

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

**SENATE.**

Friday, March 19, 1915.

Senate called to order by the President.

Prayer by Rev. H. S. Dow of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve in favor of the physician at the Maine State Prison.

This resolve was received in the House under suspension of the rules; given its several readings and was passed to be engrossed without reference to a committee.

Mr. BOYNTON of Lincoln: Mr. President, I move that the resolve be indefinitely postponed.

(Resolve was read by the Secretary.)

Mr. DUNTON of Penobscot: Mr. President, perhaps a little explanation on this bill might be of benefit to the Senators.

Mr. CHATTO of Hancock: Mr. President, I understand that the State prison physician has been receiving \$500 per annum, but the law provides only \$250. And a resolve has been introduced this session providing that he receive from the first of July \$500 per annum. This resolve provides for the hundred and odd dollars to the time this bill goes into effect.

It seems to me in justice to the physician there that he should receive this amount of money. I hope the resolve will receive a passage.

The pending question being upon the motion of the Senator from Lincoln, Senator Boynton, that the resolve be indefinitely postponed, the motion was put and the resolve was indefinitely postponed.

From the House: An Act to amend Chapter 47 of the Public Laws of 1911, relating to liens on lands.

This resolve was received in the House under suspension of the rules and referred to the committee on judiciary.

On motion by Mr. Boynton of Lincoln the bill was indefinitely postponed.

From the House: Resolve relating to the distribution of the funds from the issue of bonds for State highway.

This resolve was introduced in the House under suspension of the rules and referred to the committee on ways and bridges.

On motion by Mr. Boynton of Lincoln the resolve was indefinitely postponed.

From the House: Senate 148. An Act to equalize the salaries of sheriffs.

This Act was passed to be engrossed in the Senate as amended by Senate Amendment B. The House adopted Senate Amendment B in concurrence, and also adopted House Amendment A.

The Senate adopted House Amendment A in concurrence and the bill was passed to be engrossed as amended.

From the House: Senate 150. An Act to equalize the salaries of judges of probate.

In the Senate this bill was passed to be engrossed as amended by Senate Amendment A, went to the House and that branch adopted Senate Amendment A, and further adopted House Amendments A, B and C.

The several amendments were adopted in concurrence and the bill as amended was passed to be engrossed.

From the House: An Act to provide for the convenience of travelers upon the electric cars.

This bill originally came from the House amended by House Amendment A. The Senate refused to concur in the adoption of House Amendment A and indefinitely postponed the bill.

In the House that branch voted to insist and asked for a committee of conference, and the bill was returned to the Senate for concurrent action.

On motion by Mr. Murphy of Cumberland the Senate voted to insist and join a committee of conference.

The Chair appointed on such committee of conference on the part of the Senate, Messrs. Durgin, Swift and Fulton.

#### House Bills in First Reading

House 666. An Act to amend Section 4 of Chapter 73 of the Public Laws of 1909, relating to the examination of pupils entering school after absence on account of sickness.

House 775. An Act relating to the appointment of non-resident guardians. (On motion by Mr. Butler tabled for correction of report of the committee.)

House 714. An Act to amend Section 14 of Chapter 4 of the Revised Statutes, relating to town agents.

House 813. An Act to authorize the construction of a public building in Rumford for municipal and county purposes. (On motion by Mr. Thurston of Oxford the rules were suspended and this bill was given its several readings and was passed to be engrossed.)

House 583. An Act to amend Section 89 of Chapter 9 of the Revised Statutes, as amended by Chapter 184 of the Public Laws of 1907, Chapter 94 of the Public Laws of 1909, and Chapter 46 of the Public Laws of 1911, relating to the choice of assessors of taxes.

House 307. An Act to amend Section 2 of Chapter 211 of the Private and Special Laws of 1895, as amended by Chapter 101 of the Public Laws of 1909, relating to the salaries of the judge and recorded of the Bangor Municipal Court.

House 626. An Act to amend Chapter 356 of the Private and Special Laws of 1883, relating to the construction of a bridge over the tide waters between Orr's Island and Bailey's Island.

House 707. An Act to incorporate the Northport Village Corporation.

House 741. An Act to amend Section 65 of Chapter 4 of the Revised Statutes, as amended by Chapter 10 of the Public Laws of 1913, relating to burial expenses of war veterans.

House 742. An Act to incorporate the South Berwick Sewer Company.

House 743. An Act providing for the setting off of debts of legatees and distributees against legacies and distribu-

tive shares in estates of deceased persons.

House 745: An Act to authorize the Clark Power Company to increase its capital stock.

House 746: Resolve in aid of navigation on Sebago lake, Songo river, Bay of Naples, and Long lake.

House 747: Resolve in favor of Van Buren College for maintenance and equipment.

House 748: Resolve making an appropriation for general maintenance and support of the University of Maine.

House 749: An Act to amend Section 81 of Chapter 15 of the Revised Statutes relating to academies.

House 751: An Act to amend Chapter 182 of the Public Laws of 1907, providing that flags shall be furnished to schools.

House 752: Resolve to provide for a celebration of the one hundredth anniversary of the State of Maine and the three hundredth anniversary of the Landing of the Pilgrims.

House 753: Resolve in favor of The Forks Plantation.

House 758: Resolve in favor of Leo Shay, Representative of Penobscot Tribe of Indians.

House 759: Resolve in favor of York County Children's Aid Society, Saco.

House 760: Resolve in favor of Maine Institution for the Blind.

House 761: Resolve in favor of the Rumford Hospital Association for maintenance.

House 763: Resolve in favor of the Trull Hospital Aid Association of Biddeford.

House 764: Resolve in favor of the Augusta General Hospital.

House 765: Resolve in favor of the Presque Isle General Hospital, for maintenance.

House 770: Resolve in favor of the Lewiston and Auburn Children's Home.

House 771: Resolve in favor of the Somerset Hospital.

House 773: An Act additional to Chapter thirty two of the Revised Statutes, as amended by Chapter two hundred and six of the Public Laws of nineteen and thirteen, relating to ice fishing in Ross Lake and in Cary Lake, in Littleton, in Aroostook county.

House 778: An Act additional to Chapter 32 of the Revised Statutes, as amend-

ed by Chapter 206 of the Public Laws of 1913, relating to fishing in Dead Cambridge river and other waters in Oxford county.

House 774: An Act to authorize the Maine & New Brunswick Electrical Power Company, Limited, to exercise certain powers within the State of Maine

From the House: An Act to amend Section 15 of Chapter 15 of the Revised Statutes as amended by Section 2 of Chapter 218 of the Public Laws of 1905 and Chapter 122 of the Public Laws of 1913, in relation to accounting for and expenditure of school funds.

In the House the report of the committee was accepted, ought to pass in a new draft. The original bill was given its readings, but in the third reading they read the new draft.

On suggestion of the Chair the new draft was tabled for printing.

The following bills, petitions, etc., were presented and, on recommendation of the committee on reference of bills, were referred to the following committees:

#### **Appropriations and Financial Affairs**

By Mr. Conant of Waldo: Resolve in favor of H. P. Hawes and Constance Gage, clerk and stenographer, respectively, to the committee on ways and bridges.

By the same Senator: Resolve in favor of Louis Garcelon, for services rendered as clerk of the committee on agriculture.

By Mr. Herrick of Franklin: Resolve in favor of C. W. Dutton.

#### **Bills in First Reading**

Senate 378: An Act to Correct Certain Clerical Errors in, and to Amend Chapter Thirty-two of the Revised Statutes, as amended by Chapter Two Hundred and Six of the Public Laws of Nineteen Hundred and Thirteen, Relating to Inland Fisheries and Game.

Senate 379: An Act Amendatory of Section One Hundred Twenty-six of Chapter Forty-nine of the Revised Statutes, Relating to Assessment Casualty Insurance Companies.

Senate 380: Resolve in Favor of the Eastern Maine Orphans' Home.

Senate 381: An Act to Amend Sec-

tion Sixty-three of Chapter Fifteen of the Public Laws of Nineteen Hundred Thirteen, as Amended by Chapter Seventy-three of the Public Laws of Nineteen Hundred Seven, as Amended by Chapter One Hundred Sixteen of the Public Laws of Nineteen Hundred Nine, as Amended by Chapter Fifty-seven of the Public Laws of Nineteen Hundred Thirteen, Relating to Tuition of Pupils in Secondary School.

Senate 382: An Act to Amend Section Fifty-one of Chapter Thirty-two of the Revised Statutes, as Amended by Chapter Two Hundred and Six of the Public Laws of Nineteen Hundred Thirteen, Relating to Non-Resident Hunting Licenses.

Senate 383: An Act to Restore the Jurisdiction of Trial Justices in Criminal Offenses, in the Towns of Kittery and York.

Senate 384: An Act to Amend the Purposes and Grant Additional Powers to the Atlantic Maritime Company.

Senate 385: An Act to Amend Section, Chapter Thirty-one of the Revised Statutes, Relating to Steam Riding Galleries.

Senate 386: An Act Relating to Village Corporations.

Senate 388: An Act relative to compensation to employes for personal injuries received in the course of their employment to the prevention of such injuries.

#### **Reports of Committees**

Mr. Conant from the committee on agriculture, on An Act additional to Chapter 156 of the public laws of 1913, relating to the packing, shipping and sale of apples (Senate 238), reported same ought to pass.

The same senator from the same committee, on An Act to amend Section 7 of chapter 222, of the public laws of 1909, relating to the licensing of dogs (Senate 256), reported same ought to pass.

Mr. Garcelon from the Androscoggin county delegation, on An Act to complete the records in the office of the registry of deeds in Androscoggin county, reported same ought to pass.

Mr. Emery from the committee on appropriations and financial affairs, on Resolve in favor of E. W. Mur-

phy, secretary of the joint committee appointed by the 76th Legislature on Woman's reformatory, state school for boys and industrial school for girls, reported same ought to pass.

The same senator from the same committee, on Resolve authorizing the State historian to publish historical matter in relation to the State of Maine, reported same ought to pass.

Mr. Dunton from the committee on banks and banking, on An Act to amend section 80 of chapter 48 of the revised statutes, of Maine, as amended by chapter 15 of the P. L. of 1905, relating to trust companies, reported same ought to pass.

Mr. Cole from the committee on judiciary, on An Act to amend section 21 of Chapter 69 of the revised statutes, relating to compensation of guardians, reported same "ought to pass". (On motion by Mr. Durgin of Piscataquis, tabled for correction.)

Mr. Bartlett from the committee on legal affairs, on An Act to incorporate the Mutual Loan Society of Lewiston (Senate 72), reported same in a new draft under the same title and that it "ought to pass."

Mr. Herrick from the committee on mercantile affairs and insurance, on An Act relating to taxation of insurance companies not authorized to do business in Maine (Senate 111) reported same in a new draft under the same title and that it "ought to pass."

Mr. Boynton from the committee on state prison, on Resolve in favor of the Maine State Prison, reported same "ought to pass."

Mr. Boynton from the committee on military affairs, on An Act to enable cities and towns in the State of Maine to appropriate money to aid in the erection of memorial buildings, and that same "ought to pass."

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

#### Final Reports

Committee on Education.

Committee on Banks and Banking.

Committee on Pensions.

Mr. Conant from the committee on agriculture, on report of the livestock

sanitary commissioner, reported same be placed on file.

Mr. Emery from the committee on appropriations and financial affairs, on An Act for the erection of a monument to commemorate the old Pilgrim Trading Post at Ancient Kousinoc, reported same "ought not to pass."

Mr. Bartlett from the committee on legal affairs on bill, An Act to amend Section 93 of Chapter 4 of the Revised Statutes, relating to attendance at theatrical exhibitions by School Children, (Senate 291) reported same "ought not to pass."

Mr. Walker from the same committee on bill, An Act to repeal certain provisions of Law relative to the duties of assessors of the City of Bangor, in ascertaining the political preferences of voters, reported same "ought not to pass."

Mr. Herrick from the committee on mercantile affairs and insurance, on An Act to amend Section 31 of Chapter 49 of the Revised Statutes of 1903, relating to insurance and insurance companies, (Senate 236) reported same "ought not to pass."

The same Senator from the same committee on bill, An Act authorizing the insurance commissioner to review rates fixed by Fire Insurance Companies or the Representatives of fire insurance companies, (Senate 217) reported that the same "ought not to pass."

Mr. Boynton from the committee on military affairs on Resolve in favor of the construction of the Perry's Victory and International Peace Memorial in conjunction with the national Government and the States of the Union and providing for the appointment of Commissioners, reported same "ought not to pass."

Mr. Chatto from the committee on state prison on annual reports of the inspectors, warden and subordinate officers, of the Maine State Prison, reported same be placed on file.

The same Senator from the same committee on Petitions of Annie E. Daggett and 11 others and of Sarah W. Roberts and 11 others in favor for

Reformatory for Women, reported that same be placed on file.

Mr. Conant from the committee on ways and bridges on that part of the Governor's Message that relates to highways, reported that same be placed on file.

Mr. Boynton from the committee on Workman's Compensation Acts, on bill, An Act relative to compensation of employees for personal injuries received in the course of their employment and to the prevention of such injuries, (Senate 5) reported that legislation thereon is inexpedient.

The reports were accepted and sent down for concurrence.

#### Passed to Be Engrossed

House 542: Resolve providing for the retirement on half pay of Frederick Brown.

House 553: An Act to prevent milk-borne outbreaks of infectious diseases.

House 653: Resolve in favor of H. A. Nichols, secretary of the committee on appropriations and financial affairs.

House 642: An Act to amend Chapter 32 of the R. S., as amended by Chapter 206 of the P. L. of 1913, relating to fishing in Metalluc brook and in Mill brook, in Franklin county.

House 643: An Act additional to Chapter 32 of the R. S., as amended by Chapter 206 of the P. L. of 1913, relating to fishing in Mill brook and in Metalluc brook, tributaries to Upper Richardson lake, and at the mouth of said Metalluc brook, in the county of Oxford.

House 654: Resolve reimbursing Fortunat O. Michaud for expenses incurred by reason of his seat in the House of Representatives of the 77th Legislature having been contested.

House 655: Resolve in favor of Higgins Classical Institute for building purposes.

House 656: Resolve in favor of Lee Academy for liquidation of a certain indebtedness.

House 657: Resolve in favor of Rick-er Classical Institute for repair and improvement of buildings.

House 658: Resolve in favor of Westbrook Seminary for payment of

a certain debt and furnishings for alumni hall.

House 659: Resolve in favor of North Yarmouth Academy for repairs and improvements and also for the payment of certain indebtedness.

House 660: Resolve in favor of Aroostook Central Institute at Mars Hill for the payment of liabilities and also for repairs and improvements.

House 661: Resolve in favor of the town of Rumford for the payment of a claim for State common school fund for the year 1913.

House 662: Resolve in favor of Limerick Academy for aid and maintenance thereof.

House 663: Resolve in favor of Bridgewater Classical Academy for maintenance.

House 664: Resolve in favor of Somers-et Academy in the town of Athens.

House 665: Resolve in favor of Lee Academy for payment of instructors.

House 667: An Act to provide for professional supervision of schools of remotely situated plantations.

House 668: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Simpson pond, in the town of Roque Bluffs, in the county of Washington.

House 671: An Act providing for the purchase of certain volumes of the documentary history of Maine.

House 672: An Act to provide a salary for the turnkey or jailer for the county of Oxford.

House 673: An Act relating to the salaries of subordinate officers of the House of Representatives.

House 674: Resolve appropriating money for the full support of all State charges at the Maine School for Feeble-Minded.

House 676: Resolve appropriating money for the purchase of additional laundry equipment at the Maine School for Feeble-Minded.

House 677: Resolve appropriating money to fence around the new water supply at the Maine School for Feeble-Minded.

House 680: An Act establishing a close time on lobsters in Machias bay, and adjacent waters in the county of Washington.

House 681: An Act establishing a close time on lobsters in the waters of Jonesboro and Roque Bluffs, in Washington county.

House 683: An Act for the protection of forests on the island on Mount Desert.

House 693: An Act to amend Section 39 of Chapter 41 of the Revised Statutes, relating to taking alewives by West Harbor Ice Company.

House 695: Resolve reimbursing Edmund E. Gould, State agent of the Society for the Prevention of the Cruelty of Animals for money expended in defending a law suit resulting from acts committed by him in the line of his duty.

House 696: Resolve reimbursing the estate of James C. Bramer for an inheritance tax erroneously assessed against said estate.

House 700: Resolve reimbursing William F. Mason for loss by quarantine of Christmas trees.

House 703: Resolve reimbursing the town of Mexico for money expended for the support of certain State paupers.

House 705: An Act to disorganize Muscle Ridge Plantation in the County of Knox.

House 708: Resolve appropriating money to aid in constructing a bridge between the cities of Portland and South Portland.

House 710: Resolve reimbursing the county commissioners of Penobscot County for cost of repairs on the State bridge between the towns of Old Town and Milford.

House 712: An Act directing the Treasurer of State to correct the State Treasury records for the years 1908 and 1909 relating to the payment of State, County and Forestry District Taxes on 1-48 part of Township No. 2, Range 9, W. E. L. S., in Piscataquis County.

House 711: Resolve appropriating money to settle claims for land damages resulting from the construction of the easterly span of the Old Town and Milford Bridge.

House 715: An Act relating to the qualification and duties of steamboat inspectors. (On motion by Mr. Peacock of Washington indefinitely postponed and sent down for concurrence.)

House 716: Resolve providing a State pension for Everett A. Record.

House 717: Resolve providing a State pension for Henry Golding.

House 718: Resolve providing a State pension for Mary Harmon.

House 719: Resolve providing a State pension for Arthur H. Murch.

House 720: Resolve providing a State pension for Alice H. Gasper.

House 722: An Act directing the insurance commissioners to abrogate the license of foreign insurance companies under certain conditions. (On motion by Mr. Butler of Knox, tabled pending second reading and assigned for next Tuesday.)

House 723: Resolve providing a State pension for Susan E. Dawson.

House 724: Resolve providing a State pension for Charles H. Kelley.

House 725: Resolve providing a State pension for Luella Darling.

House 726: Resolve providing a State pension for Frances H. Orrok.

House 727: An Act to extend the charter of the Washington County Light and Power Company.

House 728: An Act prohibiting the use of automobiles or other motor vehicles on a branch road in Town of North Haven.

House 730: Resolve compensating Will T. Collins, Mary Collins and Alice A. Collins for land taken under the right of eminent domain by the commissioners of Inland fisheries and game for fish hatchery purposes.

House 731: Resolve reimbursing the town of Harmony for expenses incurred in the support of certain State paupers.

House 732: Resolve in favor of Alfred Alfred Yankauer for services rendered in supplying the attorney general with information in regard to certain estates liable to pay an inheritance tax.

House 733: An Act to amend Section 2 of Chapter 25 of the Public Laws of 199, relating to supplies furnished to any person or family while placed in quarantine by the Board of Health.

House 734: An Act to establish the offices of superintendent and matron of the Portland City Home and to determine the tenure of office of the same.

House 737: Resolve in favor of Mary S. Hillman.

House 738: Resolve in favor of Mrs. Georgie S. Bates.



House 739: Resolve providing a State pension for Meldon Neally.

Senate 365: An Act to define and make certain the authority of school boards over school grounds, property and buildings.

Senate 367: An Act to extend the charter of the Androscoggin Valley Railroad Company.

Senate 368: An Act to extend the charter of the Ocean and Northern Railroad Company.

Senate 369: Resolve appropriating money to aid in rebuilding a bridge between the island town of Southport and the town of Boothbay Harbor.

Senate 370: Resolve in favor of the Augusta State Hospital for a nurse's home.

Senate 372: Resolve authorizing the State treasurer and the State auditor to adjust certain accounts in the State Treasurer's office.

Senate 373: Resolve in favor of Mrs. Blanche M. Reynolds, Edward J. McWiggin, Thomas Hawkin and William H. Hawkin.

Senate 375: An Act additional to Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Jackson Pond, in the Town of Concord in the County of Somerset.

Senate 376: An Act to amend Section 39 of Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to the Protection of Beaver.

Senate 377: An Act to amend Section 40 of Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to the Closed Season on Fur Bearing Animals.

#### Passed to Be Enacted.

An Act to amend Section Forty-four of Chapter Forty-one of the Revised Statutes, as amended, Relating to Taking Smelts in Tidewaters.

An Act to Create a Crop Pest Commission.

An Act to Provide for a Closed Time on Pull Moose.

An Act Relating to Fees Received by Clerks of Courts in Naturalization Proceedings.

An Act to Repeal Chapter Two Hundred Eighty-eight of the Private and

Special Laws of Eighteen Hundred Ninety-five, Entitled, 'An Act Relating to the Use of Purse and Drag Seines in the Georges River.

An Act to Amend Section Sixty-nine of Chapter Twenty-nine of the Revised Statutes, as amended, Relating to the Remuneration of Deputy Sheriffs.

An Act Providing for the union of the Towns of Dover and Foxcroft as one Municipality.

An Act to change the name of the Maine Industrial School for Girls, and to change the Title of the Principal Thereof to that of Superintendent.

An Act to Enable the State of Maine to Balance and Settle its Accounts with the Varous Municipalities of Maine on the First day of December of each Year.

An Act to Amend Section Eight of One Hundred Eighty-eight of the Public Laws of Nineteen Hundred Eleven as amended by Section Two of Chapter Thirty-Seven of the Public Laws of Nineteen Hundred Thirteen, Relating to the Appropriation for the Encouragement of Industrial Education.

#### Finally Passed.

Resolve in Favor of the Bath Military and Naval Orphan Asylum for Maintenance and Repairs.

Resolve Appropriating Money for the Maintenance of Lights along the Narrows Connecting the Upper and Lower Richardson Lakes.

Resolve Appropriating Money to Aid Navigation on Sebec Lake.

Resolve in Favor of the Madawaska Training School for the Construction and Furnishings of a Suitable Dormitory Building.

Resolve Appropriating Money to Aid in Repairing the International Bridge, between the Towns of Van Buren, Maine, and St. Leonard's, New Brunswick.

Resolve Appropriating Money to Aid in Repairing a Road in the Town of Columbia, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Constructing a Road in the Plantation of New Canada, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid

in Repairing Mill Cove Bridge in the Town of Robbinston.

Resolve Appropriating Money to Aid in Repairing the Bridge across the Penobscot River between the Towns of Enfield and Howland.

Resolve Appropriating Money to Aid in Repairing Seboeis Bridge in the Town of Howland.

Resolve Appropriating Money to Aid in Repairing a Bridge across the Piscataquis River in the Town of Howland.

Resolve Appropriating Money to Aid in Building a Bridge in the Town of Merrill.

Resolve Appropriating Money to Aid in Repairing a Road in the Town of Abbott, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Repairing the Main Highway, Leading from the Town of Franklin, in Hancock County, to the Town of Cherryfield, in Washington County, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Repairing a Highway in the Town of Concord, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Repairing a Highway in the Town of Solon.

Resolve Appropriating Money to Aid in Repairing the Aroostook River Bridge in the Town of Ashland.

Resolve Appropriating Money to Aid in Repairing the Aroostook River Bridge in the Town of Ashland.

Resolve Appropriating Money to Aid in Building a Bridge in the Town of Crystal and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Building a Bridge Across the Carabasset River in the Town of Kingfield, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Repairing a Highway in the Towns of Greenwood and Woodstock, and Providing for the Future Maintenance Thereof.

Resolve Appropriating Money to Aid in Building a Road Around Cook Hill in the Town of Jackson, and Providing for the Future Maintenance Thereof.

Resolve appropriating money to aid in re-building a bridge in the Town of Cutler.

Resolve appropriating money to aid in building a bridge across Sourdabscook Stream in the Town of Hampden and providing for the future maintenance thereof.

Resolve appropriating money for the reconstruction of Lord bridge over Marsh Stream, in the Town of Frankfort.

Resolve appropriating money to aid in repairing a highway in the Town of Otisfield and providing for the future maintenance thereof.

Resolve appropriating money to aid in the construction of a bridge across the Easterly part of the West Channel of Sebec river, in the Town of Milo.

Resolve appropriating money to aid in the reconstruction of a bridge in the Town of Montville.

Resolve appropriating money to aid in building a bridge across Mattagoodus Stream, in the Plantation of Webster, in Penobscot County.

Resolve appropriating money to aid in rebuilding a road through Lowell's Woods in the Town of Penobscot.

Resolve appropriating money to aid in repairing the Machias Port and Fast Machias Bridge.

Resolve appropriating money to aid in the repair and maintenance of the Gardiner and Randolph Bridge.

Resolve appropriating money to aid in the Town of Forest City in repairing and reconstructing a bridge.

Resolve appropriating money to aid in building a bridge across Kenduskeag Stream, in the Town of Corinth.

Resolve appropriating money to aid in repairing the New Kenduskeag Road, in the Town of Glenburn, and providing for its future maintenance.

#### Orders of the Day

Mr. SWIFT of Kennebec: Mr. President, I ask unanimous consent to introduce a bill out of order. This is a bill relating to the reorganization of the Boston & Maine Railroad. The subject matter of this bill is already before the Legislature as a similar

bill was introduced earlier in the session and a hearing was held two weeks ago. As a result of that hearing your committee on railroads and expresses presented several questions to the Public Utilities Commission of this State, requesting that they submit their answers in writing. The committee have just received their answer, and it comes to us in the form of a bill which requires reference to a committee in order to be considered.

The importance of this measure is apparent, when we consider the interests of the large number of stockholders in this State, and that upon the successful operation of this road depends in a large measure the welfare and industrial prosperity of nearly all of New England. I move that the rules be suspended and the bill be received.

Twenty-one senators voting in favor of receiving the bill and none opposed, the bill was received.

On further motion by the same senator the bill was tabled for printing.

Mr. Murphy from the Portland delegation, presented out of order, An Act to provide for the establishment of a Board of Recreation for the city of Portland, reported the same in a new draft under the same title and that it ought to pass.

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

The same senator from the same delegation, presented the majority report of the delegation on An Act to amend Section 3 of Chapter 84 of the Private and Special Laws of 1871, entitled 'An Act relating to the schools of the city of Portland,' and that same ought not to pass. Signed, Flaherty, Roberts, Haskell, Greenleaf.

Minority report of the same committee on the same bill, ought to pass, signed, Murphy, Colcord.

On motion by Mr. Murphy, the reports were tabled pending acceptance of either and assigned for next Tuesday.

Mr. ALLEN of Kennebec: Mr. President, I desire by permission of the

Senate to introduce at this time several resolutions in favor of the woman's reformatory. One is from the Maine State Board of Trade, and there are several others I have just received. I move that the rules be suspended and the resolutions received and placed on file.

The motion was agreed to and the resolutions were received.

Mr. COLE of York: Mr. President, I ask unanimous consent at this time to introduce a bill out of order. This bill comes from the commissioner on the revision of the Statutes and relates to the administration of estates. I move that the rules be suspended and that the bill be received.

The motion was agreed to, and the bill, An Act providing for the granting of administration in certain cases without giving bond, was received and on further motion by the same senator was given its several readings and passed to be engrossed without reference to a committee.

On further motion by the same senator the bill was ordered printed.

On motion by Mr. Cole of York, it was

Ordered, the House concurring, that 1500 additional copies of the workmen's compensation bill, Senate 388, be printed.

Sent down for concurrence.

The President laid before the Senate, Senate Document No. 346, An Act to provide for mothers with dependent children.

Mr. WALKER of Somerset: As Mother's pensions are something unknown in Maine, I feel it my duty as chairman of the committee which reported this bill to give a brief history of this kind of legislation and some of the reasons which actuated your committee in asking that this measure be enacted into law. It is the right of this Senate, this Legislature and the people of our State to know.

The earliest of the laws providing for the care of dependent children in their own homes out of public funds was that of Missouri which went into effect in

June 1911. By a population limitation it was made applicable only to Jackson county in which Kansas city is situated. In Illinois in the same year a similar but more comprehensive "funds to parent's act" was passed. In July 1912 an ordinance was passed by St. Louis which provided that children could be boarded out in their own homes. The next state to legislate on the subject was Colorado, which adopted by popular vote the "Mothers Compensation Act," submitted by petition at the November election in 1912.

Many cities in California, including San Francisco and Los Angeles, have aided children in their own homes for many years when the parent was unable to pay for maintenance. In Wisconsin also without definite state enactment, the practice of aiding poor mothers grew up.

Several states in their compulsory education laws have made provision for purchasing books and clothing for poor children who must by law attend school. The Oklahoma law first enacted April 10, 1908 provides for a "School Scholarship" equivalent to the earnings of the child to be paid by the county upon recommendation of the school authorities to children of widowed mothers when the earnings of such children are necessary to the support of the mother. The Michigan law passed April 29th, 1911, provides for the payment out of school funds of a sum not exceeding three dollars a week to enable children of indigent parents to attend school.

In 1913 of the 42 state legislatures in session 27 had before them, bills providing for the support of dependent children in their own homes, out of public funds. Illinois completely revised its law of 1911 incorporating into it the regulations found necessary in the administration of the law during the first year and a half of its operation. Missouri extended the provisions of the law to include women whose husbands were in insane asylums or state colony for the feeble minded. California, Idaho, Iowa, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, South Dakota, Utah, Washington and Wisconsin enacted new laws. Two states, New York and California, passed laws creat-

ing commissions to study the question of "Mother's pensions." Oklahoma re-enacted the school scholarship provision in its revised school law. In six other states, Arizona, Connecticut, Indiana, Kansas, North Dakota and Tennessee, bills were under consideration but failed of passage.

Thus it will be seen that in two years there has come into existence in states, embracing half the population of the country, a type of legislation whose purpose is to secure for young children, home life and the personal care of a good mother, when on account of death or disability the support of the natural bread winner is removed.

The Mother's Pension Law in the 21 states mentioned discloses a number of diversifications, from the widest scope of relief to needy parents and grandparents, to the help of widows alone. The conditions for receiving aid are uniformly, poverty, with certain qualifications in some states. Most of the laws require the mother shall be a fit person to bring up her child. It assists children up to 18 in some states, refuses aid in another at 14. It puts a maximum allowance at \$15 a month for one child in some states and reduces it to \$8 in others. It is administered by juvenile courts in some states, it is left with the county commissioners and unpaid board, or overseers of the poor in others.

In drawing the law for our State, consideration of the difficulties of administration in the other states has been duly made and we think done away with by the methods proposed in our bill. It is proposed in our law to put the town's interests in the hands of the overseers of the poor and the State's interest in the hands of the county agent for protection of children and to employ the State Board of Charities as a board of arbitration in case differences of opinion arise. In this way it would seem possible to arrive at an equitable working system. This is in no way an emergency law. Immediate needs of a family will have to be met by the various charitable organizations. That the family desiring pension relief should be thoroughly investigated is only fair to the State and the town and the family itself. Therefore it is essential that sufficient time be given

the investigation officers to fulfill their share of the contract. The maximum allowance for one child is the value of \$5 per week and \$2 for each additional child but in no case shall the total amount be over \$12 per week. The maximum age limit is 15 years; the mother must be a proper person to bring up her child and the inmates and surroundings of her household such as to render it suitable for the children to reside at home. The application will be made by the mother to the board of charities. She must be in need of assistance. The necessary investigation will be made by the overseers of the poor and agent for the protection of children in the county where the applicant resides. The amount of aid determined will be furnished by the town and said town will be reimbursed by the State for one-half of the amount. For the purpose of carrying out the provisions of this bill there shall be appropriated from the State treasury, \$15,000 annually.

The hearing before the Legal Affairs committee on this bill was unusually interesting. The improved Order of Red Men numbering 6,600 in Maine, asked through Frederic A. Hobbs, for the passage of this law. An arrangement similar to the one proposed in the bill under consideration has been worked out by them very satisfactorily. Mrs. Robert Treat Whitehouse earnestly urged us to pass this bill. Among other things she said: "When a woman enters marriage she presumably intends to hold up one side of the family contract, namely, running the house, rearing the children and dispensing the funds. For this work she has a right to expect food, shelter and clothing. When her husband dies both sides of the contract falls upon her shoulders, a double duty which it is impossible oftentimes for her to assume with any degree of success. It is here that the State should step in and guarantee her the financial support she has lost in her husband's death, that she may still be able to fulfill her part of the contract. The State would be paying her for services which she would be rendering the State when she brings her chil-

dren up to be good citizens of the State."

William Hard said "We have gambled too heavily on the character and fortune of one person, the father. We have gambled the child's chances of having a home on the father's chances of having an income. We have even gambled the child's chances of having a home on the father's chances of being alive."

That there are many mothers in Maine who need the help that might be obtained under a "Mother's Pension Law" is easily proven. I will call your attention to but one which could be duplicated many times. I repeat the record in the language of Mrs. Whitehouse before our Committee. It is of a mother aged 34, with six little children under 13, who is too frail to do any consecutive work, who is a convent bred girl, a fine sewer, a good laundress, an intensive mother, and who has been the victim of unspeakable experiences since the death of her husband three years ago. Penniless, ill and discouraged she faced what seemed to her imminent separation from her children, when a man, whom she had reason to believe was honest and good, offered her support and protection. He won her consent to a marriage through his devotion to her children, but from the time they were legally bound together he attempted to force her to put the children into a Home. When she refused he treated her shamefully and they are now separated. Her condition is worse than before, because she has lost much of her faith in human nature. She has found that the door which is never closed upon a defenceless woman, is the door which leads to immorality, and she knows that as a last resort there are food and clothing and shelter for herself and babies on the other side of that door. Is it not "up to the State" to see that necessity does not force her to cross that threshold in order to save her children from starvation? She has seen them droop from the lack of proper nourishment and has dragged her frail body under her indomitable spirit to labor by the day, only to pay for her effort with

days of illness. She has appealed to the City for help and has received supplies for two days which she has been told must be stretched to cover two weeks. She has appealed to the Church and returns empty handed. Through the Associated Charities she obtains some help and through friends she manages to live but how?

What is to be done about these families? Food, clothing and shelter are the essentials of a humanized existence. This has been called the "indispensable minimum" without which it is hopeless to expect a person to improve. Lack of proper nourishment ill protection from the weather and unsanitary housing conditions form a power against which even the strongest constitution is impotent, and the bravest spirit quails."

Just a word more and I am done. The right of the State to tax the property of the State to educate the children of the State is now firmly established. A free common school education is the birthright of every American child and this is provided for by the taxation of property without reference as to whether or not the owner has children to be educated.

If the children of the State have a claim on the State for their education they surely have a claim on the State for their protection and their proper upbringing in the home for without proper home conditions the school is oftentimes valueless. The men of Maine always have been liberal in all appropriations that had to do with the children of Maine because they felt that the returns were larger than were the returns from money spent in any other way. Regardless of party we are united on this proposition. We are proud of Maine largely because of the very large per cent of our boys and girls who have "made good," a result that was made possible only by favorable environments early in life. The home has been a more important and far reaching factor in producing results than the school although one has been termed the supplement of the other in the proper upbringing and educating the child for citizenship.

I believe it is right to tax the property of the State to provide the children of the State the "Indispensable

Minimum," food, clothing, and shelter, when the father is removed by death and the mother is unable to procure that "Indispensable Minimum," although the proper person to bring up her child.

If you will go with me to many of our most valuable country estates, and the best residential streets of our cities you will find them almost childless. The residents have prospered at the expense of the most valuable asset of Maine, our boys and girls, oftentimes to the sorrow of these people, especially as old age draws near. I believe these people would be happier; I believe that all the people would feel their duty better performed if they contributed their share toward the proper upbringing of the children of Maine in their homes, when such help is necessary to prevent the breaking up of the home and for the making of good citizens.

Mr. MURPHY of Cumberland: Mr. President, it may be unpopular for a man to get up and object to this bill, but I believe that perhaps we wouldn't be doing our duty if we don't get up and say something.

As a matter of fact, we haven't had time to look it over thoroughly, and digest the contents of the bill, but I see there is a provision that a woman shall receive five dollars a week, and two dollars additional for each child, not to exceed twelve dollars a week. From my own experience in the city, where it costs to maintain our poor farm \$70,000 a year, and where there are various societies whose aim it is to aid our poor women and children, and various protective societies whose aim it is to take care of children when the mother isn't able and neglects to do it, and the state aiding them, also appropriating money here for paupers and other things, and then providing still further for appropriations in this bill of \$15,000 a year—I want to say that in my own opinion this is going to encourage anything but thrift.

Many people in the cities, many women, will take advantage of this, and the children will take advantage of this. They won't be so willing to work when aid may be handed out by the state to the extent of twelve dollars a week. Twelve dollars a week is as much money as some men make in the city by working every day in the

week, men that have families to support.

Many men will be pleased to have this law enacted. It would give them an opportunity, and would encourage them to leave their wife and go away, because she would be taken care of, and so would the children. It is barely possible that the fact that the family would be left destitute might keep a man at home to take care of his children, but if he knows that the state or the city is going to take care of them it is going to encourage them to depart for other states and other men's wives, perhaps.

It seems to me that this bill calls for the establishment of additional inspectors or investigators, at an expense of \$15,000 a year. It seems to me we can better apply that money to building roads and bridges that are coming in here so plentifully in their requests.

I am sorry that I wasn't able to read the bill through in order to understand it better, but we have a State Board of Charities and Corrections foisted upon us in the last two years, endorsed by the same people; we have a Woman's Reformatory coming, also advocated by the same people; and when this Woman's Reformatory is instituted, when this has a passage and is enacted into law, they will look after more things to put up to us to maintain.

As a matter of fact, as a member of the committee on claims, one gentleman from the rural sections, in answer to my questions, said: "We don't have a poor house in our town. We don't have any poor; when we do they come from out of the state. Therefore we are here with a claim against the state."

Again, right here on this calendar, is a pension bill granting a woman with a daughter and a grand-daughter a pension of so many dollars a week. I wonder if we are going to get her again in this bill. She will be entitled to five dollars more. Therefore it seems to me that this is worthy of consideration.

Again, my friend, Senator Walker, refers to the fact that in one state a commission was appointed to investigate matters of this sort and report. It seems to me it would have been a pret-

ty good idea if we had a commission upon this particular case and report back. As a matter of fact, it is going to conflict with other provisions we have made to aid in this session.

The PRESIDENT: Before we proceed further, the Chair wishes to state that the discussion has so far proceeded under unanimous consent, on the idea of the merits of the bill. The only question before the Senate at this time is the assignment of a time for second reading of the bill. Before the Chair hears any more discussion, there must be some other motion, or you must confine yourselves to the time of the second reading.

Mr. COLE of York: I move its second reading.

(The bill was given its second reading.)

Mr. COLE: I would like to speak a moment if I am in order.

The PRESIDENT: Do you wish to make a motion?

Mr. COLE: I move the Senator from York be granted unanimous consent to address the Senate.

The PRESIDENT: I don't think unanimous consent to address the Senate should be given except on some question before the Senate. If the Senator wishes to make a motion in regard to this bill—

Mr. COLE: I am not attempting to speak on this in any parliamentary manner. The Chair has allowed the matter to go on without regard to the parliamentary situation, and has allowed the Senator from Somerset to speak in favor of the bill, and I simply want to answer some of the statements of the Senator from Cumberland. Now if I am not in order, if I may not speak—

The PRESIDENT: The Chair has allowed that by unanimous consent. The Chair thinks it his duty to call that to the attention of the Senate; debate isn't in order.

Mr. MURPHY: I move it be specially assigned for next Wednesday.

Mr. BURLEIGH of Aroostook: Mr. President, I move the Senator from

York have unanimous consent to address the Senate upon the bill before the House.

The motion was agreed to, and Mr. Cole proceeded.

MR. COLE: I thank you, gentlemen. The Senator from York will not take but a moment of the time of the members here. The only reason that it seemed to me at this time that anything was necessary was that it was useless to clog the calendar in the future. It may as well be disposed of today, and the mind of every senator fixed to act upon this bill at the proper time, and not to assign it some day next week, when we are busy with a long calendar.

The matter of mothers' pensions is but a part of the great human welfare program that is going on all over this country. We in the years that have gone by have been looking more toward the individual, more toward the accumulation of wealth, more to the building up of the individual family, and less to the great human family at large. In the last few years there has gone over this country a wave demanding that there should be a greater equality for families, that the poor should have some consideration, as well as the rich, and this has given rise to the various measures we are passing at the present time. The fifty-four hour law is but a part of the great human welfare program going over the country, the Workmen's Compensation Act, which we shall pass in this Legislature, is but a part of the human welfare program, and this bill, the mothers' pensions, so-called, is but another link in the great chain.

Now what reason can there be, Mr. President, why any dependent mother, or mother of dependent children, should not be helped by the State, and the people at large?

The wage-earner of the family, the product of whose labor is for the benefit of the whole State, has been stricken down in the prime of his manhood; he has done his duty as a citizen in the productive power of the State; his labor has been worth something to the public at large; but

on account of unsanitary conditions in which he has found himself, and in which he has been allowed to be surrounded by the laws of the State, working in the various mills and factories, on account of the unsafe conditions in which he has been forced to work in the great factories and mills of the State, he finds himself in the prime of life going down into an untimely grave. He was willing to live; he was willing to support his family; but society, regardless of his rights and the rights of his family, did not safeguard his life so that it could be protected.

We today are attempting to protect the man who is injured, as a result of unsafe machinery, as a result of unsanitary conditions, as a result of defects with which he may be surrounded; but when his life has been taken; when it is slowly ebbing away as a result of those conditions, and he has gone to his last resting place, we say that we owe no duty to him or his family; that while he is alive, as the result of an accident we must pay him something, but when he is killed we don't take care of his interests after he is dead as well as we do while he is alive.

I presume that the worst feeling that can come to any father, when he looks at the fading sunlight over the western hills, and knows that his days are numbered, is to look at the helpless children by his bedside, and feel that he isn't able to protect them after his death.

I presume that whenever a man stands by the altar and takes the hand of the woman he promises to support, if he could look forward and see that there might come a day, a time when he could be stricken down and leave her surrounded by a family of children, he might well hesitate to take that step.

For my own sake, I don't care about mothers' pensions. As I sit around my table at home I look into the faces of eight children, of myself and wife. What would happen to her in the future if I should be stricken, I know not. The Senator from Cumberland, as he looks into the faces of his fam-



ily, looks into as many as I do. Perhaps he has provided the means so that his family may be taken care of. I don't know what may happen to my family if I should be stricken this hour; I don't know what might happen to the family of any member of this Senate; I presume probably no one of them would come to want. But there are thousands and tens of thousands of deserving men, giving the best of their life and strength, and bending their energy, in order that they give their children education, in order that they may give them that support which every father wishes his children to have, and yet isn't able to lay by a competence so that if he should be stricken down his wife would be independent.

It is this great class of honest people that we are attempting to reach here, in order that every man may feel that he may go through his lifetime an honest man, that he may give his children an education, that he may feel he can afford to send his children to school, that he may clothe his children as well as his neighbor's children are clothed, that he may feel that he can bring them up on an equality with his neighbor who is a little better off in this world's goods.

O, Mr. President, if every man felt that tomorrow might be his last day, and that he couldn't afford to educate his children beyond what the law required of him, if he felt that he couldn't afford to clothe them as well as his neighbor's children, I ask you what would be the condition of those children when they arrived at maturity, deprived of the advantages which the law provides, hampered in their start in life—and we know that society grades people largely on account of education, largely on account of outward appearances, and that the poor boy and girl who go around with patched clothing, with shoes out at the toes, isn't on a par with the well-dressed children whose shoes are whole. It is perhaps a false standard, but it is the standard of people at the present time.

What shall we say of the future of the children, Mr. President? Suppose the father has been taken away in a mill city, and a mother with two girls of

eleven and thirteen years of age left, and she must go into the mills and work for six, seven, or eight dollars a week, with those two little children of tender age out on the streets. That is the formative period of childhood, the period that is important to society, and the future of the state of Maine, the future of every state, the future of humanity, the period of the rearing of children, between the ages of twelve and sixteen. Up to that time they are young and innocent, but that is the formative period, when they are subject to the influences around them, and the influence of the mother is the greatest influence that can surround any child.

You talk about spending \$50,000 for a Woman's Reformatory. We ask you in this legislation for something that will save the Woman's Reformatory from its inmates, that will save the need of a Woman's Reformatory, maybe.

It is all well enough to talk about our penal institutions that care for a woman and a daughter, but, gentlemen, the thing to do is to legislate so there shall be no need of penal institutions. I feel that if ever there was a bill worthy of our support, if ever there was a bill near to the heart of the people, if ever there was one which carried merit with it, made for the benefit of the poor, it is this bill.

It is not a question of charity; it is not a question of giving somebody something they don't deserve; it is a question of right. This bill has the support of one of the greatest fraternal organizations of this country, as has been said. It is carrying that into effect. I happen to be a member of that organization, I know something of the work of that organization, and I know that the work of that organization is a worthy one, which can well be followed by society at large.

I hope and trust that every member here who can look around in his own locality—and we don't have to go out of our localities—can see in his mind's eye some families, some children, which could have been saved, some mothers which could have been saved, but who were deprived of the fruits of justice and righteousness because the mother, because of her inability to support

them alone, without going outside of the home and leaving them a prey to the mercies of the street.

I hope every member here can see that picture, and that he will vote to remedy that picture in the future, and save some other mother and some other children from a similar condition.

The question being on the passage of the bill to be engrossed, the bill was passed to be engrossed and sent down for concurrence.

The President laid before the Senate, House Document No. 601, An Act authorizing the Towns of Mexico and Rumford in the County of Oxford to purchase the toll-bridge between said towns, erected and owned by the Mexico Bridge Company.

On motion by Mr. Thurston of Oxford, the bill was assigned for its second reading tomorrow morning at nine o'clock.

The President laid before the Senate, Senate Document No. 131, An Act to regulate the practice of the system, method or science of healing known as osteopathy, creating a board of examination and registration for those desiring to practice the same and providing penalties for violation of the act.

Mr. FULTON of Aroostook: Mr. President, as it seems to be the temper of the Senate to indefinitely postpone several bills this morning, I move this bill be indefinitely postponed.

Mr. COLE of York: Mr. President, before that vote is taken, I feel that in justice to the judiciary committee, of which I am chairman, that some explanation should be made of the situation at this time.

This bill came before the committee, was duly advertised by state-wide advertising, and we held a hearing. There was a large representation, both sides appeared by counsel, and the hearing was largely upon the merits of the bill. After the hearing was over both sides, the osteopaths and the regular physicians, got together with their attorneys and came back to us with a new draft, supported by both parties.

That new draft was reported unanimously by the committee, and ought to pass. Under this new draft, by an agreement with the president of the Maine Medical Association and the representatives of the osteopaths, there was cut out of the original bill minor surgery—which means that no osteopathic physician can perform any kind of surgery—obstetrics was cut out of the original bill, and the practice of medicine—the giving of medicine in any form was cut out; also the privilege of using the letters "M. D." under any circumstances, so that there couldn't be any mistake, that when a person employed an osteopathic physician that he would be mistaken for a regular physician.

That is all the explanation that I wish to give, except simply to say that the committee felt that in justice to both sides, after the agreement, that a statement should be given to the members of this Legislature.

Mr. FULTON of Aroostook: Mr. President, I feel at this time very keenly, of course, the disadvantage under which I labor in attempting to oppose this measure against the able and distinguished Senator from York, and also in attempting to oppose it after the report of the committee of which he was a member.

The members of the medical profession are not supposed to talk very much. In fact the nature of the duties of the profession is such that we are prompted to be very careful in this respect, lest we might, among other things, be charged with divulging many of the secrets of our patients which are confided to our care. But I assume, Mr. President, that every man in this body has a right and a privilege of stating his reason for favoring or opposing any measure.

I wish to say a few words at this time. In doing so, Mr. President, I cannot be accused of playing politics; it cannot be said that there is any politics in this at all, because every physician of this body differs from me in politics, yet we are united in opposing this measure.

Now, Mr. President, I wouldn't have it understood in any way that I am

attempting to question the honesty or the wisdom of the committee who reported favorably on this bill. They are men for whom I have the highest regard, and for whose opinion I have great respect, and if I had a matter in the Courts of the State it would be very hard indeed for me to decide which of the legal gentlemen composing this committee I would select to represent my interests, so high an opinion have I of their honesty, ability in their profession.

But, Mr. President, however honest, able and fair-minded men may be, it is possible for them to make mistakes; possible for them to err in judgment; to err is human. It is quite possible for them to labor under misapprehensions or get wrong impressions. Especially is this the case when men who appear before them in the capacity of paid attorneys advocate certain measures from selfish motives or for the evident purpose of "getting back," as we may say, at some person or association at whose hands they may have experienced some real or fancied wrong, and the higher the position held by those attorneys who represent special interests, the more potent, of course, is their influence.

I do rise, however, Mr. President, to protest against the passage of this bill. I believe it to be a measure as unwarranted and unnecessary as it unfair and unjust. Not only is it unfair and unjust to the medical profession, but it is an injustice, not to say an insult, to the intelligence of the good people of the State of Maine. The fact that a representative of the Maine Medical Association agreed in part to this so-called compromise bill, does in no degree bind the different county medical societies, or the individual members composing them. Men sometimes, under the stress of undue influence, or under the spell, as it were, of a strong personality in an opponent, become confused and embarrassed, and are seemingly forced to agree to certain measures against their own better judgment, who after a few moments' reflection, relieved from the powerful influence which had temporarily biased their minds, deeply regret their action. My legal friends know that under the stress of what is known as the "third degree" as prac-

ticed in this country today, suspected criminals have often admitted their guilt when subsequent events proved their innocence.

Such, I believe, might have been the case with the representative of the Maine Medical Association, in agreeing to this so-called "compromise bill." It has been said repeatedly during this session of the Legislature that if the people want a certain law they will let us know it; that they will importune us with such force and persistency that we as legislators need not be in doubt as to their wishes, and of that we have had abundant proof, as I think we all know. I should like to ask the committee how many petitions were presented to them requesting the passage of this bill. Not one, I believe.

We have at present a board of examiners in medicine, men who have been selected as to their fitness for the position, before whom every person proposing to practice in the state must be examined in certain specified subjects. A standard has been set by law for that board, and every candidate must come up to the requirements before he can put up his sign and enter upon the practice of medicine or surgery. We have laws upon our statute books defining and fixing the duties of this board, and for regulating the examination and registration of physicians, and also providing penalties for violation of the same. We have also a Board of Dental Examiners, and a Board of Veterinary Examiners, and a Board of Examiners in Optometry, and even the druggist, before he is allowed to fill the physician's prescription, must pass an examination before the Board of Pharmacy, and show to their satisfaction that he has a sufficient knowledge of drugs, and of their properties and their chemical actions, as well as their physiological effects, to warrant them in granting him a certificate of registration. So you see it is the policy of the state to protect not only the lives and health of its people, but also of its domestic animals.

Our brethren of the legal profession also have a board by whom they must be examined before they can enter upon the practice of law; and if three per cent of the lawyers of this state were to

come to this Legislature and say: "We have found a panacea for all legal ills, we have discovered a way by which technical points of abstruse legal problems can be all straightened out," and ask this Legislature to grant them a separate board, refusing to be examined by your board, I believe that my legal friends would oppose that as strenuously as we oppose the passage of this measure. I think if a demand were made they would as a unit oppose it, the same as the members of the medical profession has united to oppose this.

It seems to me, Mr. President, if this bill becomes a law, we shall be establishing a very troublesome and dangerous precedent. If our friends the osteopaths are given a separate board of examiners, all the different sects and cults and parties who claim to have some mysterious and occult power in treating disease, which are legion in this country today, and are constantly springing up like mushrooms along our pathway, can with equal justice ask for the same consideration. The Legislature having once opened the door, where, I ask, can the line be drawn? Any new cult that can secure the services of attorneys skilled in making plausible arguments before committees will be able to secure the desired legislation and having granted special privileges to one you cannot consistently deny them to another. Barnum, the great circus man, once said that the American people like to be humbugged, which was only another way of saying that they will pay a big price for a spurious article which has been loudly heralded, rather than to pay a reasonable price for a genuine one whose merits had been only modestly set forth, and no man, we must believe, knew better than he this peculiar characteristic of our American people.

Now let us see for a moment, Mr. President, and I hope you will bear with me for a short time. The definition of osteopathy, obtained from the best sources, and one which everyone agrees is the best definition, is this: "The system or treatment based on the theory that diseases are chiefly due to deranged mechanism of the bones, nerves, joints and muscles, and can be remedied by manipulation of those parts." I will say in passing that they also have another system, which is known as chi-

ropractices, who claim that all diseases are remediable by manipulation of the spinal column.

The schools of osteopathy in this country, all will agree, are of very recent growth. It is only a little more than twenty years since the first one was established in Kirksville, Mo., and I submit, Mr. President, if they have had sufficient time to prove to the public that they are deserving of our confidence and support, especially to the extent of granting them by law special privileges, giving them, as this bill proposes, a separate and distinct board for their examination and registration. With equal justice the chiropractices, the clairvoyants, the magnetic healers, the mental healers, the faith healers and many others could ask the same.

We have no quarrel with our friends the osteopaths; we are not seeking to persecute or injure or hinder or embarrass them in any way. On the other hand, if they can help us to lessen human suffering and increase the aggregate of human health and happiness, we welcome them to our ranks. All we ask is that they submit to the same conditions that every physician, be he allopathic, homeopathic, or electric, or of whatever school, must submit to, by law, before he can practice his profession in the State of Maine.

We are willing that they shall have a man on our Board of Examiners, and accord to them every privilege that other practitioners enjoy, and I submit, Mr. President, if that is not an eminently fair proposition.

Now by looking over one of their catalogues, we find that they claim that they have in their curriculum, the curriculum of their school, the same subjects that men of other professions study. They claim anatomy, and I find anatomy listed here, and I find among different authors Gray, who is the standard on the subject of anatomy. I find also bacteriology, chemistry, embryology, gynecology, histology, obstetrics, physiology, surgery, and they don't want to practice surgery, they say. And we find that these studies listed are the same studies that are listed in our standard medical schools. And yet they are not willing to come before our board and be subject to the same examination that we are subject to. We insist, Mr. Pres-

ident, that they be examined in all the primary studies laid down in the curricula of the standard medical schools of this country before they can establish their profession and be protected by law. We hold that no member of the profession is qualified to practice medicine or surgery unless he can pass satisfactory examination in all of the fundamentals.

As to their method of their treating disease, we have nothing to say. Men honestly differ in this respect, and doctors agree to disagree on many points of treatment. I venture to say that if two or more physicians who are members of this Senate were called in consultation in a given case, they would not agree in every particular, either in diagnosis, prognosis, or treatment. Allopaths, homeopaths, and eclectics, differ widely in the treatment of disease and in the administration of medicine, yet they are willing to submit to the same examination before seeking to alleviate the sufferings of their fellow-men. If our osteopathic friends wish to treat pneumonia, diphtheria, rheumatism, indigestion, or the thousand and one ills to which the flesh is heir, by the manipulation of certain joints, or by the massage of certain groups of muscles, we have no objection, if the people who employ them are satisfied with that treatment, neither do we object if they can reduce fracture or dislocations by the same methods, if their patrons are willing to take the chances of escaping deformed limbs and useless joints. Physicians and surgeons, even with the exercise of the utmost care and caution, find it exceedingly difficult to escape malpractice suits in treating fractures and dislocations, and the saying "eternal vigilance is the price of liberty" surely with special force applies to them.

We do not claim that the practice of medicine is an exact science, but we are honestly striving to make it as nearly that as possible. We are proud of the achievements of the medical profession and of the grand work it has done and is doing for humanity, just as I believe the members of the legal profession are proud of the great work it has accomplished. A few weeks ago a physician, a native of our State, stood on that platform and told us of the splendid

service our physicians and nurses were giving to the sick and wounded on the battlefields and in the hospitals of war-stricken Europe. Modesty forbids me, an humble member of the profession, to speak at any great length of the many physicians whose names have become household words on account of their labors in the interest of humanity.

It was an obscure country doctor who gave to the world vaccination, by the use of which that loathsome and once almost universally fatal disease has in a large measure been robbed of its terrors. Who gave to the world antiseptic surgery, one of the greatest boons ever bestowed upon suffering humanity? Who gave us antitoxin, by the use of which that once terribly fatal disease, diphtheria, is no longer greatly dreaded? Who but a humble country physician gave us the first hint of the sanatorium, for the treatment of tuberculosis, by establishing the first one known in the country, among the Adirondack Mountains? Who gave us that great system of hygienic and sanitary laws, and opened up to the world the vast field of preventive medicine, and taught the people that the physician's mission was not so much the cure of disease as the prevention of it? I would ask, Mr. President, in whatever places physicians have lived and labored, if they have not been equally as active as men of other professions in working for the moral, social, educational and material progress of the people. Have not the physicians who are members of this body, as a rule, given their voice and vote in favor of every measure that has been for the best interests of the State of Maine? While there have been great men in the profession whose fame has been worldwide, there have been others like my brother physicians of this body, whose lives and labors have been circumscribed by narrow limits. They too have done their work nobly and well. You know that many times, without the slightest hope of pecuniary reward, in sunshine or storm, perhaps in the darkness of night, when summoned, they have hastened to the bedside of a suffering fellow-creature, and there they have disputed every inch of ground with the grim monster who was reaching out to claim the patient as his victim.

and when all his efforts to ward off the fatal issue had failed, when the end came, and the grief-stricken friends gathered around, he closed the eyes and composed the limbs of the sleeper for his last long rest. In every village and hamlet, all over this broad land, you will find the old country doctor, friend, adviser, confidant, instructor, as well as the guardian of the health of people among whom he lives and labors.

I would ask how many of this new school are found out in the country districts, taking the hard end of practice, facing the storms, going into heat and cold and danger to administer to the wants of their people. In the entire county of Aroostook, with over 75,000 population, I find one practitioner. Where do they locate? In the cities. The 75,000 people in the county of Aroostook seem to get along as well in the matter of general health as the 60,000 of Portland, which has among them thirteen of this new order.

I might mention the names of many physicians in our country who left their homes and friends and practices bringing them almost princely incomes and laid down their lives in the effort to make the malaria-laden, germ-infected, and fever-stricken districts of other countries safe habitations for man. Every effort to elevate the standard of the medical profession has come from its own members. In recent years they have raised the educational requirements of those seeking admission to the medical schools. They have lengthened the terms and improved the courses of study in their colleges; they have also added new studies to satisfy the demands of the advance in medical thought. They have striven by every possible means to have the recent graduates better fitted for the duties of their professions.

In view of all these things, does not the world owe the medical profession some debt of gratitude? Have its members no rights which the legislature feels bound to respect and protect? What have we done? Of what misdemeanors are we guilty that gentlemen seek to discredit the profession by attempting to lower the standard which they, by years of patient toil and research, have established and which they

are striving jealously to guard?

The members of the medical profession have always believed in paying heed to the scriptural injunction, "Give honor to whom honor is due," and while we pay deference to the Attorney-General of the State of Maine, and honor the exalted position he occupies, yet we must express our disapproval of his evident attempt to discredit our profession. He has come up here session after session, and on the floor of the House, and before committees, labored with a zeal and a persistency worthy of a better cause, to establish this dual system of examination and registration for the physicians of Maine. We cannot understand his object, unless prompted by some ulterior motive.

I trust, gentlemen, you will see the injustice of this measure, and that you will place the stamp of your disapproval upon it. I thank you for so patiently bearing with me, and I trust and hope that the motion to indefinitely postpone will prevail.

Mr. COLBY of Somerset: Just a word, Mr. President, I should feel that I was not doing my duty if I did not say it. I have the greatest respect for the physicians in this Senate and in this legislature. We have a physician in our town who is very dear to me and has been ever since I can remember—since I was a mere child. They are a noble lot of gentlemen all over the state. At the same time there are other noble men and women in the state. We have in our state men who belong to this school, if that is the right word to use, and there is no more noble young lady in the state of Maine than one practising this profession, and I know of no reason—I speak of her because I am personally acquainted with her—why she is not just as noble a citizen of the state of Maine as any of the medical profession.

I have been in this legislature four terms. During all of that time I have stood for some sort of a bill for these people, and I feel I have not done any injustice to myself or to my constituents.

I hope the bill will not be indefinitely postponed.

Mr. FULTON: Mr. President, if I may be allowed to do so, in reply to

the Senator from Somerset, I do not wish to be understood, we do not wish to pass any reflection upon the honor and respectability of anyone and in my remarks I did not intend to do so. We simply ask that they submit themselves to the same conditions that we submit to, nothing more and nothing less.

Mr. SCAMMON of Hancock: Mr. President, I do not think that any physician who speaks on this matter should be considered prejudiced. For myself I can say I have no relative or intimate friend who is a doctor, anything I might say in my brief remarks will relate solely to what I consider a duty; public safety is my own idea.

In talking over this matter I took some pains to get some catalogues not only of the osteopaths, but also the regular schools, and in looking them over my criticism would not be only for the osteopath schools but for some of the others, but I find some of the regular schools, most of them, are good and that many of the others as far as I can see were all bad, but this is due to my observation of these catalogues.

As a rule we would expect a catalogue of any kind of scientific institution to have some appeal to something that was good and elevating, something that would make us better, but the appeals of these catalogues of this particular school seem to be altogether along the line of easy money making. I do not see a single thing in their appeal that is for something higher, but you would think they were conducting a money making scheme, I do not know as I can express it any better than it might be called an appeal to commercialism. I want to read some extracts from the catalogues. This is from the Massachusetts school:

"Osteopathic students can step at once into a paying practice. Seventy per cent. of the graduates of osteopathic colleges succeed financially, while only 7 per cent. of those from other medical colleges are thus successful. Osteopathy is one of the best-paid professions in the world today. Any one who is dissatisfied with his or her calling in life might well consider osteopathy. The rewards are many and adequate. Financially, a three-years' course in osteopathy is an exceedingly good investment. The Massachu-

setts College of Osteopathy graduate who does not make as much as the total cost of his osteopathic education in his first year of practice is in exception. What other investment can possibly be made that will yield 100 per cent. or more first year out, and at least as much as that each year thereafter?"

This extract is from the Des Moines school in regard to qualifications necessary to get in there:

"Evidence of proper training in English grammar, arithmetic, U. S. history, geography and elementary physics."

"Evidently, very elementary physics, since it was only such physics as might be taught to a student whose mathematical knowledge consisted in knowing simple arithmetic.

It occurs to me that this must be almighty elementary when you can get in on the knowledge of arithmetic, if one knows anything about physics.

This extract is from the Philadelphia school:

"Candidates for admission must have good moral character, good health, and student qualities."

"Any kind of credential was at that time accepted there, and no examination was required. The specifications in the catalogue were as vague as those I have quoted.

Any kind of examination was evidently all right. It does not say anything about requiring anything of them, only seems to observe that they might be pretty good sort of fellows if they had the money to pay the admission.

Here is another from the Massachusetts school, said to be one of the best in the country:

"Evidence of proficiency, but no examination, in spelling, punctuations, arithmetic, history, geography and the elements of physical science.

Here is one from the Kirksville school, which is the parent school; and I understand that this Kirksville school is recommended to prospective students because it is said that Kirksville is the home of the school:

"Kirksville is commended to the prospective student on the ground that Kirksville is the home of osteopathy, with a good business college, three newspapers, two first-class hotels, scores of boarding-houses, five livery and feed stables, a

steam laundry, three planing mills, a shoe factory 700 by 300 in dimensions, many residences heated by hot water, and last and by no means least local option adopted by a two-thirds majority. . . . In order to enter this school the student must know English grammar and composition, rhetoric, arithmetic (including compound numbers and percentage) history and geography.'

But if we fail to satisfy these exacting requirements, the student may be admitted without them.

"The following is from the Central College at Kansas City:

'Students must furnish creditable evidence of a good moral character and of practical training in the common branches.'

'The following is from the catalogue of one of the Los Angeles schools:

'People are ready to pay for relief from distress and sickness. Many of our graduates are earning as much in a single month as they were formerly able to earn by a full year's work. Ninety-seven per cent. of all our graduates of the past are today earning their living in the practice of osteopathy. We mention these facts because the uninitiated young man or woman is entitled to know.'

Again later:

'Prospective students may be sure of employment during their leisure hours.' (You can imagine how much of leisure a two-year's course should allow!) 'Any young man or woman who is able to arrange for the tuition can master the course. Osteopathic treatments are given to students without expense. The saving in bills for treatment has in some cases more than covered the cost of tuition.'

There is a second Los Angeles school called the Pacific College, from the catalogue of which the following is taken:

'It is safe to say that in no case has a competent osteopath made a failure in his attempt to build up a paying practice. His remuneration, counted in dollars, would be greatly in excess of what he could expect to receive in most other lines of professional work.'

I want to know, gentlemen, in a two-year's course, where matters of life and death are to be handled by these students about how much time there would be for a student to go out and earn his living.

This is in regard to the Des Moines school:

"The laboratory outfit is almost altogether made up of signs. There was a room with "anatomy" painted on the door which proved to be an empty amphitheatre. There was a room with the word "physiology" painted on the glass door, which turned out to be a practically empty class-room with a few chairs and a few things in a book-case and no laboratory equipment whatsoever. A room marked "chemistry" was a disorderly and disarranged room with less equipment than would be needed in an elementary high school to teach chemistry. There were two or three incubators in the same room. There was another room marked "histology," which was locked, and nobody on the premises had a key to it. It was claimed that there were forty microscopes on the inside. There was also an "anatomy" room, which was a dirty and disorderly dissecting-room, in which there was an uncovered vat containing a single soaking body, partly dissected and decaying. One or two tables apparently were in use in that room. On the floor back of the office there was also a room marked "Physics," the sole outfit of which was a friction electric machine. This room was not a class-room. This, then, was the laboratory equipment used in teaching 115 students.'

So much for the catalogues of the best schools of this kind in the country.

There was one observation I wanted to speak of when I was at the hearing on this matter on the original draft. The gentleman who is the state attorney by the legislature and attorney to everybody else who has the price to pay, said that the reason they wanted a separate board was because they would not get used fairly by the regular medical board. I submit that a school that is as old and as honorable and whose work in this line antedates that of the Master by thousands of years; that has done the work of humanity that this regular school of physicians has, that has left position and wealth and everything that induces to easiness in this world, and has gone out into the jungles of the world, into the trenches and have



taken their lives in their hands ought not to be subjected to criticism of this kind.

I will say in passing that the requirements for the entrance of these regular medical schools in every case, and I shall say that without fear of contradiction, is far away higher than anything possessed by the osteopathic school.

I hope, in the interest of the state and in the interest of the public and in the interest of these physicians who have done so much for humanity that this motion to indefinitely postpone will prevail.

Mr. DUNTON of Penobscot: Mr. President: No man in the state has more respect for the physician than I. I think if I was sick I probably would go immediately and call one that I knew to attend me. I am somewhat surprised that that honorable profession would come here today and seek to be protected from some new school, which they have no words of criticism for. It is evident from the last extracts we have heard read that there must be quite a few in this nation who believe in that, and as an American I am going to vote to let people in this country employ who they are a mind to when they are sick. I want that privilege myself. I want if I am sick to employ any school, and I want that school to have the privilege of offering just as good assistance as they can. I may be a Spiritualist, I may be a Christian Scientist, I may be something else, but I don't want anyone in the State of Maine to say to me that I shan't employ whom I am a mind to. I don't want that anyone shall not have a school of the class that I like, to learn to do as well as they may.

We have seen progress in this highest school of medicine, and it is admitted by them that until 1835, for over three hundred years, they made no progress whatever in the study of medicine and in the practice of medicine. Then I understand, I have been told by the highest authority, almost, in this nation, that an old baker discovered that a cake of yeast was composed of bacteria wholly, and from that time they made wonderful progress. I believe in their treatment: I

believe also in the freedom of an American citizen to do what he is a mind to, as long as he is a respectable citizen.

Mr. PRICE of Sagadahoc: Mr. President, I didn't intend to say anything upon this bill, but the remarks of my esteemed friend here have caused me to rise at this time.

The physicians of this Senate do not ask you to protect them, or the physicians of Maine. We are asking you to protect yourselves, and the innocent children of Maine, and that is all. You need to be protected. I have respect for you all, and for your abilities in your different lines of work, but upon this, gentlemen, you are not qualified to speak. You need protection for yourselves, and for your wife and dear little children of yours.

You are under obligation to the medical profession, each and every one of you. Go back, in your own families, perhaps, remember the cold and stormy night when you expected the stranger—you didn't go to the osteopaths, you went to the good old family doctor, in whom you had confidence, and you placed her who was dearest in all the world to you—your wife—in his hands, and he guided her safely through, and you have in that home today that boy or girl whom you adore; and we are asking you to protect yourself and your wife and children and the people of Maine.

Now I didn't intend to say anything upon this subject, but I have been compelled to do so by the different things that have been said by the gentlemen who have preceded me. I have no wish to make a speech, Mr. President. We don't ask you to prohibit these people from practicing this method. We are perfectly willing they should continue just as long as they want to. They don't have to take an examination now; all they have to do is to put a sign on their door, and transact business, and make money, as their announcements which have been read to you by Senator Scammon state. Just as many of you that wish to employ them have the right to do so; we respect you in that right, to employ whomever you please; we don't care, but we are jealous of our position as

members of the medical profession, which has honored us by admitting us to its membership, and we ask you at this time not to place these people upon a level with gentlemen who prize their high profession.

They don't need a separate board. They can practice without this board, just as many of them as are pleased to do so, and why in the name of heaven gentlemen should require one examination of us and another for them I can't see. If they wish to be examined, then have a legal standing as we have and come before the regular board. If they wish to continue as they are, let them do so. We don't ask you to exclude them from practice, we only ask, as I have said before, that you protect yourselves, that is all.

The question being on the motion to indefinitely postpone, a rising vote was taken and fourteen Senators voting in favor of the motion, and fourteen against, the President directed that his name be called, whereupon he voted no. Fourteen Senators voting yes, and fifteen no, the motion to indefinitely postpone was lost.

Mr. MOULTON: Mr. President, I wish to change my vote from yes to no.

The PRESIDENT: The vote has been announced; you cannot change your vote now.

Mr. MOULTON: Mr. President, do I understand you cannot change your vote after it has been announced?

The PRESIDENT: You cannot.

The bill was then passed to be engrossed.

The Chair lays before the Senate, Senate 312, An Act to amend the charter and extend the powers of the Hiram Water, Light and Power Company.

The pending question being the recommitment of the bill to the committee in concurrence.

Mr. CLARK of York: Mr. President, I move we concur and recommit the bill to the committee.

Mr. COLE of York: Mr. President, I am wondering, if both branches of this Legislature keep on recommitting

bills to the various committees, when this Legislature expects to adjourn. If it is recommitted, and I am not objecting to the recommitment but if it is reopened for a hearing are we expected to give a new notice? The committee wishes to be fair with all sides. We have heard this matter once. I was called over the telephone in regard to this and people will come here for a hearing Tuesday. But I am in doubt as to the rights of the committee upon a matter after it is heard both sides, advertised the matter, and then in the closing days of the Legislature have a bill referred back to the committee without any opportunity to give those in favor of the bill or opposed to it an opportunity to be heard.

As chairman of the committee I would like some instruction from the Senate.

The PRESIDENT: In the Senate the report of the committee on this bill was accepted, it was read twice and passed to be engrossed and went to the House. That body concurred with the action of the Senate and then recommitment of the bill to the committee, and it is now here for concurrence with the House.

On motion by Mr. Clark the bill was recommitment to the committee in concurrence.

The President laid before the Senate the report of the committee on appropriations and financial affairs, "ought not to pass" on Resolve in favor of St Joseph's Home for Aged Women at Portland.

The question being upon the acceptance of the report in concurrence.

Mr. MURPHY of Cumberland: Mr. President, I move that the report be recommitment to the committee so that they can further consider it.

Mr. EMERY of York: Mr. President, I dislike very much to oppose anything asked by my good friend the Senator from Cumberland, Senator Murphy, but as chairman of the appropriations and financial affairs committee, I want to make their position clear in this matter. I want to say that this resolve came to us in

the usual way and was given the same fair and impartial hearing that other resolves were given. It was considered carefully in executive session and reported ought not to pass.

Now I am not going to stand up here in defense of the action of this committee in every resolve that comes in here. If it is the wisdom of this Senate to overrule or not accept the report of that committee, why, all well and good, but I do not know of any reason why this matter should be recommitted to the committee.

If they see fit to do that we will gladly give it further consideration, but you understand there are many resolves of this nature on their way in this Legislature, and in many cases friends of the institutions are disappointed and dissatisfied with what has been recommended. If you recommit this one, or dot an i or cross a t on one of these, you are opening an attack from every source, and for that reason I hope this will not be recommitted to the committee, for I cannot see that there is anything to be gained by it.

Mr. MURPHY: Mr. President, if I have been misinformed in speaking to the members of the committee, as a matter of fact this institution never received any State aid. In this particular case the report was ought not to pass, which means they do not receive anything now.

As I understand it there was some understanding from the committee that the bill would be acceptable to the committee if sent back, and therefore I made this motion that it be recommitted.

The PRESIDENT: The report came to the House, ought not to pass, and was accepted in that branch. It is now before the Senate for concurrence with the House in the acceptance of the report. The pending question is on the motion of the Senator from Cumberland, Senator Murphy, that the report be recommitted to the committee.

A rising vote was taken and four having voted in favor of recommit-

ment and eleven opposed, the motion was lost.

The report of the committee, ought not to pass, was then accepted in concurrence.

The President laid before the Senate House Document No. 611, Resolve making appropriations for the construction of buildings at the University of Maine.

Mr. MURPHY of Cumberland: Mr. President, I yield to Senator Walker.

On motion by Mr. Walker of Somerset, the resolve was re-tabled, and Tuesday, March 22, specially assigned for its consideration.

The President laid before the Senate House Document 648, Report of the Committee on Towns (ought to pass) on Bill "An Act to divide the Town of Bristol and to incorporate the Town of South Bristol.

There being no objection, the report was accepted, and the bill given its first reading, and tomorrow morning at nine o'clock assigned for its second reading.

The President laid before the Senate House No. 669, An Act additional to Chap. 32 of the R. S., as amended, relating to fishing in Fifteen Mile Stream and its tributaries in the County of Kennebec and in the County of Waldo.

Mr. ALLEN of Kennebec: Mr. President, I examined that matter and find the bill is correct. I thought it was incorrect. I move it take its second reading.

The bill was assigned for its second reading tomorrow at nine o'clock.

The President laid before the Senate Senate Document No. 223, An Act relating to the payment of salaries of Judges of Probate.

The PRESIDENT: The pending question is the passage to be enacted.

Mr. ALLEN of Kennebec: I would say that I tabled that so as to prevent a motion for indefinite postponement, because I didn't know what they were going to do. I am ready to yield the floor to whomever wants to speak upon it.

Mr. MURPHY of Cumberland: I move it be indefinitely postponed.

Mr. BUTLER of Knox: Mr. President, I want to say just a word before we vote on that. I am aware that it is dinner time, and more too; I feel that way.

This matter has been very carefully considered by the committee before which it came, and it seemed the right thing, the just thing, as between the State and the several counties, that the salaries of the several judges of probate should be paid from the State treasury, because the State treasury receives thousands of dollars from the inheritance taxes every year from the several counties.

This measure was recommended by one of the most careful and conscientious judges of probate in the State of Maine, and I sincerely hope that the motion of the Senator from Cumberland will not prevail.

Mr. COLE of York: Mr. President, in addition to what the Senator from Knox has said, I wish to say that the Supreme Court judges and the Superior Court judges are paid from the State treasury, as well as the county attorneys, and it was the idea of the Commissioner on the Revision of the Statutes that these matters pertaining to the courts should be made uniform, and it was for that reason that that bill was put in.

The question being on the motion to indefinitely postpone, a rising vote was taken, and two senators voting yes, and fifteen voting no, the motion failed.

The bill was then passed to be enacted.

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Upon motion by Mr. Boynton of Lincoln,

Adjourned until tomorrow morning at nine o'clock.