

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

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1917

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AUGUSTA  
KENNEBEC JOURNAL PRINT  
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**SENATE**

Wednesday, March 14, 1917.

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.

**House Bills in First Reading**

H. D. 495. Resolve in favor of Joseph H. Underwood of Fayette to reimburse him for money paid out for testing of his cattle in 1915, after the Sanitary Commissioner of Maine had refused and neglected to act as required by law.

H. D. 530. An Act authorizing Ward and Bradbury, Incorporated, its successors and assigns, to erect and maintain piers, piles and booms in the St. John River.

From the House: Majority and minority report of the committee on inland fisheries and game, on Act to amend Section 51, Chapter 32 of the Revised Statutes, relating to the inland fisheries and game and the recording of purchasing of furs.

Majority report, ought not to pass.

Minority report, ought to pass in new draft and recommending that new draft be incorporated in the Revised Code of the Inland Fish and Game Laws instead as a separate act.

The House adopted the majority report of the committee, ought not to pass.

On motion by Mr. Deering of York the reports were tabled pending acceptance of either.

**Messages and Documents from the Heads of Departments**

A communication was received from the office of the Secretary of State transmitting a list of the public acts approved by the Governor.

On motion by Mr. Bartlett of Kennebec, placed on file.

The following bills, petitions, etc., were received and on recommendation of the committee on reference of bills

were referred to the following committees:

**Military Affairs**

By Mr. Butler of Knox: An Act to revise the military law. (Ordered printed.)

**Legal Affairs**

By Mr. Deering of York: An Act to amend Section 38 of Chapter 72 of the Revised Statutes relating to legal effect of adoption of child.

On motion by Mr. Ames of Washington, the rules were suspended and that Senator presented An Act correcting errors in An Act in relation to Maine Forestry District.

On further motion by the same senator the bill was referred to the committee on State lands and forest preservation.

**Reports of Committees**

Mr. Higgins from the committee on appropriations and financial affairs, on Resolve in favor of the Augusta State hospital, reported same in a new draft under title of "An Act to refund a certain bond issue in favor of the trustees of the Maine Insane hospital, and that it ought to pass.

Mr. Googin from the committee on insane hospitals, on bill, An Act to amend Section 34 of Chapter 145 of the Revised Statutes relating to temporary leave of absence of patients from insane hospitals, reported same in a new draft under the same title, and that it ought to pass.

Mr. Marshall from the committee on legal affairs, on bill, An Act to incorporate the Birch Point Village Corporation, reported same in a new draft under the same title and that it ought to pass.

Mr. Butler 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 in a new draft under the same title and that it ought to pass.

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

**Passed to Be Engrossed.**

H. D. 74. Resolve appropriating money for the State forest nursery and to encourage reforestation in Maine.

S. D. 143. An Act to amend the charter of the Shirley Dam Co.

H. D. 162. An Act to authorize Allan E. Hammond and his associates to erect piers and maintain booms in the St. John river in Hamlin Plantation.

H. D. 175. An Act to amend Section 12 of Chapter 181 of the Private and Special Laws of 1911, relating to prisoners escaping from the county farm of Cumberland county.

H. D. 187. An Act amendatory of and additional to Section 22 of Chapter 55 of the Revised Statutes, relating to the annual closing of accounts and filing of balance sheets by public utilities.

H. D. 457. An Act ratifying and confirming the action of the Knox Gas & Electric Co. in acquiring the capital stock, franchises, property and rights of the Rockland and Thomaston Gas Light Co., the Camden & Rockport Electric Light Co. and the Thomaston & Warren Electric Light & Power Co.

In the House this bill was amended by the adoption of House Amendment A. as follows: By adding Section 3, as follows: "It shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this State, or to contract with any person, firm or corporation for the transmission or sale of electric current beyond the limits of this State; and said corporation shall not be permitted to acquire in any manner the franchises of or consolidate with or transfer or lease its property rights and franchises to any other corporation, firm or person now transmitting or having the right to transmit electric power beyond the confines of the State without express authority of the Legislature."

Mr. DAVIES of Cumberland: Mr. President, may I inquire through you if there is any senator present who has this amendment in charge?

Mr. BUTLER of Knox: Mr. President, not answering the gentleman, perhaps, but I will state that this is a

matter in which I am primarily interested.

I do not know for what purpose this amendment can be attached, because the corporation has no earthly idea of doing any of the prohibited things, and could not if it wanted to, as it is not located properly.

Mr. DAVIES: Mr. President, as we have a general law prohibiting the same thing, and inasmuch as we may generally assume that the Legislature will do nothing in derogation of the general law, I move that we non-concur with the House in the adoption of the amendment, and that we indefinitely postpone the same.

Mr. BUTLER: Mr. President, I do not approve of the amendment, but would rather hope that the motion of the senator might not prevail. I do not want to hold up the whole matter, possibly, on account of this amendment. I do not think the parties interested care particularly about the amendment, one way or the other.

I should not want to endanger the act itself by holding up the amendment. Possibly that would be done.

Mr. DEERING of York: Mr. President, I move that the bill and amendment be tabled.

The motion was agreed to.

H. D. 472. Resolve to provide for a survey by the commissioner of sea and shore fisheries of areas suitable for the propagation of clams, and to provide seed for such propagation.

H. D. 473. An Act to authorize the Sandy River and Rangeley Lakes Railroad to extend its line from Carrabasset to Hurricane Falls and to discontinue its present road from Carrabasset to Bigelow.

H. D. 474. An Act to extend the charter of the Penobscot Valley Gas Company.

H. D. 475. Resolve for extra pay to the Maine volunteers in the War with Spain.

H. D. 476. Resolve in favor of an appropriation to complete the historical records of Maine men serving in the United State navy during the War for the Suppression of the Rebellion, 1861 to 1865.

H. D. 477. An Act to require cities and towns to decorate the graves of veteran soldiers and sailors, and authorizing the appropriation of money for that purpose.

H. D. 480. An Act to amend Section 100 of Chapter 52 of the Revised Statutes, and increasing the authorized amount of accumulated capital of loan and building associations.

H. D. 481. An Act to permit the town of Southport to obtain a supply of pure water.

H. D. 482. An Act to amend Sections 51 and 52 of Chapter 4 of the Revised Statutes, relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors.

H. D. 483. Resolve authorizing the Governor and Council to accept picture or oil painting of General Charles W. Tilden to hang in the rotunda of the State House.

H. D. 484. An Act providing a legal remedy for damages by flowage to certain members of the Penobscot Tribe of Indians owning or occupying land on Old Town Indian Island No. 1 and Island No. 12 in Penobscot river, and authorizing conveyance of flowage rights in said land by said Indian occupants to Bangor Power Co.

H. D. 486. An Act to provide for the registration and licensing of dogs on the Indian reservation of the Penobscot Tribe of Indians.

H. D. 487. An Act to amend Paragraph 6 and Paragraph 7 of Section 98 of Chapter 4 of the Revised Statutes, relating to by-laws of towns, cities and villages.

H. D. 489. Resolve in favor of Ida E. Heath of Chelsea.

H. D. 491. An Act to amend Section 8 of Chapter 48 of the Revised Statutes, relating to local sealers of weights and measures.

H. D. 492. Resolve reimbursing the city of Auburn for money expended for the support of certain State paupers.

H. D. 493. Resolve reimbursing the town of Wilton for money expended for the support of certain State paupers.

H. D. 494. Resolve reimbursing the

town of Chester for expenses on account of a State pauper.

H. D. 498. An Act to amend Section 110 of Chapter 16 of the Revised Statutes, relating to teachers' associations.

H. D. 501. An Act to provide for a non-resident fishing license. (On motion by Mr. Deering of York, tabled, pending passage to be engrossed.)

H. D. 503. Resolve making an appropriation for the purpose of public instruction in forestry.

H. D. 504. An Act to prevent the sources of domestic water supply from becoming polluted.

(Tabled pending passage to be engrossed on motion by Mr. Bartlett of Kennebec.)

H. D. 505. An Act to incorporate Gould Electric Company.

(Tabled pending passage to be engrossed on motion by Mr. Fulton of Aroostook.)

H. D. 506. An Act to enlarge the authority of the Home for Aged Couples and Old Men in the city of Bath to take and hold property.

(On motion by Mr. Davies of Cumberland, House Amendment A, adopted in concurrence.)

S. D. 85. An Act to amend Section 19, Chapter 117 of the Revised Statutes, relating to the bank department.

S. D. 121. An Act to extend the rights, powers and privileges of the Guilford Manufacturing Company for the erection and maintenance of piers and booms in the Piscataquis River.

S. D. 159. An Act to authorize Blaine S. Viles and Guy P. Gannett to erect dams and develop water storage basins on Bog Brook in Dead River Plantation for the storage of water and for driving logs and manufacturing.

S. D. 178. An Act to provide for the licensing of drivers of automobiles for hire in the town of Eden in the county of Hancock.

S. D. 264. An Act to amend Section 62 of Chapter 2 of the Revised Statutes relating to deposit of state funds.

S. D. 295. Resolve in favor of the reformatory for women for maintenance and other purposes for the years 1917 and 1918.

S. D. 296. Resolve in favor of the re-

formatory for women for permanent improvement of the grounds and other purposes for the year 1917.

S. D. 297. Resolve for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of the commissioner of inland fisheries and game, and other expenses incidental to the administration of the department of inland fisheries and game.

S. D. 298. An Act to amend Sections 55, 56, 57, 58, 59, 61 and 62 of Chapter 16 of the Revised Statutes, to provide for the formation of unions for the employment of superintendents of schools.

S. D. 299. Resolve in favor of the University of Maine.

S. D. 300. An Act relating to annual or biennial reports of State charitable and correctional institutions. (tabled pending passage to be engrossed on motion by Mr. Higgins of Penobscot.)

S. D. 301. An Act to regulate the payments of appropriations for the care, treatment, support and education of persons in charitable or benevolent institutions not wholly owned or controlled by the State. (Tabled pending passage to be engrossed on motion of Mr. Bartlett of Kennebec.)

S. D. 302. An Act to amend Chapter 147, Revised Statutes, relating to the State Board of Charities and Corrections.

#### Passed to Be Enacted

An Act to amend Section 30 of Chapter 24 of the Revised Statutes, relating to the crossing of railroad tracks by town ways and highways.

An Act to ratify and confirm the consolidation of the Knox Gas and Electric Company with the Rockland, Thomaston and Camden Street Railway.

An Act to extend the charter of the Rockland, South Thomaston and St. George Railway.

An Act to amend Section 42 of Chapter 117 of the Revised Statutes, providing for the monthly payment of salaries of county commissioners.

An Act confirming and ratifying the organization of the Penobscot Law Library Association.

An Act to extend the provisions of Chapter 214 of the Private and Special Laws of 1915, entitled "An Act to authorize the town of Lisbon to supply gas and electricity."

An Act to ratify and confirm the incorporation of the Pine Grove Cemetery Association of Brownfield.

An Act authorizing the sale of the property and assets of the Dead River North Branch Log Driving Co., and providing for the dissolution of said corporation.

An Act to amend Section 2 of Chapter 64 of the Revised Statutes, relating to marriage of feeble-minded persons.

An Act to authorize the Public Utilities Commission to investigate any proposed changes in the rates of any public utility, and to suspend the same pending investigation. (Tabled pending passage to be enacted on motion by Mr. Butler of Knox.)

An Act to amend Section 8 of Chapter 58, of the Revised Statutes, relating to approval of location of street railroads.

An Act to ratify the change of name and amount of capital stock of Mercantile Trust Co., and to amend its charter.

An Act to amend Section 27 of Chapter 52 of the Revised Statutes, relating to investment of deposits by savings institutions. (Tabled pending passage to be enacted on motion by Mr. Bartlett of Kennebec.)

An Act authorizing the sale of the property and assets of the Dead River Log Driving Co., and providing for the dissolution of said corporation.

An Act to amend Chapter 424 of the Private and Special Laws of 1907, and changing the time of the annual meeting of Kittery Water District.

An Act to legalize and make valid the doings of the municipal officers of Vinalhaven in laying out a way over the tide waters across Indian Creek in said Vinalhaven and authorizing the construction of a suitable bridge across the same. (This bill carrying an emergency clause required vote of two-thirds of the members elected. A rising vote was had, and 23 senators vot-

ing in the affirmative and none opposed the bill was passed to be enacted.)

#### Finally Passed.

Resolve in favor of the town of Mechanic Falls for the payment of additional State school funds for the year 1915.

Resolve providing an increased teacher's pension for John F. Moody.

Resolve in favor of Peter Ranco, representative of the Penobscot Tribe of Indians.

Resolve in favor of the Maine School for Deaf for maintenance and repairs.

#### Orders of the Day.

Mr. HIGGINS of Penobscot: Mr. President, I move that we reconsider the vote whereby we passed to be engrossed Senate Document 296, Resolve in favor of the reformatory for women for permanent improvement of the grounds and other purposes for the year 1917, in order that a correction may be made by the committee on bills in the second reading.

The motion was agreed to, and on further motion by the same senator, the resolve was tabled pending its passage to be engrossed.

The PRESIDENT: The Chair will lay before the Senate, Resolve in favor of the co-operative survey of the boundary line between the State of Maine and the state of New Hampshire, S. D. 6.

Mr. GOOGIN of Androscoggin: Mr. President, in the absence of Senator Hastings, I move that S. D. 6 be tabled for one week.

The motion was agreed to.

H. D. 273. An Act to establish the Presque Isle municipal court.

Mr. STANLEY of Oxford: Mr. President, I will say that there has been a bill introduced in the House to establish inferior courts, and until that bill comes up I would like to have this bill lie on the table and save printing.

I move that this bill be tabled.

The motion was agreed to.

H. D. 352. An Act to amend Section 11 of Chapter 117 of the Revised Statutes, relating to the salaries of stenographers of the superior court.

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

The motion was agreed to.

H. D. 381. An Act to amend Section 31 of Chapter 3 of the Revised Statutes so as to provide for a maximum number of annual reports of the Public Utilities Commission. (Tabled by Mr. Holt of Cumberland.)

Mr. MARSHALL of Cumberland: Mr. President, in the absence of Senator Holt, I move that this lie on the table to be taken up later.

The motion was agreed to.

S. D. 258. Resolve providing for the payment for steel filing equipment in the office of the secretary of the Senate.

Mr. FULTON of Aroostook: Mr. President, I move that this resolve be passed to be engrossed and sent to the House for concurrence.

The motion was agreed to.

Report, ought not to pass, of the committee on education on bill, An Act to amend Section 169 of Chapter 16 of the Revised Statutes of 1916, relating to teachers' pensions. Tabled by the senator from Somerset, Senator Walker.

Mr. WALKER: Mr. President: The first organized effort in Maine towards establishing pensions for teachers was at the Maine Educational Association in Portland, in the fall of 1912. There were present at that meeting over 3500 teachers and school superintendents. A resolve was unanimously passed favoring teachers' pensions. A committee of three was chosen by that association to draft a bill which was to be presented at the incoming Legislature. That committee attended to their duties, drafted the bill, introduced it into the Legislature, and it was referred to the committee on education, of which com-

mittee I had the very great honor of being chairman.

After the hearing on that measure we retained it in committee for a number of weeks. If we were to report on a bill we wanted to report on a workable bill, something that would be acceptable to the teachers, something that would be acceptable to the people in Maine. From these deliberations a bill was reported in new draft.

That measure passed the Legislature precisely as it was reported by our committee. Two years ago there were no amendments offered to this measure. To be sure there were some teachers in Maine that did not come under the provisions of the act. To be sure, they wrote to the educational department, and applied to their representatives and senators in their district; but those efforts were discouraged by the educational department, and they were discouraged by those to whom they applied in their district who were representatives or senators.

Now the law as passed provides that any person of either sex who on the 30th day of September, 1913, or thereafter, shall have reached the age of sixty years, and who for thirty-five years shall have been engaged in teaching as his principal occupation, and who shall have been employed as a teacher in the public schools, or in such other schools within this state as are supported wholly or at least three-fifths by the state or town appropriation and are under public management and control, twenty years of which employment including the fifteen years immediately preceding retirement shall have been in this State, and who shall be retired by his employer, or shall voluntarily retire from active service after completion of the school year next preceding the 30th day of September, 1913, shall on his formal application receive from the State for the remainder of his life an annual pension of \$250; provided, however, that after the 30th day of September, 1913, no such employment as teacher within this state shall be included in its provisions unless the teacher shall hold a State certificate issued under the authority of the State superintendent of public schools. If he otherwise meets the requirements

of the act and has taught thirty years, he will receive \$200. If he otherwise meets the requirements of the act and has taught twenty-five years, he will receive \$150.

It was the intention of the committee that the amount be made reasonable; that is, that the total expense to the State would be so reasonable that it would be acceptable by the people of the State.

Now the school laws of our State, Section 84 reads as follows: "Sec. 84. Any town which does not maintain a free high school of standard grade may, from year to year, authorize its superintending school committee to contract with and pay the superintending school committee of any adjoining town or the trustees of any academy located within such town or in an adjoining town, for the tuition of scholars within said town in the studies contemplated by the eleven preceding sections. When such contract has been made with the trustees of an academy a joint committee for the selection of teachers and the arrangement of the course of study in such academy shall include the superintending school committees of the contracting towns with an equal number of members of the board of trustees of such academy when such academy has less than twenty-five thousand dollars endowment. The expenditure of any town for tuition as provided in this section shall be subject to the same conditions and shall entitle such town to the same State aid as if it had made such expenditure for a free high school."

The amendment which has been presented by the senator from York, Senator Deering, is to change the teachers' pension law so that teachers in towns which contract with academies may be benefited under the pension act. Now there are several towns that do not maintain high schools. They have academies in those towns. In the city of Saco I understand there is no high school, but they have a very efficient academy, Thornton Academy, with an endowment of over \$100,000. When the endowment is more than \$100,000 there is no public control. That is, the committee of the city of



Saco has nothing whatever to say in relation to the hiring of teachers, or the course of study, or anything else with regard to the management of that school. There is no public control. Now if this amendment should be accepted by this Legislature, there are other academies that might benefit under the act—I think in all fifteen. Not all of these towns have contracted with the academies, but they might contract. There are fifteen academies in the State of Maine whose endowment is \$25,000 or more.

Your committee on education believed that inasmuch as this pension law was something new, comparatively speaking, and inasmuch as two other bills have been introduced into the Legislature looking towards an amendment of this law, and inasmuch as it is fairly satisfactory to the teachers and to the public generally—we believed as a committee that it would be wise to let it remain where it is for the present.

To be sure, there may be some objection to taking the amount from the common school fund. At first I was opposed to taking the \$25,000 from the common school fund. Yet after considering it carefully, and inasmuch as the idea of the pension in the first place was to better the conditions of the public schools in the State of Maine, I, with the other members of the committee, at the time this bill was passed believed that the teachers who were to be benefited by the act might more fully appreciate the small amount which they received in the way of pension if it came from the common school fund,—that is, if it came from the children whom they had for so many years been endeavoring to help, and the children might express their gratitude to the teachers of their fathers and their mothers, their brothers and their sisters, and thus be contributing their little mite toward this teachers' pension.

Now, Mr. President, far be it from me to oppose any academy in the State of Maine. If there is any type of school that holds a warm place in my affections, it is the academy. If there is any teacher or teachers who have a warm place there, it is the teachers of the old academy. If there is any teacher now

living in the State of Maine to whom I feel grateful, it is a teacher down in the city of Rockland who was the principal of one of those old academies where as a boy I was a student. It is not because I love these academies less. It is because I love the children and the school system of the State of Maine more. And in considering this measure, the acceptability of the law by the teachers, by the people of our State generally, I have this to say: That no \$25,000 in my judgment has been of more benefit to the common schools, and the children of those schools during the past three years and a half, than the \$25,000 which has been annually paid for teachers' pensions, and in the redrafting of that bill and securing its passage by the legislature of 1913 your committee builded better than they knew. And I ask this Senate to sustain the report of the committee on education, and vote against the substitution of the bill for the report.

Mr. DEERING of York: Mr. President, I hope I may be able to make this matter very clear to the Senate, because I believe that only by improper handling will it fail of a passage. I have listened with a great deal of attention to the distinguished gentleman from Somerset county, Senator Walker, and I have listened in vain to hear him express some reason why this amendment ought not to pass. I have absolutely no quarrel or feeling with the committee on education or its members in this body. Our relations are perfectly pleasant, and we talked this matter over on which we disagreed in perfect amity.

The amendment which I proposed to the teachers' pension bill, is by inserting after the word "control" in the 7th line these words: "or as serve as public schools by virtue of a contract with the town in which they are located as provided in section 84 of this chapter." Senator Walker has read the law to you, both the section which it is proposed to amend and the section which is referred to in the bill.

Now the section which it is proposed to amend, section 169 of Chapter 16, skipping the first part of it which simply states the years of age

that a person must be, and the years of service they must have, which we all understand and which this bill does not change, and coming down to the conditions which a school must fulfill in order to have its teachers enjoy the privileges of this school pension, in the seventh line of that section, after the words, "as are supported wholly or at least three-fifths by state or town appropriation and are under public management and control,"—after those words, the words which I have read to you, "or serve as public schools by virtue of a contract with the town in which they are situated," according to section 84 of this chapter.

Now there are in this State a great many schools and academies which serve as free high schools in the communities in which they are situated. Monmouth academy is one; Thornton academy is one; Leavitt Institute of Turner, Madison Institute, Oak Grove Seminary, the Parsonsfield Seminary and the Washington academy; and those schools and a great many others serve the communities in which they are as free high schools, and the teachers in those free high schools, in those academies which are serving as free high schools, when those high schools are not wholly, or at least three-fifths supported by the public, or are not under public management or control, then the teachers in those schools and academies which are under a contract like that, have not the privilege of enjoying this teachers' pension.

Now I do not believe that anybody within the sound of my voice will disagree with the general proposition that any one who opposes the granting of pensions to additional teachers is going to meet not only with disapproval but almost the wrath of his community when he goes back home and says that he has opposed a pension for school teachers.

It might be well, perhaps, to refer to the report of 1915. These are the words of Mr. Payson Smith, who was our last superintendent of schools. He says: "The total number of pensions granted to teachers of long service since the act establishing them became effective was

186 on July 1, 1915. Of the total number granted 15 were terminated on account of death. The number granted during the past year was 35, while 12 were terminated by the decease of the holder within the year. The amount paid by the State for pensions during the year was \$22,251.11. No appropriation made by the legislature can be conceived as being of greater value to those for whose benefit it is intended than this recognition of long and faithful service in training the youth of the commonwealth."

That is the last official word we have upon the subject, with the exception of what comes out involuntarily in the message of Governor Milliken. I will read from Governor Milliken's message on page 18. He says: "From any point of view the children are the finest asset of our state. So far as possible they must all have equal opportunities for study and play."

Now with those two matters in your mind, I desire to show to you that the children of the State, while these teachers in the academies and schools which are not fully under public control do not get pensions, do not have an equal opportunity with other children. You take for example, any academy whose teachers do not get the pension. I know of a girl who came to a certain academy where they were not giving pensions and asked for a position as a teacher. She received it, but before making the trade finally, she asked if the teachers in that school would be subject to the teachers' pension law, and on being told that she could not receive a pension if she taught no matter how many years in that school, she said she would not accept it because her life's work was going to be that of a teacher and she wanted to begin to teach in a school where, if she taught the requisite number of years, she would be entitled to the teachers' pension. An occasion like that could arise in 37 different schools in this state in 1915. About fifteen or sixteen schools at the present time teachers could go to, and if they accepted positions in those schools and taught there for the requisite 35 years, with the law as it is now, they would not be entitled to one cent of teachers' pensions under the laws of this State.

I have listened in vain for any good reason from the committee on education why this amendment should not pass, and I have failed to hear it. It may be that they thought the lack of money at this particular time would prevent their granting this additional amendment so that more teachers could receive the pension. But the teachers' appropriation bill for pensions this year, which I have tabled here pending the decision of this matter, carries an appropriation of \$27,000; that is for the teachers who receive pensions. Gentlemen, there are in this State 5600 teachers, who, if they teach the requisite number of years, will be entitled to this teachers' pension by law. There are—I have an estimate from the State superintendent of schools that there are only about 100 teachers who will be added to the probable pension roll of teachers within the State if this amendment passes. So you see, everything else being equal, gentlemen, the amount of money which must be added to that \$27,000, would be about 1-50 of \$27,000, in order to provide the money for the probable pensions that these teachers in the schools which are not under public control would receive as pensions.

Now I understand from good authority that the male teachers of the State receive on an average \$425 a year; that female teachers in this State receive on an average about \$372 a year. And I want to ask you, gentlemen, even add to that the pension that they may receive under this bill or any amendment of it, and compare a school teachers' position with other positions in the State of Maine, and see whether you can afford at this time to deny the school teachers, only 100 of them under this amendment, the privileges of this law. Some of you know that a band sawyer gets \$6.50 a day; that a man that runs an engine in a saw-mill gets \$3.50 to \$4.00 a day; that a conductor on a railroad train is guaranteed \$125 a month; that an engineer on a railroad train gets from \$150 to \$180 a month; that a plumber gets \$4 or \$5 a day; that a brick mason gets \$5.10 a day. Now gentlemen, those men have no particular position to maintain and they make three times as much as the

teachers who are now teaching our scholars and sending them out into the citizenship of the State. And it seems to me, even with the addition of this pension to what they now receive as pay, that they would not even then receive as much money as some of the best skilled laborers that we have.

Now isn't it important to this Legislature to pass this bill to put all teachers on the same footing? The teachers in the Leavitt Institute in Turner teach the very same scholars that they would have to teach if they were in the high school at Turner. Their courses must be approved by the superintendent of schools, they receive the same State aid, and they are entirely under control of the educational department of this State with the exception that the teachers do not receive the State pension. I say to you, gentlemen, that when you have 5600 teachers of the State of Maine who are receiving the benefit of this teachers' pension act, and you have an inequality in the law that shuts out 100 others, that you have a law that is unequal, inequitable, and which ought to be amended so that the 100 teachers can get the same pension that the other teachers do.

Gentlemen, you cannot afford at this time to deny to these 100 teachers the benefit of this amendment which I proposed. Take, for example, \$27,000 which must be appropriated this year, and say that perhaps 1-50 more must be added to that to give these teachers what they want. Gentlemen, you are not asking for a large amount of money. You are simply correcting and putting on the statute books a law which will make all teachers equal when they teach the same kind of schools, and a law which ought to be passed if the legislature intends to do the fair thing by the teachers in the same communities and in the same class of courses.

Mr. GILLIN of Penobscot: Mr. President and fellow Senators, I rise to endorse every word that the distinguished Senator who has just sat down in his place has said. I will not trespass upon the time of my fellow senators but briefly. I think that there is no class of teachers in the State of Maine that confers such a benefit upon the State as the

teachers in our schools and in our academies. I feel it must be running through the mind of the distinguished senator, Senator Fulton, who is a classmate of mine, of the days we spent together in the Ricker Classical Institute in the beautiful town of Houlton where I was born, under the grand tutorship of that matchless teacher, Professor Knowlton, who is now probably just about ready to quit, and who has conferred a regular world, so to speak, of benefit upon not only hundreds, but I might say thousands of young men throughout the State of Maine; and if he, with the salary which he obtained would quit teaching and was now in that academy, as I understand it, your present law could not reach him, so it would leave him practically helpless and penniless after devoting a life-time to the instructing of those who came under his care. I think that upon second thought and after listening to Senator Deering, that the members of this Senate surely ought to extend this meager pension to the young ladies and the young men who enter the class of schools designated by the learned Senator Deering, who when they enter it know that they cannot reap under the present law the compensation which the law grants to teachers in your common schools. And it seems to me, gentlemen and senators, that this is but the principle of equitable justice that this legislature ought to apply towards the 100 teachers whom the senator has so clearly defined do not now come under the operation of the law. I simply thank you for your attention, gentlemen.

Mr. RICKER of Hancock: Mr. President, I have listened with a great deal of interest to the senator from York, Senator Deering, and I noticed that he stated that any person who was opposed to teachers' pensions would be subjected to considerable disapproval. I am very sorry to say that I may be placed in that light. I was a member of the committee on education and helped with others to redraft that bill, and it was only redrafted after considerable work. Not only in the committee but we talked with everybody who, we thought, could bring any light to bear on this subject.

One of the principal questions that came to us was age. Now I notice that Senator Deering seems to be very hard at work for the 100 teachers that would come in under this pension law, but he neglects to state that he has fixed the age limit at sixty years. Now I do not understand why the age limit should be fixed at sixty years. If the bill is a good bill, the amendment is good, why have any limit? why not open it up? just simply have the pension law. It is very true that the teachers are underpaid. We all know it. And the principal trouble with our State law is the fact that we do not pay the teachers enough wages. It is not the fact of giving them \$100 or \$125 or \$250 after they have taught a certain number of years. The trouble is further back than that. I do not believe that this amendment is the proper amendment. And I simply wish in these few words to register my objection.

Mr. AMES of Washington: Mr. President, the committee on education were of the unanimous opinion that as the present teachers' pension law had only been in effect a short time, it was inexpedient to make any change at this time. To comply with the present law we are obliged to increase the appropriation nearly ten per cent, and if further legislation is enacted it will open a door that will entail larger appropriations. There may be worthy men and women who have taught in schools not included in the present law, but we must curtail our appropriation somewhere, especially at a sacrifice of the common school fund. Therefore I second the motion of Senator Walker, that the report of the committee be accepted.

Mr. FULTON of Aroostook: Mr. President, I did not intend to say anything on this question. I am not in the habit of talking very much. Yet I could not help at least rising and placing myself on the side which I believe to be the right side. I wish to place myself on record as in favor of the amendment offered by the senator from York, Senator Deering.

It is a laudable ambition on the part of any of us to provide something for

old age, for the time when we will not be able to perform the active duties of life that devolve upon us. And we all know that the teachers of our schools are very poorly paid. The Senator from York has given you the average wages received by men and women in other occupations and professions. Now I have in mind this morning, besides the schools that have been mentioned by the Senator from York, two schools of the kind which he has referred to in my own county, one in my own town or serving my own town and the town adjoining, another in a town a short distance from my town. These schools, the affairs of which are attended to by a board of trustees, contract with the committee of the towns for the tuition of the scholars in that town both schools to which I have referred. Now the course of study used in both those schools has to be approved by the State superintendent of schools, and has to be subject to all the conditions that other schools have to be subject to, and yet the law, as it stands, does not give the teachers employed in those schools, even if they have taught the required number of years, any benefit of the pension for teachers, and I cannot see why they should be thus cut out. The distinguished Senator from Penobscot referred to an old teacher of ours in an academy in Aroostook county. He is now an old man, and if he had taught, as he said, down to this time, probably having taught in those schools that were not entirely under State control, he would be cut out from receiving a pension. Now, as I said before, I cannot see why these teachers should be deprived of the benefits accruing from the teachers' pension law. All the State is concerned in paying the pensions of the teachers, who should have equal benefits that are derived therefrom. I know that it will work to the disadvantage of such schools. I have in mind at present teachers in both those academies to which I have referred that have refused after learning that they could not receive the pension which was provided by the law for teachers by teaching in those schools, they have refused

to accept positions therein, and it has in that way worked greatly to their disadvantage. As I said before, I am not going to consume the time. I simply wished to place myself on record as in favor of this amendment as one that I believe is just and equitable, and I hope that the amendment will be adopted.

Mr. MARSHALL of Cumberland: Mr. President, I just want to ask the senator from York or the senator from Somerset a question, as to how far this proposed bill will bring in academies and schools which are now independent of state aid. Is it the purpose to bring in academies which are now independent of state aid so that the teachers of those academies will be entitled to the pension?

The PRESIDENT: The senator from Somerset, Senator Walker, may answer.

Mr. WALKER: As the law stands today on the statute books, it grants to an academy \$500 providing that academy maintains an English course of study and has an average attendance of thirty students. If they have an average attendance of sixty students and maintain two courses of study which are approved by the educational department, an English course and a classical course, they may receive \$750. If they have an attendance of sixty or more, and in addition to an English course and a classical course maintain a teachers' course, they may receive \$1000. This bill, if passed, will embrace some of those academies. In addition to this appropriation given these academies under the academy law, the State is appropriating considerable sums to academies by special appropriation for building purposes or improvement of grounds or something of that kind. Two years ago they granted over \$26,000. This year the committee have recommended about the same amount. Now I want the gentlemen who favor Senator Deering's bill to fully realize that the committee on education take their position because they think so much of the teachers' pension law, and because they do not want the law repealed. If we start in mak-

ing these amendments taking in these private schools, why not continue it a little farther and take in the parochial schools? Why not carry it a little farther still and take in the colleges of the State of Maine, all the schools of the State of Maine? If we amend the law in this particular, why not report "ought to pass" on two other bills which have been referred to the committee on education? Why not make other amendment to this law? We oppose the bill because we are fearful that this amendment will open the door to so many amendments that they may lead to the repeal of the law. As I said before, it is not because I care less for these academies, it is because I do not want that pension repealed. The intention of the law in the first place was to increase the efficiency of the public schools in the State of Maine. That was the title of the bill. It may be that the private school teacher should be pensioned. But inasmuch as many of the private schools are now receiving benefits from the state, would it not be the reasonable thing for the academy to pension its teachers? Thornton Academy has an endowment of \$104,000. It is an excellent school and has sufficient money to pension their teachers and still be better off than the High schools of the State of Maine. There is a provision in the law whereby academies can come under the law and be High schools in the state which in reality is the equitable and fair thing if we are to consider secondary schools as a whole.

At the hearing on this bill, no one appeared for the proposition save the senator from York. No petitions have been received by the committee. No person has spoken to me besides Senator Deering for the passage of this bill. If there had been a demand for it, wouldn't the committee on education in some way have heard of that demand? I ask the members of this Senate to consider this proposition fairly and candidly, not because you have sentiments for the teacher—your sentiments for the teacher can be no greater than were the sentiments of the committee that passed on this proposition—and it is because of these reasons we ask you to sustain our report.

Mr. DEERING: Mr. President, the schools, as I understand it, whose teachers will benefit by this amendment, are those which are contained in the amendment itself, and the amendment reads, "or as serve as public schools by virtue of a contract with the town in which they are located." Now we have heard from all three of the members of the education committee from the Senate, and I have yet to hear a reason which I expected to hear why this amendment should not pass. The principal thing that I can see is that they wanted to save money, in the first place, so that the appropriations might come within the Governor's budget, perhaps. But I noticed the other day in this Senate \$225,000 go a-glimmering that belonged in the Governor's budget, and if I remember correctly, all three of the distinguished senators who are on the education committee voted to let that money go a-glimmering. And now they are in here arguing against a proposition which proposes to give \$100 perhaps a year to the school teachers of this State for pension. And Senator Walker, the distinguished gentleman from Somerset, takes this position: He says he is afraid to open the door in this law to other amendments which might be proposed, and he mentions—I don't know in what connection—but he mentions parochial schools. Gentlemen, that old bugbear of parochial schools has been mentioned in this State every time a benefit for a school has been proposed and somebody didn't want it to pass—that old bugbear of a parochial school has been mentioned. He takes the position that if he opens the door to amendments to this law, that perhaps it will take in other schools, parochial perhaps. How would it be, gentlemen, if we shut the door to all amendments, good and bad? Does the distinguished gentleman from Somerset county say that all amendments must go, good and bad? Does he say that because he thinks an amendment is going to be put in on the school law that will benefit it, he must turn it down because some bad amendment will come along? Or can he and his committee discriminate between the good and the bad, and accept the good and discard the bad? That is the proposition which I

am putting up to this educational committee. And I say to you, Mr. President and Senators of this Senate, that whenever any committee of any class of men opposed to me in matters of this kind come before the Senate with a proposition that turns down a bill as beneficial as this is to the public, that they must show me some reason why they do it. And you, gentlemen of this Senate, have sat here and listened to every man in this Senate who belongs to the educational committee, and not a single sound reason has yet been advanced why they cannot pass this bill which proposes to give to the school-teachers of this State \$1000. Gentlemen of the Senate, if you are listening to reason, if you are going by reason, the gentlemen of the education committee should propose to you some reason why this should not pass.

They have intimated that no one appeared for this bill except myself before the educational committee. That is true. No one did appear in behalf of this bill before the education committee except myself and Senator Hastings, who, I see, is absent. But, gentlemen, not a single soul appeared against it. I will take my chance in appearing for any bill or any measure in court or out if I appear on one side alone and nobody appears on the other side. Gentlemen of the Senate, I appeared alone perhaps for this bill. But there was no opposition. The committee at first did not seem to be opposed to it at that time, and when they bring in here a unanimous report, ought not to pass, on this bill, when they presented to me when I appeared before the committee no reason why the bill ought not to pass, and they have presented to this Senate now no reason why it ought not to pass, gentlemen, I say that the motion to substitute the bill for the report of this committee ought to carry this Senate.

Mr. RICKER: Mr. President, I do not believe it is the province of any committee in this legislature, when any proponent or opponent of a bill appears before it, to take sides, al-

though I will admit that they do. As regards the matter of \$1000, that does not interest me, but I should like to ask a question through the Chair, whether the Senator who has just spoken has as much interest in the 100 teachers that he named as he has in two or more teachers in his own locality?

Mr. DEERING: Does the President of the Senate call upon me to answer that question?

The PRESIDENT: The Senator may answer if he wishes.

Mr. DEERING: The question put to me by the distinguished gentleman from Hancock has perhaps disclosed the reason why he signed the report, ought not to pass, in regard to this bill. If it is so, that my distinguished friend from Hancock county signed the report, ought not to pass, upon this bill because there are school teachers in the city of Saco, whom I love and whom I want to see enjoy this pension, I will answer him that those teachers are an interest of mine,—not two but half a dozen, and all the teachers that I have ever been to that were in Thornton Academy—if he wants me to come right out in plain language, I want them to have the benefits of this school teachers' pension, and all the teachers that are in Leavitt Institute, Madison Institute, Oak Grove Seminary, Parsonsfield Seminary, Washington Academy, Berwick Academy, Bridgton Academy, Cobscook Classical Institute, Kent's Hill, Bethel Academy, Senator from Hancock, I want not only the teachers that I know in Thornton Academy to have the benefits of this pension, but I want the teachers in every one of these academies in this state which serve as public schools to have it. Whether my interests are greater for those people whom I know makes no difference with the merits of this bill. The idea is that the bill benefits the teachers of all these academies alike, and it is natural that any man should have a greater interest in the teachers whom he has known than in those whom he has not known.

Mr. DAVIES of Cumberland: Mr. President, I would like to ask the senator from Somerset, Senator Walker, a question, if I may. What public control is there over Thornton Academy as compared to the public schools?

Mr. WALKER: There is no public control over Thornton Academy.

Mr. DAVIES: Now isn't there a bare possibility, Mr. President, that we are losing sight here of a fundamental question in this very interesting discussion? Is it not the part of the Senate to very carefully consider the underlying principle that is involved in this pension law? And that, as it appeals to my mind, Mr. President is this: Are we not, in passing this amendment to this bill, having a tendency at least to encourage private schools over the common school? That is the question. And that is a very serious question too. I yield to no man, Mr. President, in my regard, in my respect, in my love for the school teacher. The school teacher's influence is greater in every community than the influence of any other individual, not even excepting the minister of the gospel. The minister of the church may have the child once or twice a week, but the school teacher, Mr. President, has the child every day, and every student becomes better morally, becomes more patriotic, becomes more liberty-loving, just exactly as that school teacher is, who molds the mind and the hand of the child under him. But we must do nothing that in any way is going to retard or restrict the great broad influence of the public school. And in my opinion, Mr. President, there is a possibility that this bill will do precisely that, and will take one step toward placing our private schools on precisely the same footing as the public school, and to that I protest.

Mr. WOOD: May I just ask a question of Senator Walker? Will you kindly inform me about the relative aid which the high school gets as compared with the academy? I understand the academy does get State aid, and whether the academy is not for all purposes practically a public school?

Mr. WALKER: As I understand the law, the high school draws \$500 from the State. An academy under the academy act, may draw from \$500 to \$1000. The town in which the academy is located can draw \$500, and make a contract with the academy and pay that \$500 in. Do I make myself clear?

Mr. WOOD: \$500 extra?

Mr. WALKER: Yes, \$500 extra.

Mr. WOOD: For all practical purposes they are a public school, or are they not? I ask for information. Are they so regarded?

Mr. WALKER: They stand, in the class of academies that have an endowment of less than \$25,000, the committee of the town together with the same number of members of the trustees, hire the teachers; but in the other class of academies they do not. Undoubtedly the course is the same in certain academies that it is in the high school. I have no doubt that the school in Saco operating as an academy would be precisely what it would be operating as a high school.

Mr. DEERING: Not to speak upon that matter again but as a word of explanation. I will simply say to the senators, Read what the amendment says. It says: "or as serve as public schools." Now when they get the amendment into their heads solidly and read the section of the chapter to which it refers, the fears that have been expressed by some of them would not be realized.

Mr. DAVIES: Mr. President, may I have one word more? I want to get my mind well clarified on the difference between the public and the private school. I addressed a question to Senator Walker for that purpose and I understood him to say that the public had no control over Thornton academy. Is that correct?

Mr. WALKER: That is correct.

Mr. DAVIES: Would you not say that the public had all control over the general high school system of the State?

Mr. WALKER: Yes, sir.

Mr. DAVIES: So that you must of



necessity class Thofnton Academy as a private school. Am I correct about that, Senator Walker?

Mr. WALKER: Yes.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Deering, that we substitute the bill for the report of the committee.

A viva voce vote was had, and the chair being in doubt, a rising vote was taken. Twelve Senators voting in the affirmative and 16 in the negative, the motion was lost.

Mr. WALKER: Mr. President: I move that we reconsider the vote whereby we voted against substituting this bill for the report, and I ask every Senator to vote against my motion.

Mr. DAVIES: Mr. President, I understand the purpose of the motion of the Senator from Somerset, is merely to kill, without any question, the matter of the amendment, is that correct?

Mr. WALKER: Mr. President, it is.

Mr. DEERING: Mr. President, in order to allay any further fears that my distinguished friend from Somerset has in regard to what I may do in regard to the teachers' pensions, if he will take my word for it, I will tell him right here that no further amendment or attempt to have this amendment passed, at this session of the Legislature, will be made by me, and he may withdraw his motion if he sees fit.

Mr. WALKER: Mr. President, I want to thank the Senator from York and will withdraw my motion.

Mr. DAVIES: Mr. President, I move that we accept the report of the committee.

The motion was agreed to, and the bill was tabled for printing under the joint rules.

S. D. 253. An Act to amend Section 176 of Chapter 16 of the Revised Statutes relating to the appropriation for teachers' pensions.

Mr. DEERING of York: Mr. Presi-

dent, I move that the bill be passed to be engrossed.

The motion was agreed to.

Majority and minority reports of the committee on claims on resolve in favor of Morrison Libby.

Majority report, ought not to pass.

Minority report, ought to pass in new draft.

In the Senate the majority report was adopted. In the House the minority report, ought to pass in new draft, was adopted and the bill was passed to be engrossed.

Mr. HIGGINS of Penobscot: Mr. President, I move that we adhere to our former action.

Mr. CHICK of Kennebec: Mr. President, I have a motion to make which I think would necessarily take precedence over the motion of the senator from Penobscot, Senator Higgins.

I move that we recede and concur with the House in the acceptance of the minority report.

Mr. HIGGINS: Mr. President, before that motion is put I desire not to take too much of the time of this Senate, as I did not intend to say very much in regard to this bill. My position, as you all well know, is very firmly fixed.

I feel, gentlemen of the Senate, that to take any other action than the adoption of the minority report, ought not to pass, is opening a door and establishing a precedent for the State of Maine that will be to our detriment later on.

I believe that this bill, like other bills of like nature, should be borne by the parties in interest. If we want to be fair about this proposition it seems to me that the fairness and justice of the case would appeal to us if the other contestant presented his bill.

In the case of Dr. Payson of Castine and Dr. Gilman of Portland, you will remember that Dr. Payson was appointed on the board of dental examiners on December 31, 1914, if I remember correctly. The then Governor Curtis ruled that Governor Haines did not have the appointing power and he appointed Dr. Gilman. Dr. Gilman took his seat and served on the board, and

Dr. Payson contested his right. The supreme court ruled that Governor Haines had the right to make the appointment, and the law court sustained that ruling. Dr. Payson took his seat. Dr. Payson and Dr. Gilman both spent hundreds of dollars, but neither were reimbursed one penny by the state.

I say to you, gentlemen, that if you open this door you are making a way for all similar cases to that of Dr. Payson and Dr. Gilman, and the cases of Francis Keif vs. Thomas S. Staples, whose seat was contested in the House of Representatives, to present their bills to the state for payment.

I trust that the motion of my distinguished friend, the Senator from Kennebec, will not receive a passage at your hands this morning.

Mr. BARTLETT of Kennebec: Mr. President, I had not intended to take up the time of the Senate this morning in making any remarks, but in view of what has been said I wish to call the attention of the members of the Senate to the fact that there is a matter of justice in this case.

This was not a case where Mr. Libby contested a seat. It was a case where the other man caused the trouble and put Mr. Libby to expense and he was obliged to fight the case.

There is no matter of a precedent here that should be involved, as it is a firmly established principle of law, as embodied in the records. So that future cases of that kind, the law is there, determined by the court, to go by.

I certainly hope that the motion will prevail and that we will concur with the action of the House.

The PRESIDENT: The question before the Senate is on the motion of the senator from Kennebec, Senator Chick, that we recede and concur with the House, in adopting the House action of the committee, ought to pass, on this bill.

A viva voce vote being taken the motion of the senator from Kennebec was lost.

The pending question being on the motion of the senator from Penobscot, Senator Higgins, that the Senate adhere, the motion was agreed to.

S. D. 128. An Act to amend Section 49 of Chapter 9 of the Revised Statutes, exempting Maine casualty assessment companies from the payment of the tax on premiums.

On motion by Mr. Higgins of Penobscot the bill was given its second reading.

On motion by Mr. Merrill of Somerset it was tabled pending passage to be engrossed.

H. D. 382. An Act additional to Chapter 15 of the Private and Special Laws of 1907, relating to the pollution of the waters of North or Varnum's pond.

Mr. HOLT of Cumberland: Mr. President, I move that the bill be tabled. It is a matter that is being adjusted and it is a question whether the matter is not covered by a general law that it being enacted.

The motion was agreed to.

S. D. 250. Resolve in favor of Machias Electric Light Company in payment for current furnished the Washington State Normal school.

Mr. WALKER of Somerset: Mr. President, I am informed by the executive department that this matter will be taken care of out of the contingent fund.

I move that the resolve be indefinitely postponed.

The motion was agreed to.

S. D. 255. Resolve in favor of L. E. Bradstreet & Sons Company for the balance due on the Farmington State Normal school dormitory construction.

Mr. WALKER of Somerset: Mr. President, I am informed by the executive department that this resolve will be taken care of out of the contingent fund.

I move that it be indefinitely postponed.

The motion was agreed to.

S. D. 268. An Act relating to the issuing of blank writs by clerks of the supreme judicial courts, clerks and recorders of municipal and police courts and trial justices.

Mr. WOOD of Hancock: Mr. President, I had that tabled because the suggestion was made that an amendment should be adopted so that it would include the superior courts.

I offer Senate Amendment A as follows: "Amend by inserting in the second line of the title, the words, "and superior court," also insert the same in the body of the bill.

Senate Amendment A was adopted and the bill as amended was passed to be engrossed.

S. D. 137. An Act making it unlawful to give checks or drafts on banks where the maker has not sufficient funds or credit to pay the same, and providing a penalty therefor.

Mr. DAVIES of Cumberland: Mr. President, that bill was stayed on the recommendation or by the direction of Governor Milliken, and he requested that it be reconsidered by the members of the committee while before the Senate. I desire to say that the matter has again been gone over, and the recommendation of the committee is that the bill be passed to be enacted, to which Governor Milliken will make no objection.

I move that we reconsider the vote whereby we adopted the resolution striking off from this bill the signatures of the President of the Senate and the Speaker of the House.

The motion was agreed to.

S. D. 205. An Act to amend Section 10 of Chapter 117 of the Revised Statutes, relating to stenographers of the Supreme Judicial Court.

Mr. WOOD of Hancock: Mr. President, that ought to follow the other bill for the Superior Court stenographers. I move that it be tabled and specially assigned for next Tuesday.

H. D. 421. Resolve in favor of N. J. Hanna, for services and expenses.

Mr. STANLEY of Oxford: Mr. President, this matter is being considered by the executive department, as to whether or not it can be taken care of in the regular course of business.

Until we can get a report from the

department, I move that it be tabled. The motion was agreed to.

Report of the committee on education ought not to pass, on S. D. 86, An Act to establish military training in the public schools.

Mr. WOOD of Hancock: Mr. President, I move that the report and bill be tabled and assigned for next Tuesday.

The motion was agreed to.

H. D. 402. An Act to extend the charter of the Washington County Light and Power Company.

Mr. DAVIES of Cumberland: Mr. President, I beg to inquire if there is any senator present who has the amendment to this bill in charge?

A number of these amendments have come before the Senate on bills of like tenor and there seems to be no member of the Senate who happens to have them in charge.

I have yet to find any reason why the enactment should be adopted. It is a matter of common knowledge that we have in this State a law which prohibits the transmission of electricity beyond the confines of the State. I cannot see how the amendment if adopted will strengthen that law. I move that we non-concur with the House in the adoption of the amendment.

The motion was agreed to.

On further motion by the same senator the bill was passed to be engrossed and sent down for concurrence.

H. D. 459. An Act to extend the charter of the Farmington-Oakland Interurban Railway.

Mr. BUTLER of Franklin: Mr. President, I move that the bill take its second reading and be passed to be engrossed.

The motion was agreed to.

H. D. 350. An Act to create a board of prison commissioners.

Mr. BUTLER of Knox: Mr. President, this bill was tabled by me yesterday, and the senator from York, Senator Deering, asked for a special assignment, and Friday was suggested

at that time. After conference with him this morning and agreement, I move that it be tabled and assigned for next Wednesday. It is a very important matter.

The motion was agreed to.

H. D. 463. An Act to provide for increasing the capital stock of the Franklin Farmers' Co-operative Telephone Co.

Mr. BAXTER of Sagadahoc: Mr. President, I move that the bill have its second reading and be passed to be engrossed.

The motion was agreed to.

H. D. 439. Resolve appropriating money for the expenses of the State Board of Charities and Corrections for the years 1917 and 1918.

Mr. DEERING of YORK: Mr. President, I move that this bill be tabled and assigned for consideration next Tuesday.

The motion was agreed to.

H. D. 513. An Act to permit municipal corporations to own and operate street railway, gas electric light, water and other public utility and other corporations.

Mr. RICKER of Hancock: Mr. President, I move that we concur with the House and refer this bill to the committee on public utilities.

Mr. WOOD of Hancock: Mr. President, there is a resolve in favor of Mabel Sanborn, which was referred to the committee on pensions. That committee refused jurisdiction and suggested that it be referred to the committee on claims. If the resolve has been returned to the Senate I would like to have it referred to the committee on claims.

The PRESIDENT: The Chair will state that the papers are not before the Senate at the present time. It can be brought before the Senate by the committee on pensions referring it back, or by order of any Senator to bring the bill before the Senate.

Mr. WOOD: Mr. President, I understand that the bill was to be returned to the Senate by the committee on pensions, and I supposed it was here.

The PRESIDENT: It is not in the possession of the Senate.

On motion by Mr. Conant of Waldo.  
Adjourned.