

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE

Thursday, March 25, 1915.

Senate called to order by the President.

Prayer by Rev. Paul S. Phalen of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve reimbursing the town of Aurora for over expenditure of the 1913 State aid road.

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

Mr. MURPHY of Cumberland: Mr. President, I move that we concur with the House and receive this resolve.

Mr. BOYNTON of Lincoln: Mr. President, it would not seem to me that that is a proper thing to do, on a bill of that nature, and there are plenty of them, received in one of these houses under suspension of the rules, and what they contain nobody knows. They go through the Legislature and become law and no one knows anything about them.

If in order I move that this resolve be referred to the committee on ways and bridges.

Mr. MURPHY: Mr. President, this is a resolve that was acted upon by the committee on claims. There was some mistake in it and it was thought advisable to open up the case, and they have and that is the result.

(Senator Boynton withdrew his motion.)

The pending question being on the adoption of the motion of the Senator from Cumberland, Senator Murphy, the bill was received, in concurrence and on further motion by the same Senator was given its several readings and passed to be engrossed under suspension of the rules.

From the House: Resolve for the laying of county taxes for the year 1915.

In the House this resolve was re-

ceived under suspension of the rules, read three times and passed to be engrossed.

In the Senate under suspension of the rules the resolve was received, given its several readings and was passed to be engrossed in concurrence.

From the House: An Act to amend the charter of the City of Augusta.

This bill was passed to be engrossed in the Senate, went to the House and on its passage to be engrossed that branch adopted House amendment A.

On motion by Mr. Swift of Kennebec the bill and amendment was tabled for printing pending adoption of House amendment A.

From the House: Senate 131. An Act to regulate the practise of the system, method or science of healing known as osteopathy, creating a board of examination and registration for those desiring to practise the same and providing penalties for violation of this act.

In the Senate the report of the committee was adopted, the bill received its several readings and was passed to be engrossed.

In the House the bill was indefinitely postponed.

On motion by Mr. Moulton of Cumberland the Senate voted to recede and concur with the House in the indefinite postponement of the bill.

From the House: An Act relative to the hours of labor of employees of street railway companies.

In the Senate this bill was passed to be engrossed. In the House on its passage to be engrossed it was amended by House Amendment A.

The Senate reconsidered the vote whereby this bill was passed to be engrossed, House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.

From the House: An Act to promote the industry of horse breeding in Maine and providing for the registration of stallions.

In the Senate this bill was passed to

be engrossed. In the House the bill was indefinitely postponed.

On motion by Mr. Walker of Somerset the Senate voted to insist and ask for a committee of conference.

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

From the House: Resolve in favor of the Augusta State Hospital for a nurses' home.

In the Senate the majority report, ought to pass, was accepted; in the House the minority report, ought not to pass, was accepted in non-concurrence.

Mr. MURPHY of Cumberland: Mr. President, I move we recede and concur with the House.

Mr. COLE of York: Mr. President, I hope that the motion of the Senator from Cumberland will not prevail.

The question being on the indefinite postponement of the bill in concurrence, a rising vote was taken, and ten voting in favor of the motion and twelve against the motion was lost.

On motion by Mr. Cole of York the Senate voted to insist and ask for a committee on conference.

The Chair appointed on such committee on the part of the Senate, Messrs. Cole, Swift and Ames.

From the House: An Act directing the insurance commissioner to abrogate the license of foreign insurance companies under certain conditions.

In the House this bill was passed to be engrossed; in the Senate it was indefinitely postponed. The House insisted upon its former action and asked for a committee of conference.

On motion by Mr. Bartlett of Kennebec the Senate voted to insist and joint a committee of conference.

The Chair appointed on such committee on the part of the Senate, Messrs. Bartlett, Butler and Herrick.

House Bills in First Reading.

House 762. Resolve in favor of the Bath City Hospital.

House 816. An Act to amend Section 43 of Chapter 32 of the Revised Statutes, as amended by Chapter 206

of the Public Laws of 1913, relating to the protection of game birds.

House 736. An Act relating to the appointment of harbor masters for the city of Portland.

House 832. Resolve in favor of the city of Biddeford.

House 833. An Act to increase the powers of the county commissioners of Penobscot county in regard to making temporary loans, additional to Chapter 80 of the Revised Statutes of 1903.

House 834. Resolve in favor of aid in repairing road in the town of Cushing.

House 835. Resolve in favor of Mary A. Moulton of Cushing, Maine.

House 836. Resolve in favor of Rena Cooley of Augusta.

House 838. Resolve appropriating money to aid in repairing bridge between Eastport and Perry.

House 839. An Act to provide for the granting of lobster licenses and giving state-wide jurisdiction to wardens.

House 840. Resolve in favor of Ozias M. Goff of Gray, Maine.

House 842. An Act to repeal Section nine of Chapter 73 of the Revised Statutes, requiring the consent of overseers of the poor to sales of real estate by guardians in certain cases.

House 844. An Act to amend Section 75 of Chapter 4 of the Revised Statutes of 1903, relating to loans in anticipation of issue of bonds or notes.

House 845. An Act to amend Section 35 of Chapter 114 of the Revised Statutes, relating to a relief of poor debtors.

House 846. An Act to amend Section 19 of Chapter 16 of the Revised Statutes so as to create the trustees of the local Methodist Episcopal churches a corporation.

House 847. An Act to amend Chapter 31 of the Private and Special Laws of 1905, entitled "An Act to authorize the Houlton Water Company to generate, sell and distribute electricity," as amended by Chapter 106 of the Private and Special Laws of 1907.

House 848. An Act relating to the accounts of the various State exam-

ining boards and to provide for the bonding of all officials and clerks who handle public moneys.

House 850. An Act to amend Section two of Chapter 297 of the Private and Special Laws of 1907, relating to the Fort Kent Village Corporation.

House 852. Resolve in favor of an appropriation to restore the early records in the office of the clerk of court for York county.

House 853. An Act to regulate the sale of lightning rods.

House 856. An Act additional to Chapter 181 of the Private and Special Laws of 1911, entitled "An Act to establish in Cumberland county a county farm."

House 857. An Act to amend Section 77 of Chapter 181 of the Private and Special Laws of 1911, entitled "An Act to establish in Cumberland county a county farm."

House 858. An Act to amend Section 17 of Chapter 80 of the Revised Statutes, relating to the powers of the county commissioners of Cumberland county.

House 859. An Act to incorporate the Center Lovell Cemetery Association in the town of Lovell.

House 860. An Act to amend Chapter 204 of the Public Laws of 1856 in relation to the jurisdiction of the municipal court of the city of Portland as amended by Chapter 28 of the Public Laws of 1887 and Chapter 134 of the Public Laws of 1895.

House 861. An Act to further amend Chapter 204 of the Public Laws of 1856, relating to the recorder of the municipal court of the city of Portland.

House 862. An Act to amend the charter of the Farmington Village Corporation.

House 863. Resolve in favor of committee on public health for expenses to Bangor.

House 833. An Act additional to Chapter 80 of the Revised Statutes, relating to the power of the county commissioners of Penobscot county in regard to making temporary loans.

House 865. An Act to amend Chapter 21 of the Public Laws of 1909, relating to the use of the cinematographs, cinetographs,

kenetoscope and moving picture machines.

House 868. Resolve in favor of Dana H. Danforth, secretary of committee on School for Feeble Minded, for the expenses of that committee in visiting School for Feeble Minded at New Gloucester.

House 869. Resolve in favor of the official reporter of the House.

House 870. An Act relating to the Vinalhaven Lighting Co.

House 871. An Act to amend the charter of the Inter-Urban Ferry Company.

House 872. An Act to ratify and confirm the organization of the State Young Men's Christian Association of Maine and to increase its powers.

House 873. An Act to amend Chapter 161 of the Public Laws of 1913, relating to payment of small legacies to minors under decree of court.

House 874. An Act to amend the city charter of South Portland thereby providing for the election of assessors by the citizens.

House 875. An Act to provide sewerage in the town of Presque Isle.

House 876. An Act to confirm the doings of the Forest Avenue Congregational church.

House 877. An Act to amend Chapter 84 of the Revised Statutes of 1903 relating to procedure in court.

House 878. Resolve in favor of conference of commissioners and of the commissioners from Maine for the promotion of uniformity of legislation in the United States.

House 880: An Act to amend Section 8 of Chapter 133 of the Revised Statutes, relating to jurisdiction of municipal courts.

House 882: An Act to amend Chapter 199 of the Private and Special Laws of 1913, entitled "An Act authorizing the city of Bath to levy assessments for street improvements."

House 854. Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol.

House 855. An Act relating to the inspection of hotels, inns and rooming houses.

(On motion by Mr. Bartlett of Kenne-

bec, this bill was indefinitely postponed in concurrence with the House.)

From the House: An Act to create the office of commissioner of inland fisheries and game and abolish the office of commissioners of inland fisheries and game.

(On motion by Mr. Boynton of Lincoln, this bill was indefinitely postponed in concurrence with the House.)

The following resolves were presented and on recommendation of the committee on reference of bills, were referred to the committee on

Appropriations and Financial Affairs.

By Mr. Bartlett of Kennebec: Resolve in favor of Brooks Newbert for services as Clerk, stenographer and messenger to the committee on taxation.

By Mr. Boynton of Lincoln: Resolve in favor of C. R. Tupper for services in formulating bills for the committee on salaries and fees.

By Mr. Walker of Somerset: Resolve in favor of Louis Garcelon for services rendered as clerk of the committee on School for Feeble Minded.

By Mr. Weld of Penobscot: Resolve in favor of Charles R. Kingsbury for services as clerk, messenger and stenographer to the committee on Indian affairs.

By Mr. Cole of York: Resolve in favor of Charles Kingsbury for services as clerk, messenger and stenographer to the committee on interior waters.

Bills in First Reading.

Senate 442. An Act to create the Anson Water District.

Senate 423. An Act to repeal Section 26 of Chapter 144 of the Revised Statutes, relating to the discharge of inmates of the insane hospitals by municipal officers.

Senate 424. An Act to repeal certain obsolete sections of Chapter 16 of the Revised Statutes, relating to the assessment of taxes by parishes.

Senate 425. An Act to repeal Section 42 of Chapter 61 of the Revised Statutes, relating to the authority of the mother to bind illegitimate children.

Senate 426. An Act relating to the appointment of appraisers by the Probate Courts.

Senate 427. An Act relating to the

verification of certificates of organization of corporations.

Senate 429. Resolve in favor of building a state road from Jackman in Somerset County, to Rockwood on Moosehead Lake.

From the House: Ordered that the Senate be requested to return to this House Senate Document 310, An Act relating to the Clark Power Company.

Mr. EMERY of York: Mr. President, I move, in the absence of Senator Clark that this order be tabled.

The motion was agreed to and the order was tabled.

Reports of Committees.

Mr. Cole from the committee on judiciary on bill, An Act to incorporate the Wells Beach Lighting District, reported same ought to pass.

Mr. Durgin from the same committee on bill, An Act to amend Section 9 of Chapter 181 of the Laws of 1911, relating to the practice of embalming and the transportation of the bodies of persons who have died of infectious diseases, reported same ought to pass.

Mr. Bartlett from the committee on legal affairs on bill, An Act to amend Section 9 of Chapter 53 of the Laws of 1913, An Act for the better regulation of the practice of dentistry, reported same in a new draft under the same title, and that it ought to pass.

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

Final Reports.

Committee on Inland Fisheries and Game.

Committee on Interior Waters.

Committee on Indian Affairs.

Committee on Taxation.

Committee on School for Feeble Minded.

Committee on Legal Affairs.

Mr. Weld from the committee on Interior Waters on bill, An Act to authorize the Maine Water Company to take water from Sabbath Day Pond, reported same ought not to pass.

Mr. Clark from the same committee on Extract from the report of the joint standing committee on Governor's

message, reported same be placed on file.

Mr. Durgin from the committee on judiciary on bill, An Act to amend Section 4 of Chapter 61 of the Revised Statutes, as amended by Chapter 166 of the Public Laws of 1913, relating to marriage and the registration of vital statistics, reported same ought not to pass.

The same Senator from the same committee on bill, An Act to amend Chapter 5 of the Revised Statutes relating to registration of voters, reported same ought not to pass.

Mr. Dunton from the Penobscot delegation on bill, An Act to amend Chapter 191 of the Private Laws of 1913, authorizing the County of Penobscot to borrow money for the purposes specified in said act, reported same ought not to pass.

Mr. Bartlett from the committee on Taxation, on petition of the Maine Central Railroad for reduction of taxes, reported that the petitioners have leave to withdraw.

The reports were accepted and sent down for concurrence.

Passed to Be Engrossed

House 485. An Act appropriating money to provide for the carrying out of the provisions of Chapter 106 of the Public Laws of 1913, entitled "An Act to regulate the packing, shipping and sale of apples."

(At this point the Chair informed the Senate that the papers called for by the order, which was temporarily tabled by Senator Emery, are in the hands of the secretary of State, being engrossed. A message was sent to the House informing that branch in regard to the condition of the papers.)

House 735. An Act relative to the granting of licenses by the municipal officers of the city of Portland. (In the House this bill was amended by the adoption of House Amendment A.)

Mr. MURPHY of Cumberland: Mr. President, I move that this bill be tabled and assigned for next Tuesday.

The PRESIDENT: The Chair would like to have the senators understand that we are in the closing days of the Legislature, and this is Thursday, and a small

matter of an amendment of this kind ought not to delay the bill from being engrossed.

Mr. MURPHY: Mr. President, I will state that that is not the only reason. I did not think it would be fair to assign it for Saturday for we all like to return to the city of that day to look after matters.

The motion was agreed to and the bill was tabled and assigned for next Tuesday.

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

(In the House that branch adopted House Amendment A. In the Senate House Amendment A was adopted in concurrence.)

House 755. Resolve reimbursing the Great Northern Paper Company for money expended in excess of one-half the cost of a bridge across Moose river.

House 766. Resolve in favor of the Madigan Memorial hospital for maintenance.

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

House 812. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, prohibiting fishing in Booker brook, in Levant, in the county of Penobscot.

House 814. Resolve appropriating money for the completion of the fish screen at the outlet of Beech Hill lake, in the town of Otis.

House 815. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of fish in certain waters in Washington and Aroostook counties.

House 817. An Act to regulate the taking, catching or killing of frogs from Big Fish lake, Portage lake, Square lake, Eagle lake, Long lake, Soldier pond and in the tributaries to said ponds and lakes, in Aroostook county.

House 818. An Act to amend Section 56 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the registration of guides.

House 819. An Act additional to and to

amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Section 2 of Chapter 206 of the Public Laws of 1913, relating to fishing in Kennebago lake, Little Kennebago lake and the outlets of said lakes.

House 820. An Act to amend Section 2, Chapter 32, of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Belgrade stream.

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 Section 2, 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, prohibiting 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 in Kennebec.

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, Public Laws of 1913, entitled An Act to regulate the business of dealing in securities.

Senate 416. An Act to amend Chapter 18 of the Revised Statutes, relating to State board of health.

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

House 826. An Act to amend Section 2 of Chapter 125 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Carrabasset Dam Company."

House 828. An Act to amend Section 1 of Chapter 44 of the Public Laws of 1907, relating to the ages between which persons may be admitted to the Maine School for Feeble Minded.

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

Finally Passed.

Resolve appropriating money to settle claims for land damages resulting from the construction of the easterly span of the bridge between the city of Old Town and the town of Milford.

Resolve reimbursing the estate of James C. Braman for a collateral inheritance tax erroneously assessed against said estate and paid by the executors of the will of said Braman.

Resolve reimbursing William F. Mason for loss occasioned by a quarantine on Christmas trees.

Resolve appropriating money to aid in a survey for a bridge across the Taunton river between the towns of Sullivan and Hancock.

Resolve reimbursing the town of Otisfield for money expended on account of a State pauper.

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

Resolve in favor of Van Buren College for maintenance and the purchase of equipment.

Resolve to provide for a celebration of the one hundredth anniversary of the admission of the State of Maine to the Union and the three hundredth anniversary of the landing of the Pilgrims.

Resolve in favor of the Somerset Hospital for maintenance.

Resolve in favor of the Presque Isle General Hospital for maintenance.

Resolve in favor of the Rumford Hospital Association for maintenance.

Resolve in favor of the Maine Institution for the Blind for maintenance.

Resolve in favor of the York County Children's Aid Society for maintenance.

Resolve in favor of St. Elizabeth's Roman Catholic Asylum for maintenance.

Resolve in favor of the Hayes Young Woman's Home of Lewiston for assistance in carrying on its work.

Resolve in favor of the Children's Hospital for maintenance and also for the reduction of the debt of said institution.

Resolve in favor of the Maine General Hospital for maintenance.

Resolve appropriating money for the full support of all State charges at the Maine School for Peeble Minded.

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

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

Resolve reimbursing the county commissioners of Penobscot county for the costs of repairs to the State bridge across the Penobscot river between the city of Old Town and the town of Milford.

Resolve in relation to the completion of the sixth revision of the General and Public Laws and appointing a commissioner therefor.

Resolve in favor of the Lewiston and Auburn Children's Home for maintenance.

Resolve in favor of Leo Shay, representative of the Penobscot Tribe of Indians, for travel and attendance at regular session of the 77th Legislature.

Resolve in favor of the Northern Maine General Hospital for maintenance.

Resolve in favor of the Knox County General Hospital for maintenance.

Resolve in favor of St. Mary's General Hospital for maintenance.

Resolve providing for the distribution of the Revised Statutes.

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

Resolve in favor of St. Joseph's Academy to assist in the payment of its debts and for permanent improvements and equipment.

Resolve in favor of the Augusta General Hospital for the use and maintenance thereof.

Resolve in favor of the Trull Hospital Aid Association for maintenance.

Resolve reimbursing the Forks Plantation for money expended on account of a certain State pauper.

Resolve in favor of the Holy Innocents' Home for infants, for maintenance.

Orders of the Day

Mr. Ames of Washington presented, out of order, and under suspension of the rules, Resolve in favor of the Commissioners of Pharmacy and moved its reference to the Committee on Appropriations and Financial Affairs.

There being no objection, the rules were suspended, and the resolve was received and referred to the Committee on Appropriations and Financial Affairs.

Mr. ALLEN of Kennebec: Mr. President, I move that we re-consider our action whereby we voted to indefinitely postpone House Document No. 513, An Act to require certain vehicles to carry lights at night on public highways and bridges.

The PRESIDENT: Did you vote to postpone?

Mr. ALLEN: I certainly did.

The PRESIDENT: In the House this was indefinitely postponed. In the Senate we concurred with the House. They called it back to the House again, and amended it by House Amendment "A". In the Senate yesterday we voted to adhere, which killed the bill between the houses. Now the Senator from Kennebec moves that the Senate re-consider its action whereby it voted to adhere to its action indefinitely postponing the bill.

Mr. ALLEN: I would say, Mr. President, why I do this. A re-consideration would have to be made today, and the proponents of the measure feel that they can present an amendment that will place the bill in a condition and position where it will be acceptable to us, the opponents, and in order to be per-

fectly fair to them, and give them all the chance they should have, I am making this motion. My intention is, if it is passed, to table the matter until tomorrow, hoping that some amicable solution of the matter can be reached by that time.

The question being upon the reconsideration of the action whereby the bill was indefinitely postponed, a rising vote was taken, and eighteen Senators voting in favor, and six opposed, the motion prevailed.

On further motion by Mr. Allen of Kennebec, the bill was tabled and specially assigned for consideration tomorrow morning.

Specially Assigned.

The President laid before the Senate House 640, An Act to amend Section 47 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the use of motor boats in hunting sea birds, duck or water fowl.

The PRESIDENT: The question is on the adoption of House amendment A. (House amendment A read by the Secretary.)

Mr. COLE of York: Mr. President, I am not a sportsman, and I never go hunting, but I am wondering, if this legislation continues, passing these restrictive laws, whether we shall not be taking away the constitutional rights of individuals, and whether we shall not be subjecting every single individual in the State to criminal process if he attempts to follow any line of sport.

I can understand, perhaps, how a bill of this kind affecting the inland waters of the State may be perfectly proper, on account of the safety of the people; but we are a sportsmen's State, holding ourselves out and inducing people to come into the State, and if we continue to apply these restrictive laws so that people when they come into the State for the purpose of hunting are subjected to police laws so restrictive that they are liable every time they go hunting to be fined for committing a criminal offence, I don't know where the State will finally stand.

So far as the inland waters are concerned, as I have said, I care nothing, but I can see absolutely no reason for it in the tidal waters of the State, within the three-mile limit on our coast, where the motor-boat is today the method of conveyance as the automobile is on the land. I don't see how any hunting can be done in this day of the world unless you use the motor-boat for that purpose. The ordinary row-boat, the ordinary sail-boat, is as much out of place for people traveling the great highways of the ocean as the old horse-car would be in traveling the streets of our cities and suburban towns today. The motor-boat has taken its place, and is the ordinary method of conveyance on that great highway. It is used by sportsmen as well as by fishermen and those in search of pleasure.

As I say, I have no personal interest in this thing, except that I don't believe in passing such restrictive laws as this, because I can't see any benefit in it whatever. I don't believe that, with the sea-birds protected, there should be any difference relating to the method of hunting of those that are not protected, whether a man goes in a row-boat, or a sail-boat, or a motor-boat. I don't know how you can chase a flock of geese in a motor-boat and do any more harm than in a row-boat; I don't know how you can chase a loon, or anything of the kind that flies or goes under water and do very much damage. It seems to me the law is one of those very far-reaching laws put on with a great deal of sentimentality.

I move the indefinite postponement of this whole measure, in order that it may be re-drafted, and if there is any need of it in the inland waters of the State, or the rivers of the State, the matter may come up again in proper form; but when you come to that indefinable line marking the three-mile limit, where in five minutes a man may be free from all law except international law, and in five minutes again inside the line where you may make him a criminal, it seems to me it is utterly useless for us to pass laws which will restrict people, and where

we know they will become law-breakers.

I have never been more forcibly reminded of the danger and the uselessness of these laws than at a hearing before the Sea and Shore Fisheries Committee two years ago. If there is a class of people that intends to be honest, I believe it is the ordinary fisherman, the man who lives on our coast and earns his living and a living for his family by his toil upon the sea. Now we are every day passing laws which restrict those people from earning an honest living, and we know when we pass those laws that they are to be violated; we know that those people cannot earn a living and live within the laws which we pass here; and one of those men was honest enough to come up here two years ago and ask us not to pass a law which should make him a criminal. His plea was "Don't make so many laws; we don't want to be criminals. Give us a chance to earn as honest a living upon the water as you people have to earn an honest living on the land."

I believe there is merit in that, and I believe that with laws where the sea birds are protected, they are as well protected from motor-boat hunters as they are from motor-boat hunters, but where there is no particular protection upon any class of birds, then it seems to me utterly useless to pass laws so that a man using the ordinary method of conveyance in vogue at the present time should be relegated from the motor-boat to something entirely gone by. No man today uses a row-boat or a sail-boat for fishing. The motor-boat has come to stay; gasoline has taken the place of brawn and muscle in the conveyance of men to every class of occupation on the sea, and I believe, Mr. President, that the enactment of all these laws will simply make men criminals who would like to be honest.

For that reason I oppose all such laws as this; but if public safety requires something of this kind, you can make a law which is not so far-reaching, and which will provide for safety, but it isn't for safety when you go outside the three-mile limit, and beyond that indefinable line where no

man can tell where the three-mile limit stops and you get beyond it.

Why place him in a position, when he wants to be honest, so that in three minutes he is outside of the line regulating hunting and then in three minutes more is inside of the line, and a criminal? It is a common custom for a fisherman to take a shotgun with him when he goes to draw his lobster traps, in case he should see a wild bird. That is a part of their sustenance. These are poor men, earning an honest living. I don't believe we ought to take away from them the opportunity to earn a living.

The question being on the motion of the Senator from York to indefinitely postpone, a rising vote was taken, and twenty-two Senators voting in favor, and three opposed, the bill was indefinitely postponed.

The President laid before the Senate Majority report (ought not to pass) and Minority report (ought to pass) from the Portland Delegation, on bill "An Act to amend Section 3 of Chapter 84 of the Private and Special Laws of the year 1875, entitled "An Act relating to the Schools of the City of Portland."

The question being on the adoption of either report the majority report, ought not to pass, was accepted and sent down for concurrence.

The President laid before the Senate majority report (ought not to pass) and minority report (ought to pass) from Committee on State Prison on bill "Resolve in favor of altering and enlarging the State Prison at Thomaston", House 649.

The PRESIDENT: In the House, the House adopted the minority report, ought to pass, and the question is upon the acceptance of either report.

Mr. CHATTO: I move that we non-concur with the House and accept the majority report.

Mr. BUTLER of Knox: Mr. President, I don't know that I would agree to that and keep silent.

I don't think this matter calls for any extended debate here. In fact, I think it would be as well, perhaps, to submit it to this Senate without debate. Certainly I can say nothing in this matter that will add any light to it, that

will give you Senators any information that you do not already have. You are familiar with recent history. You will remember that the majority report for the removal of the State prison to some location elsewhere than its present site was defeated here by a large majority some weeks ago, and you recall that the House concurred in that vote.

You are reminded this morning that the House voted to accept the minority report, in favor of an appropriation for the remodeling of the present prison, and an appropriation of \$75,000 for 1915, and \$25,000 for 1916, making this prison a modern, light, sanitary place in which to confine our criminal classes.

Now we are all pretty much agreed, Senators, on one proposition, that something should be done down there. I am not prepared to agree, any more than I was in a former speech I made some weeks ago, that that old prison is unhealthy. I don't believe the records indicate that, of those who are competent to know, or in a position to know; but I do believe, as every Senator must believe, that that is not as good a place, as modern a prison, as should be had for the criminals of Maine, and I believe the State, poor as it is, short of money as we are, can well afford to do something for these unfortunate men, and to make their lives in that institution more endurable.

Perhaps the amount called for is too large; perhaps the State, after all the appropriations we have made, cannot afford at this session to do all that should be done, which would cost something like \$90,000, to make this a modern, sanitary, comfortable, up-to-date prison; and it has been considered advisable, at the proper time, to offer an amendment to this resolve, asking that you appropriate \$50,000 at this session, and thoroughly modernize one wing, and do other minor matters immediately necessary, for which \$50,000 will be ample.

I don't know that I want to say anything more, gentlemen. I cannot throw any more light upon. I am willing to submit the case to you fairly, and know that you will give it your best judgment. Let us not wait two years; let us do what we are able to do now. Be-

gin doing something after the close of this session. I sincerely hope that the motion of the Senator from Hancock, Senator Chatto, will not prevail.

Mr. CHATTO: Mr. President, I think the parties interested in the question of the building of a new State prison have tried to be perfectly fair when they represented their side of the question. We have shown the financial history of the State prison. There has never been a year that it has paid its expenses down there. In fact, there isn't a State prison in New England but what has a better showing than our prison.

Now you all remember that when I made some remarks here a short time ago, the first thing I said was that we would amend our resolve by referring the matter to the people at the next September election. I think that any matter of this kind, any particular State institution, should not be taken up here in the Senate, or in the Legislature, and passed, without the people having some voice in the matter. The people pay the bills; and Senator Butler admits that it isn't an unhealthy place down there at Thomaston, and that the wardens and everyone connected with the prison have tried to do all in their power to make it as decent for the prisoners as they possibly can, under the circumstances.

Now in speaking of the fairness of this proposition, I have taken this matter up with the people that are most interested in keeping the prison in Knox County. I told my brother Senator, Senator Butler, that if he would refer this resolve to the people of Maine that I would not oppose it; in fact, I would vote for it. If the people of Maine want to build a new prison, I believe it is their privilege; if they want to locate it in some other place than Knox County I believe it is their privilege. If the people of Maine want to repair that prison, nearly one hundred years old, and which will cost as much as it will to build a new prison, in my opinion, they have a right to do so.

I hope, Mr. President, that the majority report will prevail.

Mr. DUNTON of Penobscot: Mr. President, and gentlemen of the Senate:

I think you are all aware that I signed the majority report, to build a new prison; and I think those who know me best know that I want to make our institutions as comfortable as I can for our unfortunates.

I signed that report realizing that to ask this State to appropriate \$300,000 was a pretty hard proposition, but I thought I realized the need of it. The Senator from Knox at that time opposed it here, ably opposed it, but he admitted at that time that there had not been any call, that there wasn't any need of any reform down there whatever, that he had heard of, until that time.

They come to you now with a proposition for \$100,000, not yet amended, but they propose that it should be amended, to veneer that institution which they said had been good enough for a hundred years.

It is evident to me that this is not a modern institution. It must be evident to you all that our State prison is an obsolete old thing, and to put \$100,000 into it would cause it to remain there still an old, obsolete, outgrown, not a modern institution.

I don't care where they put this institution, but I want the bill drawn to come in here so that they will give these men some chance for outdoor work. Our methods now are different than they used to be. It is absolutely impossible for a prisoner to get away, and so realized in other states, on account of our modern telephones, telegraph, and transportation facilities. So they let them out, and they find that the men grow better for having exercise in the open.

The Thomaston State prison is some cells around a hole in the rock. This bill, as I said, is loosely drawn. They are going to put in some steel cells, as I understand it, where the stone cells are now. It will be a make shift, and it is brought here not so much in the interests of the prisoner as it is for fear that Knox County will lose it. I don't want them to lose that down there, but I do want them to go to work down there if they want to keep it there and buy some land and start improvements right.

I am perfectly willing to vote for anything that will modernize in any way, but I am opposed to this bill because I believe that it is prolonging a condition that we ought to be ashamed of.

Mr. BOYNTON of Lincoln: Mr. President, perhaps a little sum in arithmetic might be to our advantage.

We have before this Legislature, in different bills, the improvements at Pownall, which are absolutely, the building at Hallowell, which is necessary, the bill carrying \$75,000 for tubercular patients, that is absolutely necessary, the resolve for a wing to be re-modeled at the Augusta Hospital, calling for \$80,000, and other things that are necessary, absolutely necessary.

Now the adoption of all these matters by this Legislature means either a six-mill tax rate, or vetoes by the Governor.

Now I should be very sorry to see a resolution carrying an appropriation of \$50,000 for the State prison which I did not consider necessary. It would be well enough; it would be all right, but when the time comes to fix over the old prison, let us appropriate money and fix it man-fashion, not put in a little this year and a little more some other year. When these other matters are out of the way that can be done.

One other matter you might consider, whether or not we are to have much use for that State prison in the future. Every administration for the last ten years or more have climbed over each other in their haste to grant pardons, and the parole system, which is working excellently—you have for the last five or six years taken out of the back door perhaps five men where you put one in at the front, and it is only a question of time, if this condition of things continues, when you are not going to need a prison very badly for any great number of prisoners. I hope that the motion of the Senator from Hancock, Senator Chatto, will not prevail.

Mr. BUTLER: My memory is fairly good. I don't believe that the Sena-

tor from Penobscott, Senator Dunton, can find anywhere, if he will read my remarks made some weeks ago, when this matter was under discussion, a statement that I said that this prison was good enough. This resolve has been drawn so that it may be made good enough, that it may be made to meet the very complaints that this prison committee have made, and they are the moving party, and not the people of our State. This prison committee started this agitation, moved by other parties, perhaps, to some extent.

It isn't such a matter as should have a referendum. To my judgment those matters should be left to the people, and those alone, where there is a demand from the people, and there has been no demand from the people in this matter. Do we have a referendum when we vote, as we have done this session, to spend \$85,000 in renovating a single wing of our State hospital at Augusta? There is no more need for a referendum on this State prison proposition than there is on that proposition.

My good friend from Lincoln—we are friendly always except when we are voting, and we always vote against each other—says after we get all these things done, all our State institutions, our non-criminal institutions, all have their wants supplied, after that millennium comes, why then fix the prison. Why, gentlemen, every session of the Legislature the calls of these institutions are for larger appropriations, and they are more pressing, as you know. At this session of the Legislature the calls from these institutions are more numerous than ever, and if you will wait until the time that he has named comes, you will never do anything for the State prison at Thomaston.

Now I say to you in good faith—and a Senator here present has the amendment—that if this motion of the Senator from Hancock does not prevail, and the minority report is accepted, an amendment will be offered making this appropriation \$50,000.

Mr. FULTON of Aroostook: Mr. President, I don't wish to prolong the debate on this matter. As one of

the signers of the majority report, I simply want to state that my mind has undergone no change in regard to the position I took at the beginning.

We have been in a great many things—not only in regard to the matter of the State prison, but in matters pertaining to other institutions, like the hospital for the insane—accused of bringing sentiment into the matter, but I don't agree to that this morning.

I simply wish to speak for just a minute this morning on the matter as a business proposition. The resolve, as I have it before me here, calls for \$75,000 for the year 1915 and \$25,000 for the year 1916, which would be one third of the amount asked for in the resolve which was presented some time ago for the building of the new prison. Now it seems to me that would be a waste of the State's money, and I cannot conscientiously vote to waste the money of the State in repairing the old prison. It would be too much, to my mind, like the Irishman's jackknife. After having had a half dozen new blades, and as many new handles, it was the same old jackknife after all. It seems to me it would be the same thing here.

The genial Senator from York, Senator Cole, some time ago in taking his position in opposition to the building of a new State prison, told us about the parole law, by the action of which the population of the prison was constantly decreasing. If that be so, we hardly need to go to work at the present time and increase either the capacity or improve the condition of the prison. The resolve providing for a reformatory for women, has I believe, passed, and that would take from the prison the female inmates there, and those who might have to be sent there in the future.

So it seems to me that if the prisoners have got along for nearly a century under the conditions that they have been subjected to, they can well afford to get along a while longer, taking into view these facts, that the population of the prison will be constantly decreasing under the new provisions of law.

It has been stated—and we will concede that that is the fact—that the prison is healthy, the surroundings are all right. I see no reason why there should be any change at the present time made. Every Senator knows, and perhaps has had experience himself, in attempting to renovate, repair or remodel an old building, and knows that in most cases it will cost just about twice as much as he thought it would. All have had experience in that matter, and while \$100,000 might be asked for, there is no way for us to prove that it wouldn't cost \$200,000 or more.

I have no feeling in the matter. As I stated once before in speaking here, I don't care where the prison is located, whether in Knox County or in Waldo County or in Aroostook County—perhaps it would be well to have it there—so long as the prisoners have proper surroundings and are properly cared for and have human treatment, which I believe they are getting, but the matter appeals to me on the business basis.

Now the reports of the state prison officials year after year have shown to us that it is quite a costly institution, and they have asked and recommended in their reports a change from the present place, saying that it never could be put on a self-supporting basis. I think a resolve went through a short time ago appropriating \$60,000 for the next two years, and also an additional one of \$1500 for some supplies and appliances that they needed there.

We are turning down every minute meritorious resolves, appropriating different purposes, on the ground that the state isn't able to do it. A very meritorious resolve was turned down just yesterday, I think, or a day or two ago, in the House, appropriating money for a nurses' home, which was urgently needed; and they tried to show in the House that it was urgently needed; and if the State isn't able to provide these things, it certainly isn't able this year to expend from \$100,000 to \$150,000 or \$200,000 for the repair of the old prison.

I don't wish, Mr. President, to attempt to go over the old ground which

was taken up at the previous debate, but I am opposed to this measure as it stands.

Mr. DUNTON: For fear that I might have misquoted the Senator from Knox, which I didn't wish to do, I will state that the idea which I wished to convey was that the Senator in my presence stated that until this came in he hadn't heard any complaint but what the prison was all right. That is what I meant to convey; I don't know exactly what I did say.

Mr. SCAMMON of Hancock: Mr. President, we might as well be honest about it and call a spade a spade. There are but two sides to this question, and one is whether we shall put \$100,000 into this prison, or yield to the desire of the Senator from Knox, and lay out such a sum as to preclude the possibility of the prison ever being removed.

All through this session we have been scrimping and saving, or trying to save, on every appropriation, on things absolutely needed, and here comes a question when it is admittedly a thing that can be put off for a long time, and an appropriation of \$100,000 is asked, although it was thought it might be pared down some.

Now it seems to me, while I admire the business acumen of the Senator from Knox, that this is an impossible proposition for us under the present situation, and I sincerely hope that the motion will not prevail.

Mr. BUTLER: I just want to say a word.

The PRESIDENT: The Senator has spoken twice. Is it the unanimous consent of the Senate that he be allowed to proceed?

(Without objection the Senator proceeded.)

Mr. BUTLER: I simply wanted to observe that I am astounded at the complete change of front, the new tune that the members of the prison committee are singing. When they had the hearing here before it was a pressing need; something must be done at once. Now they say it is good enough, no matter if it is a long time off, 10 to 20 years, or another century, I get

from the remarks of the Senator from Aroostook.

Mr. President, I call for the yeas and nays.

Mr. BOYNTON: Just one word. Viewing this matter from an impartial viewpoint, I discover a complete change of front on both sides. Those who once saw so many things calling for a change, now don't see a thing; and those who didn't see a thing a short while ago, now are absolutely sure that they are needed.

Mr. FULTON: I just wanted to say to the Senator from Knox that I stated that in what I had to say that I was leaving sentiment entirely out of the question this morning.

Mr. COLE of York: Mr. President, I suppose that those of us who vote one way or the other will vote intelligently with the understanding that if that report passes, which carries with it the idea of an appropriation, that an amendment will be put in here reducing that appropriation to \$50,000. With that understanding we all vote.

Mr. DUNTON: Do I understand this is a vote on the acceptance of the majority report?

The PRESIDENT: It is.

The question being on the acceptance of the majority report, ought not to pass, the yeas and nays were ordered, and the Secretary called the roll.

Those voting yea were: Messrs. Allen, Boynton, Chatto, Colby, Conant, Dunton, Durgin, Emery, Fulton, Garcelon, Scammon, Swift, Walker.—13.

Those voting nay were: Messrs. Ames, Bartlett, Burleigh, Butler Clark, Cole, Flaherty, Herrick, Jillson, Leary, Moulton, Murphy, Peacock, Price, Thurston, Weld.—13.

Absentee: Hastings.

Thirteen Senators having voted yes, and sixteen having voted no, the minority report was not accepted.

The question recurring on the adoption of the minority report, the same was adopted, the bill given its first reading and assigned for its second reading tomorrow morning.

The President laid before the Senate, House 756, An Act providing for the enumeration of neat cattle, sheep

and swine, tabled by Senator Murphy.

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

The pending question being concurrent action with the House.

Mr. MURPHY: Mr. President, I yield to the senator from Kennebec, Senator Bartlett.

Mr. BARTLETT: Mr. President, I move that we concur with the House and give this bill its several readings and pass it to be engrossed. In explanation I will say that this act came from the committee on taxation, under bill that had been passed exempting neat cattle under 13 months of age from taxation. This provides that the assessors shall have an emuneration of them the same as now made on poultry, to be made without any additional expense.

The motion was agreed to and the bill was given its several readings and passed to be engrossed in concurrence.

The President laid before the Senate, House 831, Resolve in favor of the city of Biddeford, tabled by Senator Boynton, the pending question being its first reading.

Mr. BOYNTON: Mr. President, this resolve was tabled because the new draft was not forthcoming.

The PRESIDENT: The papers are all here.

On motion by Mr. Boynton the resolve was given its first reading and its second reading was assigned for tomorrow morning.

The President laid before the Senate, House 45, Report A, "ought to pass in a new draft," and report B, "ought not to pass" from the committee on inland fisheries and game on An Act to provide for a resident hunter's license, tabled by Senator Cole.

In the House the bill was indefinitely postponed. In the Senate Senator Boynton moved to accept Report B, "ought not to pass."

The pending question being on the motion of Senator Boynton that the

Senate accept Report B, "ought not to pass."

Mr. HERRICK of Franklin: Mr. President, we had a very extended hearing on the matter of the resident hunter's license law, and being one of the committee that signed the report "ought to pass in a new draft," I feel like saying a few words to the Senate. I shall not take but a very short time.

The hunter's license law has been very extensively argued all over the State of Maine during the last two years. I do not remember whether it has been before the Legislature before, but I do know that it has been extensively talked in the upper part of the State for a long time.

The State of Maine has appropriated \$100,000 for the commissioners of inland fisheries and game. They get back somewhere between \$35,000 and \$55,000 from license fees and other things during the year, leaving quite a large amount of money which the State is obliged to pay. I believe that the office should be self-supporting. I believe it is not unjust to the people of the State who kill the game to be obliged to pay a small amount for the protection of that game.

The fish and game commissioners came before us and stated that it was impossible to collect revenue from the non-resident hunters under the present conditions, as there was no way of distinguishing the resident from the non-resident hunters in the deep forests of the State.

I submit to you, Mr. President and gentlemen, that we should collect every dollar that is due us from the non-resident hunters. The tax payers of the State are taxed yearly quite a large amount for the protection and propagation of fish and game, and this is one of the most important taxes that we pay. The fish and game today is one of the principal revenues of this State, and in order to keep it up to standard it must be preserved. The percentage of people that hunt and kill game is admitted to be less than 7 per cent, and they should be obliged to pay something toward the protection and propagation of fish and game aside from their regular taxes. I believe it is not unfair to ask the citizens of the State to pay the small amount of \$1.15 during the entire open season on game.

Our non-resident hunters are taxed \$5 to hunt birds two weeks in September. If they stay longer than that they are taxed \$10 in addition or a total of \$15 in all. I believe that the average time the non-resident hunter spends in Maine is less than two weeks in their hunting trips.

I believe that if this becomes a law that in two years from now we can tax the non-resident fisherman. After that is done I have no doubt that the commissioners of inland fish and game will be self-supporting and have a balance left over.

I hope the Senate will not concur with the House in accepting the report ought not to pass, but will accept the report ought to pass.

The PRESIDENT: The Chair will suggest to the Senator from Lincoln, Senator Boynton, that he has a right to withdraw his motion to accept Report B, ought not to pass, and move to concur with the House in the indefinite postponement of the bill. It would make the question much plainer and would bring the same result.

On motion by Mr. Boynton the original motion was withdrawn, and the same Senator then moved to concur with the House in the indefinite postponement of the bill.

Mr. ALLEN of Kennebec: Mr. President, I am well aware that words in behalf of this move are thrown away. For all that if I throw away a few it will be the ordinary custom in the Senate, because we all know that the majority of words spoken here are thrown away.

The PRESIDENT: The Senator is not obliged to debate the matter.

Mr. ALLEN: I have the courage of my convictions, Mr. President, although the case is hopeless. I do not propose to falter by the wayside although the bill was snowed under so deep in the House that we are unable to give a final report that anyone is left to tell the story, yet I am here to take my stand in this matter.

I am aware, and I believe the senators here are aware, that fake propositions are grabbed at, swallowed down without half masticating them. We have seen it here—we have seen fake propositions fostered and cherished and put through, and

I am sorry to say at the same time propositions that came up here which were fair and deserving of consideration, were turned down. I think it is natural for the American people to jump at their conclusions. They are slow to grasp ideas of merit. I believe, Mr. President, that this is a question of merit. I hope, for the benefit of the State of Maine that this Senate will see fit to substantiate the report, not the minority report, for it was an even report, but a report from at least these three Senators and one other, on this bill.

The industry of the fish and game of this State today is enormous. When it is well considered and looked upon in the right light, and we can have laws passed which will govern it as it should be, it will far exceed any industry in the State of Maine. We have all the natural qualifications, everything to make it so, but some of our people are reticent in accepting what some of us think is for the best. Look into other states where they are protecting their fish and game and you will find these licenses. It is not a matter that is laughed at and scoffed at in other states, but it is a reality, a necessity. And referring to our genial Senator from York, Senator Cole, a few minutes ago when he turned down what we considered a good proposition,—but that is up to him,—it affects largely the lower waters of our State, the seashore. It is very evident that we are not in a position where we can accept many of those propositions, which are considered by men who study into these affairs, for our best interests.

These things come slowly, many a good matter comes slowly, but it comes surely. This matter of a license was suggested two years ago and thrashed out in our committee. It had lots of supporters men who have the interests of our State at heart. It had the non-support of men who considered these matters lightly. And as I say, I am aware that I am arguing against time, yet I propose to go on record as favoring this license in the State of Maine, a license for resident hunters. And I think, gentlemen of this Senate, it is only a question of a few years when this will come and practically by a unanimous vote.

Mr. COLBY of Somerset: Mr. Prest-

dent, as a member of the fish and game committee, I simply want to offer a word and go on record as favoring a resident hunter's license.

As has already been said this matter was given careful consideration in the committee. Some people seem to think it would be taking away some of their inherent rights. Perhaps it is bordering along that line, but it is simply one of the conservative measures that have been before the legislature for the inhabitants of Maine to consider very seriously. While it has been taken lightly by a great many members of the legislature, and the people that appeared before our committee, I think it is largely considered in that way because people who have felt that way towards it did not understand the situation. The thing is to keep on going along farther and take the time and people will become educated to understand the situation.

Again I wish to say that I want to go on record as favoring this conservation measure.

Mr. FULTON of Aroostook: Mr. President, I will not take much time of the Senate. All three of the Senators who have already spoken on this measure seem to favor this bill, and I rise to take the other side.

I do not believe that there is a demand for the passage of this bill today in this state. Let us look just for a moment, gentlemen, at the bill. Section 1 reads: "No resident of this state shall hunt in any manner, at any time, or pursue, take, catch, kill, destroy or have in possession within the limits of this state, any animals or wild birds without having first procured a license therefor as hereinafter provided." And then it goes on in the same section: "Nothing in this act shall be construed as affecting the right of a bona fide resident of this state or his immediate family, to hunt without such license on land owned by him or on land leased by him and on which he is actually domiciled."

Now, gentlemen, think what that would mean to the people of any of the counties, more especially in the counties that have lands on which people go to hunt. I believe that people have a right to fish and hunt game under the restrictions of the law now imposes

upon them in the several counties in which they live.

It often happens that men go out on the road, in any business, and might wish to take firearms along with them. It happens very often in going out—I know that it occurs in my own case, going out on the road I sometimes take a gun in my carriage or automobile, and in the fall of the year want to shoot a partridge after the open season comes on. If I had to go and get a license for that, I do not believe it is fair usage.

I am not under any instructions from the people of my county, but I am acting on this as I believe would be right and fair for the people. I believe we are passing too many of these laws to restrict the rights of the people.

It is further stated here, "any resident of this state or his immediate family, to hunt without such license on land owned by him or on land leased by him and on which he is actually domiciled."

It happens very often that men living near villages might own land out at a distance, on which they were not domiciled or used for agricultural purposes, and under this law they would be restricted from taking firearms and going out on their own ground to hunt or to carry a bird home if they wanted to.

The Senators who have spoken on this question, being members of that committee—I appreciate their stand and I have great respect for them, but I think we ought to take into consideration also the rights of the great mass of people, and not inflict upon them additional burdens which I do not believe they want. The time may come when there will be a public demand for this law. When there is then we can have it.

I am opposed to this measure.

Mr. ALLEN: Mr. President, I would like to inform the genial Senator from Aroostook, that the committee have had many calls for this license law from Aroostook County, and urgent ones.

I would suggest to him that when he gets his license to run his automobile that he get this other license with it. He does not have any objection to a license for his automobile, for he has

got used to it and it has become a matter of form. Then these other licenses, a man wants to get married, and he gets his license. It is a matter of form and he does not object. It is all just getting the habit. That is all there is to it. Senator, get into the habit of getting a license for the benefit of the commissioners of inland fisheries and game. Are you willing to give them five minutes of the time to get it, and pay a small fee? You say the automobile license goes into the automobile fund and helps us out. It is true that this goes into a fund and helps the other fellow. We want to lay aside self-interest. In fact we have got to lay our self-interests aside and look outside of our little circle around us and ask ourselves how will these matters affect the state at large. We are here to pass measures that will do the State of Maine some good. This is not to do the Senator from Piscataquis or the senator from Washington good. If it did, if we were acting that way we would gratify the Senator from Washington on the moose law. We are passing laws for the benefit of the State of Maine at large, and that is the reason your committee took this stand.

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

Mr. FULTON: Mr. President, just a word in answer to the Senator from Kennebec, that I am not interested for myself, especially on this matter. If this bill passes I am willing to get a license, but I am speaking for the other fellow, the hundreds and thousands all over the state that it would be a hardship upon for them to comply with this law. This legislature is trying to pass laws to burden the farmer by putting lights on the front and the rear of his carriage before he can go out on the road, and other similar measures. I protest against burdening the people. I am willing to pay a license if the legislature says so, but I am speaking for the other fellow.

Mr. HERRICK: Mr. President, it has been said that we have had no special demand for this law. I will state that we had many petitions, I think bearing the names of 1400 people for the law. I will admit there are more names on the remonstrances against it, but I have

seen no great number of people willing to sign a petition to tax themselves. The people who signed the remonstrances were the ones who would be taxed. I have heard many talk, outside the hearing and in the hearing, about the other fellow. It seems to me that no one objects to this tax, but they all want to save the burden to the other fellow. I believe this is a just law, and I do not believe the rights of the people are infringed upon by asking them to pay it.

We passed the law to license guides, and there was great objection. The Supreme Court was applied to and the law was sustained, as constitutional. Today there is no word against it in any of the communities where the guides are employed.

There was a great wave of objection went out from the people when they put a license on dogs, but we hear nothing about it today. After these laws become operative and they are found to be just, the people get used to them and are perfectly satisfied.

The question being on the adoption of the motion of the senator from Lincoln, Senator Boynton, that the Senate concur with the House in the indefinite postponement of the bill, and the yeas and nays having been called for, and a sufficient number arising, the yeas and nays were ordered and the secretary called the roll.

Those voting yea were: Messrs. Ames, Boynton, Burleigh, Butler, Conant, Dunton, Durgin, Fulton, Jillson, Moulton, Peacock, Scammon, Swift, Thurston, Walker, Weld—16.

Those voting nay were: Messrs. Allen, Bartlett, Chatto, Clark, Colby, Cole, Emery, Flaherty, Garcelon, Herrick, Leary, Murphy, Price—13. Absentee, Senator Hastings.

Sixteen having voted in favor of indefinite postponement and 13 opposed the bill (House 45) was indefinitely postponed in concurrence.

The President laid before the Senate Senate 364, An Act to incorporate the Oquossoc Light & Power Company.

Mr. Colby of Somerset presented Senate Amendment A and moved its adoption.

Senate Amendment A to Senate 364: "Amend by adding, in Section 5, line 9, after the word 'created,' the following:

'Provided, however, that said dam or dams shall be located below the existing dam of the Kennebago Improvement Company, situated about one-half mile from the outlet of Kennebago lake, and be so constructed as not to interfere with the floating and driving of logs through said Improvement Company's dam, and also be so constructed as not to interfere with or prevent the use of said Improvement Company's dam, or any other dam that may be constructed in place thereof, for the holding and storage of the surplus waters of said Kennebago lake by said Kennebago Improvement Company, or by the Union Water Power Company; and provided further that said Kennebago Improvement Company and said Union Water Power Company shall not, by means of any dam constructed or maintained as herein mentioned, decrease the flow of water in said Kennebago river below the natural flow of said river.'

The question being on the adoption of Senate Amendment A to Senate 364, the amendment was adopted.

The same senator presented Senate Amendment B and moved its adoption. Senate Amendment "B" to Senate 364:

"Amend by striking out Section 11 and inserting in place thereof the following:

'Section 11. In any dam or dams erected under the provisions of this act, said Company shall construct and maintain suitable locks or sluices for the passage of logs and lumber through said dams.'

The question being on the adoption of Senate Amendment "B" to Senate 364, the amendment was adopted.

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

The President laid before the Senate, Senate 398, An Act to amend Sect. 15 of the Revised Statutes, as amended by Sect. 2 of Chap. 48 of the P. L. of 1905 and Chap. 122 of the P.

L. of 1913, in relation to accounting for and expenditure of school funds.

Mr. MURPHY of Cumberland: Mr. President, I yield to Senator Garcelon for the purpose of offering an amendment.

Mr. Garcelon of Androscoggin presented Senate amendment "A" and moved its adoption.

Mr. WALKER of Somerset: Mr. President, that is an amendment which the people of our State are very much interested in, and I move it lie on the table and be considered tomorrow.

Mr. MURPHY: Anything that my friend Walker suggests I am agreeable to, although it seems to me that it could be settled today.

The motion was agreed to, and the bill was tabled and assigned for consideration tomorrow morning.

The President laid before the Senate, Senate 412, An Act for the protection of life and property against loss or damage from steam boilers or steam machinery operated by incompetent persons in cities of over 35,000 inhabitants.

Mr. Murphy of Cumberland presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" to Senate 412: Amend by adding after section 11 the following: "This act shall not apply to dwelling and apartment houses."

Mr. MURPHY: Mr. President, I move the passage of the amendment because the bill applies to cities of 35,000 or over, and there is only one such city in the state, and it clearly aims at Portland. I hope the amendment will have a passage.

The PRESIDENT: The Senator from Cumberland is still in favor of Portland, and moves that we adopt Senate Amendment "A."

The motion was agreed to, and Senate Amendment "A" to Senate 412 was adopted.

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

Mr. COLE of York: Mr. President,

I move that lie on the table and be taken up tomorrow morning.

Mr. FLAHERTY of Cumberland, I will tell the Senator from York that I introduced this measure, and the sanitary engineers of Portland were behind it, and I introduced the wrong bill, and the bill that I should have introduced included this, dwelling and apartment houses, but I am willing to leave it on the table to look into it. It was my mistake in introducing the wrong bill.

Mr. COLE: That explains the matter. The representatives of the Engineers' Union of Portland appeared before us, and there was no opposition, and it was a unanimous report, and I simply wondered whether it was unjust to those people who appeared to allow the amendment to go through.

The President laid before the Senate, 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 same.

Mr. COLE of York: I move this act be indefinitely postponed.

Mr. FLAHERTY: I wish to say just a few words in regard to this measure for the benefit of the Senators here.

We have had several matters referred to the Portland delegation, and I wish to say that these different measures were considered without any political significance at all. We passed upon the merits of these different things, and this was one on which the entire delegation voted ought to pass. We had a life tenure of office bill for the Chief of Police, for the Chief of the Fire Department, and for the Chief of the Electrical Department, and a five-year term for the Superintendent of Streets. We voted ought not to pass on these different measures; we thought it wouldn't be for the best interests of the city. Of all the questions before that delegation, this one has more merit than any other.

Here is a city farm which comprises one hundred twenty-five acres, and it

has about all the time two hundred and seventy-five inmates. In the course of a year it amounts to five hundred, at different times, coming and going, and besides this particular institution there is the City hospital and the House of Correction, and the Home for the Worthy Poor.

The first time the present incumbent of this position was elected by a board composed of a majority of Republicans; the second time he was elected by Democrats; and the third time he was elected by a Republican board; and this last time a Democratic board also re-elected him; and we think a majority of the people of the City of Portland believe that a five-year term is none too long, in order that he may carry on the work, which of course many of you are familiar with in the farming districts; that he may carry on the work that he has begun, and he give his entire time to put this institution upon a much better basis than ever before; and I may assure the Senators here that the present incumbent of that position is one of the most worthy men and the most efficient ones that we have ever had; and I again assure you that there is no politics in it, and if there was I wouldn't be getting up today, because I don't believe that our institutions should be tied up in any way with any political party.

With this explanation, I hope that the motion of the Senator from York will not prevail.

MR. COLLE: Mr. President, If the remarks of the Senator from Cumberland are true—and I have no doubt of it—there is absolutely no reason why we should encumber the statute books of this State with any such law as this.

If it should appear that this man and this woman are giving perfect satisfaction, as he says—and I haven't a doubt of it—if it be true that each political party has re-appointed him there for another term, then there is no reason why that term should be extended by law for a period of five years.

This bill, if it becomes law, is the

beginning of a series of bills which will endeavor to invoke the paternalism of the State, to keep every understrapper in office, regardless of his superior officers.

As I understand it—and I have no criticism of this superintendent—the superintendent comes under the Overseers of the Poor, who are the servants of the people, and who are responsible to the people, and the inferior officers are responsible to them for their acts. Therefore, if the Overseers of the Poor are responsible to the people, why take away from them the opportunity to make good in their office? If this man is acting for their own good, they will keep him there, and if it chances that this man should pass to the Great Beyond, and his successor should not prove good, this gives them the power to make a change without waiting for the end of a five-year period.

There is in this bill no opportunity for the Overseers of the Poor to remove an inefficient superintendent. There is no opportunity here for any cause to be shown for his removal. It is an absolute tenure of office for five years, and gentlemen, if the remarks of the Senator from Cumberland are true, he need have no fear that a good man will not be kept in office.

But there is much ground to fear that a poor man, being elected to office, may wrongfully be kept there beyond a period when he will be of no usefulness to the city.

I certainly hope the motion will prevail. MR. MURPHY of Cumberland: Mr. President: It is a lawful thing for the city of Portland that York county furnishes us a guardian. Evidently we need a guardian, for everything that comes up from Portland has his scrutiny.

We had a hearing in Portland, and everybody had an opportunity to come up and be heard, for or against this bill. Did they come up and protest against it? Not an individual. Evidently they know how to get to some members of this Legislature, and they get there in a political way. We want it understood, clearly understood. If there is any politics in it, it is coming right here.

In 1907, when the Republicans were in the majority, it was deemed advisable by the authorities that Portland come down and ask us to make the fire department hold office during good behavior. In 1909, when the Republicans were in power, it was deemed advisable to create a five-year term for the chief of police, and the chief of the fire department, and the city electrician. Now it happens that the Democrats happen to be in power and everything that we can do—of course we don't know our business. We don't represent the people of Portland. Not for a minute. Therefore we have to have a guardian, a guardian from York county to look after our interests.

Again I want to make that statement. We know positively that this corridor has been occupied by lobbyists from Portland, that didn't have the manhood to say to us: "We protest"; but they did say it to somebody else that they know will do their work. That is a fact.

Therefore I believe it ought to be up to the delegation to have their report accepted, the same as the report of other committees, when they are by a majority.

Mr. President, when the vote is taken, I move it be taken by yeas and nays.

Mr. COLE: I am very glad that the Senator from Cumberland, Senator Murphy, is loyal to the Portland delegation. I admire Senator Murphy and his loyalty to the Portland delegation, but the Portland delegation isn't larger than the Legislature, if this Legislature wishes not to enact this into law.

I have absolutely no criticism of the action of the Portland delegation, but simply because the Portland delegation recommends something, it doesn't for a moment make it any better than a recommendation of the committee on judiciary, or legal affairs, or any other committee. It must go through the same course, and meet the same remarks.

Mr. MURPHY: Mr. President, it is very seldom I speak twice on any subject, but this is a fact: we know something about the City of Portland, and the administration of affairs in the city of Portland for the last eighteen years, and we believe our knowledge is somewhat superior to that of the gentleman from York county.

We are for Portland, first, last, and all

the time, and my friend if for York county, and incidentally for Portland and the rest of the State. We have seen the affairs of that city grow and grow, and we are all out of proportion to other cities in the United States, and the various departments are way ahead of other cities. For instance, the fire department, our expenses are larger than thirty cities larger than ours. In the police department it is the same, not withstanding the good effect of the Prohibitory law in Portland. We are thirty thousand dollars higher than in the next city larger. It is this changing officials and superintendents that has brought upon us unnecessary expense, bringing in men who don't know their business. That makes contention between the city officials and the various officers of the city. Supposed we removed them every one. What sort of condition of affairs would we have?

That is the reason we are talking.

The question being on the motion to indefinitely postpone, the yeas and nays were ordered, and the secretary called the roll.

Those voting yea were: Messrs. Allen, Ames, Bartlett, Burleigh, Chatto, Clark, Colby, Cole, Conant, Durgin, Emery, Fulton, Scammon, Swift, Walker—15.

Those voting nay were: Messrs. Boynton, Butler, Dunton, Flaherty, Garcelon, Herrick, Jillson, Leary, Moulton, Murphy, Peacock, Price, Thurston—13.

Absentees: Hastings, Weld.

Fifteen having voted in favor of the motion and 13 opposed, the motion prevailed and the bill was indefinitely postponed.

Mr. COLE of York: Mr. President, I am very glad to notice that the senator from Knox and the senator from Lincoln did for once vote together.

Mr. BUTLER of Knox: The senator from Knox is very glad to have it occur.

Mr. BOYNTON of Lincoln: I have of late noted improvement in the senator from Knox, of which I am very glad.

The PRESIDENT: The Senate has heard the exchange of compliments and felicities between the senators. We will now proceed to business.

Mr. DURGIN of Piscataquis: Mr. President, I am assuming that while I

was absent at a committee on conference and incidentally dodging friends in the corridor that House 821 was passed to be engrossed.

The PRESIDENT: It was passed to be engrossed.

Mr. DURGIN: Mr. President, I move that we reconsider the vote whereby we passed to be engrossed House 821, Resolve to provide for screening the outlet of Schoodic lake in Piscataquis county.

The motion was agreed to.

Mr. DURGIN: Mr. President, I will say that the gentleman who introduced this resolve in the House, together with myself, had a conference yesterday with the commissioners of inland fisheries and game, whereby this matter was satisfactorily adjusted in another way. Hence I desire at this time to move the indefinite postponement of this bill and thereby save to the State of Maine the magnificent sum of \$300.

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

Mr. COLBY of Somerset: Mr. President, House Document 819, An Act additional to and to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Kennebago lake, Little Kennebago and the outlet of said lake, passed this morning to be engrossed, I will say that the chairman of our fish and game committee thinks there may be an error in the printing—we are quite sure there is, and I move that we reconsider the vote whereby we passed that bill to be engrossed.

The motion was agreed to, and on further motion by the same senators the bill was tabled and assigned for tomorrow.

Mr. SCAMMON of Hancock: Mr. President, I understand the printed amendment House 601, tabled by me for printing, has been returned to the Senate. I move that we take it from the table. It is 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.

The motion was agreed to.

The question being on the adoption of Senate Amendment A.

Mr. THURSTON of Oxford: I move that we adopt Senate Amendment A.

The motion was agreed to and the bill as amended by Senate Amendment A was passed to be engrossed and sent down for concurrence.

The PRESIDENT: The Chair has been informed that the venerable messenger of the Senate, Uncle Charles Lovejoy, has been taken to his home sick with pneumonia. I hope the senators will bear it in mind and render him all the comfort they can.

On motion by Mr. Murphy of Cumberland, Senate 326, An Act to amend Section 1 of Chapter 198 of the Public Laws of 1909, as amended, relating to the amount of the school equalization fund, was taken from the table.

Mr. Walker of Somerset presented Senate Amendment A and moved its adoption.

Senate Amendment A to Senate Document No. 70. Senate Document No. 70 is hereby amended by inserting after the word "amount" in the 21st line of Section 1, the words "actually raised by taxation by the town for the support," and by adding after the word "state" in the 22nd line thereof, the words "provided further that no town shall receive an apportionment of the school equalization fund unless its municipal tax rate for all purposes shall be in excess of the average of such rates for all the towns of the State," so that said section when amended shall read as follows:

Section 1. The treasurer of State shall immediately after the first day of July, 1913, and annually thereafter, deduct the sum of \$50,000 from the State school funds and the same shall be set aside and denominated the school equalization fund which shall be used in the manner hereinafter designated for the purpose of aiding those towns wherein a rate of taxation considerably in excess of the average rate for the State fails to produce a school revenue sufficient to secure a reasonable standard of educational efficiency; provided, that the rate of taxation hereinbefore named for the purposes

of this act shall be reckoned on the basis of the amount actually raised by taxation by the town for the support of common schools, exclusive of any amounts received from the State; provided further that no town shall receive an apportionment of the school equalization fund unless its municipal tax rate for all purposes shall be in excess of the average of such rates for all the towns of the State.

Mr. WALKER: Mr. President: This amendment relates to a correction and an addition in Senate Document Number 70. In printing this bill some important words were omitted and this

amendment supplies these words. The amendment also includes a provision which all the members of the committee on education have carefully considered and unanimously agree ought to be included in the measure in order to insure the most just method of distributing this school equalization fund.

The question being on the adoption of Senate Amendment A, the amendment was adopted, and the bill was passed to be engrossed as amended.

On motion by Mr. Cole of York,
Adjourned.