

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**SENATE.**

Saturday, April 12, 1912.

Senate called to order by the President.

Prayer by Rev. Wiley H. Smith of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Richardson of Penobscot, unanimous consent was given and that senator introduced out of order the report of the committee on appropriations and financial affairs on an Act to appropriate moneys for the expenditures of government for the year 1913, reporting same "ought to pass."

The report was accepted.

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

From the House: An Act to empower the counties of Penobscot, Hancock and Aroostook to aid in the construction of the Eastern Maine Railroad through said counties and to acquire and hold preferred stock of said company as security therefor.

Mr. BAILEY of Penobscot: Mr. President, I move that the rules be suspended and that the bill be received at this time. Of course it is private and special legislation, in name at least, but as a matter of fact it is to a certain extent for the benefit of the public as it goes to this extent that it allows the people of Penobscot County and Hancock County to pledge the credit of the county to help build the railroad if they see fit. It is just an enabling power. And in my city of Bangor most of the people think that the more railroads and the more transportation facilities we can have come into the city, the better it will be for the city and for that particular part of the country and the State I therefore move that the bill be received and be given its two several readings at this time.

Mr. STEARNS of Oxford: Mr. President, I would not like to ask any-

thing unreasonable, but before I vote, I would like to move that this bill be read.

(The bill was read by the secretary.)

The pending question being on the motion of the senator from Penobscot, that the rules be suspended for the purpose of permitting the introduction of this bill, a rising vote was taken.

The PRESIDENT: The Chair feels that the members of the Senate present ought to vote on the proposition. The Chair is conscious of the fact that a quorum of the Senate is present and not voting.

Mr. PACKARD of Knox: Mr. President, I ask for the yeas and nays.

Mr. MOREY of Androscoggin: Mr. President, I rise to a point of order, that on the vote, two-thirds of the Senate not having voted to receive the bill, therefore, it cannot be received.

The PRESIDENT: The Chair is aware that a quorum is present, but prefers not to rule upon the point as affecting the vote, if it can be avoided.

Mr. MOREY: Mr. President, I arose to a point of order, that two-thirds of the members not voting for its admission, the bill should not be received.

The PRESIDENT: The Chair will sustain the point or order for the purpose of bringing the matter to a vote upon that order.

Mr. BAILEY: Mr. President, I appeal from the decision of the Chair. I think it unfair that this rule should be applied in this case.

The PRESIDENT: The question is whether a vote of eight to one is a vote of two-thirds of the members of the Senate to admit the bill.

Mr. ALLEN of Kennebec: Mr. President, will I be in order if I ask for a little explanation of this bill before I vote?

The PRESIDENT: The appeal having been taken, I think discretion on the point of order is in order.

Mr. ALLEN: Mr. President, it seems that the other day a bill similar to this came in here and was declared to be private legislation and was not accepted. This is simply that bill amended. I do not know whether it is right or wrong to vote upon this

measure, and I would like to be excused from voting.

The PRESIDENT: The Chair has no right to excuse any member. The question is on the appeal from the decision of the Chair. So many as are in favor of sustaining the decision of the Chair will rise.

A rising vote was taken and eleven having voted in the affirmative, and nine in the negative, the ruling of the Chair was sustained.

From the House: An Act for the assessment of a state tax for the year 1914.

In the House this bill was passed to be engrossed under suspension of the rules.

On motion by Mr. Richardson of Penobscot, the bill was, under suspension of the rules, given its two readings and passed to be engrossed.

By unanimous consent, under suspension of the rules, Mr. Richardson of Penobscot, introduced a resolve in favor of the members and officers of the Senate of the 76th Legislature.

Under further motion by the same senator, under suspension of the rules, the resolve was given its two readings and was passed to be engrossed.

From the House: An Act for the assessment of a state tax for the year 1913.

In the House this bill was read twice and passed to be engrossed, under suspension of the rules.

Mr. WING of Franklin: Mr. President, is that the bill providing for the state tax for 1913?

The PRESIDENT: It is.

Mr. WING: Mr. President, what is the rate provided in the bill?

The PRESIDENT: Four and three-fourths mills for each year.

Mr. WING of Franklin: Mr. President, in a conversation with the auditor this morning, he advised me that that would be insufficient to pay the bills for the appropriations that we made, and I move that it lie on the table for the purpose of offering an amendment.

Mr. RICHARDSON of Penobscot: Mr. President, this matter of settling the amount of the state tax was taken up at the request of the governor in consultation with him by the committee on ways and means of the House, the com-

mittee which has the handling of the matter, also the members of the appropriations and financial affairs committee, as well as the president of the Senate and the speaker of the House. The matter was discussed at length in two interviews and the question of the final settlement of the state tax was put to vote by the governor. At that time there were, as I recall it, twelve members of the two committees present. Of those present ten voted to fix the rate four and three-fourths mills each year, 1913 and 1914. Two voted for the rate to be established at five and four, I think, and the governor declared the vote four and three-fourths for each year. Consequently, I cannot see why the matter should be again taken up after the two committees charged with that duty have passed upon it and by such a large vote settled the matter, as they supposed, definitely. I do not believe that there is discrepancy enough to cause any trouble. In fact, I think the whole question is one of book-keeping. I don't believe the state will be embarrassed in any respect, and if it is found satisfactory to the governor who will be largely held to account for the state affairs, I think that the Senate should permit the bill to pass as it was recommended.

Mr. WING: Of course I know nothing about the matter personally, but the auditor stated to me that it would be necessary to have a five mill rate to meet the appropriations which we had made, and I was also informed that the governor favored a five mill rate, and the auditor further stated that a four and three-fourths mill for 1914 would be sufficient. But he said that the rate which was made for 1912 was four mills, and that was available for the year 1913, and that a four and three-fourths rate for 1913 would give them only eight and three-fourths mills for the two years, and that it was impossible to meet the appropriations that had been made. It seems to me that it ought to be right. I am not certain what is right. But it is a matter that we should consider carefully at this time.

Mr. MURPHY of Cumberland: Mr. President, it seems to me that we ought to settle this matter right off at once. I am in favor of endorsing the action of the committee. It seems to me that after investigating the matter they ought

to be acquainted with it well enough to advise us. Furthermore as a representative of a community in which one mill means \$70,000 a year, I think I would rather see it fixed equal for each year, more agreeable and satisfactory.

The PRESIDENT: The Chair will state that 't is the hope of the presiding officers that the business of this legislature may be completed today if matters arrange themselves as now seem likely, and if that is to be accomplished this tax bill must be finally passed to be engrossed by both branches this morning before we go into convention.

Mr. WALKER of Somerset: Mr. President, I wish to go on record as seconding the motion of the senator from Franklin. I had a little conversation with the Governor and I know that was the position he took, and that would give, as the senator from Franklin stated, 9 mills for the two years, 1913 and 1914, which is rather a small amount when we consider that 3 mills each year of that amount goes to the support of the schools of the State of Maine. I trust this motion will prevail.

Mr. RICHARDSON: I would like to ask, through the Chair, when Senator Walker had the talk with the Governor to which he refers.

Mr. WALKER: Mr. President, I think it was Thursday morning, I wouldn't say positively that it was. I think it was Thursday morning.

Mr. RICHARDSON: I will state that the last meeting, at which this matter was settled and at which the Governor presided, was held yesterday morning, and I feel that I can safely say that the Governor was well satisfied with the settlement that was agreed upon. I have no personal choice in this matter, but having passed the two committees who are charged with the duty of that settlement, I do feel that it is unwise to take the matter up now and unsettle the thing, even although the state auditor, who, I firmly believe, is more concerned about the bookkeeping side of this whole matter than he is as to the actual cash—I do feel that it should go through as we originally planned. I think there will be no difficulty in taking care of all the liabilities of the State.

Mr. STEARNS: Mr. President, it

seems, if the senator from Franklin takes issue with the committee upon the question of the tax rate, that it would be a simple matter for the amendment to be presented at this time, and I suggest that inasmuch as it is the hope of all of us that we get through and adjourn finally tonight, and inasmuch as there is a prospect that we may do so if we proceed rapidly, if the senator from Franklin insists upon presenting an amendment, that he prepare it and present it at once that the Senate may take action.

Mr. HASTINGS of Androscoggin: Mr. President, I would like to ask through the Chair, if the senator from Penobscot will say to this Senate that this 4-3-4 mills is sufficient to pay the current expenses for the year, if they went into it to that extent, to inform themselves positively.

Mr. RICHARDSON: Mr. President, I do not think the 4-3-4 rate will quite cover the expenses of running the state for the year 1913. There was, however, brought over a cash balance of \$450,000. To be sure, that is largely a paper balance, as you might say, but there will be ample funds, as we figure, and I think I can again safely say that meets the approval of the Governor, so there will be no possibility of the state being embarrassed.

I think that was the belief of the committee, five-sixths or more of the committee, in joint session, that there was no chance of the state being embarrassed.

Mr. COLBY of Somerset: Mr. President, I am not taking sides on either side of this, but I happen to come in contact with the auditor at the hotel this morning and he brought this matter up to me, and as I understood him the 9-1-2 mills would easily do the whole thing for two years, but that the 4-3-4 would not quite do it for this current year, and he advised 5 and 4-1-2. I simply give that to the Senate in the way of explanation of what he said to me.

Mr. RICHARDSON: Mr. President, it may be it would be well for me to state further that at this meeting, the auditor was there and expressed his views at the time. Consequently the committee were in full possession of

all information that was available.

The PRESIDENT: Does the senator from Franklin desire to withdraw the motion to lay the matter upon the table?

Mr. WING: Mr. President, I will withdraw the motion.

Mr. RICHARDSON: Mr. President, if I may be allowed to say a further word, why the committee decided on an equal division of the assessment of taxes for the two years: It was thought to be much the better procedure to have a fixed, stable rate and not one varying from a half a mill to a mill for the two years of the administration. It is also believed that it will be not only better for the state but better for the smaller towns. They can then have an equal rate for both years.

I have been assured by some of the country selectmen and assessors that there will be very much less feeling on the part of the country communities if the rate is fixed equal for the two years, or an equal rate. That is one of the main reasons why we settled on 43-4 mills.

Mr. MAXWELL of Sagadahoc: Mr. President, I cannot see why it would make any difference to the towns, from past experience when we had a six mill rate and a four mill rate. The condition is this: There are times in various towns when we could raise a couple of thousand dollars extra for a state tax, and it might happen in a year when we were raising quite a little less for local conditions and not be particularly a hardship. I do not see how the amount of increase or decrease of state tax would make very much difference, or how any board of selectmen could tell how it would affect the town. For instance, in my town, we didn't raise so much money this year by more than \$7000 as we did last. If we had had an increase of state tax of one or two thousand dollars, it would still have left us less than our rate of last year. You cannot tell what your conditions will be next year or the year after next. I do believe myself that we should make this rate sufficient to meet the conditions of 1913, and from all the information that I have been able to gather it seems to me that 5 and 41-2 is what we should do, but of course there are others who are

more familiar with it than I am. But that is the way it seems to me.

Mr. STEARNS of Oxford: Mr. President, I am not familiar, particularly with the work of the committee which we have understood this morning has had this matter in charge. I do not know the personelle of that committee, who they were, or what they have done. I assume that they have gone into this matter with some care, and having consulted, as it seems, with the Governor, and having determined that this rate which they have recommended is a sufficient rate to take care of the two years, under the rate which they have determined for 1913, together with a rate which they have evidently discussed for 1914, to take care of the expenditure of the government, it seems to me that this committee, together with the consultation with the Governor, ought to be as well able to come to a reasonable and proper conclusion as the State auditor alone.

I understand that the opposition is based almost entirely upon the recommendation of the State auditor. I do not understand that it is the State auditor's business, particularly, to figure out this question and present this matter to the Legislature. It seems to me a committee of this Legislature, who have given this matter careful thought and consideration, that their judgment in this matter ought to be taken as well as that of the State auditor.

I do not like to see this Senate disregarding the combined judgment of a committee of 12, as I understand it, of this Legislature, together with consultation with the Governor. I cannot quite feel that that would be the right way, on the last day of this session, to act. I sincerely hope that the attitude and action of the committee will be sustained.

Mr. MAXWELL: Just a word, Mr. President; the thing we are up against, the way I look at it is this: Now let us consider this, just what we have got to meet. If at the end of 1913 the State auditor finds that the receipts have not been equal to the expenditures, what happens? I have been through it time after time. The State owes our town at the end of the year four or five thousand

dollars. Now what happened two years ago? When it came to the end of the year they owed us for three-quarters of State pensions, they owed us our State highway moneys, they owed us our high school money, they owed us our common school money. And what was the condition? When it came to final settlement, I telephoned up here to Augusta. They hadn't paid us a cent. Mr. Stevens told me that the condition was such that they could not pay us, but that we must pay our State tax because they had got to have that for pressing needs, but that we would have to wait for what the State owed us until such time as money came in from the following year. The fact of the case was that we had to send our entire State tax to the State, and we had to carry in our town report so much money due from the State.

Now that is all right in a case where a town has got the money on hand and can do it, but what are you up against in the poor towns that haven't it? You have got to go to the bank or to somebody and hire the money and wait until such time as the State can pay you.

That is the whole there is to this proposition. It is just a matter of our appropriating and raising a sufficient amount of money so that at the end of the year the State will have funds to pay the various towns what the State owes them. And if you do not do it, the towns have got to wait for their money. As I say, I know by personal experience. We have been through this time after time, and two years ago it was just exactly that condition. But at the end of this past year every town in Maine got every dollar there was due them and everybody was easy.

That seems to me just what you are up against, where it is an acknowledged fact by all these parties that 4½ mill will not take care of the situation next year but that that would take care of it in the two years. And it seems to me at the end of this year the State is going to owe a lot of money that it can't pay and somebody will have to wait for it, and the ones who have got to wait for it are these poor towns. No I say that it is wrong.

Mr. RICHARDSON: Mr. President,

may I ask for the reading of the amendment again, please.

The PRESIDENT: Certainly.

The amendment was read by the secretary.

Mr. RICHARDSON: Have we not passed the bill for 1914?

The PRESIDENT: We have.

Mr. RICHARDSON: That would make the rate for the two years 9¼ instead of 9½?

The PRESIDENT: It would.

Mr. RICHARDSON: So that the amendment does not cover the situation. I think the case as cited by Senator Maxwell is not quite parallel. We all know the condition of the State treasury two years ago. We also know that a year later the State treasury was overflowing, and I cannot quite see—where this Legislature, this administration comes into possession of a balance of \$450,000, it can be surmised that that will be all wiped out, and I cannot see how that \$450,000 will disappear entirely in one year of Republican administration. I cannot believe it.

Mr. WING: Mr. President, we have made certain appropriations, and it seems to me it is now as important to have the money to pay the bills as it was to make the appropriations, and you are all aware of this fact, that the appropriations for 1913 are larger than the appropriations for 1914, and I believe that the rate should be larger for this year to meet those appropriations. Now the state auditor, and he if any one in the State of Maine ought to know what is required, tells us that the rate of 4 3-4 mills is insufficient to pay the bills, that there will be a deficit if we establish that rate. And I believe that we should amend not only this bill but the one that we have already passed, to make the rate lower on the assessment for 1914, which will give us the same amount for the two years, but it will be available so that we can meet the larger appropriations for 1913, and have the money to take care of them, instead of making the rate uniform for the two years.

Mr. BURLEIGH of Aroostook: Mr. President, now as I understand it, the assessment of the tax for 1914 is not available to pay any of our bills for that year. It is available for the year

1915, as the taxes are paid in. The last year's tax was four mills. That was available for this year, and if we pass 4½ for 1913, we shall have during the administration of Governor Haines 3 3-4 mills of tax which will if it takes 4 3-4 mills each year to meet the obligations for those two years leave a deficiency of 3-4 of a mill. I think that we should make the larger sum this year, to be available next year and during this administration of the two years. I think I should favor the larger tax this year so that it would be available for next year, and next year's tax is available largely for the next year.

The question being on the adoption of Senate amendment A the motion prevailed.

Mr. WING of Franklin: I move that the bill take its several readings at the present time and be passed to be engrossed as amended.

Mr. RICHARDSON: I was going to say, Mr. President, will it now be necessary to change the rate for 1914 if we are going to make a 4½ mill rate for both years?

The pending question being the motion of the senator from Franklin, the same was adopted, the bill was given its two readings and was passed to be engrossed.

Mr. WALKER: Mr. President, if 9½ mills is sufficient for the two years, I move we reconsider the vote whereby we passed to be engrossed the tax rate for 1914.

The motion was agreed to.

On motion by Mr. Wing of Franklin, the bill was laid upon the table.

Mr. BURLEIGH of Aroostook: Mr. President, would it be in order to move at this time for a reconsideration of a vote passed yesterday for the indefinite postponement of a memorial to Congress? I now move to reconsider that vote.

The pending question being the adoption of the resolution to Congress, Senator Morey asked for the yeas and nays, and a sufficient number having arisen the yeas and nays were ordered.

The secretary called the roll. Those voting yea were: Messrs. Allen, Bailey, Burleigh, Chase, Clark, Colby, Conant, Hersey, Maxwell, Milliken, Reynolds, Richardson, Smith, Stearns, Walker,

Wing—16. Those voting nay were: Messrs. Allan, Cole, Flaherty, Hastings, Jillson, Mansfield, Morey, Murphy, Packard—9. Absentees, Messrs. Boynton, Dutton, Emery, Hagerthy, Moulton, Patten—6.

Sixteen having voted in the affirmative and nine in the negative, the resolve was passed in concurrence.

On motion by Mr. Richardson, unanimous consent was given and that senator introduced out of order and moved the passage of the following order:

Ordered, the House concurring, that there be printed according to law 750 copies of the State auditor's report of accrued deficiencies.

On motion by Mr. Wing of Franklin, An Act for the assessment of State tax for the year 114 was taken from the table.

Mr. WING: Mr. President, I offer Senate Amendment A to Section 2 of An Act for the assessment of State taxes for 1914, by striking out the words "4½ mills" in Section 1 and inserting in lieu thereof the words "four mills."

Mr. COLE: Mr. President, I think that is a matter that should be thoroughly considered when we cut down the appropriation for 1914. I do not wish to oppose the matter if the amount will be sufficient, but although we have raised the tax rate for 1913, and perhaps the sum total for the two years will be the same, it becomes a question when you talk with individual members whether there is to be a sufficient amount for the two years to pay the current expenses and have any reasonable balance on hand at the end of the time. I am not in favor of the so-called economy plan which cuts everything to the lowest possible amount.

Mr. RICHARDSON: It should have been 4½ mills.

Mr. COLE: Well, I will keep on talking even if it is a mistake—it is a question in my mind now if a mistake has not been made. I would like to ask through the Chair of the present chairman on the appropriations committee what difference in amount a quarter of a mill on the State tax would make.

Mr. COLE: Mr. President, we are losing a hundred thousand dollars



from the automobile tax which is usually gone into the general fund which will go now into the State Road fund, and this amount will only take care of that. Our expenditures are increasing all the time. We have a session of the Legislature on our hands. I don't know how much more than the ordinary sessions it is going to cost, but certainly our printing bill is not going to be a light one at the rate it is going. There are certain expenditures that are necessary, every year more than the necessary and previous years, and it seems to me that when we go back to the people and say that we have raised a sufficient sum to take care of all State institutions and take care of them properly, and have a decent amount in our State treasury so that it will not look as if it had been looted, the people are better satisfied than on the so-called economy plan, when there is nothing to do with, when the money may have to be expended for some emergency or something of the kind, or which for some reason may not be collected into the State treasury is not available, and the towns have to wait, as the Senator from Sagadahoc says they did wait two years ago, that his little difference of a quarter of a mill is hardly worthy of our consideration here.

We have passed a resolve that the Governor and Council shall spend not exceeding \$100,000 for the renovation of the ward at the Insane Asylum, and if this quarter of a mill is necessary to complete that ward, which could not otherwise be completed, then I believe that we should raise that quarter of a mill.

Now, as I say, I am not in favor of any unnecessary taxation, but I do not believe in the so-called economy plan which cuts everything to the lowest limit, leaves our treasury stranded with no available means to work upon except a figure balance without the necessary cash. Of the possible incomes from various sources we do not know whether those sources of income are going to return to the State Treasury more or less than in years past. Those are all conjectures to a large extent. Our corporation

tax on which we depend as one of our sources of income may be greater, it may be less. Our collateral inheritance tax may increase or it may decrease. And it seems to me that it is worthy of our consideration whether we want to cut our tax rate so low that we may find ourselves two years from now without any reasonably decent, respectable showing of a cash balance in our Treasury.

I move that matter lie on the table for further consideration.

Mr. RICHARDSON: Mr. President, before the question is put may I explain just a moment? The automobile tax is taken full account of. The unusually heavy expenses of State printing was figured on. And I believe furthermore that the addition of the repairs on the asylum at Augusta will also come within the figures that we finally settled on. We really added something to the amount recommended by the Auditor and the only question between the Auditor and the committee, or the meeting of several committees, lies between the division of the tax. We all agreed that nine and one-half mills would take care of the State and leave a balance, which I agree perfectly with the Senator should be provided for.

This State cannot be run on too fine lines. We still hold a balance of unexpended money for this year's administration. I think, however, the State will be well taken care of and that the amounts we are now contemplating, nine and one-half mills, in aggregate will be ample to meet all the requirements of government.

Mr. WALKER: Mr. President, I move the previous question.

The PRESIDENT: The pending question is on the motion of the senator from York that the matter lie on the table.

Mr. COLE: I withdraw that motion.

The PRESIDENT: The question now is upon the adoption of Senate Amendment A. The Chair will state that the amendment in its first form was an error and it should have been to strike out the words "4¼" and insert in lieu thereof "4½."

The motion prevailed and the amendment was adopted.

**After Recess.**

Senate called to order by the President at 4.50 P. M.

The PRESIDENT: The Senate will now proceed to consider an address to the Governor in the matter of the removal proceedings against William H. Hines, county attorney for the county of Androscoggin. The address will be in the following form:

“ STATE OF MAINE

SEVENTY-SIXTH LEGISLATURE  
ADDRESS TO THE GOVERNOR

The Senate and House of Representatives in Legislature assembled, present this address to the Governor and request the removal from office of William H. Hines, county attorney for the county of Androscoggin, for the causes following:

Because the said William H. Hines, who is now holding the office of county attorney for the county of Androscoggin, and who has held said office continuously since the first day of January, A. D., 1913, wilfully refuses or neglects to perform the duties required of him as such county attorney by Section 69 of Chapter 29 of the Revised Statutes of this State, as amended by Chapter 41 of the Public Laws of 1905, and particularly the duties as said county attorney in enforcement of the laws against the illegal sale of intoxicating liquors and the keeping of drinking houses and tippling shops.”

When the vote is taken, it will be taken by the yeas and nays. So many as are in favor of the adoption of the address to the Governor will when their names are called, vote yes, and so many as are opposed will vote no. The secretary will call the roll.

The roll was called. Those voting yea were: Messrs. Allen, Burleigh, Chase, Colby, Conant, Hersey, Maxwell, Milliken, Richardson, Smith Stearns, Walker, Wing—13. Those voting nay were: Messrs. Allan, Bailey, Clark, Cole, Dutton, Flaherty, Hastings, Jillson, Mansfield, Morey, Murphy, Reynolds—12. Absentees: Messrs. Boynton, Emery, Hagerthy, Moulton, Packard, Patten—6.

Thirteen having voted in the affirmative, and 12 having voted in the negative, the address to the Governor was adopted.

On motion by Mr. Richardson of Penobscot, unanimous consent was given, and that senator presented out of order, An Act appropriating moneys for the expenditures of government and providing for deficiencies accrued and unpaid January 1, 1913.

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

Mr. COLE of York: Mr. President, in the matter of the Resolve in favor of appropriating money to assist in freeing the Portsmouth bridge, tabled, this morning, I think the secretary has a new draft, and I now move to take the resolve from the table and substitute the new draft, as there is a mistake in the bill.

The motion was agreed to and the resolve was taken from the table.

Mr. CONANT of Waldo: Mr. President, it seems to me that this matter ought to have consideration. It never was before the committee on ways and bridges this session, and as I understand it, it calls for \$10,000. Possibly this bill may turn a bridge over to the State to maintain.

I move that we indefinitely postpone it.

The PRESIDENT: The Chair understands that the senator from York has moved to amend the resolve by substituting in its place a new draft.

The resolve was read by the secretary.

The PRESIDENT: The pending question being upon the adoption of the amendment offered by the senator from York, the senator from Waldo moves that the whole matter be indefinitely postponed.

Mr. COLE: Mr. President, I would like to ask the indulgence of the Senate for a few minutes on this bill.

This was a matter introduced two years ago and a considerable hearing was had upon it. It came over from the last Legislature. If I am correctly informed, it was referred to the

committee on appropriations and financial affairs; it that is not true the senator from Penobscot can correct me. Some way the bill was lost by some of the secretaries early in the session, and it did not come to light until a day or two ago, and it was then returned to the House.

The matter of the Portsmouth bridge is one that has long been a troublesome matter to the State of Maine. As all know who travel over the Eastern Division of the Boston & Maine, when you leave Maine, you cross a long bridge into New Hampshire. That bridge is a toll bridge. The State of New Hampshire two years ago had a similar resolve in its Legislature, and a commission also was appointed by that State. A commission was appointed by the State of Maine, but the economy of the Legislature of two years ago did not allow the resolve to pass, and it was referred to this Legislature.

The bridge is the main highway between New Hampshire and the State of Maine. Practically ninety per cent. of all the travel from Massachusetts and the other states south have to go by the way of the Portsmouth bridge, which as I have said, is a toll bridge.

I want to say for the benefit of the senator from Aroostook, that the public utilities will have nothing to do about this bridge, for the reason that the toll is collected on the other end.

The Boston & Maine owns the bridge and owns New Hampshire and it also owns the toll gate, and the result is that tolls have been constantly going up until now they have a nice little system of extortion in regard to the collection of tolls from automobiles. The result is that it has become a nuisance to the great body of summer residents and visitors.

The state of New Hampshire in the last years has appropriated money for the construction of boulevards. One of these runs around the shore front and into Portsmouth, and comes almost to the end of the bridge, and goes up the river from Dover into Britton. New Hampshire has this system of boulevards so that people who travel over these roads may keep

within the state. We have a great deal of fault found by people coming into Maine who are held up every time they cross the bridge.

This bridge is not only an injury to our summer business, but it is an injury to all business, even an injury to people who live within 10 or 15 miles of Dover, which is a trading center.

It seems to me that it would be a good investment and and may possibly increase that, to use the vulgar term used by the senator from Aroostook the other day, "streak of yellow gold." But I would call it a "stream of yellow gold." As this bill was passed by the House, this morning, I think it is well worth the consideration of this body, and I sincerely trust that it may receive the consideration of the Senate. I hope that the motion of the senator from Waldo will not prevail.

This resolve would have been passed two years ago had it not been felt in the last days of the session that it ought to go over to this Legislature.

It is not a local matter, particularly, because our people do not patronize the road to any great extent. It is a matter of vital importance to the State of Maine, as to whether we are to be shut off by this toll bridge.

Mr. RICHARDSON of Penobscot: Mr. President, the senator is correct as to our having the bill in our committee. It was, however, tabled awaiting some decision by the New Hampshire Legislature as to the appropriation they would make on their side. At the present time, I understand that the appropriation has not passed. The bill has passed the committee of ways and bridges.

I understood that this bill was to carry a provision that it should not apply unless New Hampshire should make a like appropriation. I am not quite clear as to whether the new bill carries that provision.

Mr. COLE: Mr. President, I will say that it does not carry that provision. It has a provision that the money shall be expended by a commission appointed by the Governor. It is absolutely useless to have this resolve unless New Hampshire passes one. It will only be considered if New Hampshire takes favorable action, and I have some doubt as to

whether it will do so, from the fact that New Hampshire does not do what it wants to do, but it does what it is told to do. It seems to me if that State does make this appropriation, that the State of Maine should meet it.

This matter would be self-supporting if the State owned the bridge. Living in the vicinity, I would not be willing for the State of Maine to take the bridge over unless there could be some revenue from the electric cars, etc., some revenue to support it. This money cannot be expended except by direction of the Governor and Council.

Mr. HERSEY of Aroostook: Mr. President, I would like to inquire of the senator from Penobscot, through the Chair, as to whether there was a hearing before his committee on this matter during this session.

Mr. RICHARDSON: Mr. President, I will state for the information of the senator that my memory is there was no advertised hearing, but I am not positive. It was brought up at one of our last sessions.

Mr. STEARNS of Oxford: Mr. President, I would like to make an inquiry, as to whether or not the senator from Penobscot understood at that time any reason why it was before the committee on appropriations and financial affairs, and not before the committee on ways and bridges?

Mr. RICHARDSON: Mr. President, I will say that I do not recall unless it came from the committee. Perhaps the records there will show.

The PRESIDENT: The Chair will state that matters coming from the last Legislature and referred to this Legislature are referred to the same committees that heard them the previous session.

Mr. MURPHY of Cumberland: Mr. President, I would like to inquire of Senator Cole through the Chair if there is any other bridge or highway that comes into the State of Maine from New Hampshire besides this particular bridge.

Mr. COLE: Mr. President, I will state for the information of the senator, through the Chair, that of course there are quite a good many highways from New Hampshire to Maine in the northern

part of Oxford county, but this is the main highway. There is another bridge, but we do not call it a main highway. The travel follows the coast through Kittery and York and down the coast and then turns off somewhere east of York.

Mr. MAXWELL of Sagadahoc: Mr. President, this is the first time that I have heard any intimation of this Legislature doing anything to help the automobile fellows. I have always understood that he was the fellow whom everybody was in favor of holding up, and I cannot understand why there has such an enormous feeling developed here all at once for that poor fellow's relief. (Laughter.)

As I understand it, there is not a thing in this proposition, so far as any man in this State knows, as to the future maintenance of this bridge. It has been said that there might be some arrangement made with the electric roads as to the maintenance of this bridge. I do not understand that there is anything in this bill that carries it to that extent. I do not understand there is anything in this bill that even enlightens the members of the Legislature as to whom this money is to be paid to, or that there is anything in this bill that assures us that we get any title to this property. It seems to me that a matter that carries the appropriation that this matter carries, with a gentleman from that same county on the committee that this bill has been before during the entire session, personally of course knowing that this matter was introduced in the Legislature two years ago; that it was referred to this Legislature, and was taken up in that committee and tabled, and laid there on the table from that time until yesterday, and then all at once, without any hearing advertised so that the people of that section or any other section are given a chance to come here and approve or disapprove it, to be jumped in here at this late hour, I cannot believe that the members of this Senate will consider it for a moment, and I am glad to second the motion of the senator from Waldo.

Mr. MURPHY of Cumberland: Mr. President, as we are quite close to York county, about as close as we could be,

and we usually hear from the people as to their wants, especially in the automobile line, and the good roads line, and all that sort of thing, as one from that section, I want to protest against the passage of this bill. I think it is a dangerous proposition, and I do not think we are sufficiently acquainted with it. It ought to have been heard by a committee. I want to be recorded as against it.

Mr. COLE: Mr. President, I do not want the members of this Senate to understand that I am endeavoring to force anything through here. This matter comes to me as a surprise. I did not know that it was in here until it came from the House and a member said it had passed the House and asked me to see it through here, if possible. I am not the father or the sponsor of it, but I am not going to let York county let anything through its fingers, if possible. It is something that is needed, and if I had realized it was here in the Legislature, I should certainly have looked after it, and I believe we could have satisfied the members that it was something that should be done.

It seems to me there could be nothing wrong done by appropriating this money in the form in which it is to be done, because the matter is entirely in the hands of the Governor and Council. I do not believe the senator from Sagadahoc wishes to cast any reflection upon anyone, that anyone is trying to get something through here, and that there is any sinister motive in it. It is something that comes upon us like the measles, and when it goes away, we take it the best way we can. I would like to have the matter lie on the table, if the senator from Waldo will permit it, until we have another session, if we have one, in order that I may personally look into this matter. I have not yet had an opportunity. I move the bill be tabled.

Mr. HERSEY: Mr. President, I will say to the senator from York that I have sufficient knowledge in regard to this bill, and I want to vote against it.

The pending question being on the motion of the senator from York that the bill be tabled, the motion was put by the Chair and did not prevail. The pending question then being upon the motion of the senator from Waldo that the bill

be indefinitely postponed, the motion was agreed to and the bill was indefinitely postponed.

Mr. RICHARDSON of Penobscot: Mr. President, on yesterday, the Senate accepted the report of the committee on appropriations and financial affairs, "ought not to pass," on a resolve in favor of the Senate postmaster, carrying an appropriation of \$20.00 to recompense him for money paid out for postage on unpaid postage on letters and packages put into the mail. When that bill came before our committee, there was some discussion, and one of the members, referring to past years, said there had grown up a system of petty graft in connection with this postage, and as a result of the talk, the committee reported "ought not to pass."

I have talked with the young man who put in the resolve, and I am convinced that he is acting honestly in the matter. I understand that the postmaster of the House has a like bill for the same amount, and he says he was instructed by the clerk of the House to put in the bill. Feeling as I do, that the young man should be recompensed for the money he has paid out, I move that we reconsider our action in accepting the report of the committee.

THE PRESIDENT: The Chair desires to state that as far as affairs of the Senate are concerned, no instructions have been given to the postmaster in regard to stamping letters.

Mr. HERSEY of Aroostook: Mr. President, I would like to make an inquiry. I have not yet understood this system. How does it come about that the postmaster puts any money into postage for the members of the House? Does he advance it to them?

Mr. RICHARDSON: Mr. President, I will state that the explanation given to me was that there were packages and letters put into the office without stamps attached. And also that there were letters and packages coming in without stamps. That is all I know about it. And I make this motion entirely on my confidence in the young man, in whose good faith I have no doubt.

Mr. MOREY of Androscoggin: Mr. President, I would like to ask any senator who has put mail in the office without putting stamps on it to stand up.

I know that all my mail has been stamped. If anyone has done this the postmaster ought to be paid. If he has not stamped \$20.00 worth, he is not entitled to it.

THE PRESIDENT: The Chair will call attention to the fact that he is standing, but not for that purpose. (Laughter.)

Mr. MAXWELL: Mr. President, as I understand the matter, there is still another fellow with a bill for \$20.00, so that there is \$40.00 for stamps instead of \$20.00.

Mr. RICHARDSON: Mr. President, I referred to the postmaster of the Senate. This other matter was for the House.

Mr. MAXWELL: Mr. President, it seems to be funny that the same amount should be short in the Senate with 31 members as it is in the postoffice of the House with 150 members.

Mr. BURLEIGH of Aroostook: Mr. President, I have received three letters that had no stamps on them, and I have not paid it. I am now willing to pay.

Mr. STEARNS of Oxford: Mr. President, I wish to add my confession, so to speak, to that of Senator Burleigh. I have been there two different times when I did not have the change and gave five cents for a stamp and that will offset the six cents that Mr. Burleigh owes.

Mr. WALKER of Somerset: Mr. President, I think it is quite a reflection to cast on the Senate that we owe \$20 to the postoffice. I have been quite careful and I put very few letters in there. I hardly think there is more than six cents due from me.

THE PRESIDENT: The Chair thinks it proper to state again that no postmaster has any right to assume from any instructions given him that any mail should be mailed for or delivered to members without the payment of postage due. The Chair himself has personally paid for 25 or 30 matters on which postage was due.

Mr. COLBY of Somerset: Mr. President, I am ready to make my confession with the other members of the Senate. I am quite sure that all my letters sent have been stamped, and one or two or three I have received with overdue postage, which I have paid. I feel that we ought to be careful not to insinuate anything

against this young man. If there is anything going on or started, it must be from some old custom. I cannot believe that this young man has instigated anything of the kind. I think we ought to be careful and have the matter looked into.

Mr. WING of Franklin: Mr. President, it seems to me that this is a matter between the members and the postmaster and that it is not a debt of the State, that we ought not to pass any resolve covering it. Suppose a member left the Augusta House and failed to pay his board bill. You would not be in favor of passing a resolve to reimburse the hotel.

Mr. COLE of York: Mr. President, I have a confession to make. I believe this is the work of some of those wicked lobbyists that the senator from Aroostook has talked about. I know about all the letters I get are from my creditors and they are always careful to put stamps and they get there all right.

In writing home, I always use the telephone, so that there has not been any postage out there. I cannot help thinking that it is the members of this third House. It cannot be the senators.

The pending question being on the reconsideration of the vote whereby the report of the committee was accepted, the motion did not prevail.

On motion by Mr. Maxwell of Sagadahoc, unanimous consent was given, and that senator presented out of order the report of the committee of conference on the disagreeing action of the two branches on Resolve in aid of the sufferers from the recent flood in Ohio, recommending the indefinite postponement of the resolve.

The report of the committee was accepted.

From the House: Ordered, the Senate concurring, that a committee of five be appointed, two on the part of the Senate and three on the part of the House, to investigate the workmen's compensation law in other states, and report by bill or otherwise to the next Legislature.

This order was given a passage in the House.

Mr. STEARNS of Oxford: Mr. President, the House of Representatives is

evidently becoming solicitous in relation to the workmen's compensation bill, which has had something of a stormy course up to the present time.

The bill now lies upon the desk of the secretary in a very much mangled condition, not due however to the attitude or to the action of this Senate. I do not intend to detain the Senate with a lengthy discussion of the bill itself, nor would I at this time detain the Senate by expressing to the members my sentiments in relation to the present situation that this bill is in. I do feel that I would ask your indulgence for just a moment upon this situation. And I want right here to express to the members of the Senate what I believe their due, and it is in the nature of a congratulation that the Senate of the State of Maine has taken the attitude that they have taken upon this legislation; that members of the Maine Senate have been informed, and broad minded enough and unselfish enough to put behind them their own individual interests, if you please, or that which they believed their individual interests, and stand here upon the floor of this Senate and represent the people whom do they represent.

I believe that it will be said to their credit that they have not in their attitude upon this question been harking back to their own individual interests, but have looked to the broader and larger affairs and interests of the State of Maine, and have cast their votes accordingly.

Gentlemen of the other branch of this Legislature at the other end of the corridor may if they will, repudiate their party platforms and their pledges. They may, if they will, believe that they are large enough and self-sufficient enough to be able to return to their constituents and say to them that they have acted upon this matter as they saw the light, and they may be able to convince them that they acted with that in view. Men who had a little saw mill in Aroostook county may be able to go up there and convince the people of that country that they were acting for the whole people of the State of Maine, and not that they feared that their little interests would in some way be impaired. Men from other sections

who perhaps represent a shoe industry or something else, may be justified in believing that they had a right to represent themselves in the Legislature and not the people whom they had in their employ.

I think they may, however, have something to explain. I would not say that the bill that has been before this Legislature was a perfect product, but I would say that it would average well with the compensation bills of other states, and reports are coming in from 16 other states of this Union that their compensation bills are serving the purpose of which they were intended, and they are broadening and enlarging the scope of their bills and not repealing them. Reports are coming from a dozen other states considering such bills. And what is the report that goes out from the State of Maine? Is it that Maine is keeping pace with the progress of the times? No. It is that she is holding back, refusing to keep step, and refusing to advance with the times; refusing to keep step with an advancing civilization, if you please.

That bill, as every member knows, is framed upon the broad principle that the industry should bear the burden and bear the suffering of the injured individual, as it bears the expense of machinery and the other necessary expenses of that industry. That principle is becoming so well settled that it is not necessary to present any argument upon it. The senators of this body have recognized that principle and I congratulate them.

This is not the only matter that has met the same fate at the other end of the corridor. The Massachusetts ballot was killed over night. The House changed its mind over night, having passed the bill once, and then tomahawked it the next morning. For what reason? There are three bodies representing constituents in this Legislature. The Senate can return to its constituents and receive the applause of those who sent them here. The House can return to their constituents and if they can explain their position, let them do so. The third House will return to its constituents and will be received with open arms.

They were here for the purpose of defeating the public utilities bill. They were here in a body for that purpose and they were thwarted in that purpose. The storm which gathered about the public utilities bill broke over this compensation bill, equally as meritorious, and they can return to their constituents, and say "See what we have done. We have killed the workmen's compensation bill and for that we wish our reward." That is what will be said.

But I realize fellow senators, that I am speaking to you who have been friends of this bill, and therefore I would not weary you. I would not send the bill back to the House. I would prefer to see it remain here. We are about to close this Legislature. We have had two committees of conference. Upon the first committee of conference the House absolutely refused to consider any kind of proposition. Members of the House committee would not consider anything in the way of conciliation upon this bill. The second received a better treatment, and it was thought that there might be a possibility of the bill in some form passing.

In the House they took what they, I supposed, considered to be a gentle or a genteel way of killing the bill, by tacking upon it two amendments, one of which, absolutely ridiculous, does not recognize even the first principles of the workmen's compensation bill. And upon that it was, of course, it was indefinitely postponed in the House, and I will say that that is one of the very few reasonable and decent propositions that they have presented in the relation to the workmen's compensation bill, when they indefinitely postponed the bill that they had previously amended by saying that the workman should himself contribute one-half the amount of the premiums to be collected for the purpose, when the compensation bill itself that an injured workman can only receive one-half of his weekly wages for the time he is injured. Then some philanthropic, broad-minded, large-hearted statesman, at the other end of the corridor, rose and presented this statement, that the workmen

should pay one-half the amount of the premiums to be collected for the purpose.

Mr. President, they present an order, a joint order, and they ask for a committee to work through the vacation and present something for the next Legislature. Up to the present time this body, with which we are asked to join in the appointment of a committee, have not only refused to be informed in relation to this bill, a large number of them, those who have been unfriendly, and those who have been responsible for the defeat of this bill, have not only refused to be informed, but they have also refused to consider anything which might look toward the passage of this bill. I can see no particular advantage in the through the vacation. The Senate's joining a committee to work have had a committee that have given considerable time and thought to this bill through the weeks and the months of this session. It is a new proposition to me. I have not given it a great deal of thought. I would like to ask the President as to whether there will be an evening session.

The PRESIDENT: The Chair understands that there will be.

Mr. STEARNS: That being the case, Mr. President, before making final disposition of the order, I would move that the order lie upon the table.

The motion was agreed to.

The PRESIDENT: The Chair desires to announce the appointment of the following committees already authorized to sit in vacation: The committee on salaries on fees on the part of the Senate, the senator from Franklin, Senator Wing, the senator from Lincoln, Senator Boynton, and the senator from Waldo, Senator Conant.

On Presidential primaries, on the part of the Senate, the senator from Aroostook, Senator Hersey, and the senator from Androscoggin, Senator Morey.

On the State School for Boys and the Industrial School for Girls, the senator from Kennebec, Senator Allen, and the senator from Cumberland, Senator Murphy.



From the House: Resolve for the payment of expenses incurred on the address of the Legislature to the Governor for the removal of certain county officers.

In the House this bill was read twice and passed to be engrossed under suspension of the rules.

On motion by Mr. Stearns of Oxford, under suspension of the rules, the resolve was read twice and was passed to be engrossed.

From the House: An Act to provide for the payment of mileage and salaries and other expenses of the members and officers of the 76th Legislature.

In the House this bill was read twice and passed to be engrossed under suspension of the rule.

In the Senate the rules were suspended the resolve was read twice and passed to be engrossed.

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

In the House this resolve was read and passed to be engrossed under suspension of the rules and sent up for concurrence.

On motion by Mr. Wing of Franklin, the resolve was indefinitely postponed in non-concurrence.

#### Passed to Be Enacted.

An Act establishing the Lincoln municipal court.

#### Finally Passed.

Resolve in favor of A. T. Hayes.

Mr. WING of Franklin: Mr. President, I move that we reconsider the vote whereby we indefinitely postponed the resolve in favor of the employes of the State House.

The President stated the parliamentary situation.

The motion was agreed to.

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

On motion by Mr. Colby of Somerset, a recess was taken until half past seven o'clock.

#### After Recess.

Senate called to order by the President at 8 o'clock P. M.

#### Passed to Be Enacted.

An Act to appropriate moneys for the expenditures of government for the year 1913.

An Act to amend Section 2 of Chapter 250 of the Public Laws of 1909 relating to the payment of fees accrued in State institutions and departments.

#### Finally Passed.

Resolve authorizing the Governor and Council to use any unexpended balances in the treasury in the renovation of buildings at the insane hospital.

Resolve compensating W. R. Roix for extra services.

Resolve compensating W. E. Lawry for extra services.

This resolve carrying an emergency clause required a two-thirds vote of all the members of the Senate.

A rising vote was taken and 23 senators voting in the affirmative the resolve was finally passed.

On motion by Mr. Stearns of Oxford, unanimous consent was given and that senator presented, out of order, the following order in relation to adjournment and moved its passage.

Mr. STEARNS: Mr. President, I will say in this connection that we have by our action this afternoon disposed of the last of the matters upon the question of address to the Governor for the removal of various officials which have been pending before the Legislature, with the exception of one resolution which is now before us unacted upon by reason of the conditions in Knox county—the conditions there being known to every members of the Senate, I think—and the order calls for an adjournment for one week from next Tuesday, at which time, if I understand the position of the State Board of Health, the quarantine will have been raised and the sheriff of Knox county will be at liberty. I present the order at this time in order that it may be sent down for concurrence if favorably acted upon by this Senate.

Ordered, the House and Senate concurring, that when the Senate and House adjourn it be to meet on Tuesday, April 22nd, 1913, at 10 o'clock in the forenoon.

The order was passed and sent down for concurrence.

Mr. STEARNS of Oxford: Mr. President, I move to take from the table the order upon the appointment of a committee to act in vacation upon the workmen's compensation bill.

The motion was agreed to.

Mr. STEARNS: Mr. President, I understand this order calls for a joint committee on the part of the Senate and House to investigate into the question of the workmen's compensation and to report to the next Legislature. I think I expressed myself as fully as I care to upon the main question. I feel, Mr. President, upon consideration of the matter, that the Senate has taken the proper attitude in this matter, and that there is no call and no reason for the appointment of such a committee, and I move, that the order be indefinitely postponed.

The motion was agreed to and the order was indefinitely postponed.

Mr. STEARNS of Oxford: Mr. President, I move that we take from the table the workmen's compensation bill so-called.

The motion was agreed to.

Mr. STEARNS: I now make a motion, which I hope the senator from Washington will second, that the Senate adhere to its former action.

Mr. COLE of York: I would like to inquire, which action?

Mr. STEARNS: Mr. President, I wish to say in relation to the question of the senator from York that the Senate has had but one position, I am very glad to say, and that in adhering we adhere to the position that the Senate has consistently taken in this Legislature.

Mr. ALLEN of Kennebec: I would like to ask for information, if that measure is dead.

Mr. HERSEY of Aroostook: Mr. President, the senator from Oxford was very kind to be one of the pallbearers at the funeral of the Massachusetts ballot.

I have this afternoon wept on his shoulder at the funeral of the compensation act. While we have gone through the form of burying these two measures they are not dead. There is a resurrection morn. I look to see both initiated and

whoever takes part in the next Legislatures will be unable to refuse to enact both bills. They will come in here by the initiative. They must be passed by the Legislature. They cannot refuse it. It must come to the people. Both measures will and I am pleased to say with the senator from Oxford that the Senate has done its part, and I look to see both these measures so auspiciously commenced in the Senate become a law of the land by and by. These are not flowers. It is simply singing a hymn at the funeral of both measures, and not in the language of the soloist but in the language of the psalmist.

Mr. BAILEY of Penobscot: Mr. President, I think I also come into the mourners' seat. I understand that the House has indefinitely postponed the bill whereby all vehicles are to carry lights, but I have found some consolation because I remember one time when I was going down past a livery stable there were four men carrying out a dead horse. One of them remarked: "Well, I would rather be a mourner at this funeral than a bearer." So I feel that way in regard to some of these good bills. I would rather be the mourner than the bearer.

Mr. COLE of York: I would like to ask through the Clair how the senator from Washington, Senator Mansfield, enjoys being a mourner at this funeral.

Mr. MANSFIELD of Washington: I am well pleased, thank you.

Mr. HERSEY: Mr. President, I think, if I might speak for the senator from Washington, that he, in regard to the compensation bill is in this position as I understand it: Some years ago in one of our large cities they had a funeral and they didn't have anyone to follow behind the hearse, so they hired a couple of Irishmen to follow the hearse, and they followed it through the windings of the street and looked very solemn. They were hired to look down at the ground and they walked along and looked very solemn and coming around a sharp turn in the street they kept on following but the hearse went on another street, and looking they saw ahead of them an offal cart which had been around the city gathering up offal and Barney said to Pat: "I think he

must be dead a long time by the way he smells."

Mr. DUTTON: I would like to inquire if it was the Australian ballot?

Mr. COLE: Mr. President, may I ask what became of the mileage bill?

The PRESIDENT: The Senator from York will have to go across the corridor to find out about that. The Chair sent it in there, this morning.

Mr. COLE: The senator from Sagadahoc is interested in that and he wonders if it has been returned from the tombs.

Mr. MAXWELL: I will say the senator from Sagadahoc is only interested to the extent that in hopes this Legislature will adjourn before we hear from it.

#### Finally Passed.

Resolve for the payment of certain deficiencies accrued before January 1, 1913.

This resolve carrying an emergency clause required a two-thirds vote of all members of the Senate.

A rising vote was taken and 22 senators having voted in the affirmative the resolve was finally passed.

On motion by Mr. Stearns of Oxford, a recess was taken subject to the call of the Chair.

#### After Recess.

Senate called to order by the President at 9.55 P. M.

From the House: Resolve on the payroll of the House.

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

In the Senate under suspension of the rules the resolve was read twice and passed to be engrossed in concurrence.

From the House: Resolve in favor of James L. Brennahan, for services as messenger to the Speaker of the House of Representatives.

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

On motion by Mr. Dutton of Kennebec the rules were suspended and the resolve received its two readings and was passed to be engrossed in concurrence.

From the House: The committee of

conference upon the disagreeing action of the two branches of the Legislature on House Document No. 225 and Senate Document No. 670, An Act to require certain vehicles to carry lights at night, reported the same in a new draft and that it ought to pass.

In the House the report was referred to the next Legislature.

On motion by Mr. Hersey of Aroostook the bill was indefinitely postponed.

#### Finally Passed.

A resolve for the payment of expenses incurred on the address of the Legislature to the Governor for the removal of certain county officers.

#### Passed to Be Enacted.

An Act to appropriate moneys for the expenditures of government and to provide for the payment of certain deficiencies remaining unpaid, January 1, 1913.

This resolve carrying an emergency clause required a two-thirds vote of all the members of the Senate.

A rising vote was taken, and 21 members having voted in the affirmative, the bill was passed to be enacted.

On motion by Mr. Stearns of Oxford, a recess was taken for 10 minutes.

#### After Recess.

Senate called to order by the President at 10.20 P. M.

#### Passed to Be Enacted.

An act for the assessment of State tax for the year 1913.

This bill carrying an emergency clause required a two-thirds vote of the members of the Senate.

A rising vote was taken and twenty-two senators having voted in the affirmative, the bill was passed to be enacted.

On motion by Mr. Stearns of Oxford, unanimous consent was given and that senator presented the report of the conference committee on the disagreeing action of the two branches on an act to provide for inspection of bakeries and confectioneries, reporting that the committee are unable to agree.

The report was accepted.

On motion by Mr. Hersey of Aroostook a recess was taken for five minutes.

**After Recess.**

Senate called to order by the President at 10.25 P. M.

**THE PRESIDENT:** The Chair announces that the joint order providing for a recess of the House and Senate until Tuesday, April 22nd, has been received back from the House indefinitely postponed in non-concurrence.

On motion by Mr. Stearns of Oxford, the order was tabled.

On motion by the same senator, unanimous consent was given, and that senator presented out of order, the following order, and moved its passage:

Ordered, the House concurring, that a joint special committee be appointed, to consist of three on the part of the Senate and seven on the part of the House, to inquire forthwith into the conditions as to the enforcement of the prohibitory law by the sheriff of the county of Knox since January 1, 1913, and report their findings to the Governor with such recommendations as said committee may deem expedient.

Said committee shall have authority to employ counsel, a stenographer, summon witnesses and to compel the production of books and papers.

The order was given a passage.

The President appointed as the Senate members, Messrs. Stearns, Wing and Maxwell.

**Passed to Be Enacted.**

An act for the assessment of a State tax for the year 1914.

An act to provide for the payment of salaries and mileages of members and officers and for expenditures incident to the 76th Legislature.

An act to amend Section 11 of Chapter 116 of the Revised Statutes, as amended by Section 1 of Chapter 83 of the Public Laws of 1905, as further amended by Chapter 183 of the Public Laws of 1907, relating to the salaries of officers of the Senate and House of Representatives.

An act appropriating moneys for the expenditures of government for the year 1914.

**Finally Passed.**

Resolve in favor of the members and officers of the 76th Legislature.

Resolve in favor of the State House employes.

Resolve in favor of James L. Brenahan

for services as messenger to the Speaker of the House.

Resolve on the pay roll of the House.

On motion by Mr. Cole of York, a recess was taken for five minutes.

Senate called to order by the President at 11 P. M.

**THE PRESIDENT:** The Chair announces that the joint order providing for the appointment of a joint special committee to investigate conditions in Knox county has been received back from the House indefinitely postponed.

On motion by Mr. Stearns of Oxford, the Senate insisted upon its former action and asked for a committee of conference.

The Chair appointed as such committee on the part of the Senate: The senator from Oxford, Senator Stearns, the senator from Franklin, Senator Wing and the senator from Sagadahoc, Senator Maxwell.

**Message from the House.**

A message was received from the House conveyed by Mr. Mitchell of Kittery informing the Senate that the House had transacted all its business and was ready to adjourn without day.

On motion by Mr. Richardson of Penobscot, a recess was taken for five minutes.

**After Recess.**

Senate called to order by the President at 11.25 P. M.

On motion by Mr. Stearns of Oxford, the order in relation to adjournment until April 22nd, was taken from the table.

On further motion by the same senator, the Senate voted to adhere.

On motion by Mr. Colby of Somerset, it was

Ordered, that a message be sent to the House of Representatives, informing that body that the Senate has transacted all the business before it and is ready to adjourn without day.

Senator Colby was charged with the message to the House. Subsequently he reported that he had delivered the message.

On motion by Mr. Hersey of Penobscot, it was

Ordered, that a committee of three on the part of the Senate with such as the House may join be appointed to wait upon the Governor and inform him that both branches of the Legislature having acted on all matters before them, are now ready to receive any communication he may be pleased to make.

The President appointed upon such committee: Messrs. Hersey of Aroostook, Richardson of Penobscot and Allan of Washington.

Sent down for concurrence.

The committee retired, and subsequently reported that they had performed the duty with which they had been charged.

The following communication was received from the Executive Department:

"Augusta, Maine, April 12, 1913.  
To the Senate and House of Representatives,

Gentlemen:—I herewith transmit a list of the Acts and Resolves passed during the present session of the Legislature and approved by me, numbering 462 Acts and 369 Resolves.

I wish at this time to extend my appreciation of the splendid service you have rendered to the people of the State. You have appropriated money generously, but not extravagantly, for our common schools, academies, normal schools, the State University and all other educational interests—for our hospitals, and many other charities—for the relief of the sick and unfortunate—for the blind and the deaf. You have aided the towns, cities and counties in the building and maintenance of bridges across our great rivers, and in many other ways which tend to equalization of taxes and the relief of local and municipal taxation. You have met all just and honest claims presented against the State with proper appropriations for their final settlement. And with all this you have kept the tax rate nine and one-half mills for the two years, 1913 and 1914, which is one-half mill less than the tax rate for the years 1911 and 1912. No citizen of the State after a careful examination and complete under-

standing of your work can claim that you have been guilty of extravagance.

You have passed many measures, which have long been neglected, for the regulation and control of the business interests of the State. Of these, I wish to mention in particular the bill providing for the regulation of all public service companies by a public service commission or court, a new highway measure, the teachers' pension act, and the bill for the regulation and control of investments, popularly known as the "blue sky law," which are among the most modern and progressive of American legislation.

I wish to say further to you, and to the people of the State through you, that for over 30 years, during which time I have been familiar with the work of the Maine Legislatures, I have never known a session in which its members worked so many hours and did so much hard work, collectively or individually, or more conscientiously and with a higher regard for the public good than has this 76th Legislature.

Neither can I refrain from giving you my most sincere thanks as a citizen of the State for the noble manner, during the last days of the session, when exhausted from overwork, you have stood at your posts in behalf of morality and the enforcement of law.

I feel compelled to add that your failure to try Sheriff Tolman of Knox county upon the charges which have been made against him by your honorable body on account of the claim made on the part of his attorneys that he is quarantined by reason of alleged exposure to smallpox, is a mistake. I believe that this claim is an artful subterfuge gotten up to prevent his being tried at this session of the Legislature, on account of your desire to adjourn before the quarantine against him can be raised. Also, that the health officers of this State have been deceived, or have wilfully misrepresented the need of his quarantine. I say this advisedly from information which I have obtained from Rockland in regard to the situation there with reference to Sheriff Tolman, from such source as I believe to be reliable. I do not say it, however, in any sense of criticism of your action; but if complaints continue to come to me of nulli-

fication of the law, particularly of the failure to enforce the so-called prohibitory law on the part of the sheriff of Knox county or the sheriff or county attorney of any other county, I may feel compelled to call you together again for the purpose of giving you a chance to try such officers for a failure to perform

the duties of their office as required by our statutes.

I also regret that you failed to pass a workmen's compensation act.

(Signed) WILLIAM T. HAINES."

The message was ordered to be spread upon the records.

On motion by Mr. Burleigh of Aroostook, the Senate thereupon adjourned without day.