

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE.

Wednesday, March 24, 1915.

Senate called to order by the President.

Prayer by Rev. Howard A. Markley of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve laying county taxes for the year 1916.

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

On motion by Mr. Cole of York the rules were suspended and the resolve was given its two readings and was passed to be engrossed in concurrence.

From the House: House 76. An Act providing for the enumeration of neat cattle, sheep and swine.

In the House this bill was received under suspension of the rules and referred to the committee on judiciary, after that committee had been ordered to make its final report.

In the Senate the bill was indefinitely postponed.

In the House that Branch insisted upon its former action and asked for a committee of conference.

On motion by Mr. Cole of York 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. Boynton, Cole and Durgin.

From the House: Resolve providing for a laboratory building for the state board of health.

In the House this bill came from the committee on public health and was ordered printed under the joint rules. After printing the papers were lost in the House. By vote of the House the printed bill was substituted for the lost papers and then the bill was indefinitely postponed.

Mr. BOYNTON of Lincoln: Mr. President, I move that we concur with the House. If any gentleman wishes to

make a different arrangement he can do so.

Mr. COLE of York: Mr. President, I have received word from several physicians in the state asking me to support this measure when it came along; that there is something necessary to be done here in regard to infectious and contagious diseases, and that the state at the present time is not prepared to take care of matters sent here for analysis by physicians of the state. I am not well enough posted in the matter, and it seems to me that some of the physicians in this body ought to be able to enlighten us as to the need of this bill.

Mr. FULTON of Aroostook: Mr. President, this bill came before the committee on public health, and was unanimously reported ought to pass. Now we understand that the state laboratory of hygiene, the building in which they are now housed, is simply under rent, and the lease runs out in two months, and they have no place to conduct their experiments in.

All physicians over the state know the benefit it is to them in having a place to send specimens for examination in cases of attacks of diphtheria. We are sometimes in doubt at first as to what the disease is. Many physicians agree that the symptoms in many of the contagious diseases are obscure at first, and it is difficult to determine what it is.

But if we are able to send specimens to the laboratory of hygiene we can, I will say almost without fail, we can be positive as to what the disease is.

The same might be said of other diseases; on an examination of the blood in typhoid fever, and many other diseases. And it is of great benefit to the physicians of the state that they may be able to know in the beginning to find cases of contagious diseases when they first break out.

I recall very many instances in my own practice, and I have no doubt that physicians all over the state will recall the same, where we have been able to have the laboratory examine specimens, we have been able to diagnose directly a disease and cut it short and perhaps save the spread of a contagious disease, when if we had no examination

to determine right off the nature of the disease it might spread over a large area of the country.

I believe this is something we cannot afford to let go by. The State owns land on which it can place a building. The appropriation was cut down a great deal. I think at first it called for \$36,000, but the resolve finally passed recommended I think \$20,000, if I remember correctly.

This is something very much needed and I hope the gentlemen of the Senate will consider this thing as an absolute necessity. The physicians on the committee felt that they were doing the very best thing for the protection of the public in recommending a least this small sum. And the State having the grounds on which to place a building we thought we were asking a very moderate sum.

I hope the Senate will consider this matter and not hastily go over the matter so badly needed. The board will have to vacate their quarters very soon, and have no place to carry on their experiments that are of so much benefit to the physicians of the State.

I yield the floor to Senator Moulton.

The PRESIDENT: Before we go farther, the question before the Senate in this matter, House 538, in the House the printed bill was substituted for the lost papers. And the question before the Senate is will the Senate concur with the House in substituting the printed bill for the original papers.

There being no objection the printed bill was substituted for the original papers, in concurrence.

Mr. MOULTON of Cumberland: Mr. President, I have not much to say in regard to this matter, only that it is a very important matter, and as Senator Fulton has briefly stated the reasons for this bill, that the present building which they have occupied for several years, the lease will run out in about six months, or a little more. The State board of health put it up to us that they would be unable to lease that building any longer. If that was the case it seemed that the State would be obliged to furnish a build-

ing, because the work that the board is doing affects the whole State. It is a great work and should be carried on. The original bill called for \$36,000. We considered it, and as Senator Fulton stated, reduced it to \$22,500, and passed it unanimously.

I hope the motion to indefinitely postpone will not prevail.

Mr. MURPHY of Cumberland: Mr. President, it seems to me that they are getting along very well now, in fact, I know they are, and it is perfectly satisfactory. That the State of Maine will have to vacate those premises upon a certain date, may be correct, but I would like to ask what they are going to do with that building when the State vacates it. How is it going to get as good a tenant as the State of Maine, as prompt pay as the State of Maine?

The question is and will be what appropriations are to be cut down? And whether this one is a matter of necessity to the extent that some of the others are?

I second the motion to indefinitely postpone this bill.

Mr. GARCELON of Androscoggin: Mr. President, when doctors disagree who shall decide? I can only relate my impression of this matter as it developed and appeared to me.

You know under our State law we have had on the State board of health a plumber, and it occurred to me may not this plumber see an opportunity here to build another building in Augusta. And it also occurs to me whether the State cannot rent another building. Instead of looking about for another building they are looking to the State of Maine for another appropriation. I think the State of Maine owns enough buildings in Augusta now. I wish to call the attention of the Senate to the fact that laboratory work of this character is carried on in all of our big institutions in the basement or some rooms fitted up for this work. That is about all they need here. A room or two would accommodate this wonderful board of hygiene.

I am fully in accord with the proposition to kill this bill. I think it is

entirely unnecessary. There are only two men, and if you need a new building for those two men, start in and build this one.

Mr. BOYNTON: Mr. President, this measure calls for \$20,000 to build a new building. The Senators may not know that the old schoolhouse just in front of the Augusta House, belonging to the Joseph Williamson estate, is now where the laboratory is quartered. They have wanted a new building for the last eight years and I presume it is desirable and that it would be well to have it. I question, unless somebody knows absolutely to the contrary I have an idea that the State of Maine can hire this schoolhouse as long as they want to. If testimony to the contrary was produced before the committee on public health, they will correct me, but I certainly think the House did a wise thing when they indefinitely postponed this bill.

Mr. ALLEN of Kennebec: Mr. President, I have taken the opportunity over the 'phone to ascertain from credible parties that there is no question but what this building can be released. I have just done this.

The question being on the indefinite postponement of the bill, a rising vote was taken and 16 voted for indefinite postponement, and five opposed, the bill was indefinitely postponed in concurrence.

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

In the House this resolve was passed to be engrossed.

In the Senate it was indefinitely postponed in non-concurrence. The House then insisted on its former action and appointed a committee of conference.

On motion by Mr. Boynton of Lincoln 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. Boynton, Chatto and Fulton.

From the House: Senate 356. An

Act to amend Section 1 of Chapter 198 of the Public Laws of 1909, as amended by Chapter 192 of the Public Laws of 1911, as further amended by Chapter 182 of the Public Laws of 1913, relating to the amount of the school equalization fund.

In the Senate the bill was passed to be engrossed.

In the House it was amended by the adoption of House Amendment A. and B.

In the Senate the Chair ruled that House Amendment A was not in form and could not be acted upon until corrected.

The same was also true in regard to House Amendment B.

On motion by Mr. Murphy of Cumberland the bill was tabled pending acceptance of House Amendments A and B in concurrence.

From the House: Senate 352. An Act to provide that the livestock sanitary commissioner shall be a veterinary surgeon.

This bill came to the Senate with two reports, majority report, "ought not to pass," and minority report, "ought to pass." The minority report was accepted. The House non-concurred and adopted the majority report.

On motion by Mr. Moulton of Cumberland the Senate voted to insist upon its former action and asked for a committee of conference.

The Chair appointed on such committee on the part of the Senate, Messrs. Moulton, Conant and Bartlett.

From the House: Senate 284. An Act to amend Section 9 of Chapter 53 of the Laws of 1913, "An Act for the better regulation of the practise of dentistry."

The committee on legal affairs reported on this bill, "legislation inexpedient," and in the Senate the report was accepted. The House non-concurred and referred the bill back to the committee.

Mr. GARCELON of Androscoggin: I move that we recede and concur with the action of the House. I will say for the information of the Senate

that the reason for this bill being sent back to the committee is due to an error in the construction of the subject matter, and this was done to correct the error, rather than anything else.

The motion was agreed to and the bill was recommitted to the committee in concurrence.

From the House: Resolve submitting to the people amendment to the constitution granting women equal suffrage with men.

In the Senate the report of the majority of the committee was accepted, and the bill received its several readings and was passed to be engrossed. In the House on its final passage it did not receive the necessary two-thirds vote.

On motion by Mr. Walker of Somerset the Senate voted to adhere to its former action.

House Bills in First Reading.

House 831: Resolve in favor of the city of Biddeford. (Tabled on motion by Mr. Boynton of Lincoln, pending first reading, as it appeared that the old bill had been printed in place of the new draft reported by the committee.)

House 755: Resolve in favor of the Great Northern Paper Company.

House 744: An Act to amend Chapter 481 of the Private and Special Laws of 1901, entitled "An Act to incorporate the York Harbor Village Corporation."

House 735: An Act relating to the granting of licenses by the municipal officers of the city of Portland.

House 766: Resolve in favor of the Madigan Memorial Hospital of Houlton.

House 769: Resolve in favor of the Maine Eye and Ear Infirmary.

House 812: 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 hundred and thirteen, relative to Fishing in Booker Brook in Levant, in the County of Penobscot.

House 814: Resolve for the completion of the fish screen at the outlet of Beech Hill lake, in the town of Otis, Hancock County.

House 815: 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 hundred and thirteen, relating to the taking of fish in certain waters in Washington and Aroostook Counties.

House 817: An Act to regulate the taking of frogs from Big Fish lake, Portage lake, Square lake, Eagle lake, Long lake, Solder pond and in the tributaries to said pond and lakes, in Aroostook County.

House 818: An Act to amend Section fifty-six of 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 the registration of guides.

House 819: An Act additional to and to amend Section two of 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 fishing in Kennebago lake, Little Kennebago lake and the outlets of said lakes.

House 820: An Act 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 fishing in Belgrade stream, a tributary to Snow pond, in the county of Kennebec.

House 821: Resolve to provide for screening the outlet of Schoodic lake in Piscataquis County.

House 822: 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 Shagg, Abbott and Little Concord ponds and their tributaries in Oxford county.

House 823: 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 Stratton brook and in the tributaries to said brook and in the Mount Bigelow ponds, in Franklin County.

House 824: An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Carrabasset river and its tributaries above the bridge at Bigelow.

House 825: 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 Mud pond, Mirror lake, sometimes called Parkis

pond, and their tributaries, and Bog stream and its tributaries down as far as North pond stream, in Franklin and Kennebec counties.

House 826: An Act to amend the charter of the Carrabassett Dam Company.

House 827: An Act to provide safety appliances for cars running on street railways.

House 828: An Act amending Chapter 44, of the Public Laws of 1907, relating to the Maine School for Feeble-Minded.

House 829: Resolve in favor of the Maine Society of the Sons of the American Revolution to provide markers for the unmarked graves of the soldiers of the Revolution.

House 830: An Act to amend Section 5 of Chapter 209 of the Public Laws of 1913, entitled An Act to regulate the business of dealing in securities.

From the House: An Act to provide for a resident hunters' license.

This bill came from the committee on inland fisheries and game with two reports: Report A, ought to pass in a new draft. Report B, ought not to pass.

In the House report B was accepted.

Mr. BOYNTON of Lincoln: Mr. President, I move that we concur with the House in the acceptance of Report B, ought not to pass.

On motion by Mr. Cole of York the reports were tabled pending acceptance of either and assigned for tomorrow.

Bills in First Reading

Senate 421: An Act to consolidate and revise the laws relating to State printing and binding.

Reports of Committees

Mr. Durgin from the Committee on Judiciary, on An Act to amend Section one of Chapter two hundred forty-four of the Acts of nineteen hundred nine, relating to transmitting by corporations of electric power beyond the confines of the State (Senate 166), reported same in a new draft under the same title, and that it ought to pass.

The same senator from the same committee, on An Act entitled An Act to amend Section 14 of Chapter 130 of the Public Laws of 1913, relating to the method of settling damages caused by opening, altering, widening or changing the grade of State or State

aid highways (Senate 235), reported same ought to pass.

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

Mr. Peacock from the committee on sea and shore fisheries, on Resolve in favor of George T. Hinchliffe for services as clerk, stenographer and typewriter of the committee on sea and shore fisheries, reported same ought to pass.

The PRESIDENT: The Chair is informed by the clerk that this resolve was never referred to the committee on appropriations and financial affairs.

On motion by Mr. Boynton of Lincoln the resolve was referred to the committee on appropriations and financial affairs.

Mr. Durgin from the committee on judiciary, on An Act to amend Section 5 of Chapter 61 of the Revised Statutes relating to marriage and the registration of vital statistics (Senate 318), reported same ought not to pass.

Mr. Boynton from the committee on military affairs, on resolve in favor of Knox Academy of Arts and Sciences and General Knox Chapter of the Daughters of the American Revolution, of Thomaston, Maine, reported same be referred to the next Legislature.

Mr. Bartlett from the committee on taxation, on An Act establishing a uniform tax on intangible personal property (House 310), reported that legislation thereon is inexpedient.

The reports were accepted and sent down for concurrence.

Final Reports

Committee on Insane Hospitals.

Passed to Be Engrossed

House 307: An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895 as amended by Chapter 101 of the Private and Special Laws of 1909, relating to the salaries of the judge and recorder of the Bangor municipal court.

House 637: An Act to repeal Chapter 215 of the Private and Special Laws of 1887, entitled, "An Act to

grant special powers to District No. 3 in the town of Springfield.

House 670: An Act to incorporate the Madawaska Electric Power Co.

House 698: Resolve reimbursing Joseph J. Roberts, agent of a society for the prevention of the cruelty of animals for money expended and services rendered in the discharge of his duties.

House 682: An Act regulating the taking of clams in the town of Lamoine.

House 684: An Act relating to the removal of brown-tail moth nests within the limits of the highway.

House 694: Resolve appropriating money for the purpose of providing and operating patrol boats to be used in enforcing the laws relating to sea and shore fisheries.

House 697: Resolve in favor of relief of the heirs of revolutionary soldiers.

House 699: Resolve in favor of the town of Pittsfield.

House 709: An Act to amend Section 1 of Chapter 139 of the Private and Special Laws of 1899, entitled, "An Act creating the Dixfield Village Corporation."

House 713: An Act to amend Section 4 of Chapter 363 of the Private and Special Laws of 1850, entitled "An Act to incorporate the city of Belfast," as amended by Chapter 272 of the Private and Special Laws of 1909.

House 575: An Act to protect agricultural and horticultural societies against fraud.

House 775: An Act relating to the appointment of non-resident guardians.

Senate 364: An Act to incorporate the Oquossoc Light & Power Company. (On motion by Mr. Colby of Somerset, tabled pending passage to be engrossed and assigned for tomorrow.)

Senate 378: An Act to correct certain clerical errors in and to amend Chapter 32 of the R. S., as amended by Chapter 206 of the P. L. of 1913, relating to inland fisheries and game.

Senate 391: An Act creating the southern Maine forest district, and

providing for protection against fires therein.

Senate 398: An Act to amend Section 15 of the R. S., as amended by Section 2 of Chapter 48 of the P. L. of 1905, and Chapter 122 of the P. L. of 1913, in relation to the accounting for and expenditure of school funds.

(On motion by Mr. Murphy of Cumberland, tabled pending passage to be engrossed and assigned for tomorrow.)

Senate 399. An Act additional to Chapter 156 of the Public Laws of 1913 relating to the marking of barrels and boxes to be used in the sale of apples.

Senate 400. An Act to amend Section 7 of Chapter 22 of the Public Laws of 1909, relating to the licensing of dogs.

Senate 402. Resolve in favor of E. W. Murphy, Secretary of the joint special committee appointed by the 76th Legislature on woman's reformatory, State school for boys and industrial school for girls, for certain committee expenses.

Senate 403. Resolve authorizing the State historian to publish historical matter relating to the history of Maine.

Senate 404. An Act to amend Section 80 of Chapter 48 of the Revised Statutes as amended by chapter 15 of the Public Laws of 1905, relating to allowing trust companies to become stock holders in federal and reserve banks.

Senate 405. An Act to incorporate the Mutual Loan Society of Lewistown.

Senate 406. An Act to amend Sections 1 and 2 of Chapter 131 of the Public Laws of 1907 and as further amended by the laws of 1913, relating to taxing of insurance in companies not authorized to do business in Maine.

Senate 407. An Act to enable the cities and towns of the State to appropriate money to aid in the erection of memorial building.

Senate 408. Resolve in favor of the Maine State Prison for certain improvements and repairs.

Senate 409. An Act to provide for the establishment of a board of rec-

reation for the City of Portland.

Senate 410. An Act to provide for Granting Administration in Certain Cases without Giving Bond.

Senate 411. Resolve Declaratory of Certain Amendments of the Constitution of Maine.

Senate 412. An Act for the Protection of Life and Property against loss or damage from steam boilers or steam machinery by Incompetent Persons in Cities of over 35,000 inhabitants. (Tabled on motion of Mr. Murphy, pending passage to be engrossed and assigned for tomorrow.)

Senate 413. An Act to incorporate the Harmony Water Company.

Senate 415. An Act to Extend the Charter of the Rockland, So. Thomaston and St. George Railway.

Senate 417. An Act to amend Sect. 5 of Chap. 383 of the P. and S. of 1897, relative to the tolls to be charged by the South Branch Improvement Company.

Senate 418. An Act to amend Sections 3 and 4 of Chapter 70 of the Private and Special Laws of 1887, entitled "An Act to incorporate the Spencer Dam Company, as amended by Chapter 195 of the Private and Special Laws of 1911, and in addition thereto."

Senate 419. Resolve appropriating money for the improvement of the State park on the easterly side of State Street.

Senate 420. An Act to amend Section 8 of Chapter 130 of the Public Laws of 1913 relating to State aid highways.

An Act to amend Section 21 of Chapter 69 of the revised Statutes, relating to the compensation of guardians.

Passed to Be Enacted

An Act Relating to Salaries of the Subordinate Officers of the Senate.

An Act to Regulate and Define the Rights and Privileges of Newspaper Correspondents in Attendance upon the Legislature.

An Act to Amend Chapter Two Hundred Eleven of the Private and Special Laws of Nineteen Hundred Eleven, Relating to the Congregational Conference and Missionary Society of Maine.

An Act Relating to the Amortization of Bonds of Life Insurance Companies.

An Act to Incorporate the Maine Real Estate Title Company.

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 Hundred Thirteen, Relating to Fishing in Bent's Pond, in the Town of New Sharon, in Franklin County, and in the Town of Vienna, in Kennebec County.

An Act to Amend Section One of Chapter Nine of the Revised Statutes, Providing for the Prompt Payment of Poll Taxes.

An Act Relative to the Hours of Employment of Women and Minors. (Tabled on motion by Mr. Emery of York.)

An Act to amend Section four of Chapter 30 of the Private and Special Laws of 1911, as amended by Chapter 107, of the Private and Special Laws of 1913, limiting the time within which the Wasscasset, Waterville and Farmington Railway Company is authorized to dispose of a part of the property of said company.

An Act to extend the charter of the Livermore and Augusta Railway Company.

An Act to extend the time within which the Farmington-Oakland Railway shall actually commence business.

An Act to change the name of the Maine Baptist Missionary Convention and to unite with it the Maine Baptist Education Society and the Maine Baptist Charitable Society.

An Act to amend Section four of Chapter 71 of the Public Laws of 1909, relating to the Improvement of Free High Schools.

An Act to amend Paragraph seven of Section 100 of Chapter 15 of the Revised Statutes, relating to the Course of Study in Common Schools.

An Act to establish a Board of Education for the City of Bath.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, Prohibiting Night Hunting.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chap-

ter 266 of the Public Laws of 1913, relating to Fishing in Rum pond, in Piscataquis County.

An Act to amend Section five of Chapter 141 of the Revised Statutes, as amended by Section one of Chapter 109 of the Public Laws of 1907, relating to the transfer of patients from one Insane Hospital to the other, and to provide for the transfer of patients from the Insane Hospitals to the Maine School for Feeble Minded, and for the Transfer of Inmates from said School to Either of said Hospitals.

An Act providing for the Disposition of Inflammable Material along the Railroads and Highways of the State.

An Act to authorize the construction of a Public Building in Rumford for Municipal Purposes.

An Act to Equalize the Salaries of Sheriffs.

An Act to Equalize the Salaries of the Registers of Probate.

An Act establishing a close time on Lobsters in the Waters of Jonesboro and Roque Bluffs, in Washington County.

An Act for the Protection of Forests on the Island of Mount Desert.

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. (Tabled on motion by Mr. Cole of York. Subsequently on motion by the same Senator the bill was assigned for tomorrow.)

An Act establishing a close time on Lobsters in Machias Bay and adjacent waters, in the County of Washington.

An Act relating to the Salaries of Subordinate Officers of the House of Representatives.

An Act to provide a salary for the Turnkey or Jailor for the County of Oxford.

An Act to amend Section two of Chapter 25 of the Public Laws of 1909, relating to Supplies furnished to any Person or Family while placed in Quarantine by the Board of Health.

An Act Prohibiting the use of Automobiles or Motor Vehicles upon a certain branch road in the Town of North Haven.

An Act to extend the Charter of the Washington County Light and Power Company.

An Act directing the Treasurer of

State to correct the State Treasury records for the years Nineteen Hundred Eight and Nineteen Hundred Nine, relating to the payment of State, County and Forestry District Taxes on One Forty-eighth part of Township, Number Two, Range Nine, West from the East line of the State, in Piscataquis County

An Act to disorganize Muscle Ridge Plantation, in the County of Knox.

An Act to provide for Professional Supervision of Schools of Remotely situated Plantations.

An Act to amend Section Thirty-nine of Chapter Forty-one of the Revised Statutes, relating to the taking of Alewives by the West Harbor Ice Company.

An Act to prevent Milk-Borne Outbreaks of Infectious Diseases.

An Act additional to Chapter Thirty-two of the Revised Statutes as amended by Chapter Two Hundred Six of the Public Laws of Nineteen Hundred Thirteen, relating to fishing in Simpson Pond, in the Town of Roque Bluffs, in the County of Washington.

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 Hundred Thirteen, 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.

An Act to amend Section Two 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 fishing in Metalluc Brook and in Mill Brook, in Franklin County.

An Act to provide for the Permanent Improvement of Land within the limit of any Highway or Town Way Adjoining any land not known as Wild Land.

An Act to extend the Charter of the Penobscot Valley Gas Company.

An Act authorizing the Municipal Officers of Cities, Towns and Plantations to Purchase, take over and hold lands and materials for Highway purposes.

An Act to amend Section One Hundred Fifteen of Chapter Fifteen of

the Revised Statutes, as amended by Chapter One Hundred Six of the Public Laws of Nineteen Hundred Nine, As further amended by Chapter One Hundred Eighty-six of the Public Laws of Nineteen Hundred Eleven, and as further amended by Chapter Forty-five of the Public Laws of Nineteen Hundred Thirteen, relating to the appropriation for the support of the Normal and Training Schools.

An Act to amend Section Eighty-nine of Chapter Nine of the Revised Statutes, as amended by Chapter One Hundred Eighty-four of the Public Laws of Nineteen Hundred Seven, Chapter Ninety-four of the Public Laws of Nineteen Hundred Nine, and Chapter Forty-six of the Public Laws of Nineteen Hundred Eleven, relating to the choice of Assessors of Taxes.

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 Hundred Thirteen, relating to Ice Fishing in Ross Lake and in Cary Lake, in Littleton, in Aroostook County.

An Act to amend Chapter One Hundred Eighty-two of the Public Laws of Nineteen Hundred Seven, providing that flags shall be furnished to schools.

An Act to amend Section Eighty-one of Chapter Fifteen of the Revised Statutes, as amended, limiting the amount of State aid for Academies.

An Act to amend Section Four of Chapter Two Hundred Fifty of the Private and Special Laws of Nineteen Hundred Eleven, authorizing the Clark Power Company to increase its capital stock.

An Act to amend Section Four of Chapter Seventy-three of the Public Laws of Nineteen Hundred Nine, relating to the examination of pupils entering school after absence on account of sickness.

An Act authorizing the Maine and New Brunswick Electrical Power Company, Limited, to exercise certain powers within the State of Maine.

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 Dead Cambridge river and other waters in Oxford county.

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 Fifteen Mile stream and its tributaries, in the counties of Kennebec and Waldo.

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 the payment by the State of the burial expenses of honorably discharged soldiers and sailors.

An Act providing for the setting off of debts of legatees and distributees against legacies and distributive shares in estates of deceased persons.

An Act relating to the protection of deer in the towns of Deer Isle and Stonington, in Hancock county.

An Act to repeal Section 25 of Chapter 143 of the Revised Statutes, relating to the commitment of idle and vicious girls to the Maine Industrial School for Girls by parents or guardians.

An Act to permit the town of Southport to obtain a supply of pure water.

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 Ellis pond, in Somerset county.

Finally Passed.

Resolve in favor of Freedom Academy for equipment and repairs.

Resolve in favor of the Augusta State hospital for the full maintenance and support of all State charges for the years 1915 and 1916.

Resolve providing a State pension for Henry Golding.

Resolve providing a State pension for Mary Harmon.

Resolve authorizing the land agent to lease Indian Ledge in Matinicus harbor in Knox county.

Resolve providing a State pension for Everett A. Record.

Resolve in favor of Anson Academy for certain improvements and repairs.

Resolve in favor of Nasson Institute for the maintenance and extension of its work.

Resolve in favor of the Augusta State hospital to complete the furnishings for the third female wing.

Resolve authorizing the hospital trustees to sell and convey the "Chase Merrill

place," owned by the State in connection with the Maine School for Feeble Minded, and to expend the proceeds for the benefit of said school.

Resolve appropriating money for the payment of expenses of exhibiting, and premiums on, Maine-grown fruit shown at the New England Fruit Show.

Resolve in favor of the Raymond fish hatchery for repairs and additions thereto.

Resolve in favor of an appropriation to complete the historical record of Maine men serving in the United States navy during the War for the Suppression of the Rebellion, 1861 to 1865.

Resolve providing for an epidemic or emergency fund.

Resolve appropriating money to aid in rebuilding a bridge across the Dennys river between the towns of Dennysville and Edmundston.

Resolve in favor of the Eastern Maine Institute to defray expenses and obligations incurred in the conduct of the school for the years ending July 1st, 1913, and July 1st, 1914.

Resolve appropriating money to aid in repairing a highway in the town of Upton, and providing for the future maintenance thereof.

Resolve appropriating money to aid in building a bridge across Higgins brook in the town of Harmony, and providing for the future maintenance thereof.

Resolve appropriating money to aid in improving a road in the town of Cooper, and providing for the future maintenance thereof.

Resolve appropriating money to aid in repairing Long bridge in the town of Plymouth.

Resolve appropriating money to aid in repairing highways in the town of Hebron, and providing for the future maintenance thereof.

Resolve in favor of the Madawaska Training School for permanent improvements and repairs.

Resolve providing for the appointment of delegates to the conferences of the National Tax Association and for the payment of their actual expenses.

Resolve in favor of Maine Central Institute for the maintenance of the courses of instruction.

Resolve appropriating money to car-

ry out the provisions of Chapter 82 of the Public Laws of 1911, relating to the sealing of weights and measures.

Resolve providing a State pension for Arthur H. Murch.

Resolve providing a State pension for Alice L. Gasper.

Resolve providing a State pension for Susan E. Dawson.

Resolve providing a State pension for Charles H. Kelley.

Resolve providing a State pension for Luella Darling.

Resolve providing a State pension for Frances H. Orrok.

Resolve in favor of H. W. Nicholas, secretary of the committee on appropriations and financial affairs for certain committee expenses.

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

Resolve reimbursing the town of harmony for expenses incurred in the support of certain State paupers.

Resolve in favor of Alfred Yankauer for services rendered in supplying the attorney general with information regarding certain estates liable to pay inheritance taxes.

Resolve in favor of Mary S. Hillman.

Resolve providing a State pension for Georgie S. Bates.

Resolve providing a State pension for Meldon Nealley.

Resolve reimbursing Fortunat O. Michaud, for expenses incurred by reason of his seat in the House of Representatives of the Seventy-seventh Legislature having been contested.

Resolve in favor of Higgins Classical Institute for Building Purposes.

Resolve in favor of Lee Academy for liquidation of certain indebtedness.

Resolve in favor of Ricker Classical Institute, for the Repair and Improvement of Buildings.

Resolve in favor of Westbrook Seminary for the payment of a certain debt and for furnishings for Alumni hall.

Resolve in favor of North Yarmouth

Academy for Repairs and Improvements, and also for the payment of certain indebtedness.

Resolve in favor of the Aroostook Central Institute for the payment of liabilities and also for repairs and improvements.

Resolve in favor of the town of Rumford for the payment of a claim for State Common School Funds for the year Nineteen Hundred and Thirteen.

Resolve in favor of Limerick Academy for aid and the maintenance thereof.

Resolve in favor of the Bridgewater Classical Academy for maintenance.

Resolve in favor of Somerset Academy for the payment of a sum of money equivalent to the amount said Academy would have received if its average attendance had exceeded thirty pupils.

Resolve in favor of Lee Academy for the payment of instructors.

Resolve continuing the unexpended appropriation provided by Chapter 321 of the Resolves of 1913, entitled, 'Resolve in Favor of Aid in the Construction of a Highway Bridge over the St. John River between Fort Kent, Maine, and St. Francis, New Brunswick.'

(This resolve carrying an emergency clause required a two-thirds vote of the members of the Senate. A rising vote was taken and 25 Senators voting in favor of the passage of the resolve and none opposed, the resolve was finally passed.)

Resolve in favor of the Treasurer of State to Enable him to Properly Balance and Settle Accounts with the Various Cities, Towns and Plantations for the year 1914.

(This resolve carrying an emergency clause required a two-thirds vote of the members of the Senate. A rising vote was taken and 26 Senators voting in favor and none opposed, the resolve was finally passed.)

Resolve appropriating money for the protection of trees and shrubs from the ravages of dangerous insects and diseases.

(This resolve carrying an emergency clause required a two-thirds vote of the members of the Senate. A rising vote was taken and 24 Senators voting

in favor and none opposed, the resolve was finally passed.)

House 495: An Act relating to the hours of employment of women and children.

Mr. EMERY of York: Mr. President, I would like to inquire of the Chair as to whether it would be proper for me to offer an amendment to this bill at the present stage.

The PRESIDENT: It is in amendable stage, yes, by reconsidering the vote whereby it was passed to be engrossed.

Mr. EMERY: I move that we reconsider the vote whereby the bill was passed to be engrossed, in order that I may offer some amendments.

Mr. FLAHERTY of Cumberland: Mr. President—

Mr. EMERY: It would appear, perhaps, that there is some objection to offering any amendments at this time, and I would like to state briefly what I have to offer here, and I will say that I cannot conceive of anybody objecting to them, and I want to say further that they are being offered in perfect good faith, with absolutely no intention of delaying the passage of this bill more than the time it would take to act intelligently on these amendments, and if the Senate sees fit to re-consider the vote whereby the bill was passed to be engrossed, I would like to offer these amendments.

Mr. FLAHERTY: I don't wish to be discourteous to the Senator from York, but it seems to me that this bill—the fifty-four hour bill—was given an extensive hearing by the Committee, and they had it under consideration in executive session for a week, and amendments were offered in the House which were defeated, and also amendments offered here when the bill was passed to be engrossed.

I don't think it is necessary at this time, after the consideration that you have given this matter through your committee, who have voted unanimously "ought to pass," trying to meet the requirements of everybody, in order to make this a real fifty-four hour law.

Each of the political parties had it in their platform. Of course if the Senate wishes to do that, I have no objection, but I really believe we are getting toward the last of the legislature, and it was in

amendable form on its passage to be engrossed, and the Senate, in its wisdom, it may be called, voted "ought not to pass" on these different amendments.

I believe it has had all the consideration it ought to have at this time. I believe the President himself has stated the four great measures of this session to be the Massachusetts Ballot, Woman's Suffrage, the Workmen's Compensation Act, and the Fifty-four Hour Law. Of course if the Senate wishes to at this time, I have no objection, but I believe the bill has had consideration enough, and I think the committee on labor feels that way with me.

Mr. EMERY: I can't see that the Senator from Cumberland has assigned any good reason as to why we should not consider these amendments. The amendments which I have here have not been offered by anybody.

We don't question the honest contentions of that committee, but we have a perfect right to question their wisdom, perhaps, and I think it would be proper, I am perfectly willing to state the nature of these amendments before we take any action at all.

The PRESIDENT: It would be perfectly proper, I think, Senator Emery.

Mr. EMERY: Amendment "B" simply calls for striking out the word "seven" in the fourth line and inserting in the place thereof the words "six-thirty."

Now I would say that this is being offered at the suggestion of the employees themselves. The representatives asked me to present this, or rather to so amend that bill, so that they might be allowed to think and act for themselves in this matter, that it should be left to them to say whether they should go to work at 6.30 or seven o'clock.

Now it seems to me that is a fair thing. Here are the people we are trying to help, and I feel that we are just trespassing on their rights a little when we say to them "You shan't go to work before seven o'clock in the morning." You don't want it said to you; I don't want it said to me. Why should we say that to them? They have asked this; I haven't. It doesn't make one cent's difference to the employer whether they go to work at 6.30 or seven. They expect nine hours' work in one day.

Now it is argued by them, and I think their ground is well taken, that they would rather get in a little earlier while it is cool in order that they might get out a little earlier in the afternoon. We all know that the hottest part of the day is along in the afternoon, three or four o'clock, and if they can get out at five o'clock and go home it gives them an hour to change their clothes and rest a little before they have their supper, and enjoy the long evenings in the summer. In the winter time the days are short; it is dark at 6.30, and they would much rather go to work at seven o'clock, and the employers would much rather they would go to work at 7 o'clock, because it is light then, and they would only have to light up on one end of the day.

That is the reason this amendment is here. We have no disposition to question the honesty of this committee, but no man who is as broad as baby-ribbon will refuse to welcome an honest criticism. We do have the right to question their judgment. That has been done with every committee here, and I know of no reason why this committee should be set up against the rest, and it seems to me that any fair-minded man will not object to these amendments being offered, because it is in the power of this Senate to reject that bill in toto, if they see fit, as it stands at this minute, although I don't think it is the desire of this Senate to do anything of the kind. We are all interested in it, and want to see it have a passage, but we want a bill that is fair to all. We must bear in mind we are not called upon to punish anybody, but to see justice dealt out to everybody alike.

I have another amendment here—

Mr. MURPHY of Cumberland: Mr. President, it seems to me it is proper to take them up one at a time.

The PRESIDENT: He isn't offering the amendments now. He is stating the reasons why the action of the Senate should be re-considered.

Mr. FLAHERTY: Can I reply to the Senator from York in regard to that amendment he just offered.

The PRESIDENT: Does the Senator from York yield to the Senator from Cumberland?

Mr. EMERY: Certainly.

Mr. FLAHERTY: I want to say for the benefit of the Senate, Mr. President, that this law only applies to women and children. It was the intention of the committee not to have these women and children out before seven o'clock in the morning, to give them a chance to rest.

That was all. If the men folks have to go to work earlier in the morning, they can do as they like, and they can get breakfast for them. But it was the intention of the committee that these women and children should not go to work before seven. I don't think they feel they are above criticism, or above correction. Our judgment is not infallible, by any means, but if you are going to have a fifty-four hour law, I don't believe in getting your children out early in the morning. That was the intention, I believe, of the fifty-four hour law.

Mr. EMERY: Mr. President, I am perfectly aware that this applies to women and children, but anybody who knows anything about the establishments that this is pointed at knows very well it would not be practicable to have the men go in at 6.30 and the women go in at 7.00, and have the men get out a half hour before the women, because the men and women do exactly the same kind of work; they work side by side; you know that; you know that in a manufacturing establishment they are supposed to be balanced up, so that your spinning and your weaving, for example, go on together, it wouldn't be a practicable thing to have it different.

Talking about little children, there are no little children working in these establishments. You can't call a boy sixteen years old a child. Many of these boys can carry muskets at that time. So I don't think that is any good reason why these amendments shouldn't be offered.

Now as I said, I have one other amendment here which I would like to offer at the same time. It would be by striking out the words "the wages paid" in the fourth line of the sixth section. As it reads now it says "the wages paid."

As I understand it, this is a bill regulating the hours of labor, and wages

doesn't enter into this thing, and shouldn't enter into it in any way, and I think you are fair enough to admit, Senator Flaherty, that we are not trying to regulate wages in any way. When you open the door for that you are treading on dangerous ground. We know that we are getting into deep water, and wages should enter into it in any way, and there is no reason why you should open your books and have people come in and see the wages that you are paying your clerks. It isn't fair to the clerks and it isn't fair to you, and it isn't fair to us that our competitors should have someone come in and look our books over. And then there is a good chance for graft. Somebody can go right out and tell them what we are paying. They have just as much pride in their wages as we have in ours. It isn't a fair thing. Those words don't belong in that bill anywhere.

Those are the only amendments I have to offer. If they don't appeal to you as being fair you can vote against it.

Mr. MURPHY of Cumberland: It seems to me, Mr. President, we have considered this bill fairly well. This is the commencement of delay and trouble. This is the old-fashioned method of doing away with a bill. If we listen to everybody that comes here after there has been a hearing on a bill, and allow them to make suggestions before us, if we allow these amendments to go through, others have amendments they would wish to attach.

If you want to kill this bill, proceed to kill it at once, fair and open-handed. My friend Senator Emery hasn't described the sort of persons that are advocating these amendments, where they are from, nor how many of them there are, nor anything of the sort. If we proceed to do that, we will proceed to do the same for another class of people that want to be exempt. Where are we going to stop? How long will it be delayed in going to the House and back again? Therefore I rise in opposition to any amendments.

Mr. EMERY: Mr. President, I will

say there is no "class." I am not trying to exempt any class. I am trying to exempt them all that come within the scope of that bill. I am trying to delay the passage of the bill. I am as interested in this as Senator Murphy can possibly be.

He asks who has asked me to present it. I will tell him, the operatives of the concern that I have the honor to represent. There are some 3,000 of them. They have asked me, have sent their delegation to my office and asked me if I would not work in the direction of having that change made. Those are the only ones I have met personally, but I have been told that the operatives in Lewiston are in favor of this amendment, that the operatives in Biddeford are in favor of it. I have not seen them personally, but I have it as it is said to others, that the operatives would like to have a voice in this matter. Now it is for these people not for me, and it seems to me that they are just as well able to think for themselves as Senator Murphy and I are to think for them. If they want to go to work at 6.30, why should they be permitted? I say we are treading upon dangerous ground. I am wondering whether we are not interfering with their constitutional rights and liberties when we say they cannot do it. It is up to this Legislature. If they want to kill this bill they can kill it in a minute. Nobody wants to kill this bill.

Mr. MURPHY: I am very sorry to disagree with the Senator from York. We are also approached by many for and against this bill. There are two sides we have to listen to, and although it may be hard to go against our particular friends, we are compelled to use our judgment in regard to each particular class, if you want to call it class. I move that when the vote is taken it be taken by yeas and nays.

The question being upon the reconsideration of the vote whereby the bill was passed to be engrossed, the yeas and nays were ordered, and the Secretary called the roll.

Those voting yea were Messrs. Allen,

Ames, Bartlett, Boynton, Burleigh, Butler, Chatto, Clark, Colby, Cole, Conant, Durgin, Emery, Fulton, Herrick, Jillson, Peacock, Scammon, Thurston, Walker, Weld—21.

Those voting nay were Messrs. Dunton, Flaherty, Garcelon, Leary, Moulton, Murphy, Price, Swift—8.

Absentee: Hastings.

Twenty-one Senators having voted in favor, and eight having voted against, the motion prevailed, and the vote whereby the bill was passed to be engrossed was reconsidered.

Mr. Emery of York offered Senate Amendment A to House 495 and moved its adoption.

Senate amendment A to House 495: "Amend by striking out the word 'seven' in the fourth line of Section 2, and inserting in the place thereof the words 'six-thirty.'

(Amendment read by the Secretary.)

Mr. EMERY: I am wondering if that reads correctly. If I may just take the time to look the bill up.

Mr. FLAHERTY: Mr. President, I move that the amendment and the bill lie on the table and be specially assigned for tomorrow morning.

Mr. EMERY: I understand that they don't want to delay this matter, and I have no disposition to. I know no reason why we should desire this thing to go over. I can hardly see how I can be accused of delaying action in this Senate. I can't think of anybody that has taken up more of the time than the Senator from Cumberland has.

The PRESIDENT: Debate is not in order, except on the time for the assignment. Pending the acceptance of Senate Amendment A, the Senator from Cumberland moves that this bill with Senate Amendment A lie on the table and be assigned for tomorrow morning. Debate is in order on the time of assignment only.

Mr. EMERY: I don't want to be discourteous. I don't want to stand in the way of having this assigned for tomorrow if the rest of the Senate are willing, but I know of no reason why it should go over, unless it is simply a case of trying to delay matters.

Mr. ALLEN of Kennebec: Mr. Pres-

ident, I would like to ask here, if this is to be tabled, if amendments cannot be offered, we will have to go through the same process tomorrow morning. Why can't both the amendments be offered before the Senator from Cumberland makes the motion to lay on the table?

The PRESIDENT: Is the Senator from Cumberland willing to withdraw his motion to table until the other amendment is offered?

Mr. FLAHERTY: I merely wanted to table because the Senator from York doesn't seem to be familiar with the phraseology of his amendment, that is all. I am willing that the two amendments should be laid on the table and be specially assigned for tomorrow morning.

(The amendment having been corrected, the Secretary read the amendment, Senate Amendment "A" to House 495.)

Mr. Emery of York then offered Senate Amendment "B" to House 495, and moved its adoption. Senate Amendment B to House 495: "Amend by striking out the words 'the wages paid,' in the fourth line of the sixth section."

Mr. EMERY: I would say that that is an exact copy of the bill as reported by the committee, with the exception of the words which I ask to be stricken out. I have no desire to take up any further time of the Senate here. I think it is made clear to them, the purpose of these amendments.

The question being on the motion to lay on the table and have the bill and amendments specially assigned for consideration tomorrow morning, a rising vote was taken, and 11 senators voting in favor and 13 against, the motion failed.

The question recurred on the adoption of Senate Amendment A.

Mr. FLAHERTY: I move that when the vote is taken it be by yeas and nays.

Mr. COLBY of Somerset: I would like to ask a question from the Chair. I feel we are safe in saying there is no single man in this body that wants to kill this bill. I know that I am safe

in saying that. Assuming that the two amendments were carried in this body, and assuming that it was sent to the House and they were rejected, and a committee of conference was appointed, would it kill the bill, or simply the amendments, if the committee of conference didn't agree?

The PRESIDENT: If they didn't agree the bill would fall between the two houses.

Mr. COLBY: The bill, or the amendments?

The PRESIDENT: Both. The amendments, being adopted, are a part of the bill.

The question being on the adoption of Senate Amendment A to House 495, the yeas and nays were ordered, and the secretary called the roll.

Those voting yea were Messrs. Allen, Ames, Bartlett, Boynton, Butler, Chatto, Clark, Colby, Conant, Durgin, Emery, Peacock, Thurston, Walker—15.

Those voting nay were Messrs. Burleigh, Dutton, Flaherty, Fulton, Garcelon, Herrick, Jillson, Leary, Moulton, Murphy, Price, Scammon, Swift, Weld—14.

Absentee—Hastings.

Fifteen senators having voted in favor and 14 having voted against, Senate Amendment A was adopted.

The question recurred on the adoption of Senate Amendment B to House 495. The yeas and nays were ordered, and the secretary called the roll.

Those voting yea were Messrs. Allen, Ames, Bartlett, Boynton, Burleigh, Clark, Colby, Cole, Conant, Durgin, Emery, Peacock, Scammon—13.

Those voting nay were Messrs. Butler, Dutton, Flaherty, Fulton, Garcelon, Herrick, Jillson, Leary, Moulton, Murphy, Price, Swift, Thurston, Walker, Weld—15.

The PRESIDENT: The senator from Hancock, Senator Chatto, did not vote when his name was called. The secretary will call the name of Senator Chatto.

Mr. CHATTO: Mr. President, I heard that amendment read, but I will admit I don't understand enough about it to vote, and therefore I refuse to vote.

The PRESIDENT: The senator must

vote one way or the other, being present in the Senate:

Mr. CHATTO: I would like to have the amendment read.

(Amendment read by the secretary.)

The PRESIDENT: The secretary will call the name of the senator from Hancock, Senator Chatto.

The name of the senator from Hancock, Senator Chatto, being called, he voted yes.

Mr. WALKER of Somerset: Mr. President, I desire to change my vote from no to yes.

Fifteen senators having voted in favor of the adoption of the amendment and 14 opposed, the amendment was adopted.

Mr. Ames of Washington offered Senate Amendment "C" and moved its adoption.

Senate Amendment C to House 495: "Add the following section: 'Section 11, this act shall take effect Jan. 1, 1916.'"

Mr. AMES: Mr. President, I am asking this amendment simply that the factories, or the business men, who have contracts to fulfil may have a chance to fulfil their contracts before they reduce their time to 54 hours, and I think it is fair to offer this amendment.

The question being on the adoption of Senate Amendment "C," a rising vote was taken, and six senators voting in favor and 11 opposed, the amendment was rejected.

The bill was then passed to be engrossed as amended and sent down for concurrence.

Orders of the Day

Mr. ALLEN of Kennebec. Mr. President, I wish at this time to offer a resolution and move its passage.

The resolution was read by the secretary, as follows:

"Whereas, through his illness, the Senate of the 77th Legislature has been deprived during a considerable part of the session of the genial, kindly presence of the senator from Androscoggin, Senator David R. Hastings of Auburn, and

"Whereas, the members of this body have sadly missed in their deliberations his broad business knowledge, keen, unbiased judgment, and his ready support of every measure de-

signed to advance the prosperity of the State at large; therefore be it

Resolved, That the Senate of the 77th Legislature, here assembled, extend to the senator from Androscoggin, Senator Hastings, its sympathy in his illness, its pleasure to learn that he is recovering, and its hope that he may fully and speedily be restored to health, and be it further

Resolved, That this resolve shall be suitably engrossed, and a copy thereof, signed by each member of the Senate, shall be sent to Senator Hastings."

The question being on the adoption of the resolution, a rising vote was taken, and the Senate voted unanimously to adopt the resolution.

On motion by Mr. Cole of York it was

Ordered, the House concurring, that 1500 extra copies of the Workmen's Compensation Act, Senate Document 380, be printed for the use of this Legislature.

Specially Assigned.

The President laid before the Senate Senate 258, Veto of the Governor on "Resolve in favor of the Commission of Pharmacy."

The PRESIDENT: The question before the Senate is: Will the Senate, on reconsideration, agree to pass the resolve, the objections of the Governor to the contrary notwithstanding.

Mr. AMES of Washington: Mr. President, I wish to state that I think arrangements are being made in this matter to take care of it in some other manner, and I will tomorrow morning, under suspension of the rules, present an act which I think will be satisfactory to all.

With that understanding I move that the veto of the Governor be sustained.

The PRESIDENT: The motion is not in order. The question is whether on reconsideration the Senate will agree to pass the resolve, the objections of the Governor to the contrary notwithstanding. On this the yeas and nays are ordered as a matter of course.

The secretary called the roll.

Those voting yes were Messrs. Allen, Bartlett, Chatto, Durgin, Emery, Fulton, Scammon, Swift--8.

Those voting nay were: Messrs. Ames, Boynton, Burleigh, Butler,

Clark, Colby, Cole, Conant, Dunton, Flaherty, Fulton, Herrick, Jillson, Leary, Moulton, Murphy, Peacock, Pierce, Thurston, Walker, Weld—21.

Absentee—Hastings.

Eight senators having voted in favor of the passage of the resolve, the objections of the Governor to the contrary notwithstanding, and 21 voting against, the veto of the Governor was sustained and the resolve failed of passage.

The President laid before the Senate Senate 390: An Act to authorize the construction of a weir in the tide waters of the Cobscook river in the town of Lubec.

Mr. Peacock of Washington presented Senate Amendment A and moved its adoption.

Senate Amendment A to Senate 390: "Amend by adding thereto Section 11: 'This act shall not take effect until said A. J. Small has made application to the municipal officers of the town of Lubec, and has been granted a license by them for said purpose.'"

Mr. CHATTO of Hancock: Mr. President, we had this question up in the committee, and it appears that this man from Lubec owns a shore frontage and he also owns an island, and he wants us to let him build a weir to connect the island to the main land.

This question was argued a good deal before the committee, and it appeared that the selectmen of the town of Lubec refused to grant the request of this man to build a weir in this place. Now I would like to understand Senator Peacock's amendment. I understand it this way, that before this act should take effect, that Mr. Small should get permission from the selectmen of the town of Lubec before he could build his weir. I would ask the senator, if it is in order, if that is correct?

Mr. PEACOCK: Your interpretation is correct. If this amendment is accepted it will be necessary for Mr. Small to make application to the municipal officers of the town, and for them to grant him a license to operate this weir before the act will become effective.

It is true that Mr. Small owns the land in front of where he wants to build his weir, and he also owns the island, but there a passageway of eight hundred feet which is always open to navigation, and there are strong protests of people living in that vicinity, remonstrating against the closing of that passage; and for that reason I offered the amendment.

Mr. SCAMMON of Hancock: Mr. President, I want to say in regard to this that I don't have any objection to the offering of this amendment, but I will say that the amendment disregards the work of the Sea and Shore Fisheries Committee; in fact, it kills the idea entirely.

The Selectmen there have previously refused to grant this request, but on the investigation by the Committee, they thought they didn't have good and sufficient reason for it.

If you adopt the amendment you kill the bill. That is the whole thing in a nut-shell.

The question being on the adoption of Senate Amendment A, a rising vote was taken, and three Senators voting in favor of the adoption of the amendment, and ten opposed, the amendment was rejected.

The bill was then passed to be engrossed and sent down for concurrence.

The President laid before the Senate House 513, An Act to require certain vehicles to carry lights at night on public highways and bridges.

The PRESIDENT: In the House this bill was indefinitely postponed, and the Senate concurred in that action. Yesterday the House reconsidered its action and adopted House Amendment A.

Mr. WALKER of Somerset: Mr. President, I tabled this bill at the request of Senator Peacock, and now yield to the senator from Knox, Senator Butler.

Mr. BUTLER: Mr. President, and gentlemen of the Senate: I appreciate the extreme courtesy of the senator from Somerset, Mr. Walker. I do desire, now that I am on my feet, to say just a few words for the rights and in behalf of the interests of a great class of people of the State of Maine, perhaps the most im-

portant class, our rural and village folks. I believe the passage of this act would interfere with their rights.

The senator from York, Senator Emery, made a suggestion a few moments ago that appeals to me. I believe that this Legislature has been subjected to the whims and caprices—

The PRESIDENT: If the senator would pardon the Chair, There is no motion before the Senate.

Mr. BUTLER: Mr. President, I move that we adhere to our former action in the indefinite postponement of this bill.

I believe this legislature has been subjected to the whims and caprices of every person in the State of Maine that has had some scheme to offer us that he thought would be good for somebody or something, whether the victim cared for it or not. It is a good deal like the boy in school about to be licked by the teacher, and being told it would be for his good, but the boy could not exactly see it that way.

We are running too far, I believe, in the idea of paternalism in this legislature and against individualism. We are meddling with most everybody and everything, and I believe we may as well stop here in this matter as any where else.

The rural classes, the village classes of our state—and they compose the largest number of our people—most of them own vehicles, some of them pleasure vehicles, and many of them vehicles of another nature. They have expressed no desire to have this legislation thrust upon them; they are content to let things remain as they are. It seems to me it is time enough for this Senate and Legislature to act when this big class of our people evinces a desire to have such legislation.

The auto—and I am a friend of the auto, I like to ride in the auto and I hope sometime to have money enough to buy one—but the auto has practically crowded the farmer with his team out of the highway. Down in my section of the State the best roads we have and the best drives we have, it is almost impossible for me to go out with my team at night to drive without dodging in and out amongst the autos. They have, whether they

want to or not interfered somewhat with the rights of the team. Now this is one step farther, and I say unless these people affected by this legislation ask for some such measure as this, let us not thrust it upon them.

I should be reluctant to return to my constituency and acknowledge that I had had a part in passing an act which provides as this provides in Section 5, "any person violating the provisions of this act shall be subject to a fine not exceeding five dollars, to be recovered on complaint before any trial justice or municipal court."

Any one of our farmers might leave home in the afternoon to go to the village to do some trading or for any purpose whatever, fully intending to return home before nightfall, and not having a light with him be arrested, tried and fined as a criminal in our police courts.

I sincerely hope, gentlemen of the Senate, that the motion which I have offered will prevail.

Mr. PEACOCK of Washington: Mr. President, I understand we are talking upon the adoption of the amendment that was offered in the house.

The PRESIDENT: The question is on the motion that we adhere to our action in indefinitely postponing the bill.

Mr. PEACOCK: It is not the amendment?

The PRESIDENT: It is not.

Mr. PEACOCK: This bill is not a new proposition. We have been talking this winter about a 54 hour law, and a Workmen's Compensation Act, and telling that we ought to have laws similar to other states. I find in looking up this light law in reference to other vehicles that there are five New England states that have adopted this law, and the present bill before you eliminates teams that are used in transferring freight, and only leaves vehicles supposed to be for light driving, and those are used mostly in the night, and I cannot see how it is going to be a special hardship for the owner of a horse and carriage to go to the expense of spending 75 cents or a dollar for a light.

We know there are a great many accidents that happen on the road, and a great many that are caused by these vehicles not carrying lights. When automobiles are driving along the road they are supposed to have lights; the law compels them to, and they contributed \$192,000 last year to support the highways, and in case they are not lighted and a carriage is coming along, it is difficult for them to see it, where if the carriage had lights on it the automobile would see it, and be able to guard against accident.

We had two accidents in our town that happened last fall just that way. The automobiles were driving along and their light went out, and a carriage was coming along without light. If the carriage had had lights the automobile would have been able to keep clear of the carriage.

I believe that this law if passed is an insurance for safety to the people of the State. I hope that the Senate will not concur with the House.

Mr. PRICE of Sagadahoc: Mr. President, I dislike to disagree with my friend Senator Butler, but I certainly hope his motion will not prevail.

Necessity obliges me to use the highways a great deal at night, and I surely have seen many times the need of an act of this kind. I believe that all vehicles using the highway at night should be accompanied by a light in order that another vehicle approaching may see them.

As Senator Butler spoke of the boy, I might also speak of the small boy, as bearing upon the claim that the people don't call for this legislation. The whole mass of the people, especially those affected by this act, are very much like the small boy when his mother reaches for the soap and the scrub-brush. He don't want it, but it is good for him, and his mother sees to it that he gets it. I think the Senate should make the people of the State of Maine provide their vehicles with lights at night, and I don't see why any heavy team should be exempt. I would very much rather hit a light buggy than a team loaded with hay, buggy than a team loaded with hay, that character.

With this brief statement, I hope, gentlemen of the Senate, that you will realize the necessity of teams being accompanied by lights in the nighttime.

Mr. FULTON of Aroostook: Mr. President, I don't wish to take up any time, further than to say that I hope the motion of the Senator from Knox will prevail. Unfortunately, or fortunately, as it may be regarded, I am the owner of an automobile, and drive a good deal on the country roads in the country I go over.

Yet I am opposed to the idea of placing an additional burden upon the rural population, this burden of carrying lights upon their carriages. I have never yet been subjected to any great danger on that account, and I don't believe there is the danger as described by the Senator from Sagadahoc.

As I understand the bill, it requires the farmer to place two lights upon his wagon, so that it can be seen from the front and rear. There are many of the farmers, the poor people of the State in the rural sections—although it might seem a small matter, yet it would be quite a heavy burden to them to furnish these lights.

I certainly hope the motion will prevail.

Mr. ALLEN of Kennebec: Mr. President, two years ago I stood here and opposed this same bill, and I must admit this morning that after two years have rolled by I have not become converted to the bill, but on the contrary I stand where I stood then.

From my observation and experience, Mr. President, the troubles we meet with on the highway, I am sorry to say it, but it is a fact, are caused by the reckless driving of automobiles. And I am very glad to say and know that we have a bill introduced in this Legislature which will better control the running of those machines. If it does not better control them—and I have all respect for the auto, and as the Senator from Knox said, when I have money to spare I shall have one—if it does not better control them accidents and deaths will be galore. But I believe the restric-

tions that are being put on this winter will eliminate largely the conditions we have tried to provide for, and the dangerous conditions we have tried to prevent.

In looking over this amendment I notice it does not exclude much, "hay, straw, wood, lumber, stone, machinery, or other heavy freight." You just include in that amendment driving vehicles and you have got the whole thing; just "carriages" added there and then the bill is where it ought to be. Everything is excluded but autos.

If there are any teams under heaven that drive on the roads of Maine which are more dangerous than the large loaded teams, that spread out: they are not confined to the main road, they spread out and cover the whole highway, and if any team needs lights they do.

There is another way I believe the Legislature in the near future will protect the traveling public, and that is to limit the intensity of the lights of these automobiles. Men who ride in a carriage or in another auto, their eyes are dazzled by these bright lights. The time is coming when there will be a limit to these lights.

I say and I have said before that I do not believe we should distress the rural districts in order to give automobilists full sway in the State of Maine.

I hope this bill will not pass.

Mr. BURLEIGH of Aroostook: Mr. President, I notice in this amendment it is only as regards loaded teams. Supposing a man goes to market with his team loaded, and comes back free of a load. This amendment doesn't include him. It only applies to loaded teams. I believe it is well enough as it is; that the auto on dark nights should drive slow. If they drive recklessly, as they do now, it is endangering vehicles; but if they drive reasonably they can see a vehicle or a light carriage a long distance ahead, and in season to get out of the way of the carriage, or toot their horn so that the carriage will get out.

I am opposed to this bill entirely,

and hope the Senate will adhere to their former action.

Mr. DURGIN of Piscataquis: Mr. President, I don't think there is so much to fear from loaded teams in the night as from loaded men. (Laughter.)

I think we have failed to look at this matter in one light which to me is of a great deal of interest. I believe that it is as much for the protection of the ruralist himself to have his team lighted, and it is more for his protection than anybody else.

A few years ago I was visiting in the State of Massachusetts. They have a law there which provides that a driving team shall be lighted, and I discovered that it was a very great protection to people who were driving on the highways, and autos driving back and forth meeting them. They can see the light on the auto a great distance, but it is impossible, driving at an average speed, to see a team that is coming, especially when the roads are more or less crooked, and it would be a protection to the man himself if his carriage were lighted, and would impose no great hardship upon him if he had to pay seventy-five cents or a dollar for a couple of lamps, especially when that is for the protection of himself and his family who are riding in the carriage with him.

My friend Senator Butler must not get himself into the foolish virgin class and go out without oil in his lamps, and if this becomes a law he will simply see to it that his lamps are lighted and that he has oil sufficient to last him on the trip.

It seems to me this is a good law, if it is passed, and I certainly hope, from the experience I have had in another state, that it will become a law.

Mr. BUTLER of Knox: Mr. President, I am always glad to see a Senator who knows a great deal of Scripture. It can't do him any harm and will do him lots of good.

I myself drive a great deal with a team at night time. I never in my life have carried a light, and I do not

want the State to oblige me to carry one, for the reason above all reasons, if you have a light attached to your carriage you can't see. It shines in your eyes and obstructs your view; you cannot see nearly as well as you can without it. I mean the ordinary kerosene light that the country people use, not the blinding light of the powerful automobile.

There is nothing now to prevent any man from carrying a light if he wants to. What I object to is forcing it upon him if he does not want it.

This legislation is promoted, I believe, wholly by the automobile people. Here are these powerful touring cars, out for pleasure, simply, day and night. They drive more rapidly than our steam trains in Maine, and yet the trains are guided by two rails. They travel more rapidly than our electric cars whose pathway is laid out by two rails. They have the whole highway to travel over, and if they did not travel like Jehu, many of them, there would be no danger what-

ever of their running into a team approaching them. Their light is visible to the team a long way off and shows the roadway a long way to them, and when the teams see them coming they get out into the gutter, as they have to and then dodge into the road again and go along until another one comes along and then get out of the road again.

That is the way we have to travel nowadays and yet you want to impose upon us another burden of hitching onto our teams one or two lights. Let us do it if we want to, but do not oblige this great class of people of Maine to do it or make criminals of them.

The question being on the motion of the senator from Knox, Mr. Butler, that the Senate adhere and non-concur with the House, a rising vote was taken.

Sixteen voting in favor of the motion and 12 opposed, the motion was adopted and the bill was indefinitely postponed.

On motion by Mr. Cole of York,
Adjourned.