

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

SENATE.

Wednesday, February 26, 1913.

Senate called to order by the President.

Prayer by Rev. Wylie H. Smith of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

House Document 232, Resolve in favor of E. J. C. Owen.

In the Senate this resolve was passed to be engrossed in concurrence. In the House the vote whereby the resolve was passed to be engrossed was reconsidered, and House Amendment A was adopted.

Under suspension of the rules, the vote was reconsidered whereby this resolve was passed to be engrossed, and House Amendment A was adopted in concurrence.

The resolve was then passed to be engrossed as amended.

Report of the committee on ways and bridges, on the Resolve in favor of the Allegash road in Aroostook county, "ought not to pass," came from the House.

In the House this report was accepted on February 18th, and in the Senate report was accepted February 19th in concurrence. In the House the vote whereby the House accepted the report was reconsidered under suspension of the rules, and the bill was recommitted to the committee.

In the Senate the rules were suspended, and the vote whereby the Senate accepted the report of the committee was reconsidered.

The resolve was then recommitted to the committee on ways and bridges.

House Bills in First Reading.

Resolve granting an appropriation for the maintenance of the University of Maine. (On motion by Mr. Walker of Somerset, Senate Amendment A was adopted, striking out the emergency clause.)

An Act to extend the time in which the Maine Title Guaranty Company is authorized to commence business.

An Act to authorize and empower the Norcross Transportation Company

to extend its existing wharf further into North Twin Lake.

An Act authorizing George W. Jenkins, his heirs and assigns, to erect and maintain a dam across Blackwater Stream so called, in said town of Marsardis.

Act to extend the charter of the Rumford General Hospital.

An Act to revive and extend the power of the Litchfield Electric Company.

An Act to change the name of Hayden Lake, so called, to Wesserrunsett Lake.

An Act to incorporate the Town of Wade.

An Act to incorporate the Lazy Tom Brook Dam Company.

Resolve in favor of the permanent improvement and repair of "The New Kenduskeag Road" in the Town of Glenburn.

Resolve for the improvement of the State Park on the easterly side of State Street.

Resolve in aid of repairing highway in the town of Trescott.

Resolve in favor of repairing highway in the town of Benton, Maine.

Resolve in favor of raising and repairing bridge over Garland's Brook in town of Mariaville.

Resolve in favor of the town of Nobleboro.

Resolve in aid of navigation on the Lower Lakes.

Resolve in favor of aiding in building road in New Canada Plantation.

Resolve in favor of the town of Whitneyville.

Resolve in favor of the town of Rockport.

Resolve in favor of a road in Elliotts-ville Plantation.

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

Judiciary.

By Mr. Stearns of Oxford, bill, An Act to amend chapter 61 of the Revised Statutes, relating to marriage and the registration of vital statistics.

Appropriations and Financial Affairs.

By Mr. Emery of York, Resolve authorizing a temporary loan for the year 1913. (On motion by Mr. Emery,

tabled for printing pending reference.)

By Mr. Emery of York, Resolve authorizing a temporary loan for the year 1914. (On motion by Mr. Emery, tabled for printing pending reference.)

Education.

By Mr. Murphy of Cumberland, An Act to amend sections 122 and 123 and 126 of chapter 16 of the Revised Statutes and section 3 and 5 of chapter 177 of the Public Laws of 1909, to provide for the distribution of the school mill funds and the common school funds on the basis of aggregate attendane in all educational institutions within the State. (On motion by Mr. Murphy, tabled for printing pending reference.)

Mercantile Affairs and Insurance.

By Mr. Murphy of Cumberland, bill, An Act relating to fraternal beneficiary associations doing casualty business only. (On motion by Mr. Murphy, tabled for printing pending reference.)

Agriculture.

By Mr. Burleigh of Aroostook, petition of Woodland Grange in favor of Experiment and Seed Farm in Aroostook county.

Inland Fisheries and Game.

By Mr. Burleigh of Aroostook, Remonstrance of Roy Morgan and 17 others of Sherman and vicinity against the enactment of the so-called resident hunter license law or any act prohibiting the carrying of firearms by residents.

Taxation.

By Mr. Richardson of Penobscot, Resolve for an amendment to the Constitution providing for the classification of property for the purposes of taxation. (On motion by Mr. Richardson, tabled for printing pending reference.)

Reports of Committees.

Mr. Hersey from the committee on judiciary, on bill, An Act for the better regulation of the practice of dentistry in the State of Maine and to re-organize the Board of Dentistry., reported same "ought not to pass," because the subject matter is covered by a new draft of Senate Document No. 10.

Mr. Murphy from the committee on mercantile affairs and insurance, on bill, An Act to establish a board of appeal on fire insurance rates," reported same "ought not to pass."

The reports were accepted.

Mr. Dutton from the committee on judiciary, on bill, An Act to relieve the town of Southport from the duty of building, repairing or maintaining roads, streets or ways on Capitol Island, reported same in a new draft under title of "An Act to incorporate the Capitol Island Village Corporation," and that it "ought to pass."

Mr. HERSEY from the Committee on Judiciary, on bill An Act for the better regulation for the practice of Dentistry in the State of Maine and to re-organize the Board of Dental Examiners, reported same in a new draft under title of An Act for the better regulation of the practice of Dentistry in the State of Maine, and to re-organize the Board of Dental Examiners, and that it "ought to pass."

Mr. MURPHY from the Committee on Mercantile Affairs and Insurance, on bill An Act to extend the charter of the World's Standard Insurance Company, reported same "ought to pass." (Tabled pending first reading on motion by Mr. Murphy.)

Mr. CONANT from the Committee on Agriculture, on bill An Act to regulate the packing, shipping and sale of apples, reported same in a new draft under the same title, and that it "ought to pass."

Mr. CONANT from the same committee, on Resolve in favor of Maine Wesleyan Seminary and Woman's College, reported same in a new draft under the same title, and that it "ought to pass."

Mr. CONANT from the same committee, on bill An Act to amend sections 5 and 6 of chapter 15 of the Public Laws of 1907 as amended by chapter 34 of the Public Laws of 1909, and chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases, reported same "ought to pass." (This bill having been printed was given its first reading.)

Mr. BURLEIGH from the Committee on Public Health, on bill An Act to amend section 6 of chapter 18 of the

Revised Statutes relating to the State Board of Health, reported same "ought to pass." (This bill having been printed was given its first reading.) The reports were accepted and the several bills and resolves tabled for printing under the joint rules.

Passed to Be Engrossed.

Resolve for general maintenance of the Maine Industrial School for Girls at Hallowell.

Resolve for renewals and repairs on buildings at the Maine Industrial School for Girls at Hallowell.

Resolve in favor of E. McFarland of Forest Station for expenses incurred in the erection of a schoolhouse.

Resolve in favor of the town of Limestone for money paid to the State by error of its officers.

Resolve providing a pension for William H. Richardson.

An Act to repeal the law providing for a bounty on bears.

Resolve relating to the Documentary History of Maine. (On motion by Mr. Bailey of Penobscot, tabled pending second reading and assigned for consideration, Wednesday, March 5.)

Resolve for the purchase of the Maine State Year Book for the years 1913 and 1914. (On motion by Mr. Richardson of Penobscot, tabled pending second reading, and assigned for consideration, Wednesday, March 5.)

An Act to incorporate the Trustees of Greeley Institute.

An Act authorizing the trustees of the Western State Normal School to take land for school purposes.

An Act to extend the time in which the Maine Title Insurance Company is authorized to commence business.

An Act to repeal Section 2 of Chapter 13 of the Private and Special Laws of 1887 relating to the York Harbor & Beach Railroad.

An Act to extend the charter of the Waldo Street Railway Company.

An Act to extend the charter of the Fairfield and Skowhegan Railway Company.

An Act to extend the charter of the Lincoln County Street Railway.

An Act to amend Section 22 of Chapter 48 of the Revised Statutes of

Maine relating to lost bank deposit books.

An Act providing for free treatment of juvenile dependents by institutions receiving State aid.

An Act to amend Specification 1, of Section 13 of Chapter 9 of the Revised Statutes, as amended by Chapter 4, Public Laws of 1909, and Chapter 140 of the Public Laws of 1911, relating to taxation of personal property.

An Act relating to the Diamond Island Association.

An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, entitled "An Act creating the Fort Fairfield Village Corporation," as amended by Chapter 303 of the Private and Special Laws of 1905, and as amended by Chapter 116 and by Chapter 210 of the Private and Special Laws of 1907, and as amended by Chapter 242 of the Private and Special Laws of 1909.

Resolve in favor of the Western State Normal School at Gorham for the purchase or acquiring of land.

An Act to repeal Chapter 337 of the Private and Special Laws of 1825, entitled "an Act for the preservation of fish in Piscataqua river.

An Act to incorporate the Mount Vernon Water & Electric Company.

Resolve making appropriations for the Passamaquoddy Tribe of Indians.

The PRESIDENT: The Chair will state at this time and at any future time on the final passage of a resolve or the passage to be enacted of bills, if any senator objects to the passage of a bill or resolve, if he will rise in his place and ask to have that particular bill or resolve laid aside, it will be done and will be taken up later.

Passed to Be Enacted.

An Act to extend the charter of the Monson Water Company.

An Act to repeal Chapter 340 of the Private and Special Laws of 1907, relating to highway in Readfield closed to automobiles.

An Act to incorporate the Washburn Water Company.

An Act to amend Section 1 of Chapter 145 of the Revised Statutes, relating to the State pension law.

An Act to amend Section 27 of

Chapter 135, as amended by Chapter 184 of the Laws of 1909, relating to new trials in criminal cases.

An Act to prevent the obstruction of ditches and drains in and along public ways.

An Act to authorize the employment of county prisoners on county highways.

An Act to amend Section 5 of Chapter 88 of the Revised Statutes, relating to the jurisdiction of trustee actions.

An Act to appropriate moneys for payment of salaries fixed by law for the year 1913.

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

An Act to extend the charter of the Rumford Falls and Bethel Street Railway.

An Act to regulate advertisements and solicitations for employes during strikes, lock-outs or other disputes.

An Act to incorporate the Maine Security Company.

Finally Passed.

Resolve appropriating money for expenses of electoral college.

Resolve in favor of the town of Castine.

Resolve in favor of the Maine Industrial School for Girls at Hallowell to provide for interest on trust funds deposited in the State treasury.

Resolve in favor of the State School for Boys at South Portland for permanent improvement and insurance.

Resolve in favor of the State School for Boys at South Portland for general maintenance.

Resolve in favor of the Eastern Maine Hospital for maintenance and support.

Resolve in favor of an appropriation to provide for participation by the State of Maine in the 50th Anniversary Exercises on the Battlefield of Gettysburg, Pennsylvania.

Resolve for repair of bridge across the Penobscot river between the towns of Enfield and Howland.

Resolve in favor of Gerry M. Garland.

Resolve in favor of Elizabeth D. Low.

Resolve in favor of the town of Kingman for repairing bridge in said town across the Mattawamkeag river.

Resolve in favor of Maria A. Sylvester, of Augusta.

Resolve in favor of the Maine Insane Hospital for maintenance and support for the year 1914.

Resolve in favor of the Maine Insane Hospital for maintenance and support for the year 1913.

Resolve in favor of E. B. Weeks and Isaac F. Tibbetts, both of Old Town.

Resolve for the repair of bridge across the Piscataquis river in the town of Howland.

An Act to change the burden of proof in certain negligence cases in which contributory negligence is a defense.

Mr. BAILEY of Penobscot: Mr. President, I move that when the vote be taken on the passage of this bill to be enacted, it be taken by the yeas and nays.

The Chair stated the pending question, and a sufficient number arising, the yeas and nays were ordered.

Mr. DUTTON of Kennebec: Mr. President, I desire to say just a word before this vote is taken. I have hitherto refrained from taking any part in the consideration of this question. This bill was fully considered by the judiciary committee and reported to this body unanimously. The reasoning in favor of the change which was adopted by the judiciary committee did not at that time appeal to me and does not, today, appeal to me. I regard the logic and reasoning upon which the rule, today, is based to be sounder, but I desire to say that I am very much loath to substitute my own judgment for that of equally able and superior attorneys. But there is another consideration which has been presented to me, and after a full investigation of the facts, outside of the reasoning to be applied to this case, I have found that during the campaign last passed, this was made practically a party issue. I find that many leading Republican campaign speakers in this State went upon the stump, promising that if the

party was intrusted with power, a law like this, which had been rejected by the last Legislature, should be passed.

Now if I am correctly informed in this matter, and the people have been promised this law, I am willing to make my judgment of the logic and the reasoning subservient to that of the committee, especially when the people have been promised this legislation, and so I shall vote in favor of the passage of this bill.

Upon request, the Chair again stated the pending question.

The secretary called the roll. Those voting yea were: Messrs. Allan, Boynton, Colby, Dutton, Flaherty, Hastings, Hersey, Jillson, Mansfield, Morey, Moulton, Murphy, Packard, Richardson, Stearns—15. Those voting nay were: Messrs. Allen, Bailey, Burleigh, Chase, Clark, Cole, Conant, Emery, Hagerthy, Maxwell, Patten, Reynolds, Smith, Walker, Wing—15.

The PRESIDENT: Fifteen having voted in the affirmative, and 15 in the negative, the Chair will vote yea.

Sixteen having voted in favor of the passage of the bill, and 15 in opposition, the bill was passed to be enacted.

Resolve in favor of the Eastern Maine Insane hospital for storage house and cold storage plant, repairs on all buildings, washing machines, laundry, fire mains and hydrants and high pressure pump. (On motion by Mr. Emery of York, tabled pending final passage.)

Resolve in favor of the Maine Industrial School for Girls at Hallowell to provide for the payment of unused interest on trust funds.

On motion by Mr. Emery of York, the resolve was finally passed.

Orders of the Day.

The PRESIDENT: The Chair lays before the Senate for consideration the special assignment for today, Resolve, authorizing the highway commissioner to construct a suitable office or shelter for the immigrant inspector at Van Buren, Maine.

Mr. STEARNS of Oxford: Mr.

President, this resolve has been lying on the table under my motion for nearly two weeks, perhaps more, and I have been in hopes that during this time someone with information upon this proposition might come to me and inquire when I was to take it from the table. I thought that someone from the vicinity affected by this resolve, this measure, might come and ask me in regard to it, and that I might be able to obtain information from them. No one has done so. I presume that the federal government may be interested, and that their attention may be drawn to the southern border, so that matters on the northern border may have more or less escaped their attention. In any event, no one has been to me, no one has shown enough interest in this matter to make a single inquiry, and I have therefore been obliged to get such information as I have by inquiring myself.

Now this is rather an unusual and extraordinary matter, inasmuch as it asks the State of Maine to provide an office for a government official. I do not recall that I have ever known of such a request of the State of Maine before. It seems that the resolve, when it was presented, was presented through the request of the highway department, and you will recall that at that time some question was raised as to the desirability, or the reason why such a matter should be presented here. And at that time, the senator who presented it was unwilling to have the rules suspended and the resolve take its several readings and passed to be engrossed, it having been accompanied by an emergency clause, and in that he was very wise. It was referred to the committee on federal relations, and as I understand their position, they had certain correspondence, and upon this correspondence they finally determined to make a favorable report. It seems that the attorney general took this matter up somewhat with the government officials, and in order that the whole matter may be before the Senate, I will read a let-

ter which was received by the attorney general, and had, as I understand it, something to do with influencing the committee in making the report which they did.

Department of

COMMERCE AND LABOR.

United States Immigration Service.

Office of the Commissioner.

Montreal, Can., Jan. 30, 1913.

Hon. Scott Wilson,

Attorney General, State of Maine,
Augusta, Maine.

Dear Sir—This will acknowledge receipt of your favor of the 28th instant, and I note that the matter of supplying a suitable shelter at the end of the International bridge, at Van Buren, Maine, is now in the hands of the committee on federal relations.

In response to your suggestion that it might be well to state more in detail why it is felt that the expense of such a structure should be borne by the State rather than the United States, I beg to submit the following:

The International bridge was erected for the convenience of the inhabitants of New Brunswick and Maine and without any request for such action on the part of the United States; that this bridge affords an avenue for the entry of aliens is, therefore, not due to any desire or action on the part of the United States government, but is purely a local matter. Whenever any private corporation along the border has created a new place of entrance for aliens, it has uniformly been required to also provide the means whereby our officers might have a place in which to inspect said aliens; and if the members of the committee on federal relations are laboring under the impression that the United States government has erected buildings at the various ports of entry along the border to take care of aliens brought in by means provided by corporations, then I can only say that they have been misinformed. There is no difference in principle between a bridge owned by a private corporation and one whose ownership is public.

It is true, that the federal law does not provide, in specific terms, that this expense shall be borne by the party or parties responsible for the creation of

the means of entrance. Indirectly, however, it has this effect, for so far as the land boundaries of the United States are concerned, full and complete authority is vested in the secretary of our department to designate the place or places at which aliens may enter the United States, and entry at any place not so designated is made unlawful (Sec. 32; it is then provided in Section 8 that the person responsible for the entrance of any alien "not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States" shall be subject to a specified penalty. The United States is called upon to bear a great expense in the matter of providing the officers and necessary equipment for the border inspection work, and I do not think would be disposed to entertain for a moment the matter of providing a shelter at the end of the International bridge at Van Buren, which action, if taken, would be regarded as a precedent, behind which every transportation company and bridge company along the border would seek refuge.

I shall be very glad to get as early a decision in this matter as possible, so that I may report the matter to our department. I trust that the legislators may see the wisdom and justice of granting the request made.

Very respectfully,

(Signed)

JOHN H. CLARK,
Commissioner."

Now, Mr. President, to my mind, this explanation does not furnish a sufficient reason why the State of Maine should be called upon to build this office for this inspector, this government official, stationed at Van Buren. I understand that—I am not very familiar with the geography of that section—I understand that Van Buren is situated about 40 miles south of Fort Kent, and 75 to 80 miles north of Houlton; that there is an inspector at both those places; that at Van Buren there is a custom house within a stone's throw, nearly, of the end of the Van Buren bridge, not much farther than from the State House to the Augusta House. If that be true, that there is a custom house or a government building of some sort as near to

the end of the Van Buren bridge as that, it would seem to me that such a building could be used to shelter the inspector.

I do not understand that it is necessary for the inspector to stand at that bridge in order to hold up every person who passes over that bridge, to inspect those parties. I do not understand that it is the duty of the inspector to patrol the border so that no one crosses the river on the ice. He is there for the convenience of the people who wish to come into this country and wish to bring themselves within the law so that they may be inspected and perhaps have the benefit of that inspection.

It seems to me they may be able to look him up and find him, even if he is not at the custom house office. If they want to find him, they can do so. Because the State of Maine has assisted in building this international bridge, it does not seem to me that it bestows the burden upon it to build this office.

There may be many ferries, up and down this river, operating for years—this inspector has been on for several years—why should not they say they will appoint an inspector at one end of a ferry, and that the State or the county, or the community affected shall build a shelter or an office for the inspector at that point?

The reasons for this I do not understand. I have inquired of the gentleman from Van Buren. He informs me that there is absolutely no desire for this from his section. He tells me they are not particular about it, and that he never heard anything about it until it was introduced here. He has never heard from anyone in his locality in regard to it. I do not understand that the senators from Aroostook county are asking for it, or care for it or believe it is necessary. From such information as we have I do not believe the Senate is warranted in passing this measure at this time.

Mr. President, I move that the resolve be indefinitely postponed.

Mr. MOREY of Androscoggin: Mr. President, this matter came to the committee on federal relations for investigation, and the information that we have with regard to the desirabil-

ity of it is partly contained in the letter of the Senator from Oxford, who has read it to the Senate.

It seems that the bridge built at that point was built jointly by the Dominion of Canada and the State of Maine, and upon its completion it became necessary that a government official be established there. And perhaps, to give the Senate the entire information I will say that as far as the committee was concerned, it was a matter they had no personal knowledge of, and the information we have we furnished the Senate with entirely, but if you could read between the lines in the letters, it meant that the place would be abolished as a port of entry, provided a structure, not exceeding the cost of \$500, was not established. And they thought it would affect the portion of Aroostook county near that point.

I understood at the hearing that if the port was closed, the nearest place to which aliens could come from Canada into the State of Maine would be some 35 miles from that point. It was a question of how much it would affect Aroostook county, at that place, and whether it was desirable for the county that this port of entry should be retained.

Here are the letters:

“Department of Commerce and Labor,
U. S. Immigration Service.

Office of the Commissioner,

Montreal, Canada, Jan. 3, 1913.

The Attorney General,

State of Maine,

Augusta, Maine.

Dear Sir:

In the fall of 1911, there was completed what is known as the International Bridge running from St. Leonards, N. B., to Van Buren, Maine, the funds for its erection if I am correctly informed having been contributed jointly by the Dominion Government and the State of Maine.

As officer charged with the duty of supervising the inspection of aliens entering the United States from Canada, on September 7, 1911, I took up with Hon. Parker L. Hardison, Commissioner, Highway Department, Capitol Building, Augusta, Maine, under whose jurisdiction I was informed the

control of the International Bridge would come, so far as the State of Maine is concerned, the matter of having a small structure erected at the United States' end of the bridge, to provide a suitable office and shelter for our immigrant inspector, to be stationed at that point.

Since that time considerable correspondence has passed between this office and Mr. Hardison, the last letter from that gentleman, dated April 26, 1912, assuring me that he realized the necessity of such a building and would do what he could to bring about its erection.

I think the necessity for a shelter of some kind for the protection of the immigration officer assigned to duty at that point, from the severity of the cold and winds in winter, as well as from the heat and rain in the summer, goes without saying. At several other points along the border, where there are international bridges, the parties controlling said bridges have not hesitated to provide suitable accommodations at the United States' end of the bridge for our officers. The likelihood of severe winter weather setting in at any time makes it imperative that prompt steps be taken in this matter, unless the health, and perhaps life, of the officer assigned to duty at Van Buren, is to be endangered.

Under Section 8 of the Immigration Act, the owner of a ferry who permits the landing or entry of aliens without inspection, or of aliens not "duly admitted" by an immigrant inspector, is subject to a severe penalty. I cannot see why this section is not just as applicable to those controlling an international bridge, which provides a means for the entry of aliens.

One thing is certain, Section 36 of our Immigration Act gives the Secretary of Commerce and Labor full power to designate what place, or places, may be used for the entry of aliens, and it would appear that if he should withdraw his consent to the International Bridge above referred to being a place of entry, those in control

of such a structure would be clearly responsible, under the law, if thereafter any aliens should enter the United States at such point. I would be very loath indeed, however, to feel compelled to recommend any such action, realizing as I do that the carrying into effect of such a policy would, in a measure at least, defeat the purpose for which the bridge was erected.

We do, however, as I have above explained, need a small structure for the use of our inspector, at this point, which could be provided with but a small expenditure of money; and it appears to me, that if the authorities of your State fully realized that the main purpose of having our officer stationed at this bridge is to prevent the entry at that point of the insane, the immoral, the physically unfit, criminals, and those likely to become public charges, that it would be at once realized that to have him on guard there is a distinct advantage to the State of Maine, and that those in control of the bridge would be disposed to speedily grant the slight request herein made.

As previously pointed out, in asking that those in control of the bridge supply the shelter, we are only desiring that action be taken similar to that which has already been taken by those on control of similar bridges, along the border.

I trust you may be good enough to bring this matter to the proper State authorities immediately, and that I may be favored with definite information as to what action may be expected concerning the within request.

Respectfully,

(Signed) JOHN H. CLARK,
Commissioner."

"Department of Commerce and Labor,
U. S. Immigration Service, Office of
the Commissioner, Montreal Can-
ada, Jan. 9, 1913.

Hon. Scott Wilson,

Attorney General, State of Maine,
Augusta, Me.

Dear Sir:—I have the honor to acknowledge receipt of your letter of the 7th, in reply to my letter to you of the

3rd instant, relating to the erection of a small structure at the end of the International Bridge, Van Buren, Maine.

Replying to your suggestion that I give you further information as to the kind of a structure desired, I beg to say that we wish nothing at all elaborate, but simply a shelter, to protect our officer who is guarding the bridge, from the elements. If we could have one room, say 12 ft. x 12 ft., so situated that an officer stationed therein could have a view of the bridge, said structure to be placed right at the United States end of the bridge, I think our needs would be met, as there would be no necessity for a place to detain aliens, those found inadmissible being returned to Canada immediately. Of course, the structure to be so constructed that it could be made comfortable both winter and summer. I am not prepared to state how much such a building would cost, as that would be a matter for your State architect to determine, but I am sure that a place which would be entirely satisfactory to us could be provided at but a trifling expense.

Most of the aliens crossing the International Bridge are destined to some point in Maine, and, as pointed out in my previous letter, it is wholly in the interest of your State that this bridge should be guarded to prevent the entry of the unfit, who, if admitted, might become a burden upon the taxpayers of your State.

As also indicated in my previous letter, the necessity for prompt action seems imperative, in view of the weather conditions which are likely to exist at Van Buren, Maine, for several months yet, at least. I trust, therefore, that it may be possible for you to have this matter looked upon as an emergency, and that an adequate shelter may be provided for our officer at the end of the International Bridge within the very near future.

I shall be pleased to be advised at your early convenience as to what will be done, concerning this matter.

Respectfully,

(Signed) JOHN H. CLARK,
Commissioner."

They want a structure some 12x12 ft., and so far as the committee are concerned, I will say that we acted upon those letters written to the attorney general and the correspondence that passed between those parties.

The PRESIDENT: The pending question is upon the motion of the senator from Oxford, Senator Stearns, that the resolve be indefinitely postponed.

So many as are in favor of the motion will rise and stand until counted.

Thirteen voting in the affirmative and 12 in the negative, the resolve is indefinitely postponed.

Mr. MOREY of Androscoggin: Mr. President, it has just been suggested to me to ascertain if Senator Burleigh was included in the count. He arose, but was he included in the count or not?

The PRESIDENT: The Chair is unable to state.

Mr. ALLEN of Kennebec: Mr. President, I call for the yeas and nays. We want this settled and settled right.

The PRESIDENT: In the opinion of the Chair, the vote having been announced, the yeas and nays are not in order.

Mr. ALLEN: Mr. President, I move that the vote whereby this resolve was indefinitely postponed be reconsidered.

The PRESIDENT: The Chair inquires whether the Senator voted with the prevailing side?

Mr. ALLEN: I did, Mr. President.

The PRESIDENT: The senator moves that the motion whereby the resolve was indefinitely postponed be reconsidered, and asks for the yeas and nays. Those in favor of the yeas and nays will rise and stand until counted.

A sufficient number having arisen, the yeas and nays were ordered.

Mr. HERSEY of Aroostook: Mr. President, is this vote for the purpose of discovering whether my colleague has voted or not?

Mr. DUTTON of Kennebec: Mr. President, I object to reconsideration of this vote.

The PRESIDENT: So many as are in favor of reconsidering the vote whereby this resolve was indefinitely postponed, whatever the purpose may be, will vote yes. Those opposed to reconsideration, will vote no.

The roll was called. Those voting yea were: Messrs. Allan, Allen, Boynton, Burleigh, Clark, Colby, Cole, Flaherty, Hagerthy, Hastings, Hersey, Mansfield, Morey, Moulton, Packard, Reynolds, Walker—17. Those voting nay were: Messrs. Bailey, Chase, Conant, Dutton, Jillson, Maxwell, Murphy, Patten, Richardson, Smith, Stearns, Wing—12. Absentees: Emery—1.

Seventeen voting in the affirmative and 12 voting in the negative, the motion to reconsider prevailed.

The question being shall the resolve be indefinitely postponed, Mr. Morey of Androscoggin called for yeas and nays.

Mr. BURLEIGH of Aroostook: Mr. President, on general principles, I believe that a building of this kind for an official of the United States should be built and paid for by the general government, and I think it ought to have been put in the "pork barrel" bill now before Congress.

The senators heard the letters read from the officials of the United States, that they will withdraw from that bridge the inspection we should have there. I shall vote in favor of erecting a building there for the reason I believe it is desirable for the State of Maine to keep out all people coming into this State that are liable to become town charges or town paupers or those that will not be desirable citizens.

As I understand it the inspector there has to inspect all immigrants coming into this country over that bridge, and most of them in that section come over that bridge. I believe they should be inspected before they can become citizens of our State. That is why I change my vote in regard to this resolve.

The PRESIDENT: The pending question is on the motion of the sen-

ator from Oxford, that the resolve be indefinitely postponed. The yeas and nays are ordered, and the secretary will call the role. So many as are opposed to the passage of the bill will vote yes when their names are called, and so many as are in favor of the resolve will vote no.

The secretary called the roll. Those voting yea were: Messrs. Allen, Bailey, Dutton, Hersey, Maxwell, Murphy, Patten, Richardson, Smith, Stearns, Wing—11. Those voting nay were: Messrs. Allan, Boynton, Burleigh, Chase, Clark, Colby, Cole, Conant, Flaherty, Hagerthy, Hastings, Jillson, Mansfield, Morey, Moulton, Packard, Reynolds, Walker—17. Absentees: Emery—1.

Eleven voting in the affirmative and 18 in the negative, the motion of the senator from Oxford did not prevail.

The PRESIDENT: The Chair will state that this resolve carries an emergency clause, and for the final passage will require the votes of 21 members of the Senate.

The pending question on the commitment of the resolve to the committee on bills in the second reading, it was so committed, and tomorrow morning assigned for its second reading.

On motion by Mr. Wing of Franklin, Senate Document 373, An Act relating to special insurance brokers: Senate Document 375, An Act relating to the incorporation and admission of assessment casualty insurance companies and conditions relating to such companies; Senate Document 376, An Act to amend Sections 20, 28 and 34 of Chapter 28 of the Revised Statutes, relating to prevention of fires and inspection of buildings, were taken from the table.

On further motion by the same senator, the three bills were referred to the committee on mercantile affairs and insurance in concurrence.

On motion by Mr. Walker of Somerset, Senate Document 374, An Act to provide for the taking of land by academies, institutes, seminaries and other schools for school purposes, was taken from the table.

On further motion by the same senator, the bill was referred to the committee on judiciary in concurrence.

On motion by Mr. Murphy of Cumberland, Senate Document 372, An Act to amend Section 1 of Chapter 88 of

the Public Laws of 1909, relating to the appropriation for procuring plans and specifications for school buildings, was taken from the table.

On further motion by the same senator, the bill was referred to the committee on education in concurrence.

On motion by Mr. Reynolds of Kennebec,

Adjourned until tomorrow morning, at 9 o'clock.