolve in favor of the clerk to the committee on agriculture.

Report of committee on State lands and State roads, on Resolve in favor of the town of Millinocket, was referred to the committee on appropriations and financial affairs. This report was accepted by the Senate. The report came from the House, that Branch having indefinitely postponed the resolve.

The Senate concurred with the action of the House.

An Act to consolidate the State Water Storage Commission and the State Survey Commission and to amend certain sections of Chapter 212 of the Pub-

lic Laws of 1909, creating the State Water Storage Commission and to repeal Chapter 99, Public Laws of 1899 and Chapter 144 of the Public Laws of 1895.

The bill came from the House, passed to be engrossed under suspension of the rules.

The rules were suspended in the Senate, the bill received its two readings and was passed to be engrossed.

The report of the committee on State lands and State roads, on Resolve authorizing the State land agent to convey Lot No. 9, in Castle Hill, Aroostook county, Maine, came from the House, the report of the committee accepted, and Senate Amendment A rejected.

Mr. IRVING of Aroostook: Mr. President, I move that the Senate insist and ask for a committee of conference, and let us see if we cannot get together and adjust this matter in some way.

The motion was agreed to, and the President joined on the part of the Senate on such committee, Messrs. Irving, Theriault and Hill.

Passed to Be Engrossed.

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

An Act to incorporate the Sandy River Power and Development Company.

An Act authorizing the merger of the Consolidated Electric Light Company of Maine with the Portland Light Company and the Portland Electric Company.

This bill came from the House, that Branch having adopted House Amendments A and B.

In the Senate, House Amendments A and B were adopted in concurrence and under suspension of the rules the bill was given its two readings and was passed to be engrossed.

Majority and minority reports of the committee on legal affairs on An Act to abolish the office of State auditor of printing, came from the House, that Branch having accepted the majority report of the committee.

The PRESIDENT: This bill has been

amended in the House, and we lay it on the table pending second reading.

The report of the committee on appropriations and financial affairs, on Resolve authorizing the Governor and Council to use any unexpended balance in the treasury for the care and maintenance of bridges, "ought to pass." came from the House.

The bill was given its first reading.

Mr. KELLOGG of Penobscot: Mr. President, is that the full title of that bill?

The PRESIDENT: Yes. There was an amendment in the House and that included highways as well as bridges, and that is included in the act, but the title does not include "ways."

On motion by Mr. Kellogg the bill was tabled.

Resolve in favor of the Chick Hill road in Penobscot and Hancock counties.

This resolve came from the House, the report of the committee accepted and the bill passed to be engrossed under suspension of the rules.

The report of the committee was accepted and under suspension of the rules the resolve was given its two readings and was passed to be engrossed.

An Act for the better protection of shell fish within the town of Pembroke in the county of Washington, came from the House, the report of the committee on shore fisheries accepted and the bill passed to be engrossed under suspension of the rules.

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

The majority and minority reports of the committee on legal affairs on Resolve to amend Article 22 of the constitution, relating to cities of 40,000 inhabitants or more, to increase their municipal indebtedness, came from the House, with report B, "ought to pass." accepted

Report B was accepted in concurrence, and the bill was given its first reading.

Mr. MILLIKEN of Aroostook: Mr. President, I have just tabled the other amendment to the constitution. According to the light I have so far, I do not feel like voting for either. I would like to have the senator from Cumberland as-

sign this resolve for sometime certain.

On motion by Mr. Winslow of Cumberland the resolve was tabled, to be taken from the table after the recess, pending second reading.

An Act to incorporate the Rumford and Mexico Water District.

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

Resolve to amend Article 22 of the constitution, relating to cities of 40,000 inhabitants or more, to increase their municipal indebtedness to 7 1-2 per cent.

Mr. MILLIKEN of Aroostook: Mr. President, I thought there were two. Are there three?

The PRESIDENT: There are two of these.

On motion by Mr. Winslow of Cumberland the resolve was tabled until after the recess.

The report of the committee on counsellor apportionment was received and accepted.

Majority and minority reports of the committee on education, on Resolve in favor of the Farmington State Normal school.

The majority report of the committee was accepted in concurrence, and under suspension of the rules, the resolve was given two readings and was passed to be engrossed.

Majority and minority reports of the committee on education, on Resolve in favor of the Western State Normal school at Gorham.

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

Resolve in favor of the erection of a monument to Commodore Samuel Tucker.

This resolve came from the House, indefinitely postponed.

Mr. BOYNTON of Lincoln: Mr. President: I move that we nonconcur with the House and that the bill be given its several readings.

Perhaps it will be well for me to

state the case to the Senate. Two years ago an appropriation of \$1000 was made by the Legislature to erect a suitable monument for Commodore Tucker. Of course every member of the Senate is familiar with the record of the commodore in the War of 1812. A commission was formed and did the work, and on the pedestal they placed the statue of a soldier of the War of 1861. The people in that community are naturally indignant. An attempt was made to raise among the citizens of that county sufficient funds to replace this with a suitable bust of Commodore Tucker. That failed, and they came to the Legislature and have asked for an appropriation of \$1000 to put something there that is commendable and that will not be a disgrace. The Lincoln delegation heard the case, and allowed it could be done for \$700, and reported the bill "ought to pass." This is not exactly the record that some members of the Senate have taken in such matters. I do not press this matter at all, and do this at the request of the members of the Society of Lincoln who have asked me to do so.

Mr. MILLIKEN of Aroostook: Mr. President: This is a matter that under any conditions any man would feel delicate about objecting to, but I wish to remind the Senate that yesterday we were obliged to reduce an appropriation \$15,000 which deprived 150 children for the next two years of treatment for deformities. With all due respect to any hero of any war, I say that if such appropriations as that are obliged to wait, that this is a matter to wait also. To the memory of Commodore Tucker, or any other hero, or soldier, or sailor, we can add nothing. Our first duty is to the living, and unless we can perform that duty fully we cannot go home with our consciences clear. I believe these matters should wait, and I believe if any man could be consulted as to whether a monument should be placed somewhere to his memory or let an appropriation for crippled children wait, that he would not ask for the monument at all.

I move that the Senate concur with the House.

The question being on the motion to

concur with the action of the House, a vote was taken and the motion to concur was lost.

On motion by Mr. Boynton, the Senate then non-concurred in the action of the House.

The resolve, under suspension of the rules, was given its second reading and was passed to be engrossed.

Resolve in favor of C. W. Wescott of Patten, constable of said town, came from the house.

In the Senate, the Bill was substituted for the report of the committee on Claims, referring the Resolve to the next Legislature, and in that action the House did not concur; and the Senate today receded and concurred in the action of the House, in referring the Resolve to the next Legislature.

Reports of Committees.

Mr. Boynton, for the committee on Appropriations and Financial Affairs, on Resolve on the payroll of the Senate, reported that it "ought to pass."

The report was accepted and on motion by Mr. Boynton, the rules were suspended, the Resolve was given its two readings, and was passed to be engrossed.

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

The report was accepted and on motion by Mr. Boynton, the rules were suspended and the Resolve was given its two readings and was passed to be engrossed.

The same Senator, for the same committee, on Resolve in favor of the clerk, stenographer and messenger to the committee on Appropriations and Financial Affairs, reported that it "ought to pass."

The report was accepted and on motion by Mr. Boynton, the rules were suspended and the Resolve was given its two readings and was passed to be engrossed.

The same Senator, for the same committee, on Resolve providing for grading and improving the State Capitol grounds, reported that same "ought to pass."

The report was accepted, and the Bill was given its first reading.

Mr. MILLIKEN of Aroostook: Mr. President; That Resolve, as I understand it, calls for \$2,000 for 1911 and the same sum for 1912.

If anyone will read the appropriation

Bill, he will find that there is a contingent fund for each year which can be used for the grounds if necessary. I personally believe that this resolve is unnecessary, and I move it be indefinitely postponed.

Mr. BOYNTON: Mr. President: Of course, in making the new State House, the grounds were left in a very rough condition and not at all in keeping with what they should be. The Governor and Council will have it in charge, and asked for \$5,000 for each of the two years to grade these grounds and put them in shape and keep down the weeds, if you please, and to make the grounds look as the citizens of Maine would like to have them look around the State House.

The committee on Appropriations and Financial Affairs thought perhaps that sum might be large and reduced it to \$2,000. Anyone knowing anything about gardening or keeping grounds or lawns in shape, knows that upon these grounds around this building \$2,000 is a small sum. If we appropriate nothing, of course there is nothing to care for the grounds.

Mr. MILLIKEN: Mr. President: As I said a moment ago, there is \$1000 that can be used for this purpose out of the contingent fund. In the next place, there is force enough around the State House all of the time to mow or to smooth the lawn. This appropriation is asked for the purpose of going into a scheme of planting trees of various kinds and having a sort of botanical garden. I put the case for myself very simply, and it may be because I am prejudiced by the interest I have had lately in another matter. If it were my own case and a personal matter, and it was a question to decide between taking care of the children or grading lawns, I should look out for the children first. I say that this matter is not necessary for the next two years and can wait. I hope the motion to indefinitely postpone will prevail.

Mr. MULLEN of Penobscot: For the information of all the senators, I want to say that the grounds immediately around the building that were worked over and cut up by teams passing, and by the grading and cutting down of the grade where the commission saw fit in their judgment to place it, was all regraded in the fall. Before the

[State House work was started, the loam on top was taken off the lawn and put in a pile, and afterwards it was replaced. The grounds were all graded at quite an expense, and seeded and quite a number of dollars worth of fertilizer put on besides, and this was all done within the \$350,000. I want to make that statement so that the senators will understand the grounds are not rough.

Mr. STAPLES: Mr. President: I have heard a great deal lately in regard to the financial condition of the State. Two years ago I was not in favor of the appropriation of \$350,000 to build the State House. This morning I find myself in accord with my friend from Aroostook. When we cannot feed and cloth and take care of the feeble minded and the crippled children of the State, and cut down almost to the starvation price all of our beneficiary institutions, it looks to me inconsistent to grant this appropriation simply to adorn the grounds of the State House. They will get along for a couple of years. I will risk any weeds growing upon the State House grounds. If they do, it will be because the superintendent of grounds and public buildings does not do his duty. There are plenty of men employed around the State House who, to keep them out of idleness during the summer, can mow the lawn and cut down the weeds and thistles that grow. For the reasons I have given, while I am glad now that we have the State House, while I may be in favor of the bill to locate it permanently in the beautiful city of Augusta, I am strictly not in favor of this appropriation at this time. Let us be consistent, let us be just before we are generous.

The question being on the motion of Senator Milliken to indefinitely postpone the resolve, the motion was adopted.

Mr. Boynton, for the committee on appropriations and financial affairs on Resolve in favor of Louise C. Gartley, a stenographer to the committee on agriculture, reported that same "ought to pass."

On motion by Mr. Boynton, the re-

port was accepted, the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

Passed to Be Enacted.

An Act to amend Section 37, Chapter 8 of the Revised Statutes, relating to the taxation of telephone and telegraph companies.

An Act to incorporate the Clark Power Company.

An Act relating to the signature of stock certificates.

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 provide for the further analysis of commercial fertilizers.

An Act relating to abandoned burying grounds.

An Act to amend Specification 1 of Section 13 of Chapter 9 of the Revised Statutes, as amended by Chapter 4, Laws of 1909, relating to taxation of personal property.

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 evasion of payment of fares on steam railroads, street railroads, steamboats and ferries.

An Act to insure publicity with respect to demands upon the State and to facilitate the legislative committees in dealing with questions of appropriations.

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

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

An Act to establish a municipal court in the city of Belfast.

An Act to increase the allowance for watering tubs.

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

An Act to amend Revised Statutes, Chapter 34, Section 1, relating to seals

of notary publics validating their acts.

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

An Act to incorporate the Hermon Water Company.

An Act to amend Section 16 of Chapter 8 of the Revised Statutes, relating to the sale of shares of the capital stock of a corporation on execution.

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

An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, relating to the compensation of registers of deeds.

An Act to amend Sections 49 and 51 of Chapter 9 of the Revised Statutes, to taxes on timber and grass on public lots.

An Act to incorporate the Young Men's Christian Association and the Young Women's Christian Association, organized or to be organized in this State. (Tabled by Mr. Milliken.)

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

An Act to incorporate the Kittery Sewer Company.

An Act to amend Section 4 of Chapter 57 of the Revised Statutes, relating to the organization of libraries and charitable societies.

An Act to revive and extend the charter of the Kingman Development Company.

Finally Passed.

Resolve in favor of the Eastern Maine Insane hospital.

Resolve in favor of the Mattawamkeag Academy.

Resolve in favor of the School for Feeble Minded.

Resolve in favor of Holden Brothers.

Resolve in favor of the Maine Industrial School for Girls, water supply.

Resolve in favor of navigation on Moosehead lake.

Resolve for the introduction of Hungarian partridges in the State of

Maine. (Tabled on motion by Mr. Osborn.)

Resolve in favor of clerk and stenographer to the committee on State lands and State roads.

Resolve providing for State paper.

Resolve in favor of Frank H. Sterling.

Resolve in favor of the Maine Industrial School for Girls for maintenance and deficiency.

Resolve in favor of the Eastern Maine Insane hospital.

Orders of the Day.

Mr. MILLIKEN of Aroostook: Mr. President: I agreed to call up the public utility bill the first thing this morning, and now move to take from the table House Bill 742.

The motion was agreed to.

Mr. MILLIKEN: Mr. President: I understand the present situation to be as follows: House Bill 742, which is the so-called "public utility bill," came into the House with a divided report from the committee on legal affairs. The majority of the committee voted that the bill be referred to the next Legislature with new draft accompanying. The minority of the committee reported the bill in a new draft and that it "ought to pass." With the committee on legal affairs there was associated a special sub-committee of the judiciary committee, composed of Williamson, Trafton and Gowell. The sub-committee joined with the minority of the committee on legal affairs in recommending the passage of the bill in a new draft. I understand that the majority report recommending the reference of the bill to the next Legislature was adopted in the House. I am going to move in a few minutes that the Senate non-concur and that the minority report be accepted.

Mr. President, I have been here through this session, in common with other members of the minority party, and have endured patiently a good deal of criticism of the action of the last Legislature, of which I was a member, and of which the party to which I belong was in the majority. Some of the criticism is justifiable. A good deal of it in my opinion is unjustifiable, but whether justifiable or not, I have

patiently endured and nobody has heard anything from me yet in regard to partisan lines of criticism of the last or of this Legislature. We have been here, and I think senators will bear me witness, with an honest desire to cooperate with the majority party during this session regardless of the fact that we were in the minority, for the enactment of every wise measure that had for its object the betterment of the conditions of the State of Maine. The Governor and the majority party have not been hampered in this Legislature by obstructions on the part of the minority. They have had the hearty co-operation of the minority party, in almost every instance toward the carrying out of improvements in the matters of the State, or the enactment of laws that had as their object the betterment of the laws of the State. I say this now because I think it is fair at this time, and in reference to this matter, this last piece of wreckage left out of the program, and which I wish to save if I can from going over to the next session. I think we have a right to one day in court, for some criticism on some of the things done or not done by this Legislature. And I want to review this record for just a moment in its bearing upon the question of the public utilities bill, as the last remaining evidence of the program attempted to be carried out here.

What has been done here? What constructive legislation has been enacted? First, in reference to the so-called temperance law, the management of the liquor question in the State of Maine, what have we done along those lines? The answer is very brief. We have repealed every law that gives the Governor any authority in the enforcement of the prohibitory law, notwithstanding the fact that he has said publicly that the law should be enforced. These laws have been repealed and none have been enacted in their places. We have not trusted the people as to whether the Governor should be given power to remove sheriffs.

It is a matter of common knowledge that in many sections of the State, among those whose habit it is to sell

liquor contrary to law, there is a general feeling that there is an easing up in the matter of the prohibitory law, and that their opportunities for doing business are enlarged.

The majority party has endorsed the repeal of the prohibitory amendment to the Constitution and has set in motion the machinery for its repeal, and has offered nothing in its place. There is no suggestion as to what would be offered in its place. While everyone knows that the change in the Constitution will not make any change in the laws, yet without other laws it would leave the whole matter in uncertainty. That is one thing that has been done at this session.

Through most of the session, except the time occupied in that program, we have been besieged with the suggestion of economy. We were told in the campaign that there was a serious need of economy. I want for a few minutes to outline what has been done in the departments at this session. We were told in the campaign that there was serious need of economy in the management of the State departments; that the election of the present majority party to power would result in the turning out of a vast hoard of employes here in the State House. I believe myself, and I have said it before on the floor of the Senate, here at this present session, that there is an opportunity to economize in the State departments.

I waited at the opening of this session for several weeks for some definite move to be made in that direction, and nothing being done I introduced an order, that was passed, specifically directing the committee on appropriations and financial affairs to consider that point and report to this Legislature any economies that in their judgment could be made. I submit, from reading the appropriation bills, that no very drastic economies have been made along those lines. You know what changes have been made. We consolidated the department of factory inspection with the department of labor. If the bills go through in the present form there will be an additional expense. In any event no considerable economy is promised.

The other proposition of consolidating

the fish and game department and the sea and shore fisheries went over to the next Legislature. There was a special committee appointed at this session to investigate the financial condition of the State. That committee was not charged with suggesting economies at this session, and when the motion was made in the House to have an amendment adopted providing for a report that could be made at this session the majority leader in the House objected. They have had ample time to make such an investigation and report it here. The investigation has been delayed and the purpose is to protract it through the interim and have it for the next campaign. I was anxious to have the report that we might work upon it.

If conditions exist which were alluded to in the campaign before the opening of this Legislature, I submit that the Legislature should have been kept in session until the first of June, if necessary, to correct those errors and make the necessary economies. There was a great deal said before the opening of the Legislature, and in the campaign, about trustees of institutions borrowing money without authority. It was said that the present administration would require that to be stopped. That is stopped, as I understand it, but not in the proper way it ought to have been stopped and that is by changing the fiscal year to end June 30th.

There is a hiatus between January 1 and July 1 that should have been remedied. That has not been done, and no suggestion has been made that will make the borrowing of money unnecessary. What has been done? It has simply been arranged so that money cannot be borrowed on notes, and institutions are owing bills to tradesmen.

Mr. STAPLES of Knox: Mr. President, I wish to ask what motion is before the house at this time?

The PRESIDENT: I will state that perhaps the senator is not talking directly to the motion.

Mr. STAPLES: Mr. President, I rise to a point of order, and it is that the senator from Aroostook shall confine himself to the question before the Senate. If he wants to let down the bars I am willing.

Mr. MILLIKEN: Mr. President: I think I shall make this plain before I get

through. I know it is distasteful to the Senator from Knox. I wish to say here, with the permission of the Senator from Knox, that one of the arguments against this Bill is the fact that the State is unable to afford the establishment of this commission.

Before coming to the Bill I want to examine into the expenditures of the State, if the Senator from Knox will permit me. It is claimed that a deficit of a million dollars was handed over to this administration by the last. It is said, and everybody knows it is true, that part of this was in unpaid bills. I believe that the actual deficit will be approximately \$700,000, made up of \$300,000 temporary loan and something like \$400,000 of unpaid bills that we have to care for. There were a certain number of unpaid bills on the first of January, and those having been discovered, a great hew and cry has been made about it.

Everybody knows that no going concern is free from current indebtedness on the first of January. The State of Maine has always owed money on the first of January. I want to instance this \$68,000 for pensions that has been talked about. Everybody knows that those payments come in not until December thirty-first, to off-set the taxes from the town.

Taking the question as it is put up to us, admitting a deficit of a million dollars, I want to compare the action of the last Legislature with the action of this Legislature now in session. The last Legislature, and any gentleman who wants to go through the resolves of the last session can verify this, appropriated \$1,294,897.88 for new buildings.

Mr. FOSS of Androscoggin: Mr. President: What has this to do with new buildings?

The PRESIDENT: As I understand the Senator, he is trying to show the condition of the State, and show where the State can afford this commission.

Mr. MILLIKEN: Mr. President: I know that this is very distasteful, but I will be through in a moment. I wish to show that the State of Maine can afford a public utility commission. I said that the last Legislature appropriated for new buildings \$1,294,897.88. This Legislature has appropriated nothing for new buildings, except that it is going to permit the University of Maine to build some new buildings to rent to the faculty.

(Mr. BOYNTON in the Chair.)

Suppose you were doing business and your manager came to you and said, "In these two years I have economized and have saved \$1,200,000. I have done better than in the last two years by that amount," and you say, "Is it not true that in the last two years you built \$1,200,000 worth of new buildings, and in the present two years you have built none?" He says, "Yes, but I have economized." You will say to him that in figuring economy you must balance the value of the new buildings against the expenditures. This Legislature by declining to expend anything for new buildings has offset in that particular alone as compared with the last Legislature, more than the deficit handed down by the last Legislature. The last Legislature appropriated \$10,403.93 for the payment of pauper claims to towns. This Legislature appropriated nothing for that purpose and has referred them to the next Legislature for payment. The last Legislature appropriated \$193,765.72 for roads and bridges in the various cities and towns throughout this State for repairs and construction—I mean outside of the general appropriation for roads. This Legislature has taken the position that except in a very few small cases, nothing should be spent for this purpose. In other words, the total amount appropriated by the last Legislature for purposes for which this Legislature has appropriated nothing, is \$1,499,067.53. In other words, this Legislature has deliberately voted to appropriate nothing in response to requests for these three things, namely, new buildings, pauper claims, and for roads and bridges. In addition to that, what has this Legislature done? It has cut down to the lowest possible notch all the State beneficiaries, and in many hospital and charitable institutions has inflicted severe and unnecessary hardship in so doing.

Mr. FOSS of Androscoggin: Mr. President: I submit that the gentleman is out of order, and I move that this be indefinitely postponed.

The PRESIDENT: Will the Senator permit me to suggest to the Senator from Androscoggin that the Senator from Aroostook be allowed to proceed.

Mr. MILLIKEN: Mr. President: If I am saying anything that is not true, the Senator from Knox is fully competent to correct me.

Now, Mr. President and gentlemen of the

Senate, I have shown that, assuming that this Legislature had been bequeathed a debt of a million dollars, it has avoided the responsibility, or for some reason has neglected to make appropriations for purposes for which the last Legislature appropriated \$1,500,000.

In comparing the expenditures of the two sessions to find out where we will come out in the matter, we must take that into consideration.

In other words, subtracting the million dollars deficit from the million and five hundred thousand dollars raised by the last Legislature for purposes for which we have raised nothing, leaves us half a million dollars better off than they were, assuming that our other expenditures are not greater. In addition to this we have increased the revenue enough to amount to \$400,000 in the two years, making a total of \$900,000 gained over the last Legislature.

You say, how are we coming out on the question of whether we can afford a public utilities commission or not? I had intended to say something else about the program carried out here, but in deference to the suggestion of the various senators I will deny myself that privilege. What about the public utilities bill itself? I alluded to it as the last piece of wreckage. The rest has gone over to the next Legislature, the ballot law and other things talked so much about have all been put off. The Legislature has taken the position that these were not necessary or that this Legislature is not capable of enacting them.

What about the public utilities bill? I hoped that whatever was done, or was not done, that the public utilities bill would be passed. A member of the railroad committee undertook to console me for the loss of certain matters by promising that the public utilities bill would be passed. I expressed to him some skepticism about the chances the bill would have, but he was sure it would go through. I have not had an opportunity to read the discussion in the House, and only know about it through the newspapers. The legislative record for that day has not been printed. I will refer to the one objection that was made, and that objection was that we have not the

time to construct or draft a public utilities bill, and that objection was made by the floor leader of the majority party in the House. He feared that the Legislature had not the time. He questioned whether the Legislature has time or not. I submit that there is no statute or provision of the constitution that requires this Legislature to adjourn until it finishes its work, and if the people expected the bill to be passed why not stay here and pass it if it takes until haying time? He said we are not competent to draft the bill, and he was afraid that some mistake would creep in. That is not a consistent objection for that particular gentleman to make, for he was not at all afraid that the Legislature could not draft a bill for the Kennebec Dam and Reservoir Company, and in the matter of giving away valuable franchises he was not afraid the Legislature would make a mistake. But in this matter he is afraid the Legislature would make a mistake. That objection could be urged to any bill, and if any bill is passed anywhere by any Legislature it has to be passed under that objection.

I called your attention to what has been going on in the lobby and around this State House on this particular matter. There are two classes of attorneys that have been here in regard to this matter; attorneys representing public corporations in the State affected by the bill, one class includes the abler ones and the ones you and I most respect. They have come here honestly believing that the public utilities bill would be passed, and have offered their best services to the committee to assist in framing a bill that would be a proper one. And having enough interest in the matter, although not a lawyer, I have arranged for, and have in my possession, copies of every piece of legislation on this matter now pending in the Legislatures of the various states in this country.

These lawyers, I say, representing public utilities, have been here and have offered their services, and that matter was lightly dismissed in the House with an appeal to prejudice and a suggestion that any bill that had the endorsement of these lawyers would

be an improper bill.

There has been another class of lawyers here representing the public utilities who judging by the results have been successful and have said, "Oh, yes, a public utilities bill, but not now. Some bill, but not this bill." And they have sought to get into the minds of the people of this Legislature to put it off, and it is already apparent that they will prevail.

I am not going to argue this any further except to say that I supposed when the general convention assembled the other day, the Governor would urge some definite program in regard to this bill. I was disappointed when nothing of the kind was urged. I hoped he would say to the members of this Legislature, "You shall not adjourn until you pass something of this kind." We have just put a resolve through for the State paper and I want to suggest the first State advertisement for its pages, and that it be printed in large type: "LOST, BY THIS ADMINISTRATION, DURING THE FIRST THREE MONTHS OF 1911, SOMEWHERE AROUND THE STATE HOUSE, IN THE CITY OF AUGUSTA, A GOLDEN OPPORTUNITY. NO REWARD IS OFFERED, FOR IT NEVER CAN BE RECOVERED."

Mr. STAPLES: Mr. President: I regret very much that the senator from Aroostook, who represents the Republican party, has seen fit to make a stump speech in the Senate of Maine. I supposed that we were here to do business and not to set the pace for his party two years from now. But I accept that stump speech. Let it go forth to the people of the State of Maine. You have been here for three sessions of the Legislature and have just woke up to this great public utility question. Why, in Heaven's name, why have not you and your party thought of it before?

Mr. MILLIKEN: Mr. President:—

Mr. STAPLES: Mr. President: I do not yield.

Mr. MILLIKEN: Mr. President: Can I ask a question.

Mr. STAPLES: No. Sir, not to me; not at this time.

I am generally pretty courteous, but

when a gentleman comes into this Senate at the closing days of the session and makes a party speech for the very purpose of partisanship, who cares no more about the utility question, than nothing at all,—the Republican party to which you belong, and I regret that I have to say as I will say now—I say of the Republican party, that the people of this State woke up to the extravagance of that party, and on account of malfeasance in office, turned them down so deep that I hope God in Heaven will never resurrect them.

Now, Mr. President, I don't wonder that the "galled jade winces." I should wince if I belonged to the Republican party today, because you, with all the revenue you had, bequeathed to the party you are now undertaking to ridicule because they have cut down expenses within the amount of the revenue to support it. What would you have us do? You gave us a deficit of a million dollars, yes, \$1,300,000, given to us by this Republican party of the State of Maine, and you know it. The Democratic party when they came here came in the interest of economy. We regret that we cannot better take care of the beneficiaries of the State, and that we cannot do greater things, but we cannot do them because the Republican party have bankrupt the State.

What great things have the Republican party of the State of Maine done? Two-thirds of the legislation has been upon the temperance question. You never in your party have done anything that has been for the interest of the State of Maine. All these measures that we are agreed upon were introduced and conceived by the Democrats in the State of Maine. Show me a Republican that for the last 10 years has brought forward any grand scheme for the good people of the State of Maine. I start first with this temperance legislation. Why, he says they have not given us anything in return—we do not need anything in return. The statute book is replete with all kinds of laws to enforce the liquor law, and the Democrats of the State of Maine, in the several counties, have commenced to carry out what the Governor said in his message. We propose to en-

force the liquor law. You say we will not do it. You watch us. We will. There is law enough on the statute book and we will give you all the enforcement you want as long as it remains on the statute book, but we take away the monstrosity you put on the statute book, the Sturgis law. Are you hurt and do you object to the repeal of the State liquor agencies? Do you stand here and object that the good people of the State of Maine shall have the right to vote whether you shall take that out of the Constitution or keep it in? Why, the only question is whether you should take it out of the Constitution or not, and the Democratic party will see to it at this time what you will have in the future. Let us wait and see whether it goes out of the Constitution. It comes with very ill grace from you, sir, to say that we should undertake to introduce any other kind of a bill before this is taken out of the Constitution of the State of Maine. The Democratic party came here in the interests of economy, and you tell me, sir, united as we are in this matter, that the Democratic party has pruned down everything in the interests of the State of Maine. We have promised the people that, and we have carried it out to the letter, and propose to as long as we are in power. I did not, and do not undertake to define this as a political matter. I am sorry that I was obliged to stand upon my feet and defend the Governor from your insinuations against him when he came into the joint convention and the people were groaning to know how we were getting along, and he felt it to be his duty to let the people of the State of Maine know how we were getting on, and I say, amen to that. And it went up from every fireside that our Governor is practicing what he preached, and you need not think that this partisan speech of yours will do away with it.

I am not in the habit of making political speeches in the Senate of Maine. I regret that we could not have got through this session without making it, but I was surprised, I say, at this time that the senator from Aroostook took this general utilities

bill off the table, and has he given us any light upon it? He only took it off the table for the purpose of abusing the Democratic party and to say that the Governor was not making good. It comes from every part of Maine that the Democratic party is to be congratulated for the manner in which they have handled this matter. I feel sure, that the people of Maine are not meanly economical. I know that the Republican party of Maine, those who are not eaten up by partisanship, are in favor of the Democratic party for what they have done since they took the reins of power. It is a good campaign speech, and I am proud of the record that the Democratic party has made in this Legislature. We propose to practice what we preach. We told the people we would keep expenditures within the revenue of the State, and we have done it, and we were obliged to cut down all these matters. Don't you suppose that the tax payers of the State of Maine are pleased with it? I do not expect the Republican party would be pleased with it. What will you have, in Heaven's name, two years from now? You will find the treasury with money in it. You will find us with our bills paid, and it will be done on account of the economy that is practiced by the Democratic party in the State of Maine.

Oh, no, my friends, the issue has been met, the issue between extravagance on one hand and economy on the other, and the future voters of the State of Maine will vote for that party that is in favor of economy and not for that party that has been extravagant until the old State of Maine has become bankrupt.

The Utility Commission? Yes. Why did the House postpone the utility commission? How many men are there in this body? How much does the gentleman from Aroostook know about the general workings of the utility commission? How many Senators in this body that understand the workings of it? I regard it as a leap in the dark.

I have been in favor for some time of a utility commission when that commission can be fully understood by the people of Maine so that they can, through their services, vote upon it. I think the action of the House was wise, for it is a large question. It cannot be determined in a minute. It must be determined by the

close examination of the people throughout the next two years. Does anybody know what that commission will cost the next Legislature? I say that one reason why that was sent to the next Legislature, was on account of the conditions in which you left the treasury when the Democratic party took it. And we are obliged in the interests of economy and we say that at the present time—my idea is in looking over the Bill and considering it the best way I could, that it would perhaps cost the State of Maine \$150,000, and we are not like the Republican party of two years ago, and we will not take a leap in the dark. No, we are going to put this question to the people of the State of Maine and say it shall not pass until they have fully considered it. We are in favor of a public utilities bill when we can understand it enough so that we can make one that is for the interest of the people of the State of Maine, and for that reason we have postponed it, the House did, until the next Legislature.

We say as Democrats that we are not prepared to say this shall become law at this time, because nobody knows, the best men that have looked at it, cannot tell within \$50,000 what it will cost, and for that reason we think it is just and proper that the matter shall be more fully considered before we take that leap. For that reason I move that we concur with the House in referring this to the next Legislature.

Mr. MILLIKEN: Mr. President: The senator from Knox, having made a motion to concur with the House, I suppose his motion will take precedence over my motion.

The question being on his motion, I hope it will not prevail.

The senator has referred to the question of stump speeches. It would be unkind for me to say that I have a distinguished precedent for making stump speeches. He asks why I have been awakened, and why this new interest in public utilities? The senator knows very well that I did my best at the last session to get this Senate to adopt an amendment giving the railroad commissioners more authority in this State, and I argued for it here because I said then it was the nearest approach to anything offered at that session for a public utility commission.

The senator from Knox, following his usual course of being for the people against the railroads, except when they need him, voted against that proposition, and the idea was then that we should not invade the sacred precincts of the railroad commissioners for we probably would have a public utility commission at the next session.

The senator says "the galled jade winces." Oh, how I thank thee for that word! If there has not been a good exhibition here this morning of the "galled jade wincing," then I am much mistaken. The senator says that \$300,000 shall be added to the million and a half. I will answer that out of a Democratic newspaper of this State, an editorial published this morning, in which in the deficit of \$1,000,000 (they figure it \$1,077,939.95) the temporary loan of \$300,000 is included, so that the senator is \$300,000 out of the way, even on those figures.

The senator has made a suggestion about the Governor "making good." I do not say anything about that; I do not want to make any criticism along that line. I am not going to voice here, it would not be proper, the disappointment I feel on that point. I leave those things to be said in the corridors of the State House. If, however, the senator wishes to point out a particular public measure in which the Governor has made good, I should listen to it with very much interest. He says that whoever comes in here two years from now will find the treasury with money in it and the bills all paid. He may find money in the treasury, but the bills are referred to the next Legislature to pay. For my part, I cannot see much difference between leaving a deficit and leaving bills to be paid by another session of the Legislature, which everybody admits to be just bills, and to my way of thinking, whatever the actual amount of the deficit was found to be, the true business method would have been to raise a special tax for that purpose and pay the deficit and then let the State of Maine go on its way, raising its revenue and paying its proper bills.

This matter of referring bills to the next Legislature to be paid and then counting them paid is a good deal like

a man in my county who went into a bank and renewed a note and came out and said: "Thank God, that note is paid."

He says this Legislature cannot pass the public utility bill, and he says "How much does the Senate know about it?" The Senate knows very little about it because the bill has been kept in seclusion in the committee. Does the senator from Knox mean to tell me that there is not intelligence enough in this Legislature to pass a public utilities bill; that the Maine Legislature is not intelligent enough to compare with the Wisconsin Legislature or with the Legislatures of several other states, especially when we have the example that these states have left us? We have their bills to go by. They were the pioneers. I have in my possession a copy of every proposed bill in this country. If the senator wishes to take the position that the members of this Senate have not intelligence enough to consider this bill, and consider any public utilities bill, section by section, and thresh it out and say what is proper, he may take that position. I shall not join him. I hope the motion of the senator from Knox will not prevail.

Mr. Noyes of Kennebec: Mr. President: I would like to ask the Senator from Aroostook if he considers it wiser to refer this Bill to the next Legislature, or to refer to the next Legislature a debt of a million and a half of dollars, such as the last Legislature did?

Mr. MILLIKEN: Mr. President: The last Legislature did not refer any million and a half of debts to the next Legislature.

Mr. NOYES: Mr. President: I will say a million.

Mr. MILLIKEN: Mr. President: I will say that there is no difference. I would just as soon refer a million of debts as a million of unpaid bills.

Mr. STAPLES: Mr. President: The Senator from Aroostook says that I have always been in favor of the common people; that I have been in favor of taxing railroads, but I don't know what he means by his insinuation when he says "unless they have needed it." I throw that back to you, sir, that you have been a friend to the railroads ever since you were a

member of the Legislature of Maine. They dealt in you, body and soul, politics and religion. I defy you, sir, to put your hand upon a vote of mine of a speech of mine but what has been against the railroads in the State of Maine, that they should pay equal taxation, and I fought that very question this winter and I will fight it again as long as I am a member of this body.

Now, Mr. President, the question of the Senator from Augusta was very pertinent. You bequeathed to us a million of debts. We have referred to the next Legislature, although I was opposed to it at the time—but I have found since that time that two-thirds of those Resolves, called alien pauper cases, that have gone to the next Legislature are totally illegal. I have no doubt when the next Legislature convenes here that when those matters are looked over and go before the committee on Claims, they will so decide it. I do not think we have bequeathed five hundred thousand or two hundred thousand dollars, to the next Legislature. We have grappled with those questions and have taken care of them in the interests of economy. As far as this Legislature in concerned in regard to the general utility bill, we are in favor, there is no Democrat in this body but what is in favor of some kind of a general utility bill. We are cautious about passing it. We have to be, gentlemen. We have not done what the Legislatures of the past have done, put on the Statute Book certain matters before they examined them, because they had the power to do it. We are going to examine this and get the best kind of a utility bill we can get.

This is an important matter; it is not like the liquor law you have been in favor of and have done so much for, and without much consideration. This is a matter that affects the tax payers and every man in the State of Maine. We are going to have it go to the next Legislature, which I believe will be Democratic, as this Legislature is, and we will have a Utility Bill that will meet the wants of the whole people of the State of Maine. We don't know now what kind of a Bill is best, but the committee will send to the different States and will formulate a Bill without the assistance of the gentleman from Aroostook, that will suit all the people. I believe that this should be referred to the next Legislature so we can have time to consider it.

Mr. GOWELL of York: Mr. Presi-

dent: I do not understand that this proposed Public Utilities Commission involves a political question, and I wish to state to the Senate very briefly, why I, as a member of the sub-committee, endorsed this bill.

This question has been considered by previous Legislatures; it has been discussed somewhat for several years in the State of Maine, and we understood that legislation of this kind was demanded and expected by the better element of both political parties. The Governor in his inaugural address at the first of the session recommended a public utilities bill. It was understood that the floor leader of the Democratic party in the House drafted the bill and that he had as associates other gentlemen even higher in the councils of the party than he was himself. And we, believing that legislation of this kind was proper and demanded by the people of the State of Maine, and having confidence in these gentlemen to draft a public utilities bill, even though at the latter part of the session, we endorsed the bill they had drawn. We supposed at that time, although late in the session, that they had confidence in their bill. This in substance is why the four members of the judiciary signed that report.

Mr. OSBORN of Somerset: Mr. President: When this matter was taken from the table, I expected to hear it of public utilities fairly discussed in a fair, candid broad minded manner. It is a matter I have taken some interest in for several years and have tried to gather what little information I could in regard to it and its workings, in other states that have tried the same proposition. I understood at the beginning of this session that a certain committee was to investigate this matter, had taken up the proposition and was formulating a bill.

I think it will be remembered that at an early period in this session the Democratic members, in caucus assembled, endorsed a public utilities bill. I am not going to say that that binds them to pass any sort of a public utilities bill, but it did occur to me that it was in a way a pledge that this Legislature should not seek to lay aside.

It has been urged that we have not had time to formulate a bill that would be acceptable; that the people would have confidence in, and it was urged in the other end of the Capitol, when this matter was under discussion, that certain changes had been made in the bill that changed the workings of it to some extent; that the committee, even, had not given proper consideration to. Now I believe any such objection as that might be offered at any time in the future. If you do not pass a bill at this session of the Legislature, and another session should undertake to pass the bill, why, in its course, on its passage, on its hearing before the committee, it may be changed somewhat, and probably would be, and it would not be likely to be the same sort of a bill you started in with. That objection could be urged at any time in the future. It seems to me that if we undertake to wait until a perfect bill can be formulated. One that no one can object to, that will please everybody, we shall be waiting for this proposition when our children come upon the stage of action and manage the affairs of the State.

I do not believe this State of Maine has passed very many laws of much importance that were perfect in their initiatory. It is always necessary to take them up in the future and amend and approve them. No doubt it would be the same with this sort of bill, and it would be a strange thing, indeed, if the Legislature should pass a bill that would be absolutely perfect and that would admit of no improvement in the future. I did sincerely hope that this Legislature would start a utility bill; that it would enact one into law, because I believe that when our work is reviewed in the future, we shall be remembered more because of the fidelity with which we have kept our platform pledges, and the amount of constructive measures we have enacted into law, than by any of the quibbles in regard to parties and the difficulties we have contended with and the difficulties we have surmounted, and they will say: "Did they keep their pledges that were made to the people in their platform? Did they devise and place upon the statute books

of the State of Maine constructive legislation in the interests of the people?"

I hope the Senate will not concur with the action of the House.

Mr. STAPLES: Mr. President, may I ask a question of the senator? In looking over this public utilities bill, have you come to any conclusion as to its expense yearly?

Mr. OSBORN: Mr. President, certainly not, but I am willing to risk that question.

Mr. STAPLES: Are you willing to make an estimate?

Mr. OSBORN: No, sir.

Mr. KELLOGG of Penobscot: Mr. President, I know that I cannot say anything that will be of much benefit here, but I did want to go on record as in favor of this utility bill. As the senator has just said, at the beginning of this session we were called into a caucus at the State House to consider the feasibility of introducing a public utility bill, and when we got into that House it was put up to us that we had got to do something tonight, because in the morning the Republicans would have a bill that they would introduce, and we didn't want them to get ahead of us because in the party platform we agreed to pass a public utilities bill. It came out in that caucus that such men as Mr. Scates, Mr. Clifford, Mr. Williamson and Mr. Pattangall and I don't know how many Democrats in this State, had been arguing the public utility bill since the September election. They had sent to Wisconsin, to New York and the other states of the Union, and had copies of their bills sent to them, and they had gone over them and picked out the good points in all those bills and had incorporated them in a bill that they presented to the caucus. At that time it was acknowledged by the member of the caucus that they had gone over this bill, I mean people outside of this committee had gone over this bill, and pronounced it as near perfect as any other that could be drawn up, and it was said at the caucus that we could not enact a bill that would be perfect; that we must enact it into law, and when the next Legislature con-

vened, if it was not right, it could be amended. The question of cost came up, and it was definitely stated that we could not estimate the cost; it would perhaps be fifty or seventy-five or one hundred thousand dollars a year, but it could not be absolutely stated, and it never can be known until the law is tried. It is not right to stand up here and say that is why this bill was postponed. It is done by the cold-footedness of the leader of the House, and he succeeded in carrying this through the House. I say that the Democratic party and the Democratic members of the Senate cannot afford to stand up here and vote to agree with the House in referring this bill to the next Legislature. If they do, when they go back to the people, with one more bill,—as I said yesterday, we have been sending bills to the next Legislature, but we will not be here next session to say anything about it.

Mr. GOWELL: Mr. President, I think the statement made by the senator from Penobscot is largely correct. I understand that the committee that had this bill in charge had the best utility law that could be procured from several states, and the most of this bill is known as the Wisconsin utility bill. I will say that the committee on legal affairs gave a hearing in the Hall of Representatives, which was largely attended. Several prominent attorneys were present and offered many suggestions as to the practical workings of the bill. I will say that special committees met, the bill was read and considered section by section, and several suggestions and improvements were provided for in that bill, and while we did not expect this to be an ideal bill, or one that would work out to the entire satisfaction of all interested parties, there had been nothing wrong suggested in regard to any particular phase of it that would work a hardship, and we considered it, as a whole, a good bill.

As far as the expense is concerned, if I remember the bill correctly, although it has been but a few days since it was printed, I believe the bill provides for salaries to be paid by the State for clerk hire, and the other ex-

penses were to be assessed on the companies for the services of the commission. I think the salary is \$5000 for the chairman and \$4000 for the other members, \$13,000 besides the clerk hire.

The question being shall the Senate concur with the action of the House in referring the public utilities bill to the next Legislature, the yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Allan, Dodge, Farrington, Foss of Androscoggin, Foss of Cumberland, Hill, Mullen, Noyes, Pendleton, Sanborn, Staples, Winslow—12. Those voting nay were: Messrs. Blanchard, Boynton, Chandler, Donigan, Fulton, Gowell, Irving, Kellogg, Leach, Mayo, Milliken, Moulton, Osborn, Stearns, Theriault—15.

So the Senate did not concur with the action of the House.

The question being on the motion of Mr. Milliken of Aroostook to substitute the minority report for the majority report, the yeas and nays were ordered, and the secretary called the roll. Those voting yea were: Messrs. Blanchard, Boynton, Chandler, Donigan, Fulton, Gowell, Irving, Kellogg, Leach, Mayo, Milliken, Moulton, Osborn, Stearns, Theriault—15. Those voting nay were: Messrs. Allan, Dodge, Farrington, Foss of Androscoggin, Foss of Cumberland, Hill, Mullen, Noyes, Pendleton, Sanborn, Staples, Winslow—12.

So the minority report was substituted for the majority report.

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

On motion by Mr. Boynton of Lincoln, An Act to provide for the payment of State funds on account of union superintendents was taken from the table.

Mr. BOYNTON: Mr. President: I move that the rules be suspended and the Bill given its two readings and be passed to be engrossed.

Mr. MILLIKEN of Aroostook: Mr. President: I do not ask for further delay, although it ought to be granted. The committee has not met, but they propose to meet this noon. This is a similar subject matter to a Bill already

before the Legislature and reported by the committee "referred to the next Legislature."

It is also a matter that concerns the distribution of the State school fund. There is pending a conference on that distribution and there is pending an order on the table here in regard to the distribution of the school fund and instructing the committee to report to the next Legislature.

I understand it will take a two-thirds vote to have this considered without reference to a committee. It seems to me if these other matters go over, this matter should go over. I hope at present this will not be passed under suspension of the rules.

Mr. OSBORN of Somerset: I ask the Senator through the Chair if he will not allow this to remain over until afternoon?

Mr. BOYNTON: Mr. President: I am perfectly willing to let it remain on the table, but it is necessary that it be acted upon.

On motion by Mr. Boynton of Lincoln, An Act relating to the Biddeford, Saco and Sanford Municipal court, was taken from the table.

Mr. GOWELL of York: Mr. President: I will say that this matter in regard to the York county municipal court was referred to the committee on Legal Affairs, and while I am not a member of that committee, I will try to state the facts in regard to this matter from the best information I have at hand. I believe I can state that correctly although there has been considerable talk about the corridors of the State House in regard to this Bill. If I make any misstatements, I hope you will forgive me, for I have heard several rumors during the past week in regard to this Bill, and I was obliged to get the Bill myself this morning to see just what condition it was in at the present time. I will say that you would now hardly recognize this Bill, as it appears now, as the Bill presented several weeks ago, and known as House Document 103. That Bill was An Act to abolish the municipal courts in the cities of Biddeford and Saco and the town of Sanford in York county, and was referred to the committee on Legal Affairs. A hearing was advertised

and was held February 28th. Before this hearing, quite a little had been written in the newspapers in York county and vicinity in regard to the Bill and the hearing was quite largely attended and many gentlemen in that vicinity appeared in opposition to the Bill.

If I am correctly informed, but one gentleman appeared in favor of the Bill, and that was the clerk of the committee on Legal Affairs, Mr. Higgins of Sanford, who has figured somewhat in legislative matters during the session. Mr. Higgins stated his position on the Bill. Mr. Hill, Judge Cleaves, Mr. Gilpatrick and several attorneys in York county, appeared in opposition; petitions were presented that were signed largely by the people of the county, and it was understood at that time that it was agreed that the Bill should be reported "ought not to pass." I have no knowledge from the committee, but it was generally understood that they made some slight changes in regard to the jurisdiction of the different courts, but that the Bill was to be reported "ought not to pass."

We supposed in the county that that was the condition of affairs, until last Friday we heard that the Bill has been reported in the House, "ought to pass in new draft." Some of the gentlemen that were present at the first hearing came down and had the matter looked up, and it appeared that such a report had been made. I will state that at the first hearing, it was agreed that Judge Cleaves, who appeared in opposition to the Bill, and Mr. Higgins, should be a committee to make such changes as were agreed upon by all interested parties at that time, I believe that was done, and whatever changes occurred later, were made without the knowledge of the people that were interested in the matter in that vicinity and who supposed the matter was settled.

I will say that it appeared under large headlines in the Biddeford Journal, "York county courts to remain, the Bill to be reported, 'ought not to pass.'"

It seems to me, that to be fair in this matter, it is rather a late day in the session to have the Bill go

through with any material changes. I will say that the present Bill provides for the abolition of the Saco Municipal court, and provides in its place a court having jurisdiction in the city of Saco and several other towns. The Bill appears to have been re-written, re-drafted, in different handwritings, and it appears it was changed first abolishing the Sanford court. That is erased and pasted over, and it now simply deals with the Saco court, and as I understand it, it leaves the Sanford and Biddeford courts as they are now. I believe if we treat this matter fairly that the people in that vicinity should be heard. In other words they should have been notified if such a step was to be taken by the committee.

I will say that the Saco court was established in 1867 and has existed since that time. It is a court that has the respect and confidence of everyone in York county. The judge, Judge Deering, is a gentleman well known in that vicinity. He belongs to one of the best families in our county, and we believe that it is improper in the latter days of the Legislature, to discriminate against him and legislate a man like Judge Deering out of office.

I do not wish to raise a political question in this matter, as I don't know as it should be so considered, but we fail to see why this court and this judge should be singled out among all the judges of the municipal courts in the State of Maine for legislation of this kind.

I will say, if I remember correctly, that a commission is to be appointed to investigate the question of municipal courts in the State and report to the next Legislature, and recommend such changes as they think should be made. I believe I have stated the facts in this case and I will say that I know that a large majority of the people in York county are opposed to this Bill. I cannot say that all the Democrats, but I can say that very many of them would be. It may not be that some of the leaders are opposed to it. I move that this Bill be indefinitely postponed.

The question being on the motion of the Senator from York, that the Senate non-concur with the action of the House, and indefinitely postpone the

Bill, the yeas and nays were ordered, and the secretary called the roll. Those voting yea were: Messrs. Blanchard, Chandler, Dodge, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Gowell, Hill, Irving, Leach, Mayo, Milliken, Moulton, Noyes, Osborn, Pendleton, Sanborn, Stearns, Theriault, Winslow—21. Those voting nay were: Allan, Boynton, Donigan, Mullen, Staples—5.

So the Bill was indefinitely postponed.

On motion by Mr. Boynton of Lincoln, House Bill 640, An Act relating to supervision of the business of plumbing, was taken from the table.

Mr. BOYNTON: Mr. President: I tabled this that I might have an opportunity to look it over. My past experience has taught me that any measures with which plumbers have to do, it is safe to go slow, for if there ever was a vicious trust existing on the earth, it is the plumbers' trust. While there are things in this Bill that ought not to be, there is some good in it, and I shall offer no objection to its taking its course.

Mr. WINSLOW of Cumberland: Mr. President: In reference to this plumbers' Bill, I was told by several of the plumbers of Portland that there were serious objections to this Bill, but I have since heard from the majority of the plumbers of my county, saying that it is satisfactory to them.

Mr. KELLOGG of Penobscot: Mr. President: I paid a little attention to that Bill, although not directly interested in it. It seems to me that the plumbers of this state, and all over the country, have all the protection they need. They have it now fixed so that you can't go into a hardware store and buy a faucet unless you have permission from some registered plumber. I move that the Bill be indefinitely postponed. It seems to me that we, the common people of the state, don't want to be tied up; we want some privileges. If we want to buy some little thing or have some work done, we want to do it without going to some registered plumber for permission to do it. We ought to have some privileges as well as the working people of the state.

Mr. FOSS of Androscoggin: Mr. President: I understand that all they ask

in this Bill is that a plumber may be appointed on the boards of inspection, or boards of health. We are living under the same law today.

Mr. WINSLOW: Mr. President: The point I wished to make was that this Bill was introduced almost entirely as a sanitary measure.

Mr. KELLOGG: Mr. President: That may be all right, but I do not believe any of us will suffer from any unsanitary procedure if this Bill is not passed, and I move it be indefinitely postponed.

Mr. FOSS: Mr. President: I understand this is a matter of economy. The board of health have to hire a plumber, and if a member is a plumber they will not have to hire one.

Mr. MILLIKEN of Aroostook: Mr. President: I will read from the Bill, House 640, Section 5. "Each city or town which has therein a system of water supply or sewerage, shall by ordinance or by-law within three months from the time this Act shall take effect."—

Mr. FOSS: Mr. President: That has been changed. The present form is House 730.

Mr. NOYES of Kennebec: Mr. President: I do not think the senators understand that Bill. This Bill means a good deal for the health of the communities and covers more in regard to the sanitary conditions than anything else. I think the Bill should pass.

Mr. FARRINGTON of Kennebec: Mr. President: So far as the committee on Legal Affairs was concerned, the Bill was presented early, was advertised, a hearing was had and only one party appeared in opposition to it. The report of the committee was unanimous, except that it referred the matter to Judge Peters for him to look to scrutinize in regard to its legal aspect. He made such changes as he saw fit, and the report was unanimous that it "ought to pass." If it is turned down here, I cannot help it.

Mr. FULTON: Mr. President: As the Bill was originally drawn I understand there were objections to it, but since it has been re-drafted there is no objection to it, as the objectionable features are withdrawn.

The question being on the indefinite

postponement of the Bill, House Document 730, the yeas and nays were ordered, and the secretary called the roll. Those voting yea were Mr. Staples—1. Those voting nay were Messrs. Allan, Boynton, Chandler, Dodge, Donigan, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Gowell, Hill, Irving, Kellogg, Leach, Mayo, Milliken, Moulton, Mullen, Noyes, Osborn, Pendleton, Sanborn, Stearns, Theriault, Winslow—26.

So the motion to indefinitely postpone did not prevail.

Mr. STAPLES: Now, Mr. President, I will change my vote from yes to no. I voted yes because Senator Kellogg voted no. (Laughter.)

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

On motion by Mr. Noyes of Kennebec, the motion of Mr. Winslow of Cumberland, to reconsider the motion made by Mr. Osborn of Somerset, whereby the Senate substituted the Bill for the report of the committee on Taxation on An Act relating to the taxation of Railroad, Telegraph and Telephone companies, was taken from the table.

The pending question: Shall the Senate reconsider the action whereby the Bill was substituted for the report?

Mr. NOYES: Mr. President: As I explained in another matter a few minutes ago, I think there has been a misunderstanding in regard to this Bill. The Bill was before the committee on Taxation the very last days of its hearings, and the committee did not feel like reporting it favorably or "ought not to pass," so the Bill was referred to the next Legislature, and I think that is right, for it would work something of a hardship on the cities and towns that have not had a chance to be heard on the matter, and have made up their tax rates.

I move that the Bill be referred to the next Legislature.

Mr. OSBORN of Somerset: Mr. President: This matter was discussed at considerable length at two different times. I want to repeat what I have previously said as to why I introduced this Bill. It was largely for the purpose of obtaining more revenue for

the state. One reason why I did not take it up sooner was because I was very much interested in other matters, and at quite a late day in the session it came to our knowledge that our appropriations as made up would exceed our revenue. It occurred to me that here was a chance to save to the state quite a little revenue, and at the same time right a law that, as I saw it and as several other gentlemen say it, was a wrong law and worked an injustice. Had it not been for the fact that the revenue was needed I should not have objected to the report of the committee, referring the Bill to the next Legislature.

I do not care to go over the same subject matter that I have gone over before, but I think the senator from Aroostook, Mr. Irving, has some figures bearing on this matter which he could give you that might be interesting. I yield to him.

Mr. IRVING of Aroostook: Mr. President: I do not know that I have an argument to make, but I have a schedule of figures I would like to submit to the senators.

I would say in passing that this matter was considered by the tax commission appointed in 1907 to inquire into taxation matters and report their recommendations to the next Legislature, which they did in 1909, and among the recommendations they made was a form of taxing railroads without this exemption, the exemption that we now want to remove; this exemption whereby one per cent. of the railroad tax is rebated back to the cities where the stock of the railroads is held. They believing, I presume, that that was an unfair thing to do.

The effect of that rebate, I think you can understand by the tabulation I have made—I think that seven towns get the bulk, or at least a greater amount of this rebate than they would get supposing the amount was left in the treasury, where I think it properly belongs.

The amount rebated in round numbers is \$132,000. It would be approximate one-third of a mill on the valuation of the whole state. In other words, if this amount is not rebated it would save the towns of the state an amount

equal to what one-third of a mill would amount to.

Under the rebate the counties lose or gain, and according to the tabulation I have, Androscoggin county gets \$5,985.30 under the rebate, and if it was left in the treasury it would get \$11,289.90, making a loss of \$5,304.60.

Aroostook county gets back from the rebate \$70.71, and if it were left in the treasury would get \$8,043.14, a loss to the county of \$7,972.43.

Cumberland county gets back from the rebate \$54,922.16. If left in the treasury the county would get back \$31,050.84. So that county makes a gain of \$23,871.32. The major part goes back to Portland. Take that county outside of Portland and they only get back a rebate of \$2,203.42, while the state tax would amount to \$10,344.83, making a loss to the county outside of Portland of \$8,141.41.

Franklin county gets back under the rebate \$574.95. If left in the treasury it would amount to \$3,380.93, making a loss to the county of \$2,805.98.

Hancock county gets back under the rebate \$2,023.48. If left in the treasury it would get \$6,362.92, a loss of \$4,339.44.

Kennebec county gets back under the rebate \$9,111.28. If left in the treasury it would get \$10,963.54, a loss to the county of \$1,852.26.

Knox county gets back under the rebate \$1,227.78. If left in the treasury it would get \$5,037.40, making a loss to the county of \$3,809.62.

Lincoln county gets back under the rebate \$361.84. If it were left in the treasury it would get \$2,707.47, a loss to the county of \$2,345.63.

Oxford county gets back under the rebate \$3,866.50. If left in the treasury it would get \$5,561.26, a loss of \$1,694.76. In this county Rumford Falls gets the major part. The whole county, outside of Rumford, gets \$196.61, a loss to the whole county, —outside of Rumford,—of \$4,199.51.

Penobscot county gets back under the rebate \$33,873.90. If left in the treasury it would get \$14,919.90, a gain of \$18,954.00. Bangor gets the major part. Outside of Bangor the whole county gets \$789.09, and the county makes a loss of \$6,673.06. All of the gain comes to Bangor, while the rest of the coun-

ty has a loss. Only 16 towns in Penobscot county get anything, and 48 get nothing, under the rebate.

Piscataquis county gets under the rebate \$650.71. If left in the treasury it would get \$2,606.43, a loss to the county of \$1,955.72.

Sagadahoc county gets \$800.01. There is one town there that gets one cent. If left in the treasury it would get \$1,529.88, a loss of \$729.87.

Somerset county gets under the rebate \$1,479.39. If left in the treasury it would get \$5,578.76, making a loss of \$4,099.37. Skowhegan gets the major part of the gain.

Waldo county gets under the rebate \$5,991.86. If left in the treasury it would get back \$3,398.29, or a gain of \$1,592.97. Belfast makes a gain and the whole county—outside of Belfast—makes a loss.

Washington county gets back under the rebate \$1,534.06. If left in the treasury it would get back \$4,359.88, making a loss of \$2,825.82.

York county gets back under the rebate \$4,445.46. If left in the treasury it would get back \$12,049.02, a loss to the county of \$7,603.76. Saco gets the major part of the rebate.

It does seem to me that this is a think that should be changed. We think we tax railroads now to the full limit. If we had thought they were escaping taxation would we not have increased the tax this year? We raised it to five and a half per cent., on a graduated scale this session, and would have put it to six if we had thought they were being eased up on. They pay for everything they have in their railroads, including stocks and bonds, and if this is so I see no good reason why a portion of that tax should be taken out of the treasury and rebated back to the towns simply because somebody in some town owns some of the stock.

Mr. KELLOGG of Penobscot: Mr. President: This is another one of those Bills that have been introduced here at the last end of the session and that they have tried to railroad through here without any hearing, and without any understanding of them on the part of the members of either Branch of the Legislature. As I understand this proposition, the state taxes railroads today,

as the senator said, for perhaps all they can stand. Now this stock is owned in different towns of the state, and the railroad tax, a certain per cent. of it, is rebated back to the towns. If there is to be any change made in this law we should have time to consider it, and instead of the state taxing this stock, change the law so that the towns can tax it, but at this late day it is better to leave it as it is, rather than make changes the result of which we do not know.

One-third of the towns in the state the getting some rebate, some large and some small. I think it belongs to them, and I don't believe this Senate at this late day will change this law.

I hope the report of the committee will be sustained. It seems to me it is entirely unfair to take this amount of money from the different towns of the state and put it into the treasury of the state to be expended as the governor and council may see fit.

Mr. MULLEN of Penobscot: Mr. President: As I understand this matter I do not think it would be wise or just legislation for this Legislature today, in the very last hours of its business, to take up and pass any law or make any change that seems to be so far-reaching as this one.

If the matter came before the committee too late to be considered properly, and was then held days before it was offered in the Senate, it seems to me it is a proper matter to go over to some future time. It affects a great many localities, and while there may be arguments in its favor, we have not had time to thresh it out, and I should be very sorry to have the Senate refuse to reconsider the vote by which it was passed the other day.

Mr. OSBORN: Mr. President: I do not wish to prolong this debate, but it does seem to me that the objections raised are hardly very good ones. It is true that it does affect several municipalities in this state, but most of them are affected in a small amount. This affects our large cities, and I can hardly think it would be a very severe injustice to take this money from them.

Of course, we are up against this proposition all the way along, a conflict of interests, and the one who has

does not like to give up, whether right or wrong, and wants all he can get right along. I hope the Senate will not reverse the vote of the other day, and will let the state have the benefit of this money.

The pending question being: Shall the Senate reconsider the vote whereby the Bill was substituted for the report of the committee on Taxation, Mr. Irving called for the yeas and nays. The yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Hill, Kellogg, Leach, Mayo, Mullen, Noyes, Pendleton, Staples, Winslow—13. Those voting nay were: Messrs. Allan, Blanchard, Boynton, Chandler, Dodge, Donigan, Irving, Milliken, Osborn, Sanborn, Stearns, Theriault—12.

One pair was announced: Mr. Gowell announced that he should vote no, and that Mr. Smith, if he were here, would vote yes.

So the motion to reconsider the vote whereby the Bill was substituted for the report, was adopted.

On motion by Mr. Noyes, the report of the committee was accepted, referring the Bill to the next Legislature.

On motion by Mr. Winslow of Cumberland, Resolve authorizing the county commissioners of Cumberland county to procure plans for a bridge, was taken from the table.

The same senator then offered Senate Amendment A, amending the resolve by requiring the county commissioners to report to the next Legislature.

The amendment was adopted, and under suspension of the rules the resolve was given its two readings and was passed to be engrossed.

On motion by Mr. Boynton of Lincoln, a recess was taken until 2.30 o'clock this afternoon.

Afternoon Session.

(Wednesday, March 29th.)

Senate called to order by the President.

On motion by Mr. Staples of Knox, Resolve proposing an amendment to the Constitution of the State conferring the

right of suffrage upon women, was taken from the table.

Mr. STAPLES of Knox: Mr. President: I believe that Bill belongs to me by right of possession, and I have a few words to say upon that matter, and I do not know but I am as able to say them now as at any other time.

I have been for some time in favor of this proposition. I do not know as I should have approached it today or at any time had I not been impressed with the thoughts and remembrances of my mother, to whom I am indebted, more than anything else, by her wise counsel, by her prayers and her devotion, for the little good that may be in me.

I know of no reason why the women of this country should not have equal rights with men in the ballot. I recognize that the women of this country do more to mold the mind of the child than the father or anybody else. I am reminded that it is to the women, from the early ages up to the present time, that we are indebted for the great moral uplift of the people of this country. I do not forget the heroism of the women of this country during the days of the Revolution, that it did much for the liberties of the American people. I cannot forget the patriotism of the women of this country from 1861 to '65, their devotion, and their work in the hospitals and through all of that struggle. It was the patriotism and the heroism of those women that allowed no star to be taken from the national galaxy. It is to them we are indebted today that we are a grand and noble government.

I cannot forget that in all educational matters woman has been foremost. I cannot forget that it is the woman that gives advice to the child, that works for it by day and by night and gives the boy the best instruction that he may become a great and good citizen of this great Republic. I cannot forget that the woman first gives advice to the child, and the hard work she gives that enables her to bring that child up and give him an education. My experience is that in school matters you find the mother standing by the child, working day and night that the child may attend the common school,

and when he goes to school in the morning she gives him the best advice.

I tell you that to the women of today, the mothers of New England, we are indebted more than to the men for the upbuilding and the morality of the best members of society. I know of no reason why in this great country of ours the intelligent women of this country, who have been foremost in all the great endeavors for the perpetuation of good morals, should not have an equal ballot with the men.

Why, think of the heroism of our women in this country during the Civil War and all along the line of great improvements! They have exhibited a patriotism and a heroism surpassing that of a Grace Darling or that Mary spoken of in Scripture. It was not surpassed in ancient history. I am reminded of the heroism of that Gertrude whose husband was condemned to death upon the rack. She stood by him that long night while he was on the rack, encouraging him and when the morning came he turned around to her and said: "Gertrude, this is fidelity unto death!" and died. What heroism was there! Take the great women of this country for the last 30 years, and we find them foremost in all the great purposes of life, in the cause of education and in the cause of philanthropy and all those things. Take Harriet Beecher Stowe! No man in the country has surpassed her in intelligence, and in uplift to a higher plane. Do you suppose if Harriet Beecher Stowe were alive today and you put the ballot in her hands that she could not use it with greater intelligence than most men?

Take Mrs. Livermore, that grand old lady who has done more for the uplift and upbuilding of mankind and society than any man who lives in the United States!

There are thousands of women whose lives have been spent in the uplift and for the good of society and morals. We liberated three millions of Negroes and put the ballot into their hands. Don't you think the women of this country are just as capable of voting as they are?

In the State of Maine we have given

the ballot to the Swedes, Armenians, and others of foreign birth. Don't you think the women of Maine are just as competent to vote as are those foreigners? While we have been in session two states of the Union have given women the right of suffrage. There are six states in this Union that now have female suffrage. You will find if you follow the doings of those states that the governments of Wyoming and Colorado would not go back to single suffrage. It works admirably, and I believe it is coming, just as sure as we sit here. This is a day of progress, and I see no reason why we should not give the ballot to the women of this country. It seems to me if we do it will be a progressive step in the great battle of life.

I have no fear that the mothers of New England, the mothers of the State of Maine, who molded the young minds of these states as they have, cannot be trusted with the ballot. Did you ever know the mother of a child to give that child bad advice? Her fidelity to right, her devotion toward the upbuilding of that child's education, cannot be questioned. I say to you that the mothers of New England are entitled to all we can give them. God bless the mothers of New England! They have done a great work for the upbuilding of society.

How many men, when in financial distress go to the wife, and she will give them advice that straightens out the whole matter?

One of the wealthiest women of this country is Hetty Green of New York, who has taken care of a fortune of millions of money for many years. Do you not think you can trust the ballot in such hands as hers?

They say there are some abandoned women. Yes, and nine times out of ten that abandoned woman will trace her abandonment to some man.

I am not going to talk longer upon this matter. Since we have convened that grand state, California, with its intelligence, has given equal suffrage to women. Kansas, also, since we met has given equal suffrage to women. It is coming, coming, coming! Let us get on the band wagon and give the women the ballot and you

will purify your elections. Nineteenths of the voters are debauched today. They sell their votes, and only a vestige of manhood is left. Let the women go to the polls and you will purify our elections and you will get rid in a great measure of the debauchery of the ballot today. The mothers and daughters of New England today are just as capable of understanding the great questions of the day as are the men. All men were born free and equal; the women pay taxes, and they have no right to go to the polls and say who shall spend their money, or how it shall be expended. Is that fair or just? Don't you think that the women who hold property should have the right to vote? I tell you that the great things that carry nations from one epoch to another are in the people of that nation. The people are getting educated. Six states have adopted female suffrage and the other states of this Union will come to it.

The women of this country have been foremost in all moral and educational matters. It is the woman who wipes the death damp from age, it was a woman who came first to the seculchre of the Master. And today women are doing more to educate and instill good principles into mankind than are the men. Shall they not have equal rights with men upon this matter? If you do that I believe the people of the State in a few years will rejoice. Let us amend the Constitution and give women an equal right with men in this State.

Your mother, Mr. President, and my mother, the best advice we ever got when we were little, when we could not understand these matters, was not given by the father but by the mother. With her hard work and with all her patriotism, shall we say that she shall not have the ballot?

I do not know as the State of Maine is ready for it yet, but the time is coming, and it is not far off, when the people will be educated to giving the ballot to women. I am in favor of it. The great men in this country, like Ex-Governor Long of Massachusetts, are strongly in favor of female suffrage. Judge Brewer, a justice of the Supreme Court of the United States, just before

he died came out in a letter endorsing full and complete suffrage for women. While he was living upon this earth, that man that the State of Maine is so proud of, and whose memory will adorn the proudest page of history, Thomas B. Reed, just before he died came out in favor of equal suffrage for women. The Governor of Colorado in a letter I saw and read the other day, said that the State of Colorado would not go back to single suffrage; that it worked admirably in that State, and the purification of politics was very plainly to be seen. So it is with North Dakota and Wyoming. I could enumerate a great many of the great men of this country who have endorsed this proposition. And the State Grange, made up as it is almost from every town of the State of Maine, is in favor of female suffrage and have promulgated it in their platform.

With these remarks, placing myself squarely on record as being in favor of that proposition, I move that the minority report of the committee on Judiciary, "ought to pass", be substituted for the majority report, and ask that the vote be taken by the yeas and nays.

The yeas and nays were ordered and the Secretary called the roll. Those voting yea were, Messrs. Allan, Dodge, Irving, Mayo, Mullen, Noyes, Osborn, Sanborn, Staples, Stearns,—10. Those voting nay were, Messrs. Blanchard, Boynton, Donigan, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Gowell, Hill, Kellogg, Milliken, Moulton, Pendleton, Theriault, Winslow,—15.

So the motion to substitute the minority for the majority report was lost.

The majority report of the committee "ought not to pass," was then accepted.

(At the time the Senator voted, he said):

Mr. FOS of Androscoggin: Mr. President: I will state that I have just had a telephone from my wife and she said "vote no."

Mr. STAPLES: Mr. President: I feel to say that I am greatly gratified upon receiving ten votes in this Senate. The time is coming when you will vote unanimously upon this matter. Great questions have to be agitated quite a

long time. I remember that William Lloyd Garrison agitated the question of slavery a long time, and there was more opposition then on that question than there is today here on this.

I am grateful to those who voted with me, and I forgive those who voted against me.

On motion by Mr. Stearns of Oxford, An Act relating to the removal of county attorneys by the Governor, was taken from the table.

Mr. STEARNS: There are two reports, tabled pending acceptance of either. This is a bill to repeal a law authorizing the Governor to remove county attorneys. I tabled this matter because I wished to call the attention of the Senate to the bill, and to inquire, if I might, why this law should be repealed? It does not seem to me that it is in itself a law which can do any harm whatever, and might be of great value to the State. It is a law which provides that upon petition of not less than 50 citizens of any county, charging that the county attorney persistently refuses to do his duty, and when the Governor is satisfied that he has so failed, upon satisfactory proof of his persistent failure, he may remove the county attorney and appoint another from the same political party in his place, first giving the said county attorney ten days' notice before the hearing and giving him a copy of the charge and specifications against him, and notice of the time of hearing.

Why is that not a good provision of the Law to be upon our statute books? What possible objection can there be to it? Why is it not wise to place in the hands of the Governor the right to remove delinquent county attorneys? His duties are plain and specific and if he does not see fit to perform those duties why should he not be called before the Governor and after hearing, if it is found that he is delinquent, why should not the Governor have the right to remove him and place in his stead some one else of the same political party? I do not feel that the party in power today should fear to entrust their Governor with the faithful performance of this law. Should 50 citizens of any one of the counties which

we represent sign a petition of that kind, I do not think there would be any danger in allowing the Governor to summon the county attorney before him and after a hearing if he found it proper to do so, that he should remove him.

I can only see one reason why you should repeal this law and that is because it was enacted by the Legislature of two years ago. If this is the reason, I do not think it is a very tenable one.

I move that the Senate non-concur with the House in the acceptance of the majority report and that the minority report be substituted.

Mr. STAPLES of Knox: Mr. President, I regret that I find myself in the closing hours of this session called upon to speak upon this matter. This matter was passed two years ago. I well remember what took place at that time. It was class legislation. It is a fact that certain parties, I might call them fanatics, in the party—if they call them the Republican party, or the Temperance party—their great aim has been to put upon the statute book such legislation as the Sturgis law, and all kinds of provisions having in view, as they say, the better enforcement of the prohibitory liquor law.

As I said this afternoon, I believe in the good enforcement of all laws upon the statute books, and that they have been enforced by the county attorneys of the State of Maine, elected by the people to perform that function, and it is a fact that no complaint was made two years ago and no complaint has come up yet, but what every county attorney, as far as I know, in the whole State of Maine has done his duty. This aims against one law, and that is the prohibitory liquor law. You have all the law upon the statute book that you need. The State has given you all the law you have asked for, and there is so much law upon the statute book today that it is hard to enforce it. The county attorneys are elected by the people of the county, and I do not believe that at the suggestion of somebody who may have a grudge against the county attorney, or some feeling in the matter—you know how easy it is to get a petition of 50

voters and come here and present it to the Governor, and put that county attorney to the expense of a hearing. I believe this is wrong legislation. I said so two years ago and I say so now. I believe in the good people of the counties. I believe the county attorneys, as far as I know, are doing their full duty, whether Republicans or Democrats. I have faith in the counties. If a man does not do his duty, leave it to the county. This is class legislation and never should have been on the statute book.

I say to you, my friends, that the majority of the committee recommend this and it has been passed by the House. It should not be a political matter, but they have made it one.

We can take care of the county attorney in Knox county and in Lincoln county or in any other. If the county attorneys do not do their duty, let the counties take care of them.

I hope we will concur with the House.

Mr. STEARNS: Mr. President: I did not intend to precipitate a political discussion upon this matter. I did not have the advantage of being in the Legislature of two years ago, and therefore was not aware that this was a measure of such tenor as the Senator suggests. I see nothing in the law which indicates it is solely for the purpose of being used to enforce the prohibitory law. It seems to me it might have a good effect in that direction, and in view of the fact that a great deal of legislation has been abolished and repealed along that line during this session, it might be wise to leave some measure on the statute book which might perhaps encourage the enforcement of the law during the next two years.

It seems to me it would have the effect to encourage county attorneys to do their duty, and that if they felt they might be hailed before the Governor upon such process as is suggested here it would have a tendency at least to make them more careful and more conscientious in the discharge of their duties. It seems to me that it applies to all their duties, and I cannot see anything there. I cannot read anything into it, that indicates that it

applies only to the enforcement of the prohibitory law. It may be there, but it seems to me that perhaps the Senator from Knox remembers so vividly the discussion of two years ago that he cannot see just what the law does provide at this time.

I have no desire to continue the discussion. I simply believe the law is a good one and ought to remain upon the statute book for the reasons I have assigned.

Mr. OSBORN of Somerset: Mr. President: I think we should consider every law upon its merits, and because we have repealed certain laws that relate to the enforcement of the liquor law is no good reason why we should repeal this one unless we find objections to it. The Sturgis law, so called was a very sweeping measure. It made a radical change in the method of enforcing the law; it took from the local officers the enforcement of the law and placed it in other men's hands. This law does nothing of the kind. It simply gives to the Governor of the State, after complaint has been made to him, an opportunity to order a hearing and after careful investigation, if he deems it necessary he may remove the officer. I believe we have a Governor of the State of Maine today who is not an autocrat. I believe that in my recollection we never had a Governor of the State of Maine who would be likely to remove any man from office if there were not just cause. I believe in the enforcement of law by local officers, but I believe if the local officers manifestly neglect their duties, and in violation of their oath of office do not make a proper effort to enforce the law, liquor or other laws, there should be some way to get rid of those men before the expiration of their term of office. It is simply a method of recall, and where there may be a feeling of the people that their chosen officer is not in favor of doing his duty, and they may go to the Governor and get rid of him. The fact has been mentioned that this measure has passed the House. I cannot help thinking that there is a responsibility upon us as part of this Legislature, and that we should not undertake to do this or

that because they have done it in the other Branch.

This law has been on the statute book for two years and I have heard of no complaint. Let us try it two years more.

I hope we shall not vote to take this law from the Governor. Let him have that power. We believe that he is honest in his professions to enforce the laws of the State of Maine, including the liquor law. I do not see why anyone need be afraid of him. He won't go out of his province to reach somebody for political reasons, and I hope if any member of any party violates his oath to enforce the law, that he will be removed.

Mr. STAPLES of Knox: Mr. President: Upon our statute book there is a law that if a county attorney does not do his duty he may be impeached.

I regard this law as an insult to every county attorney in the State of Maine. It was placed here by a radical, and I am surprised that the Senator from Somerset has locked arms with the majority. The remedy is upon the statute, and I think it is due to the county attorneys of the State that we repeal this law. The Senator from Somerset knows how easy it would be to get fifty signatures to a petition and perhaps disgrace that man for life. I say it is an insult to the fraternity to have this law upon the statute book.

I hope such radical legislation as this will be repealed by this legislature.

The pending question being: Shall the Senate non-concur with the action of the House in adopting the majority report of the committee; and substitute the minority for the majority, the yeas and nays were ordered and the secretary called the roll. Those voting yea were Messrs. Blanchard, Donigan, Gowell, Irving, Milliken, Osborn, Stearns, Theriault—8. Those voting nay were Messrs. Allan, Boynton, Dodge, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Hill, Kellogg, Leach, Mayo, Moulton, Mullen, Noyes, Pendleton, Sanborn, Staples, Winslow—18.

So the motion was lost.

The Senate then concurred in the action of the House in adopting the ma-

majority report of the committee, "ought to pass."

On motion by Mr. Gowell of York An Act to incorporate the Anson Water Company, was taken from the table.

Mr. GOWELL: Mr. President: I will say that this bill was introduced in the House two or three days ago under suspension of the rules, and as it was late in the session it was tabled by me here. Since that time I have been interviewed by several gentlemen in that vicinity, saying that they need the water there very much, and also other gentlemen representing the Madison Water Company. Mr. Lewis and Mr. Maxcy and other gentlemen well known in Augusta, object somewhat to the bill. It seems they represent a company known as the Madison Water Company, that has a charter granted several years ago, giving them the right to establish a water system in the same town. I have kept it on the table until they have settled their differences. I will now yield to the Senator from Somerset to offer an amendment, then I would like to move the bill take its readings.

Mr. DONIGAN of Somerset: Mr. President: I have looked into this matter and now offer an amendment which I think is agreeable to all parties.

Senate amendment A "Amend by adding the following Section: 'Section 12. Provided that this Act shall not take effect so far as the organization of said Anson Water Company is concerned, until they shall have purchased the rights and privileges of the Madison Water Company, which said Company is authorized to sell at a price mutually agreed upon.'"

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

Mr. STEARNS of Oxford: Mr. President: I move to take from the table, Bill, An Act to prohibit throwing mill waste into Bog Brook, which is on its passage to be enacted.

The motion was agreed to.

Mr. STEARNS: Mr. President: I wish to call the attention of the Senate to this matter as I find it. I received a letter the latter part of last

week asking me about this measure, as to whether there was a bill of this kind now pending. It was from a Mr. Pierce who owns a mill upon this brook. He appended to the letter I have here a clipping from the paper which says "An Act to amend the law prohibiting the throwing of sawdust into Bog Brook in Penobscot and Androscoggin counties."

This Bog Brook referred to in the bill, runs down through Oxford and Androscoggin counties and four years ago, in the 73rd Legislature I represented a district in which Hebron was one of the class towns. I recall that that year a measure of this kind was presented to prevent the throwing of waste into Bog Brook. A hearing was had and the gentleman who is now affected and who feels he is aggrieved, appeared before the committee, and after the matter was thoroughly threshed out, the bill was passed with a provision; that is, prohibiting the throwing of mill waste into that brook with the provision that it should not apply to shingle waste. It appeared that this man had a mill where he sawed logs and shingles, and it was claimed that he could not arrange to run his mill and take care of the mill waste and shingle waste. The committee allowed that exception and the bill was passed. This bill comes in this year and strikes out that exception, and I believe it will subject this mill owner to the possibility of arrest under the law for the violation of this Act, every day that he runs his mill. A little of the waste is bound to go in as his mill sets right over the brook. These facts did not go before the committee. Why? Because the mill owner did not know that any such bill was before the committee. An error had crept into the notice; Penobscot and Androscoggin counties did not appeal to these people as something they were interested in, and they did not know anything about it until last week. This letter is dated March 21 and I didn't receive it until the latter part of last week.

This mill is already rigged with a blowing machine or carrying machine, or whatever arrangement they have to carry the waste from the brook, and every part of the waste they can pos-

sibly dispose of is being disposed of now. The best they can do, they cannot get it all out and they feel that they are doing all they can and do not wish to be subject to the penalties of this law, when they have satisfied our Legislature that this was true.

I move that under these circumstances, this bill be indefinitely postponed.

The motion was agreed to, and the bill, House bill 633, was indefinitely postponed.

On motion by Mr. Stearns of Oxford, House bill 734, An Act to amend Chapter 247 of the Public Laws of 1909, relating to the packing and branding of apples, was taken from the table.

Mr. STEARNS: Mr. President: I hardly understand why this bill is before the Senate at this time, although I am not personally opposed to the bill, in fact, I think I am in favor of it.

Early in the session this bill was introduced in the House and referred to the committee on legal affairs. About the same time a bill was introduced in the Senate by myself relating to the packing and branding of apples, which was Senate bill No. 17, and that bill was referred to the committee on agriculture. The committee on agriculture favorably reported upon Senate No. 17, which included the same matter and some other matters in relation to the same subject. They reported that in a new draft, which is Senate bill 121, and in this body that bill was indefinitely postponed without any discussion, and I think through some inadvertence. The bill now under consideration which was before the legal affairs committee was favorably reported into the House. I think it came to the Senate and was there tabled and an amendment offered, I think by the Senator from Lincoln, but I am not sure. It went back to the House and then this bill No. 121, which was the bill that was before the committee on agriculture, came up for consideration in the House on the question of whether the House would concur in the indefinite postponement of the bill.

The bill was held up in the House and finally a committee of conference was appointed and made a report. They reported that this bill, the one introduced into the Senate and referred to

the committee on agriculture, should be recommitted to the committee on agriculture. The House also voted that an apple bill before the legal affairs committee, should be sent to the committee on agriculture. I do not know whether the committee on agriculture considered both bills or not, but that was the vote, and now this bill under consideration comes in from the legal affairs committee. I don't quite understand it. I am inclined to favor the apple bill that was before the committee on agriculture, which is the bill that the apple men, apple growers and packers, all very generally are in favor of. It is the bill they drafted, and the bill the committee on agriculture considered and believed to be right, and so reported.

At this late day, I suppose it would be futile to offer an amendment. I would like to amend the bill before this Senate and add to it the inspection clause. It includes several sections and there would be some opposition to it, and I think perhaps it would be unwise to do it. If any Senator here will explain why this bill comes up here I would like to hear the explanation.

Mr. BOYNTON of Lincoln: Mr. President: It is my impression that that bill under discussion has never been returned to the committee on agriculture; was not returned as the bill that has been referred to the next Legislature, but has been on the table in the House under the care of Mr. Wheeler. I think this bill simply intends to correct slight errors in the size of boxes or barrels.

Mr. STEARNS: Mr. President: I will ask the Senator through the Chair as to whether the House did not vote to refer the bill now under discussion to the committee on Agriculture, if he remembers what action the House did take in the matter?

Mr. BOYNTON: Mr. President: My recollection is that at the time they referred the other bill to the committee on agriculture they also referred that back to the committee on legal affairs. An amendment which had been placed on this bill had been taken out and it appeared before the legal affairs as it originally came to the Legislature.

Mr. HILL of Penobscot: Mr. President: There was an amendment offered to this bill which Senator Stearns has, but it seems the amendment has been lost somewhere. I now offer Senate amendment A to House bill 734.

Mr. BOYNTON objected to the acceptance of the amendment.

Mr. MILLIKEN of Aroostook: Mr. President: What is the status of the bill, has it been engrossed?

The PRESIDENT: The bill has been passed to be engrossed in the other Branch and comes here as a report, and the report has not been accepted.

The Chair rules that the report must be accepted first.

The report of the committee was accepted in concurrence, and the bill received its first reading.

The question being upon the adoption of Senate amendment A, Mr. Boynton objected.

Mr. MOULTON of Cumberland: Mr. President: This report that we are talking about came to the committee the second time, and this amendment that Senator Hill has offered now was added to that bill and sent back, and the committee reported "ought to pass." Somewhere that amendment has been lost. The report of the committee was "ought to pass as amended," and we have accepted the report of the committee, and have accepted this amendment.

Upon request of Mr. Boynton, the amendment was read.

Mr. BOYNTON: Mr. President: I rise to a point of order. That proposed amendment is the bill that this Senate has once referred to the next Legislature and it has no business here at all, either the amendment, the original bill, or anything else.

Mr. MILLIKEN: Mr. President: I do not have any interest in this matter except to get something right for the farmers. I do not think the point of order is well taken if this amendment is germane to this bill. It seems to me if this is a proper amendment, it is a proper matter before the Senate and there should be no objection to its being introduced.

Mr. BOYNTON: Mr. President: I would like to ask the Senator a ques-

tion. Can we take all of these matters that we have referred to the next Legislature, bring them in here any time we see fit and hitch them to matters that we have here?

Mr. MILLIKEN: Mr. President: I think I said that in my opinion the matter turned upon the question of whether the amendment is germane to the subject matter of the bill. If the bill is here properly and the amendment is germane, I think it is proper.

Mr. HILL: Mr. President: I think this bill never was referred to the next Legislature. It got lost and this is the first I have heard about it, when it came up here.

On motion by Mr. Hill, the bill was tabled until tomorrow morning.

On motion by Mr. Milliken of Aroostook, An Act to confirm and make valid the organization and proceedings of the Franklin Power Company, was taken from the table.

Under suspension of the rules, the bill was given its two readings and was passed to be engrossed.

On motion by Mr. Moulton of Cumberland, Senate Document 214, An Act to extirpate contagious diseases among cattle, horses, sheep and swine, was taken from the table.

House amendment A was read.

Mr. Hill of Penobscot: Mr. President: That bill, our original bill, was for a sanitary commissioner independent of the commissioner of agriculture. This bill opposed a sanitary commissioner in conjunction with and under the direction of the commissioner of agriculture. Some thought that would make a saving in expense.

Mr. FULTON of Sagadahoc: Mr. President. I do not have a clear understanding of this matter, and I presume there are lots of Senators here that do not understand it. I presume some do understand it. Would it not be well for some of those who have a clear understanding of it to explain this bill? To my mind it is an important matter and should not be acted upon hastily. The idea is as I understand it to consolidate this commission of three under one head, and it is a question, as I understand it, whether a commissioner of agriculture should act as head, or some other gen-

tleman, and creating perhaps an additional office.

It seems to me there is no matter that has come before this honorable body of as much importance as this. It involves a large expenditure of money, and as I understand the bill, it contains a provision in regard to killing of the animals and disposing of the beef. It is a question whether the provision to dispose of the beef should be in this bill or not.

Mr. SANBORN of Piscataquis: Mr. President: In regard to creating an extra office, this commission consisted of three men, now we want a one man commission and it is thought best by some to put him in the office of the commissioner of agriculture. It is claimed that they could occupy one office and could do the work a great deal cheaper. When one man is absent, anyone wanting assistance could notify the other official and save time in that way. We think it could be handled cheaper and better this way than in any other.

House amendment A was adopted in concurrence.

Senate amendment B was offered by Mr. Hill, and was adopted.

The bill was then given its second reading and was passed to be engrossed.

From the House: Resolve in favor of the Postmaster of the House.

Tabled on motion by Mr. Donigan of Somerset.

From the House: Report of the Committee on Inland Fisheries and Game, "ought to pass," on An Act to provide for a close time on wood duck.

In the Senate the report was accepted, the bill was given its first reading.

House amendment A was adopted in concurrence, and under suspension of the rules, the bill was given its second reading and was passed to be engrossed.

From the House: Report of the Committee on Railroads and Expresses on House Bill 721, An Act to amend Section 50 of Chapter 51 of the Revised Statutes, relating to the railroad commissioners, "ought to pass." The

report was accepted in concurrence and the bill was given its first reading. House amendment A was adopted in concurrence, and under suspension of the rules, the bill was given its second reading and was passed to be engrossed.

From the House: Report of the Committee on Legal Affairs, "ought to pass," on An Act relating to the compensation of the justices of the Supreme Judicial and the Superior Courts. The report was accepted, and on motion by Mr. Staples of Knox the bill was tabled until tomorrow.

From the House: The report of the Committee on Insane Hospitals, "ought to pass," on House Bill 541, An Act additional to Chapter 144 of the Revised Statutes, in relation to commitments to insane hospitals.

The report was accepted in concurrence and the bill given its first reading. House amendment A was adopted in concurrence and under suspension of the rules, the bill was read the second time and was passed to be engrossed.

From the House: Ordered, the Senate concurring, that 5000 extra copies of the House Record of March 21, 1911, be printed for the use of the members.

Tabled by Mr. Stearns of Oxford.

From the House: Report of the Committee on Education on House Bill 193, An Act to amend Section 34 of Chapter 15 of the Revised Statutes, relative to the election of superintendents of schools.

The report was accepted in concurrence, and the bill was given its first reading. Under suspension of the rules, it was given its second reading and was passed to be engrossed.

An Act to amend Sections 34 and 35 of Chapter 16 of the Revised Statutes relating to the conveyance of pews in meeting houses to organized parishes or incorporated churches.

In the Senate the bill was substituted for the report of the committee and the House concurred in that action.

Under suspension of the rules, the bill was given its two readings and was passed to be engrossed in concurrence.

From the House: An Act to provide for the payment of State aid to free

High schools out of the State school fund.

Tabled on motion by Mr. Osborn of Somerset.

From the House: Resolve in favor of J. P. Tucker, Secretary to the Committee on School for Feeble Minded.

Under suspension of the rules the bill was given its two readings and was passed to be engrossed in concurrence.

The committee of conference on the disagreeing action of the two Branches on An Act to constitute nine hours a day's work for public employees, reported that the bill "ought to pass."

The report of the committee was accepted.

Mr. BLANCHARD of Franklin: Mr. President: I was present the day of the meeting of the conference committee, all the one I was aware ever was held, and no vote was called for and no vote was taken. It seems to me that is not a proper way to dispose of that matter. Would it be in order to move to adhere?

The PRESIDENT: The motion would be to accept or reject the report of the committee.

Mr. LEACH of Hancock: Mr. President: There seems to be a difference of opinion in regard to whether or not a vote was taken, and the matter was spoken of by me to the chairman on the part of the House. He thought to avoid all trouble in that line he would get those of reporting the bill to sign it, which he did. I have an amendment to offer to the bill.

The PRESIDENT: I will say that this bill was indefinitely postponed in the Senate.

On motion by Mr. Noyes of Kennebec, the report of the committee was accepted.

Mr. BLANCHARD: Mr. President: I move that the Senate adhere to its previous action in indefinitely postponing the bill.

A rising vote was taken, and the President declared the motion adopted and the bill was indefinitely postponed.

The report of the committee on legal affairs on the Public Utilities bill, came from the House, that Branch having voted to adhere to its former

action in referring it to the next Legislature.

On motion by Mr. Milliken of Aroostook, the Senate voted to adhere.

Passed to Be Enacted.

An Act to amend Section 1 of Chapter 412 of the Private and Special Laws of 1907, as amended by Section 1 of Chapter 121 of the Private and Special Laws of 1909, relating to fishing in Swift river and its tributaries in the county of Oxford and in the county of Franklin.

An Act to amend an act relating to the police court for the city of Rockland.

An Act amendatory to Chapter 3 of the Private and Special Laws of 1887, entitled "An Act to supply the people of the town of Presque Isle with pure water."

An Act to extend the rights, powers and privileges of the Barrows Falls Light and Power Company.

An Act to amend Section 1 of Chapter 84 of the Revised Statutes, relating to order of notice by the supreme judicial court.

An Act to close Square pond to sewage.

An Act to incorporate the Swan's Island Water Company.

An Act establishing a close time on lobsters in the waters of Winter Harbor, in Hancock county.

An Act relating to the compensation of the clerk, deputy and assistant clerks of Cumberland county.

"An Act to regulate the sale and purchase of trout, land-locked salmon, togue, white perch and black bass;"

"An Act imposing an annual license fee upon foreign corporations and repealing Chapter 113 of the Public Laws of 1909;"

"An Act relating to the packing of food;"

"An Act to incorporate the Upper St. John Log Driving Company;"

"An Act to consolidate the management of the State Juvenile Institutions;"

"An Act to incorporate the Island Light and Water Company;"

"An Act to amend Chapter 80 of the Revised Statutes of 1903, as amended by Chapter 117 of the Private and Special Laws of 1905, relating to the expenses of the County Commissioners of Cumberland county;"

"An Act to regulate the hunting and killing of gray squirrels;"

"An Act to amend Section 4, Chapter 102 of the Public Laws of 1905, relating to the Penobscot Tribe of Indians;"

"An Act to amend Chapter 131 of the Private and Special Laws of 1858 as amended by Chapter 53 of the Private and Special Laws of 1887, relating to the Preachers' Aid Society of the Methodist Episcopal church;"

"An Act to prohibit the use of gang hooks, so-called, when fishing in the inland waters of this State:"

Finally Passed.

"Resolve authorizing the Governor to appoint a commission to investigate investments for savings banks."

"Resolve in favor of the clerk and stenographer to the committee on Inland Fisheries and Game;"

"Resolve in favor of Wilton Academy;"

"Resolve in favor of acceptance of gifts from ex-Governor Frederick Robie;"

"Resolve in favor of the clerk of the committee on Education;"

The following communication was received from the House:

State of Maine, Executive Department.
To the Honorable House of Representatives:

I have examined House Bill No. 629, entitled "An Act to legalize game farming and fish farming in the State of Maine," and respectfully return the same herewith without my approval.

This act would create, under certain conditions to be prescribed by the Commissioners of Inland Fisheries and Game, private game preserves, unlimited in extent. The long settled policy of this State is to preserve its fish and game for the benefit of all its people. The ownership of our fish and game has been by our courts declared to be in the public. It would be unwise in the extreme to change this policy or to enact a law in contravention of the wise decisions of our court.

Should this Act become law, nothing would prevent the leasing of vast tracts of forest land by clubs or corporations controlled by wealthy non-residents who would have no interest in the welfare of our State. These lands could be enclosed and the public excluded therefrom so that the hunting grounds of Maine, instead of being

the great asset which they now are, would become nothing but private game preserves, maintained for the benefit of the favored few. It would be difficult to conceive of legislation more obnoxious than this and less in accord with the spirit of our institutions.

I therefore respectfully decline to sign this act.

March 29, 1911.

(Signed)

FREDERICK W. PLAISTED.

The question being shall this bill become a law notwithstanding the objections of the Governor, a rising vote was taken and the veto of the Governor was sustained.

The following communication was received from the House:

State of Maine, Executive Department.
To the Honorable House of Representatives:

I have examined House bill, No. 501, entitled "An Act additional to Chapter 144 of the Revised Statutes," and respectfully return the same herewith without my approval. This Act would in effect make private hospitals of the Maine Insane Hospital and the Eastern Maine Insane Hospital, public institutions already over-crowded with unfortunate wards of the State. These institutions are maintained for the benefit of the insane, not as homes for inebriates or persons addicted to the use of drugs. The passage of this Act would open the doors of these asylums to a class of persons who would otherwise be treated in private sanitoriums or be imprisoned in our jails and would inevitably lead to an enormous expenditure of money in the way of additional buildings and equipment. The State of Maine cannot afford to embark upon such a policy as the passage of this Act would compel. I therefore respectfully decline to sign this Act.

March 29, 1911.

(Signed)

FREDERICK W. PLAISTED.

The question being shall this bill become a law notwithstanding the objections of the Governor, a rising vote was taken and the veto of the Governor was sustained.

On motion by Mr. Stearns of Oxford,

House order in relation to printing additional copies of the Record of March 21, was taken from the table.

The same Senator then offered Senate amendment A, which was adopted.

On motion by Mr. Donigan, Resolve in favor of the Postmaster of the House, was taken from the table.

Mr. DONIGAN: Mr. President: This is a resolve for \$40 which the Postmaster claims he has paid out for stamps at the Post Office for members who have put in letters that were not stamped. It does not seem possible to me that the members of this Legislature have put in \$40 worth of letters without stamps. I understand that it has been the habit of the Postmasters of the House and Senate to make up a bill of this kind at the end of each session and they have been paid in previous years. As I understand it the Postmaster is entitled by law to \$150, but a few years ago they increased that to \$300. It seems to me that that is sufficient without any graft. I think that one Postmaster would be sufficient for the Senate and the House. We have talked economy for a long time. I think this is a place where we could cut out a little expense.

I move that the bill be indefinitely postponed.

Mr. STAPLES of Knox: Mr. President: I heard the story of the Postmaster of the Senate and wish this resolve to lie on the table so that justice can be done to him. I do not think this is a young man who would go in for any graft whatever, and I wish before that imputation is put upon him, to look the matter up.

Mr. BOYNTON of Lincoln: Mr. President: I will say to the Senate that this bill, together with one from the Postmaster of the Senate, came before the committee on appropriations and financial affairs, and it extends clear through the session up to the present time. It is for postage on letters and documents of different kinds that have been dropped into the box without stamps. It also contains a bill for \$6.47, a part of which is for carfare, and the hiring of a team to and from the postoffice when the going is bad. The committee on appropria-

tions and financial affairs thought best not to allow the bill, and reported "ought not to pass," and that report was accepted sometime since. Now they have paid out some money for postage. I have no doubt their bills are partially or practically all correct, but it did seem to us that the \$300 salary they received should be enough for them to attend to the business as it should be attended to, and that they should know better than to pay out their good money for postage stamps for members who dropped letters into the boxes without stamps on them. Perhaps the experience will be worth something to them.

Mr. DONIGAN: Mr. President: I for one am willing to put my hands in my pocket, if he has really lost that money, but as far as the State paying it is concerned, I am not satisfied to have that done.

The question being on the indefinite postponement of the bill, the motion was agreed to.

On motion by Mr. Staples of Knox, An Act to consolidate the State institutions for the Insane and Feeble Minded, was recalled from the Governor.

On further motion by the same Senator, the action whereby this bill was passed to be enacted, and the action whereby the bill was passed to be engrossed were reconsidered. The bill was tabled.

Mr. DONIGAN of Somerset: Mr. President: I wish to correct a statement made a few days ago as to the number of people in the Home for the Feeble Minded from Somerset county. I have a letter from a Doctor there giving the number of patients from each county. Androscoggin county, 11; Aroostook, 4; Cumberland, 20; and I will say that I understand that Androscoggin has 15 and that county has a trustee there, and Cumberland also has a trustee there; Hancock, 12; Kennebec, 15; (and has a trustee) Knox, 9; Oxford, 4; Penobscot, 20; Sagadahoc, 13; Somerset, 5; Waldo, 8; Washington, 17. This letter is signed by George S. Bliss, Superintendent.

Mr. STAPLES of Knox: Mr. President: I do not think that contradicts anything I said the other day. It only shows that all the feeble minded in

Somerset county are not in there.

The committee of conference on the disagreeing action of the two branches on House Bill 306, An Act to amend Chapters 8 and 9 of the Revised Statutes, relating to the duties of the State and local assessors, reported House amendment A as follows: "Amend Section 4, line 8, by striking out the words 'all other improvements.'" Amendment B: "Add Section 5. 'This Act shall take effect January first, 1912,'" and that the bill as amended "ought to pass."

Mr. LEACH of Hancock: Mr. President: This is the report of the whole committee, but it is only signed by the House members. That is the vote of five of the six members.

Mr. MILLIKEN of Aroostook: Mr. President: I haven't any interest particularly in this matter, but to bring it before the Senate, whether or not the Senate reverses its opinion, I move that the Senate adhere to its former action.

Mr. FULTON of Sagadahoc: Mr. President: I think this matter is adjusted as it should be. The objectionable feature has been stricken out, and it simply values buildings separately. It makes no more work for the assessors than it ever did. It is a proper way to value buildings and lands separately. The previous bill separated land of different classes. That section has been eliminated so that you assess your building and land separately.

Mr. Milliken thereupon withdrew his motion, and the report of the committee was accepted.

Amendments A and B suggested by the committee on conference were then adopted, and the bill was given its first reading.

Mr. KELLOGG of Penobscot: Mr. President: I move that the bill be indefinitely postponed. I think it will cause lots of extra labor on the part of the assessors.

Mr. STAPLES of Knox: Mr. President: I hope that motion will not prevail. I will say to the Senate that we discussed that matter here the other day, and we had a conference upon it. The conference committee reported unanimously, and I believe it is a good thing.

Mr. KELLOGG: Mr. President: It seems to me that we have law enough at the present time. Anybody who has been on the board of assessors of any town, as the law is now, knows that we have to assess buildings and lands separately, and in the tax book that we buy there is a heading where it says "Land and Buildings." And I don't believe we want to be getting along toward this special land value. That is all this bill is leading up to.

Mr. OSBORN of Somerset: Mr. President: When the bill came in I did not just like the provisions of it, that have been cut out. I thought perhaps there was no particular need to enact the other part of it. I think the Senator from Penobscot is under a misapprehension if he thinks that the present law requires land and buildings to be entered in separate columns. I think two years ago the tax commission, in their report, favored such a law, and I think that the assessors, perhaps through their own efforts before the matter was decided, prepared the assessors' books with these columns so that it was arranged in separate columns, but the law was not passed. If there is anything to be gained by having the assessors in the several towns total that property and show the land value and the buildings value separately, then it is necessary for the law to be passed.

I think some municipalities do separate the values now. I do not think it would be a very severe hardship on the assessors to make that separation. The other proposition would introduce a new feature, and would to quite an extent increase the labor of the local assessors. I hope the report of the conference committee will pass.

Mr. MILLIKEN of Aroostook: Mr. President: I just withdrew the motion I made that we adhere. We have had two classes of bills before us this session. One class, including something less than one thousand propositions to change the fish and game law. We have passed some through on the assumption that they probably wouldn't hurt anybody. And the other class perhaps 10 per cent, that might make some important change, we

have referred to the next Legislature.

I made the motion believing the amendment had brought the bill into the class that would not hurt anybody. I don't believe this bill is good for anything. The towns can do this now, and if they don't want to do it they don't have to.

The question being on the indefinite postponement of the bill, a rising vote was taken and the motion to indefinitely postpone was lost, 8 voting for and 16 against indefinite postponement.

Under suspension of the rules, the bill was then given its readings and was passed to be engrossed.

Resolve in favor of the town of Old Orchard, indefinitely postponed in the Senate, came back from the House, that Branch insisting upon its former action and requesting a committee of conference.

On motion by Mr. Gowell of York, the Senate voted to adhere.

An Act to repeal Chapter 142 of the Public Laws of 1905, relating to the support of alien paupers, indefinitely postponed in the Senate, came from the House, that Branch insisting upon its former action and asking for a committee of conference.

Mr. MILLIKEN of Aroostook: Mr. President, I move that the Senate adhere.

Mr. BOYNTON of Lincoln: Mr. President: I hope that motion will not prevail. I move that the vote be taken by the yeas and nays.

The pending question being on the motion of the Senator from Aroostook that the Senate adhere to its action to indefinitely postpone An Act to repeal Chapter 142 of the Public Laws of 1905, relating to the support of alien paupers, the yeas and nays were ordered and the Secretary called the roll.

Those voting yea were: Messrs. Blanchard, Donigan, Foss of Cumberland, Gowell, Kellogg, Milliken, Moulton, Osborn, Sanborn, Staples, Stearns, Theriault, Winslow—13. Those voting nay were: Messrs. Allan, Boynton, Dodge, Farrington, Fulton, Hill, Leach, Mayo, Mullen, Noyes, Pendleton—11.

So the motion to adhere was carried.

From the House: Report of the Committee on Taxation on An Act to amend Section 6 of Chapter 9 of the Revised Statutes, relating to exemption from taxation.

In the House, the report of the committee was accepted and the bill was indefinitely postponed.

The Senate concurred with the action of the House.

From the House: Report of the Committee on Judiciary on bill submitted by the joint standing committee appointed by the Legislature of 1909, to inquire into the laws regulating juvenile courts, entitled "An Act to correct and protect neglected children."

The House indefinitely postponed the bill, and the Senate concurred in that action.

From the House: Resolve in favor of the parcels post.

Read and passed in the House and the Senate concurred in that action.

From the House: Resolve in favor of the Postmaster of the Senate, tabled on motion by Mr. Donigan of Somerset.

From the House: House Document 758, An Act to regulate the number, also the number of pounds, of land-locked salmon, trout, togue and white perch, which can be had in the possession of any person in one day.

Passed to be engrossed in the House as amended by House amendment A.

The Senate adopted House amendment A and the bill was given its first reading.

Under suspension of the rules, the bill was read the second time and was passed to be engrossed.

From the House: House Document 267, Resolve in favor of the Central Maine Fair Association and repealing resolve in favor of the Central Maine Fair Company.

The House receded and concurred in the action of the Senate.

In the Senate the bill received its first reading, and under suspension of the rules was given its second reading and was passed to be engrossed.

Passed to be Engrossed.

(Under suspension of the rules.)

An Act to provide money for the ex-

penditures of government for the year 1911.

Resolve in favor of the State House employees.

Mr. OSBORN of Somerset: Mr. President: I would like to have the report of the committee on the trunk line of highway carried over until tomorrow.

Mr. KELLOGG of Penobscot: Mr. President: I can't see any need of that. Why not get rid of these matters. There is only one man absent who can be here tomorrow. This thing has been in the air for three or four weeks and it seems to me it is time to dispose of it. It makes no difference which way it goes. I move that the time be not extended on this matter.

Mr. OSBORN: Mr. President: I move that the matter be deferred until tomorrow morning.

A rising vote was had, and 14 voting for the motion and 5 against, the matter was deferred until tomorrow.

On motion by Mr. Osborn of Somerset, Resolve in favor of the introduction of the Hungarian partridge, was taken from the table.

Mr. OSBORN: Mr. President: We have appropriated a considerable sum of money for the benefit of the fish and game department, and I think we are in no present need of the introduction of these birds this year. I move that it be indefinitely postponed.

Mr. BOYNTON of Lincoln: Mr. President: I don't think it is best to indefinitely postpone this bill. In its present form it is paid for out of the money appropriated for the fish and game department. These are valuable birds. It started to get a foothold somewhere, and I hope this little matter will be allowed to go on.

Mr. OSBORN: Mr. President: My point was to let the fish and game department settle that matter. Perhaps they know more about these birds than I, or most of the Senators here present.

Mr. WINSLOW of Cumberland: Mr. President: As chairman of the committee before which this matter came, I must say something. We had a re-

solve carrying \$500 and it failed to go through. This resolve carries only \$250 and comes from money already appropriated to the fish and game department. Mr. Brackett said that he would squeeze matters so it would come out of appropriations already made. I can't see how it will hurt the State or any individual. Furthermore, if you read the resolve in its present form I think you will find it is fair, and it places those birds in the possession of the department to be put out in such manner as may be considered best. There is no particular place, but he will have the disposition of them. I call for a ye and nay vote.

The question being on the indefinite postponement of the resolve, the yeas and nays were ordered and the secretary called the roll. Those voting ye were: Messrs. Milliken, Osborn, Pendleton—3. Those voting nay were: Messrs. Allan, Blanchard, Boynton, Dodge, Donigan, Foss of Cumberland, Fulton, Gowell, Hill, Irving, Kellogg, Leach, Mayo, Moulton, Mullen, Noyes, Sanborn, Staples, Stearns, Theriault, Winslow—21.

So the motion to indefinitely postpone was lost.

The resolve was then finally passed.

On motion by Mr. Gowell of York House Document 28, An Act creating a single board form of representative government for cities and towns in the State of Maine, was taken from the table.

The pending question: Acceptance of majority or minority report.

Mr. GOWELL: Mr. President: This bill was considered by the judiciary committee; was introduced early in the session and was quite a long bill, and as the title suggests, it creates a single board form of government for cities and towns in the State of Maine. It provides for a form of city charter or for a form of government for large towns. It provides that all cities and towns having more than seven thousand inhabitants upon petition of one-fourth of the legal voters, an election shall be called to vote whether or not they shall adopt this form of charter, and it may be adopted by a majority vote of the legal voters of a city or

town. In other words it is entirely dependent upon the referendum. At the hearing it appeared that this law, with many others suggested at this session, had been adopted by several cities. Quite a number of gentlemen from the city of Portland appeared favoring the bill. Two or three gentlemen from Portland appeared in opposition. The committee did not agree upon the final passage of the bill and it appears now with two reports. The position of those who signed the minority report is that it gives the cities and towns of the State an opportunity to adopt this form of government. We could see no harm in the passage of the Act, and it gives those people who care for this form of government an opportunity to try it. This is endorsed by both parties and I can see no reason why the Democratic party should not adopt it. It embodies their favorite measure, the referendum.

We had some difficulty to discover what was wished in the city of Portland in regard to this measure. There seemed to be an honest difference of opinion. To bring the matter before the Senate, I move that the minority report be accepted, which is "ought to pass."

The question being on the substitution of the minority for the majority report in non-concurrence with the House, the yeas and nays were ordered and the secretary called the roll. Those voting yea were: Messrs. Blanchard, Gowell, Irving, Kellogg, Milliken, Stevens, Theriault,—7. Those voting nay were: Messrs. Allan, Boynton, Dodge, Donigan, Foss of Cumberland, Hill, Leach, Mayo, Moulton, Mullen, Noyes, Osborn, Sanborn, Staples, Winslow,—15.

So the motion was lost.

The majority report of the committee was then accepted in concurrence.

On motion of Mr. Donigan of Somerset, Resolve in favor of the Postmaster of the Senate, was taken from the table.

Mr DONIGAN: Mr. President: This is a parallel case to the one in the House. He also gets \$150 more than the law allows. I believe that is sufficient, although he has been courteous

and kind and gentlemanly. I believe we should not get in the habit of giving away this money. I move that the resolve be indefinitely postponed.

On motion by Mr. Staples, the resolve was tabled until tomorrow morning.

Mr. SANBORN of Piscataquis: Mr. President: If in order, I would like to take from the table for consideration, a bill I recalled last night in regard to making an appropriation for the purpose of ascertaining information in regard to the taxation of wild lands.

Mr. MILLIKEN of Aroostook: Mr. President: I have just been asked to take it from the table, although I have not had an opportunity to find out the situation. I don't care anything about the matter except that I understand it was returned from the Governor and that he desired it indefinitely postponed. There are now two matters pending in regard to the same subject matter, this resolve, and another new proposition.

Mr. SANBORN: Mr. President: I was called out yesterday and informed there was a mistake when this resolve was recalled from the Governor. He got it mixed with another resolve, and after finding out what it was, he was quite anxious to have it passed. I went in and saw the Governor and two or three of the councilmen were there, and they were all anxious to have the resolve go through. I have talked with two or three State assessors and they think it should go through and that it would be profitable to investigate and get a report on the conditions of wild lands for the purpose of taxation. I think we will all agree that the land can be taxed in a fairer manner after an investigation is made.

Mr. President, I move you that we reconsider the vote whereby we indefinitely postponed this bill, House 360, Resolve making an appropriation for the purpose of getting information in regard to wild lands for the purpose of taxation.

The motion was agreed to.

On motion by the same Senator, the Senate receded and concurred with the action of the House.

The resolve was then finally passed.

On motion by Mr. Milliken of Aroostook, Resolve in favor of the board of State Assessors, was taken from the table.

On motion of Mr. Fulton of Sagadahoc, the resolve was indefinitely postponed.

On motion by Mr. Boynton of Lincoln,

Adjourned.

HOUSE.

Wednesday, March 29, 1911.

Preyer by Rev. Mr. Gibson of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Resolve in favor of the Children's hospital at Portland. (Senate Amendment A adopted and resolve passed to be engrossed under a suspension of the rules.)

An Act relating to evidence in personal injury cases, came from the Senate indefinitely postponed. (Tabled on motion of Mr. Bogue of East Machias.)

An Act to amend Section 1 of Chapter 244 of the Public Laws of 1909 relating to transmission of power beyond the confines of the State, came from the Senate indefinitely postponed.

On motion of Mr. Davies of Yarmouth the House concurred with the Senate in its action.

An Act to provide for the proper observance in the public schools of the birth of Henry Wadsworth Longfellow, came from the Senate indefinitely postponed.

On motion of Mr. Chase of York the House concurred with the Senate in its action.

An Act to repeal Chapter 142 of the Public Laws of 1905 relating to the support of alien paupers, came from the Senate indefinitely postponed.

On motion of Mr. Strickland of Bangor, the House voted to insist and ask for a committee of conference.

The Speaker appointed on the part of the House, Messrs. Strickland of Bangor, Pattangall of Waterville and Hastings of Auburn.

Resolve repealing Chapter 338 of the

Resolves of 1909 in favor of the town of Old Orchard, came from the Senate indefinitely postponed.

On motion of Mr. Allen of Jonesboro the House voted to insist and ask for a committee of conference.

The Speaker appointed on the part of the House, Messrs. Allen of Jonesboro, Pattangall of Waterville and Williamson of Augusta.

An Act for the taxation of steam railroads according to their actual value, came from the Senate with the committee report "ought not to pass" adopted in that branch.

The House concurred with the Senate in its acceptance of the report.

Bill, An Act to amend Section 25 of Chapter 125 of the Revised Statutes relating to the observance of the Lord's day, came from the Senate referred to the next Legislature.

On motion of Mr. Scates of Westbrook, the House voted to insist and ask for a committee of conference.

The Speaker appointed on the part of the House, Messrs. Scates of Westbrook, Clearwater of Hallowell and Otis of Rockland.

Senate Bills on First Reading.

An Act to provide for the better collection of inheritance taxes.

Mr. Allen of Jonesboro presented remonstrance of Stephen Smith of Northfield and 18 others against consolidating the fish and game department with the department of shore fisheries. (Placed on file.)

Reports of Committees.

Mr. Strickland from the committee on appropriations and financial affairs, reported ought to pass on Resolve in favor of Karl C. Jones, clerk to the committee on taxation.

First Reading of Printed Bills and Resolves.

The following were passed to be engrossed under a suspension of the rules:

Resolve in favor of J. P. Tucker, secretary of the committee on School for Feeble Minded.

An Act to amend Sections 34 and 35 of Chapter 16 of the Revised Statutes relating to conveyance of pews in meeting houses to organized parishes