

# 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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**SENATE.**

Thursday, April 5, 1917.

Senate called to order by the President.

Prayer by Rev. W. J. Layton of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve relating to pay for the National Guard and naval reserve of the State of Maine.

In the House this bill was received, read three times under suspension of the rules, and passed to be engrossed as amended by House amendment A.

In the Senate, on motion by Mr. Marshall of Cumberland, the bill received its two several readings, under suspension of the rules, House amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed in concurrence.

From the House: An Act to establish a superior court in the county of Androscoggin.

This bill was passed to be engrossed in the Senate. In the House it was amended by adoption of House amendment A, and passed to be engrossed as amended.

In the Senate, House amendment A was adopted in concurrence and the bill as amended was passed to be engrossed in concurrence.

From the House: An Act prohibiting the sale or giving away of air rifles to children under 14 years of age.

In the House the bill was passed to be engrossed; in the Senate it was indefinitely postponed.

The House insisted on its former action and appointed a committee of conference.

On motion by Mr. Davies of Cumberland, the Senate voted to join a committee of conference.

The Chair appointed on such committees on the part of the Senate, Messrs. Davies, Baxter and Davis.

From the House: An Act relating to clerk hire in the office of the clerk of courts for York county.

The House substituted the bill for the unfavorable report of the committee. The Senate accepted the report of the committee, ought not to pass.

In the House that body insisted upon its former action and appointed a committee of conference.

Mr. LORD of York: Mr. President, I move that we concur with the House and join a committee of conference.

Mr. DAVIES of Cumberland: Mr. President, our action on this matter is based on the meeting of the Senators, held informally, and where we voted at that time by a large majority to accept the majority reports from the committee on salaries and fees.

I do not object to a committee of conference, but under the circumstances I do not see how it would avail us anything.

The motion of Senator Lord was agreed to, and the Chair appointed on such committee of conference on the part of the Senate, Messrs. Lord, Davies and Conant.

From the House: An Act to authorize the erection of a dam and water storage basins on Bog brook and tributaries in Somerset county.

In the House, House Amendment A was adopted.

In the Senate that amendment was indefinitely postponed.

The House voted to adhere to its former action.

Mr. DEERING of York: Mr. President, I think there will be several water power matters come in this morning and I desire to lay each one upon the table until orders of the day, so that we may consider them at that time.

The following bills from the House were tabled on motion by Mr. Deering of York until orders of the day:

An Act relating to the Vassalboro, Windsor and China Water Co.

An Act relating to the Clark Power Co.

An Act to amend the charter of the Central Maine Power Co.

An Act to enlarge the powers of the Western Power Co.

An Act to authorize the Oxford Electric Co. to extend its electric lines to and within the town of Hebron and to purchase the electrical equipment and franchises of the trustees of the Hebron Academy.

An Act to amend and extend the charter of the Washington County Light & Power Co.

An Act relating to the Knox Gas Co.

An Act to incorporate the Casco Water and Electric Light and Power Co.

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From the House: An Act relating to the compensation of judges of the probate court.

In the House the report of the committee, ought to pass, was adopted.

The Senate adopted the report, ought not to pass.

The House insisted on its former action and appointed a committee of conference.

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

#### House Bills in First Reading

Resolve in favor of the secretaries of the committees for expenses of the committees incurred during the session of the 78th Legislature.

(The rules were suspended the resolve was read twice and passed to be engrossed in concurrence.)

An Act authorizing municipal officers to appoint examiners of steam engineers and firemen.

(Under suspension of the rules, read twice and passed to be engrossed in concurrence.)

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From the House: Majority and minority report of the committee on judiciary, on An Act to create the Maine Water Power Commission.

Majority report, ought not to pass; minority report, ought to pass in new draft.

In the House the minority report was accepted.

(On motion by Mr. Baxter of Sagadahoc, tabled pending acceptance of either report.)

#### House Bills in First Reading

An Act to amend Section 36 of Chapter 117 of the Revised Statutes, relating to the manner of payment of salaries.

(On motion by Mr. Merrill of Somerset, read twice and passed to be engrossed in concurrence, under suspension of the rules.)

S. D. 28. Resolve appropriating money for the erection and equipment of a State armory for the use of the National Guard in the city of Lewiston.

On motion by Mr. Stanley of Oxford, under suspension of the rules the bill was read twice.

In the House this bill was amended by the adoption of House Amendment A.

The Senate concurred in the adoption of House Amendment A, and the resolve as amended was passed to be engrossed in concurrence.

Resolve appropriating money for the erection and equipment of a State armory for the use of the National Guard in the city of Bangor.

The bill was given its first reading in concurrence.

On motion by Mr. Higgins of Penobscot the rules were suspended and the bill was given its second reading, House Amendment A was adopted in concurrence, and the resolve as amended was passed to be engrossed in concurrence.

#### Orders

Mr. DAVIES of Cumberland: Mr. President. I present the following order and move its passage:

Ordered, that all matters laid upon the table shall automatically come off the same at each session of the Senate during the remainder of the session of the Legislature.

The order was passed.

#### Reports of Committees

Report of the committee of conference, on the disagreeing action of the two branches of the Legislature, on An Act to establish the wages of clerks in the offices of Aroostook register of deeds,

South District, and clerk of courts of Aroostook county and to secure to such clerk of courts reimbursement for necessary expenses in attendance at the terms of the supreme judicial court held at Caribou (House No. 318), that the Senate recede and concur with the House.

Mr. BUTLER of Knox: Mr. President I would like to inquire if this is a matter that was heard before the committee on salaries and fees?

The PRESIDENT: The committee on salaries and fees reported that the bill ought to pass.

The report was accepted, and under suspension of the rules the bill was given its two readings and was passed to be engrossed in conference.

Mr. Holt from the committee on military affairs, on Resolution of Newcastle and Damariscotta Board of Trade in favor of universal military service, that the same be placed on file as the subject matter is covered by another resolution. The report was accepted.

Mr. Walker from the committee on pensions, on An Act to amend certain Sections of Chapter 148, Revised Statutes, relating to pensions for the blind (Senate No. 286), submitted the same in a new draft under the same title, and that it ought to pass.

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

Mr. Fulton from the committee on pensions, on

Resolve providing for a State pension for Joann P. Libby (House No. 332);

Resolve providing State pension for Myra G. Millett; (House No. 336)

Resolve providing a State pension for Stephen F. Flood; (Senate No. 207)

Resolve in favor of Mary Allen; (House No. 342)

Resolve providing a State pension for Minnie E. Saunders; (House No. 340)

Resolve providing a State pension for Susan B. Merrill; House No. 333)

Resolve in favor of Zebedee M. Cushman; (House No. 345)

Resolve in favor of Cora M. Libby; (House No. 337)

Resolve in favor of Adaline M. Hanaford; (Senate No. 209)

Resolve giving a State pension to Levi E. Holden;

Resolve in favor of State pension for Olive A. Getchell, of North Berwick, Maine;

Resolve in favor of Addie L. Coombs of Montville, for State pension; (House No. 331)

Resolve in favor of Ellen M. Shute; Resolve providing a State pension for Winifred Whitney of Union;

Resolve in favor of a State pension for Hattie E. Rust, of South Portland;

Resolve in favor of Georgianna Carley;

Resolve in favor of a State pension for Lucena P. Andrews; (House No. 338)

Resolve providing for a State pension for William H. Clark;

Resolve providing a State pension for Luella Darling;

Resolve in favor of Charles D. Preble of Kittery;

Resolve providing a State pension for William H. Duhham;

Resolve in favor of Margaret H. Root of Kittery;

Resolve providing a State pension for Drucilla Roberts;

Resolve in favor of Pamela F. McElroy of Topsfield; Washington county, for State pensions;

Resolve in favor of Arvesta M. Conrey, widow of John Conrey, a soldier in the Civil War;

Resolve in favor of Sarah E. White of Princeton, Washington County, for State pension;

Resolve providing an increased State pension for Emma A. Gannett; (House No. 341)

Resolve providing a State pension for John Lamson of Vassalboro; (House No. 344)

Resolve in favor of Charles S. Robbins of Lewiston, Maine, for State pension;

Resolve providing a State pension for Flora Stevens of Lewiston; (House No. 345)

Resolve in favor of James D. Wilder of Hiram, Maine, for State pension; (House No. 335)

Resolve providing a State pension for Dorcas M. Watkins of Lewiston; (House No. 330)

Resolve in favor of Amanda H. Loud of Randolph; (House No. 339)

Resolve in favor of Nehemiah Gup-till of Addison;

Resolve in favor of Patrick A. Galvin of Auburn; (House No. 334)

Resolve in favor of State pension for Charlotte A. Arey of Brewer, Maine; Resolve in favor of Abigail Munson;

Resolve in favor of Inez Sutherland for State pension;

Resolve providing a State pension for Salathiel D. Seeley;

Resolve providing for an increase of State pension for Bertha A. Gleason.

Resolve providing a State pension for Annie Howe;

Resolve in favor of Caroline E. Remick of Otis;

Resolve providing a State pension for John H. Sawyer;

Resolve in favor of Eliza A. Thomas of Lewiston;

Resolve providing a State pension for Alice S. Hood;

Resolve providing a State pension for Ella W. Eaton of Brunswick, widow of Ray P. Eaton;

Resolve providing a State pension for Harmon J. Dill;

Resolve in favor of Catherine Nelligan of Brewer, Maine;

Resolve in favor of a State pension for Achsa E. Lawry;

Resolve providing a State pension for Johanna J. Kelleher;

Resolve in favor of a State pension for Mary J. Goodwin of Old Town;

Resolve in favor of a State pension for Lorenzo D. Wright;

Resolve providing a State pension for Ann M. Larrabee;

Resolve in favor of Phoebe Dano of Readfield, county of Kennebec and State of Maine;

Resolve providing a State pension for Bridget Hogan;

Resolve in favor of Margaret Francis of Lubec;

Resolve providing a State pension for Samuel S. Goodwin of Amherst;

Resolve in favor of a State pension for Lydia E. Suitter of Monticello;

Resolve providing a State pension for George E. Spear;

Resolve providing a State pension for Hannah Hogan;

Resolve providing a State pension for Harvey C. Black;

Resolve in favor of Eliza A. McKenney for a State pension;

Resolve providing a State pension for Jane Frazier;

Resolve in favor of Theresa Rines for State pension;

Resolve providing a State pension for Electa J. Lawry;

Resolve providing for an increase of State pension for James R. Hunton of Milford;

Resolve providing for State pension for Maria L. Wallace of Lubec;

Resolve providing a State pension for Emily T. Smith of Litchfield;

Resolve in favor of Mrs. Rosilla Hall of Harrington;

Resolve in favor of Mrs. S. J. Everson of Addison;

Resolve in favor of M. Frances Owen;

Resolve providing a State pension for Maria Snow of Sedgwick;

Resolve in favor of Perlie A. Haskell of Sidney;

Resolve providing a State pension for Annie M. Lowell;

Resolve in favor of Bertha A. Toomey;

Resolve providing a State pension for Syrena B. Withee;

Resolve providing a State pension for Harriett C. Twombly; submitting the same in a new draft under title of Resolve providing for certain State pensions, and that it ought to pass.

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

Mr. Higgins from the committee on appropriations and financial affairs, on resolve in favor of George T. Hinchliffe for services as clerk and stenographer of committee on labor;

Resolve in favor of George T. Hinchliffe for services as clerk, stenographer and messenger on the committee of sea and shore fisheries;

Resolve in favor of Joseph H. Littlefield, secretary of the committee on public health.

Resolve in favor of Louise E. Cony for services as stenographer to the committee on State lands and forest preservation;

Resolve in favor of the stenographer to the committee on temperance;

Resolve in favor of the stenographer to the committee on military affairs.

Resolve in favor of W. W. Greateon, document clerk, for preparing weekly printed index;

Resolve in favor of William M. Stuart, document clerk, for preparing weekly printed index;

Resolve in favor of William M. Stuart, for services as document clerk to the Senate; reported that the same be placed on file as the same matter has been incorporated in the first appropriation bill.

The report was accepted.

Mr. Conant, from the committee on ways and bridges, on Resolve for the construction of a highway bridge over the Penobscot river, between the towns of Vernon and Penobscot, Hancock county, Maine, reported that the same be referred to the next Legislature.

The report was accepted.

#### Final Reports

Mr. Conant, from the committee on agriculture submitted its final report.

Mr. Holt, from the committee on taxation, submitted its final report.

From the House: Report of the committee on sea and shore fisheries on An Act to amend Section 35 of Chapter 45 of the Revised Statutes, relating to the measurement of lobsters.

In the House the favorable report was accepted; in the Senate the report ought not to pass was accepted.

In the House that body insisted upon its former action and appointed a committee of conference.

Mr. AMES of Washington: Mr. President, I move that this lie on the table until Senator Peacock returns.

The motion was agreed to.

#### Passed to Be Engrossed

H. D. 417. An Act to provide for the division and management of the school fund from the sale of timber and grass, and from trespasses on reserved lands, and amending Sections 20 and 21 of Chapter 8 of the Revised Statutes. (House amendment A adopted in concurrence.)

H. D. 678. An Act to regulate the operation of jitney busses, or any other steam or motor driven vehicle. (On motion by Mr. Davies of Cumberland, House amendment B was adopted in concurrence.)

H. D. 685. An Act to insure the collection of taxes in unorganized townships.

H. D. 712. An Act to revise, collate arrange and simplify the inland fish and game laws of the State, both general and public and special, and the rules and regulations of the commissioners of inland fisheries and game now in force.

H. D. 713. Resolve in favor of Rena Cooley.

H. D. 715. Resolve in favor of Mary S. Hillman.

H. D. 718. An Act to authorize the county of Piscataquis to reimburse the town of Brownville to the extent of 30 per cent of its disbursements in the construction of a bridge across Pleasant river.

H. D. 720. An Act to amend Section 60 of Chapter 4 of the Revised Statutes of 1916, relating to the creation of a sinking fund by cities and towns.

H. D. 723. Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol.

S. D. 430. An Act relating to bonds in the probate court, given by executors and administrators to obtain license to sell real estate, amending Chapter 76 of the Revised Statutes.

S. D. 431. An Act to provide for the seizure and forfeiture of vehicles carrying intoxicating liquor intended for illegal sale.

S. D. 432. An Act in addition to Chapter 26, Revised Statutes, relating to the registration of motor vehicles.

S. D. 433. An Act to amend Section 38 of Chapter 117 of the Revised Statutes, increasing the salary of the judge of probate for the county of Androscoggin.

#### Passed to be Enacted

An Act to provide for the establishment of polling districts in towns.

An Act to increase the salary of the judge of the municipal court of Dexter.

An Act to amend Chapter 76 of the Revised Statutes, relating to sales of real estate by license of court.

An Act to amend Section 51 of Chapter 82 of the Revised Statutes, relating to trial list of supreme judicial court for Aroostook county.

An Act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making and repairing same. (Tabled by Mr. Davies of Cumberland.)

An Act to amend Section 83 of Chapter 53 of the Revised Statutes, relating to term of office of insurance commissioner.

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.

An Act to prohibit the carrying of dangerous or deadly weapons without a license.

An Act to amend Section 33 of Chapter 9 of the Revised Statutes, increasing the taxation of owners of parlor cars.

An Act to amend Section 10 of Chapter 137 of the Revised Statutes, relating to the appointment of probation officers.

An Act to amend Section 1 of Chapter 34 of the Revised Statutes, relating to the term of office of the commissioner of agriculture.

An Act to amend Section 10 of Chapter 117 of the Revised Statutes relating to stenographers of the supreme judicial court.

An Act authorizing the treasurer of State to negotiate a temporary loan.

An Act to ratify, confirm and make valid the acts of incorporation and proceedings of Abou Ben Adhem Lodge, No. 23, Independent Order of Odd Fellows.

An Act to amend Section 9 of Chapter 29 of the Revised Statutes, prohibiting the treatment of army and navy veterans as paupers.

An Act to authorize the American Thread Company to erect a bridge across Sebec river in the town of Milo.

An Act to amend Section 13 of Chapter 132 of the Revised Statutes, providing for an increase in the number of licensed detectives.

An Act relating to the trustees of the Windham Ministerial Fund.

An Act to amend Paragraph 3 of Section 1 of Chapter 282 of the Private and Special Laws of 1909, increasing the salary of recorder of the municipal court of the city of Westbrook.

An Act to repeal Chapter 134 of the Special Laws of 1831 entitled "An Act establishing a fire department in the town of Portland; Sections 1, 3 and 4 of Chapter 167 of the Private and Special Laws of 1853 entitled "An Act relating to the city of Portland."

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.

An Act to amend Section 17 of Chapter 117 of the Revised Statutes, increasing the salary of the State auditor.

An Act to amend Section 76 of Chapter 45 of the Revised Statutes, relating to smelts.

An Act to appropriate moneys for the expenditures of government and for other purposes for the year 1917.

This bill carrying an emergency clause was passed by a vote of 27 senators in favor and none against, to comply with the law in regard to emergency measures.

An Act to make valid the doings of the annual town meeting of the town of Jackson.

This bill carrying an emergency clause was passed by a vote of 27 senators in favor and none against, to comply with the law in regard to emergency measures.

An Act to create a board of prison commissioners.

This bill carrying an emergency clause was passed by a vote of 26 senators in favor and none against, to comply with the law in regard to emergency measures.

### Finally Passed

Resolve in favor of Home for Aged Women, Belfast.

Resolve providing an epidemic or emergency fund.

Resolve to enable the town of Millinocket to raise money for the maintenance and support of Sourdnahunk road, between the town of Millinocket and Millinocket lake.



Resolve for investigating and clearing the title of the settlers on Township 17, Range 5, in Aroostook county.

Resolve in favor of Fred R. Smith of Pittsfield for expenses incurred as a member of the hospital trustees in investigating conditions at the Augusta State hospital in 1913.

Resolve in favor of Mrs. Mabel G. Sanborn of Augusta for money expended in support of Kate C. Robbins, a State pensioner now deceased.

Resolve making appropriation for support of bureau of weights and measures.

Resolve in favor of Joseph H. Underwood.

Resolve making appropriation for New England fruit show, to be held in the year 1917.

Resolve to reimburse certain cities and towns for money expended for the support of dependent families of members of the National Guard.

Resolve continuing unexpended balance of appropriation provided by Chapter 310 of the Resolves of 1915, entitled Resolve appropriating money to aid in the construction of substructure of a highway bridge across the St. John river, between the town of Madawaska, Maine, and the city of Edmundston, New Brunswick.

Resolve making an appropriation for the control of contagious diseases among domestic animals.

Resolve making appropriation to assist, encourage and develop the poultry industry in Maine.

Resolve directing the highway commission to make surveys, plans and estimates for an interstate bridge between Kittery, Maine, and Portsmouth, New Hampshire.

Resolve in favor of the co-operative survey of the boundary line between the State of Maine and the State of New Hampshire.

#### Orders of the Day

The PRESIDENT: The Chair lays before the Senate, Report A, ought not to pass, and report B, ought to pass, new draft, on H. D. No. 551, An Act relative to the hours of labor of conductors and motormen.

Mr. HIGGINS of Penobscot: Mr.

President, I yield to the Senator from Franklin, Senator Butler.

Mr. BUTLER of Franklin: Mr. President, I move that the report, ought not to pass, be accepted.

Mr. GOOGIN of Androscoggin: Mr. President, I move that when that vote is taken, it be taken by division.

A rising vote was had, and 19 senators voting in the affirmative and 6 in the negative, the motion of the Senator from Franklin, Senator Butler, prevailed and report A, ought not to pass, was adopted.

The PRESIDENT: The next matter on the calendar, assigned for today, is, Report A, ought to pass, new draft, and Report B, ought not to pass, from the committee on judiciary on S. D. No. 241, An Act to provide for the establishment of district almshouses or infirmaries and to repeal sections 15, 16 and 17 of Chapter 29, Revised Statutes.

Mr. HIGGINS of Penobscot: Mr. President, I yield to my colleague, Senator Gillin of Penobscot.

Mr. GILLIN of Penobscot: Mr. President and Senators, in order not to delay you and unnecessarily use time, I would simply say that you senators who have investigated this law know that it makes a sweeping and radical change in your present system of taking care of your poor. I therefore, Mr. President, move that report B, ought not to pass, be accepted.

Mr. MERRILL of Somerset: Mr. President, this is to my mind one of the great bills, one of the bills of great importance that have been introduced in this branch of the legislature during this term. I do not agree with the provisions of the bill, and if there is no other way I should vote to sustain the report, ought not to pass; but I believe we should consider this bill a little and see if there is not something that can be done with it that will advance the principle that is contained in it.

I believe in the principle that it contains, that is, the reduction of the great number of almshouses in the state to sixteen or twenty is in the right direction. But to my mind it does not go far

enough. We have, according to the best reports I can get, perhaps twelve to thirteen or fourteen hundred paupers in the State of Maine, and we have 150 or 200 almshouses in the State of Maine that are kept up by various towns in the State and by various cities.

Now then, when we take a move and act in this direction, why not do it understandingly, and with an idea of advancing the rights and benefits that are to be derived from this move? Instead of having nineteen almshouses, with nineteen heads, one of each almshouse, each with a superintendent and matron—19 or 22 in number—why not have some state institutions, say four in number, one located in each Congressional district? Then you would have four institutions in the place of twenty-one or twenty-two as this bill calls for.

Mr. DAVIES of Cumberland: Mr. President, may I interrupt the Senator just a moment? Am I to understand that Senator Merrill intends to offer an amendment to this bill?

Mr. MERRILL: I do.

Mr. DAVIES: Providing for four district almshouses?

Mr. MERRILL: Yes.

Mr. DAVIES: So then, Senator Merrill is speaking to the amendment, if I understand it.

Mr. MERRILL: Yes.

Mr. DAVIES: I wanted to be sure I understood.

Mr. MERRILL: That is correct.

The PRESIDENT: He is speaking to the acceptance of the report, so he can offer an amendment when the time comes. The Senator is in order.

Mr. MERRILL: When you stop and consider it, four almshouses—that would give, possibly, between three and four hundred to each almshouse,—when those are established, you have four institutions to run in the place of twenty-one or two that are provided for in the present bill.

To my mind there is a great deal of economy in that. There are the over-

head charges on four institutions in the place of the overhead charges on twenty. You have got to have your superintendent for each almshouse, you have got to have your matron, you have got to have your hired help, you have got to have your organization. In this way you would have the whole thing reduced to four instead of twenty. That is the real sum and substance of the whole proposition. I will say to the senators, I do not expect this bill will be passed at this term, because we have not time to consider it. It is a big proposition. It is the proposition of taking care of the poor of the entire state, involving the expenditure of a great deal of money. But I would like to have this thing left in such a state that it may go over to the next legislature, that when the next legislature assembles the bill will be upon the calendar, and the two years from now until the next legislature convenes they can have to consider this proposition.

The PRESIDENT: Does the Senator make the motion that the bill be referred to the next legislature pending the acceptance of the report of the committee?

Mr. MERRILL: I want to put on an amendment, and I would ask the gentlemen who ask to have it postponed, to have it referred to the next legislature.

The PRESIDENT: If the Senator makes the motion to postpone it until the next legislature, that disposes of it right here and now so it could not be amended.

Mr. MERRILL: I will put it on the table and put it in the amendment.

The PRESIDENT: And of course if the report of the committee, ought not to pass, is accepted, why that disposes of the matter, so the Senator could not offer any amendment.

Mr. DEERING of York: Mr. President, this particular matter has taken a very peculiar slant. Before I could get up and get started somebody else did the same thing, and it has really gone along in a direction that it was not intended to go. The motion of Mr. Gillin that the report

B, ought not to pass, be accepted, and the remarks of the distinguished gentleman from Somerset, Mr. Merrill, that he had an amendment to offer, when I really have five or six amendments here which I think ought to be offered before his, have somewhat disturbed the course of my argument.

This bill was brought before the judiciary committee and a hearing was held, and at that hearing there were various interests represented, and there were some objections made to the bill at the time because the cities did not care to be drawn in, or to be compelled to go into a district almshouse in a good many places, like the city of Augusta, Lewiston, Portland, that have already established their almshouses. They could not afford to be subjected to the provisions of this bill. So the bill was then redrawn and it exempted cities and towns above 10,000 inhabitants. After that matter was discussed a long time, and my Bro. Gillin was in the discussion a great part of the time, as were various other members of the judiciary committee and many members of the House and Senate, it was thought best finally to propose amendments which should make it optional with cities and towns to become parts of the district which are proposed to be formed.

I have drawn here an amendment to the entire bill. The amendment is simply for one particular thing, and that is, that it shall become optional with cities and towns to become parts of these districts. They are not obliged to become parts of the district until they vote to do so, and the amendments which I have to offer, of course, when the proper time comes, will do that and leave it optional with cities and towns to become members of the districts which are proposed by the bill.

I thought this morning that the other report was going to be accepted so that I could offer these amendments; but the motion was made that the report, ought not to pass, be accepted, and I have about fifteen or twenty thousand pages of statistics here which I was prepared to read in case anybody objected to having the majority report of the committee accepted, and I am prepared to argue

in this case, if it is necessary, but I do not desire to take the time of the Senate at this time. I simply want to get the majority report of this committee accepted so that I may offer these amendments, and then if there is any objection to the bill, or any amendments to be offered to the bill, we can then discuss this at the proper time.

But I believe, gentlemen, a matter of this importance, which perhaps to my mind is the most progressive piece of legislation that has been put before the whole legislature this year—I do not recollect any piece of legislation that is more progressive than this one is, I do desire that the Senate shall accept the report, ought to pass, and then we can take up, if necessary, the changes proposed by various gentlemen and the proposed changes which I have here; and I do hope that this Senate will accept the majority report of the committee, ought to pass, and let us discuss this thing in a progressive way, instead of killing it at the present time. It is not the time to kill a piece of progressive legislation when we have got this far in our session and have not passed any. I am prepared to show the Senate, if it is necessary for me to show them, what I mean when I say that this bill is a progressive piece of legislation, and I do hope the Senate will vote to sustain me in this position.

Mr. DAVIES of Cumberland: Mr. President, I signed the minority report, the motion for the acceptance of which, as I understand the procedure at the present time, is now pending.

My objection to this bill, Mr. President, is fundamental and radical. It happens to be one of those bills which has been fathered or advocated by the Maine board of charities and corrections, and in my opinion it gives this board altogether too sweeping authority. It takes from the towns certain local self-government in the handling of their own unfortunate poor, which belongs to the towns. The bill provides, Mr. President, in accordance with the copy which I have before me, that it shall establish fifteen district almshouses. In other words, that means there shall be established county almshouses instead of town almshouses. That

really is the question that is presented under the conditions of the bill. And those almshouses, that is, the district or county almshouses, are to be left under the care and control of the State board of charities and corrections. The bill, for some reason or other, exempts the city of Portland, the city of Bangor, and I think some other city. Now just what the object may be for exempting those cities, is not yet made perfectly plain to me.

But there is a human side to this question which we must not lose sight of. Is the legislature going to vote to take from the town the care of its poor and confine the poor so taken in a district or county almshouse? Are not the associations of the town worth something to the inmates of our almshouses? It has been well said, Mr. President, that it is no disgrace to be poor, it merely is unfortunate. And this bill would take from the various localities a large number of dependent people—of course, male and female, goes without saying—and would bring them together in camps or houses where they find no associations but the associations of like people. I cannot see how such a system could possibly inure to the benefit of the State or to the town.

My view is that the dependent people of the various towns are entitled to remain in the towns in which they have always lived. That the legislation is progressive, it may be. But, in my view, it progresses in the wrong way. Instead of taking a step forward, it has only one idea in view and that idea is to save a few dollars. There can be no other idea in view in the advocacy of this bill. Is the dollar the only consideration in the passage of such an act? I think not, Mr. President, and I hope that the minority report will be accepted.

Mr. WALKER of Somerset: Mr. President,

"In pleasures and palaces though I may roam,  
Be it ever so humble, there's no place like home."

Pending the acceptance of either report, and following the various ideas of the senators, and feeling that they can agree on those ideas, I move the matter lay on the table.

Mr. DEERING: Mr. President, I do not desire to discuss the matter to lay it upon the table, but I think at this time we should have a division of the House in regard to it. I do not believe in laying the matter on the table at the present time.

Mr. DAVIES: Mr. President, I hope the motion of the Senator from Somerset, to lay it upon the table, will not prevail. We are getting near the end of the session and it seems to me the proper time to settle this question is now.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Walker, to lay the two reports upon the table at the present time.

A rising vote was had, and none having voted in the affirmative, and 14 having voted in the negative, the motion of the Senator from Somerset, Senator Walker, was lost.

Mr. DEERING: Mr. President, I desire simply to say a few words more or less in answer to my distinguished friend, Senator Davies. I think if the principle that he argues should be carried out, or had been carried out in this State in times past, we would now be having in the home and in the towns throughout the state the sick that are in our hospitals and the insane that are in two hospitals in the State. He says that the place for these poor people, paupers, is in the towns. Well, now, that all may be. But if the same policy had been adhered to in the past in regard to our insane and the sick that now go to hospitals, we would have them in the towns now.

As I said before, I do not want to discuss this thing at length this morning. All I am asking the Senate to do this morning is to accept the majority report of this committee, in spite of the fact that the two distinguished senators here are not upon it; and after the majority report is accepted, then I propose, if it is necessary, to explain this bill; and the distinguished gentlemen who are on the committee with me know about this bill. They know there is no trick about it. They are prejudiced against

its passage. They say that it is going to change the whole care of the paupers in this State.

Mr. DAVIES: That is precisely my view.

Mr. DEERING: Perhaps I may be able, when I discuss this question, to convince the Senate that it is time that the whole care of the paupers in this State was changed. I want an opportunity to do that if necessary, and I ask the Senate at this time only to accept the majority report of the committee, and let me file my amendments, and then if they do not want this thing to go through after I have a chance to explain it to them, then they may vote it down. I have no personal pride in this matter, and I hate to talk in public. . . . (Laughter.)

Mr. DAVIES: That is a matter of common knowledge.

Mr. DEERING: I am sorry that the Senate interrupted me at the time that it did. (Laughter.) Because I had not finished my sentence. It is a very dangerous thing to have anybody interrupt another person before they finish their sentence. I was about to say that I hate to talk in public for a hundred dollars a month.

(Applause.)

So if the Senate will grant me—I say me—I say grant this particular thing this morning, so that if necessary I may discuss the merits of the case—I have been very careful not to go into the merits of the case yet—why, then, I will take these matters up if necessary and try to show that this is the proper piece of progressive legislation that we should adopt.

Mr. GILLIN: Mr. President and fellow Senators: I do not know but what I am in the position of the fellow who was hurled out of a restaurant and fell upon the sidewalk in the presence of a gentleman who was passing. He was pretty well dilapidated and he picked him up and said, "What has happened to you, my friend?" He says, "You wait a minute, three fellows in that restaurant threw me out here, and I am going back and I am going to throw the

whole three of them out, and you stand here and count." So he went in, and in about a minute out came a man who fell, struck on the sidewalk, and he scooted along for quite a little distance, and the man who was keeping the count, said "One." But the man rose up with his face all bloody and he said, "Don't begin to count yet, that's me." So, Mr. President and fellow Senators, I am here again to move that the minority report of the committee be accepted.

Mr. HOLT of Cumberland: Mr. President, it seems to me that the Senator from York's proposition is a perfectly fair one, that he has certain amendments that he wishes to discuss at the proper time, and it seems if the bill is to be indefinitely postponed it can be done at that time. In the mean time we will have a chance to hear the arguments as to the amendments and as to the bill itself, so I believe we should vote against the motion.

Mr. RICKER of Hancock: Mr. President, I come from a county that is very much interested in this bill. As far as I can determine it is of no interest to us whatever to have this bill pass. The remark of the Senator from Portland, Senator Davies,—

Mr. DAVIES: Yarmouth.

Mr. RICKER: Yarmouth—I was thinking more of Cumberland county, that the people who are in poor circumstances are entitled to remain in the town where they live, seems to me to cover the whole subject, and I heartily second the motion of the senator from Penobscot, Senator Gillin.

Mr. BUTLER of Knox: Mr. President, just a word—we are given to much levity this morning and that is much to my liking—but I think the proper time to debate the amendment of the distinguished Senator from Somerset, and the amendments, five or six, whatever the number may be, of the distinguished Senator from York, would be in the next legislature. We trust they will both be here.

To me this bill would be objectionable, however amended. I do not think

there is any man here ingenious enough to amend the bill, preserving any of its originality, and have it meet with my approval—for two reasons, perhaps. The home instinct, as has been stated, is strong within the whole of us, and it is almost barbarous to think of the idea of four almshouses in the four congressional districts of Maine, and to drag our unfortunate poor people from one end of those districts to the other, at the enormous expense of transportation—

Mr. DEERING: May I interrupt the Senator from Knox just a moment?

The PRESIDENT: You may, if he wishes to be interrupted.

Mr. BUTLER: Certainly.

Mr. DEERING: Do I understand you are talking about the bill under consideration when you say four almshouses?

Mr. BUTLER: That was the suggestion.

Mr. DEERING: The bill under consideration provides a district almshouse for each county, not four.

Mr. BUTLER: Mr. President I so understand it. I was speaking of the suggested amendment then. Not the amendment suggested by the Senator from York, for, as I remember it, he suggested no particular amendments. I may have been off the question, but I had in mind—

The PRESIDENT: The senator from Somerset, Senator Merrill, in discussing the question on the acceptance of either report, as I understood it, wished one report to be accepted on the ground that he could offer an amendment, and so the senator from Knox, Senator Butler, is in order in the discussion of the matter in that form.

Mr. BUTLER: I can conceive how beautifully the idea of those four district almshouses would work out. I can conceive of the enormous overhead charges in running those big institutions. I can conceive of the great army of officials that there would be. In fact, if we had them we might well be in-

dicted in the language of the American colonies to King George III when they said, "He has erected a multitude of new offices and sent hither a horde of office-holders to harass our people and eat up their substance." Just think of taking all the paupers of Maine and putting them into four almshouses, located centrally in the congressional districts! I do not believe it would be an economy to the towns of Maine. If it were an economy, in the name of humanity I should oppose it.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Gillin, that we adopt Report B, ought not to pass.

Mr. GILLIN: Mr. President, I ask for a division.

A rising vote was had, and 21 senators having voted in the affirmative and 7 in the negative, the motion of the senator from Penobscot, Senator Gillin, prevailed.

The PRESIDENT: The Chair lays before the Senate S. D. 333, An Act to require certain vehicles to carry lights at night and to control the glare of head-lights.

Mr. FULTON of Aroostook: Mr. President, agreeably to my promise I take this matter up at the present time. The Senator from Washington, Senator Peacock, and I had some conversation in regard to this matter and that Senator offered some amendments to the bill.

While I have agreed to the amendments, so far as he has gone, I yet object to certain features of the bill.

I think, Mr. President, and I hope that I will not be accused of using any unparliamentary language or of reflecting any upon the wisdom and good judgment of this legislature when I say that it seems to me, after we have stayed here for fourteen weeks, spending our time and spending our princely salaries also I do not believe it would be to the credit of this legislature to place upon the statute books this law. It was not the amount of the duty that our fore-fathers objected to on the tea

question, but it was the principle and so they arose and dumped the whole thing in to Boston Harbor.

I do not believe we need this law at the present time. For nearly one hundred years we have got along without this, and it seems to me, as I said before, that it is inflicting an unnecessary burden upon the people of the State.

It has been my misfortune to have been reared in that part of the universe which as one Senator remarked a while ago, "God made the country." And while we may feel, as we heard, that we are passing legislation to be of benefit to the whole State, we ought to question whether we are doing it or not.

I would like to take for a few minutes, and a very few—I will not consume the time of the Senate—and refer to this law as amended by the Senator from Knox, and another amendment by the Senator from Washington, that it seems to me it is placing upon our statute books useless legislation, and placing an unnecessary burden and annoyance upon the people.

The automobiles are well provided with head lights, and so far as the matter can be left with the utility commission in as much as you are passing no measure for the glare of the head lights and the lights of the open cars, I have no objection, but I do most seriously object to this bill, which requires those who drive teams in the night to have lights so arranged that they can be seen both from the front and the rear.

It has been my misfortune to be in the country where I am upon the roads after night. I have tried all kinds of lamps upon my carriage. I have used common kerosene lantern and I don't know what other light we can use, and I find the unevenness of the roads, just a slight jar will put that kerosene light out, and I have discarded the lantern, and I have taken a number of lamps recommended and guaranteed to give satisfaction. I have placed them on the dasher of my wagon, and upon the side and they all work out in about the same way in the end.

If we happen to be out at night and going over uneven places and our light goes out, this bill does not give us the privilege of going to our homes without relighting. If our lights are unavoidably extinguished it seems to me we ought to have the privilege of returning to our homes unmolested if we cannot relight upon the road.

I do not believe it is necessary to pass this piece of legislation.

It has been referred to that they have this law in Massachusetts, but I submit to you, fellow Senators, that the conditions in Massachusetts are very different. I shall not refer again to those figures, for you all know the congested conditions that prevail there, about four million people on 800 square miles. While in Maine our conditions of travel are not so congested.

I think we would do well to consider when we attempt to pass this measure here, that it is going to work a hardship all over the State of Maine, and I yield to the distinguished Senator from Washington when he comes to the question of fishing on the coast, for he knows more about that than I do. I do not know much about the fishing question, but I do believe I know about the road conditions throughout the State, for my life has been spent on the roads for over a quarter of a century and I have traveled day and night over our roads and I believe I know something about them. And while I yield to the Senator from Washington on matters pertaining to the fisheries, I believe I know more about these matters, our country roads, where I have spent a great part of my time for the last thirty years.

I move that this bill be indefinitely postponed.

Mr. RICKER of Hancock: Mr. President, this bill has taken just the turn I thought it would take at the first part of the session.

We are all familiar with the fact that the way to kill a bill, if you want to kill it in a nice way is to amend it. Another way is to delay it. This bill has been delayed. I introduced it at the beginning of the session. I also

introduced it two years ago and four years ago. Neither time did I make very much of a fight, but this time I believed that we should pass a bill requiring vehicles of certain kinds to have lights.

This bill was delayed in the committee. It was reported and then tabled. I have said nothing about it, one way or another. They have tabled it for weeks, and I knew that someone would propose the indefinite postponement of this bill.

Now the bill has been amended, and it takes the lights off of vehicles except the light vehicle.

It is not intended to put a light on vehicles that will do the same as the automobile head light, cast a light two hundred to two hundred and fifty feet in advance. It is simply intended to have a light to show in the night.

You gentlemen who smoke and who drive automobiles know the simple fact that of smoking a cigar in the night, that the light shows quite a distance.

A small, inexpensive light would be just the thing, and in the dark nights and narrow roads and with the haze on our coasts it is absolutely necessary to have a light.

I understand an amendment has been put on by the Senator from Washington. Senator Peacock, and it simply to the effect to have a light on light vehicles, and that is the only amendment I will stand for. I believe that we should pass this bill.

Mr. WOOD of Hancock: Mr. President, my colleague and I do not always vote together, and I am very happy for one to stand with him for what I think is the right thing.

The State of Maine may go on for one hundred years, as the distinguished Senator from Aroostook, Senator Fulton has said, but he wants to recall that during the past one hundred years we have not had the automobile and that is the very thing, I apprehend, that my distinguished colleague is working for, to protect and save from accidents—collisions by night—from the use of automobiles, which in our section is a very great one. Its use has become universal. I speak also from the

fact, as my colleague has said, that we have a great deal of haze along the coast and I know from driving in the night, it is a great comfort to see a light on the vehicle ahead of you, for strange as it may be, and strong as your head light is, the carriage is thrown into the dark and you will be right onto it before you realize it is there.

It works splendidly in evening. We have steep hills and crooked roads and there is a haze around the island. I remember distinctly returning from Ellsworth where we had been speaking this last fall, that there were several accidents very narrowly avoided from the fact that two or three express wagons, truckmen, had failed to put their lights out.

We used to hear a great deal, fellow Senators, about "Safety First". Here is a case where it is very simple, and my colleague, Senator Ricker, has said that we do not expect to put in a great acetyline lamp, but you can buy a lantern for 75c and every farmer has them around his buildings and he can put them on his carriage and he will be helping for "Safety First". You see it in the windows and on the signs in the streets and everywhere and I believe that this is a real, practical and good thing and I hope it will prevail.

Mr. DAVIES of Cumberland: Mr. President, I assume that this bill is proposed for the protection of the automobile interests, and it seems to me that the legislature can very safely do something for the protection for the drivers of motor vehicles.

Whether we like it or not, Mr. President, the motor vehicle has come to stay. About that there can be no doubt. From year to year we see them more and more on the highways and their use will be almost universal in a few years and the horse will be a back number.

We live in times when transportation must be swift and safe. This bill as I understand provides for the safety, so far as it can, of the automobile, and the bill as amended, it seems to me can excite no objection on the part of a majority of the Senate.

Perhaps in a very short period of



years the automobile will be so perfected and developed that nearly everyone will become the driver of an automobile, and certainly by that time it will have become necessary as a matter of protection and safety that vehicles drawn by horses should be properly lighted. So that the question is whether we should provide for it now or a little later. And in the interest of safety, as has been so well said by the Senator from Hancock, Senator Wood, it seems to me that the time to do it is now.

Mr. PEACOCK of Washington: Mr. President, the argument seems to be on this bill that it is a protection to automobiles. Now it is not. It is as much for the protection of the common driving wagon. And there is another point: we have no law that regulates head lights. This law if passed would regulate the glare of head light which would be a great protection to not only the people in the light wagon but to the people on foot.

When you see the head light of a car coming along the street with an exceedingly bright head light, it is almost impossible for a man to see a woman going along the street, and this protects the automobile, and it protects the foot passenger, and it protects the farmer or the person driving a light wagon.

We have taken from this bill everything that does not apply to protection to the light driving wagon, which we consider is the wagon that most needed protection. We except the heavy wagon for transportation, and I believe, while the automobilists ask this, it is not alone for their own protection, but for the protection of the general public, and from the fact that they are paying to the State of Maine for registration and licenses \$360,000 last year, and in addition to that last year they paid nearly \$150,000 in direct tax in the different cities or towns where the automobiles were owned. and in consideration of the money they are contributing toward the building of our roads, we believe they should have some consideration. I hope that this motion will not prevail.

Mr. BUTLER of Knox: Mr. President, I presume this is Senate Document No. 333?

Mr. PEACOCK: Yes.

Mr. BUTLER: Mr. President, and it is entitled "An Act to require certain vehicles to carry lights at night and to control the glare of headlights." In reading the bill I find nothing about the glare of headlights except in the title. The senator referred to the glare of headlights in his recent remarks.

The PRESIDENT: I think it says that the public utilities commission may make laws in regard to the control of the glare of headlights.

Mr. MARSHALL of Cumberland: Mr. President, I would refer the senator to Section 3 of the bill.

Mr. BUTLER: Mr. President, I thank the senator. I would like to have it read, Mr. President, for my information, this bill as it will appear as amended. I do not know, there are two amendments that I have noticed, and I am unable to state just what shape the bill would be in if amended. I would like to have the amendments read, as proposed to be adopted, so that we may all understand what we are voting for.

The PRESIDENT: Senate Amendment A strikes out the whole of Section 4; strikes out the penalty.

Mr. BUTLER: Mr. President, that amendment I am familiar with. Another one is being offered and being discussed as I understand.

The PRESIDENT: Senate Amendment B amends Section 1 so that it shall read as follows:

"Section 1. Every vehicle on wheels, whether stationary or in motion, on any public highway or bridge, shall have attached to it a light or lights which shall be so displayed as to be visible from the front and the rear during the period from one hour after sunset to one hour before sunrise:

Provided, however, that this act shall not apply to any vehicle which is designed to be propelled by hand, or any vehicle designed for the transportation of hay, straw, wood, lumber, stone, machinery or other heavy freight, nor shall it apply to any form of vehicle whatsoever while upon any bridge or highway where street lights are maintained at a distance of 500 feet apart or less.

Also by striking out all of Section 3 and inserting in its place the following:

"Section 3. The Public Utilities Commission shall prepare rules and regulations from time to time governing the use and operation of headlights on electric cars and lights on vehicles used on public highways, and prescribe penalties for violation thereof and may from time to time alter, rescind or add to any rules and regulations previously made by it. The rules and regulations of the commission and any changes therein shall take effect when approved by the Governor and Council and published at least once in each daily newspaper in the State."

The question before the Senate is on the motion of the senator from Aroostook, Senator Fulton, that the bill be indefinitely postponed.

Mr. DAVIES of Cumberland: Mr. President, I rise to a point of inquiry. May I inquire, please, if the amendment of the senator from Knox has been adopted?

The PRESIDENT: This amendment was offered by the senator from Washington, Senator Peacock.

Mr. DAVIES: Mr. President, I refer to the amendment offered by Senator Knox, and known as Senate Amendment A.

Senate Amendment A provides for striking out the penalty. I suggest that if that is changed the bill will not do us much good.

Mr. PEACOCK: Mr. President, if I may answer the question: We provide in Section 3 that the public utilities can prescribe the penalty for violation. We removed the penalties taken care of under Section 4, and in the new amendment, which would be Section 3, we have left the penalties in the hands of the public utilities. They can provide penalties from time to time.

Mr. DAVIES: Mr. President, what I want to know is whether there is any penalty provided for in this bill.

Mr. RICKER: Mr. President, I do not wish to interrupt the senator, but I am

under the impression that Section 3, the section does not provide for penalties on lights of horse-drawn vehicles. My idea would be to adopt Senate Amendment B and not adopt A, provided that would straighten out the bill.

Mr. FULTON of Aroostook: Mr. President, I have got the impression that Senator Butler's amendment was adopted.

The PRESIDENT: The journal does not show it. It was tabled pending adoption.

Mr. FULTON: I find by the amendment that the penalty is regulated by the utilities commission, and only applies, if I read it right, to the headlights of electric cars and motor vehicles. It says nothing about horse-drawn vehicles at all.

I object to the amendment on the ground that a person must be held up on the road if he happens to be returning home without a light.

Mr. RICKER: Mr. President, I would like to ask for information, if the amendment of Senator Peacock was adopted, and amendment A of Senator Butler is indefinitely postponed, would that leave the bill with the provision as in Section 4, which says "Whoever fails to comply with any of the provisions of this act relative to the use of lights shall be liable to a penalty of five dollars?"

The PRESIDENT: I think it would.

Mr. RICKER: Under those conditions I think the bill is satisfactory.

Mr. WOOD: Mr. President, not being able to hear Senator Fulton very distinctly, I understood the question before the Senate was on the adoption of Senate amendment B. I will say now that I hope his motion will not prevail.

The PRESIDENT: Senator Fulton's motion takes precedence, and that is the motion to be decided at this time. All in favor of the motion of the Senator of Aroostook, Senator Fulton, that the bill be indefinitely postponed will rise and stand in their places until counted.

A rising vote was had, and 14 Senators voting in the affirmative and 14

voting in the negative the motion was lost.

Mr. PEACOCK: Mr. President, I now move that we accept Senate amendment B.

The motion was agreed to.

Mr. BUTLER: I move that Senate Amendment A be adopted. I will say this, Mr. President, that two years ago I was here; and I was not here four years ago. If I had been my position would have been the same.

I have no objection to this legislation if you do not penalize anybody. If you want to have the law for the moral effect, as far as I am concerned I am willing, and for that reason, as I said more fully some days ago, I offered this amendment and hoped it would be adopted.

Mr. MARSHALL: Mr. President, I hope we have progressed some since two years ago in respect to this bill.

It seems to me that it is entirely proper to provide for a penalty for anyone who willfully violates a provision of any law. I hope the motion of the senator from Knox will not prevail.

The pending question being on the adoption of Senate Amendment A, Senator Butler having called for the yeas and nays and a sufficient number having arisen the secretary called the roll. Those voting yes were: Messrs. Boynton, Burleigh, Butler of Knox, Chick, Davis, Fulton, Gillin, Googin, Gordan, Lord, Peterson, Stanley, Walker—13. Those voting no were Messrs. Ames, Bartlett, Butler of Franklin, Conant, Davies, Deering, Grant, Higgins, Holt, Marshall, Merrill, Peacock, Ricker, Swift, Wood—15. Absent, Baxter, Hastings.

Thirteen senators having voted yes and 15 having voted no the motion was lost.

The bill was then passed to be engrossed.

Mr. AMES of Washington: Mr. President, I move to take from the table, H. D. 95, An Act to amend Sections 35 and 38 of Chapter 45 of the Revised

Statutes of 1916, relating to the measurement of lobsters.

The motion was agreed to.

Mr. AMES: Mr. President, I now yield to Senator Peacock.

Mr. PEACOCK of Washington: Mr. President, I move that we insist upon our former action and join a committee of conference.

The motion was agreed to and the Chair appointed on such committee on the part of the Senate, Messrs. Peacock, Butler of Knox and Higgins.

Mr. HIGGINS of Penobscot: Mr. President, I would like to have the unanimous consent of the Senate to introduce out of order a resolve, and in explanation, and prior to the reading of it by the Chair, I desire to say that the members of this Legislature were so kind as to benefit the eastern part of Maine, and especially the city of Bangor, Maine, with their presence yesterday in large numbers. We did our best to look after you and take care of you in a manner befitting the Queen City of the East. We did our level best. We trust that you are satisfied and approve of our efforts. Those of you who were privileged to sit in automobiles and watch the 2000 or more pass by in review were especially impressed, I am sure, with that fine, manly body of young men representing that splendid institution, the University of Maine. We all gave them applause. We all wished them well, and we all bade God-speed to that institution. Right nobly have we supported it in the past and right nobly will we continue to do so. They have a product there that is going to be of intestimable value to the State of Maine, and one of which we are all proud, and we desire at this time to show by our vote our appreciation of their efforts in behalf of the State of Maine at yesterday's program.

You know it has been said that there is a possibility of changing the capital at some future time, and in behalf of Penobscot county I desire at this time to invite you to locate it in the city of Bangor, Penobscot county, which is the center of the State.

It has been said by one of my colleagues, "What about Brewer?" It is possible that we may annex Bangor by that time and it will be Greater Brewer. So that in that event you will be right if you locate the capital anywhere on the Penobscot river in the vicinity of Bangor or Brewer.

Now I have this resolution and I ask unanimous consent of the senators for its introduction. And I move, if it is accepted, that the rules be suspended and that it be given its two several readings and be passed at this time and sent to the House immediately for concurrence.

The PRESIDENT: The senator from Penobscot, Senator Higgins, asks that the rules be suspended to receive at the present time a resolve to provide for the building of an armory at the University of Maine.

The motion was agreed to.

Mr. DAVIES of Cumberland: Mr. President, may I inquire how large an appropriation the resolve carries?

The PRESIDENT: Fifty thousand dollars.

Mr. DAVIES: I move it lie upon the table until this afternoon.

The motion was agreed to.

Mr. GRANT of Cumberland: Mr. President, I ask unanimous consent to present an order out of order.

Ordered, the House concurring, that a printed copy of S. D. No. 22 be substituted for the original bill which has been lost, and that the recording officers of the two branches of this legislature be instructed to receive such substitute for the original bill for the purpose of completing their records.

The order was received by unanimous consent, passed and sent down for concurrence.

Mr. Bartlett of Kennebec, by unanimous consent, presented a resolve out of order, providing for the payment of telephone service for members during the present session of the Legislature, and by motion of the same Senator, under suspension of the rules, the resolve was

read twice, passed to be engrossed and sent down for concurrence.

The PRESIDENT: The Chair lays before the Senate S. D. No. 427, Resolve proposing an amendment to the constitution relative to the authority of the Legislature to impose taxes.

Mr. HOLT of Cumberland: Mr. President and fellow Senators, I move that S. D. No. 427, Resolve proposing an amendment to the constitution relating to the authority of the Legislature to impose taxes, be passed to be engrossed. This resolve proposes submitting to the people at the election next September an amendment to the constitution to authorize the legislature to enact an income tax. The resolve comes from the committee on taxation under a unanimous recommendation that it be passed as a step in the solution of the troublesome problem of taxing intangible property. It ought not to be necessary to go into any extended argument to show that our present method of taxing this class of property is unsatisfactory. While taxation can hardly be expected to be popular, it can be respected as necessary and just. Our present law as it works in practice is neither. The governor in his inaugural address said: "Our present antiquated and unjust system of taxation by which intangible personal property virtually evades assessment altogether is a serious discrimination against the farmer whose property is in tangible form plainly visible to the assessor." The system is inequitable to all classes of our citizens. Under it many escape altogether, some arrange with local assessors for what is considered a reasonable rate, and still others pay from one-third to one-half of their entire incomes. The special committee appointed to look into this question composed of men of ability from both parties, Judge Spear of Gardiner, Charles Sumner Cook of Portland, a prominent attorney and an official of the largest trust company in the State, Kenneth C. M. Sills, Dean of Bowdoin College, Hugh R. Chaplin of Bangor, an able attorney, and former United States Senator Obadiah Gardner condemned our present system as unjust, improvi-

dent and ineffectual, imposing an unnecessary burden upon visible property and practically exempting invisible property. Any candid reader of this report will be convinced that our present law should be changed. If the present law were enforced there would soon be a very strong demand for a change. The report gives tables showing the amount of intangible property taxed and comparative increase in valuation of different classes of property in the last twenty years.

Increase in wild land valuation in 20 years .....	200%
Increase in real estate outside wild land .....	63%
Increase in personal estate .....	50%
Increase in total valuation .....	64%
Increase in stock in trade .....	67%
Increase in intangible personal estate .....	29%

The committee concluded: "These tables as made by our Board of State Assessors, so obviously suggest their own interpretation, that little if any explanation is needed. It may, however, be permissible to say that the list of 16 cities and towns that are not assessed at all on intangibles, with over 300 other towns in the same category, including a decrease of 110 towns in 20 years, together with the apparent inequality and inadequacy of the assessment in the cities and towns that now pay the bulk of the tax on this class of property, disclose a condition that is intolerable from the standpoint of justice, and warrants the inference that but a fraction of the intangible property actually held in this State is now disclosed."

The committee discussed two methods of remedying the evils of the present law and of making a reasonable and enforceable law: a tax on the property itself at a low rate and a tax on the income of the property. It may be asked why this property should bear a lower rate and the reason is that it represents tangible property which already pays a tax and hence the tax is a double tax. Massachusetts and Wisconsin have the income plan; Maryland, Pennsylvania, Minnesota and Iowa have the flat rate method. The committee questioned

whether the legislature had the power of imposing a tax upon income and recommended the flat rate on the property itself.

The committee on taxation after an extended hearing on a bill to tax intangible property at a flat rate and after giving the matter full consideration concluded that a tax on income was the fairest and most effective method of taxing this property. Since it is questionable whether the legislature has the power, the committee decided to report this resolve. The committee believes the legislature should be given the power so that at the next session the method that then seems best may be adopted. In the meantime the widest publicity will be given to the matter and a full understanding had before we make any fundamental change, and we will then have had the benefit of Massachusetts' experience. By refusing to pass this resolve we should be unable to have a choice of methods. Failure to pass the resolve will longer delay a satisfactory settlement of this vexed problem. Remember that this resolve only submits this question to the people. If they act favorably, then a law under it, as you know, can only be passed after hearing and action of both branches and the executive. Surely there can be no hasty decision. If the people do not want to give the legislature the power they need not do so and after it is given, the legislature then has the whole question before it for solution by any method it may choose to adopt.

Just a few words in regard to the objection raised that it is too late in the session to consider this fundamental question and that the resolve has not been before any committee. The wording of the resolve is not original; it is taken largely from the Massachusetts amendment passed in 1914. The resolve reads as follows:

"Full power and authority are hereby given and granted to the legislature to classify property and to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a

uniform rate through the State upon incomes derived from the same class of property; provided, however, the legislature may sub-divide intangible property into different classes and levy a tax at different rates upon the incomes derived from the different classes. (This proviso is not in the Massachusetts amendment and may be stricken out by amendment to the resolve without affecting its substance). The legislature may tax incomes not derived from property at a different rate than incomes derived from property and may grant reasonable exemptions and abatements. Any class of property, the income of which is taxed under the provisions of this article, may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes, as at present authorized by the Constitution. Full power and authority are hereby given and granted to the legislature to sub-divide intangible property into classes and levy a tax upon the intangible property in the different classes at different rates as the legislature deems wise and equitable without regard to the rate applied to other classes of property. (The sentence just read is not in the Massachusetts amendment and may be omitted if desired.) This article shall not be construed to limit the power of the legislature to impose and levy duties and excises."

I would willingly have this resolve remain on the table in order to give any Senator the opportunity to offer any amendment, and think that if there is any objection to the wording, those who believe in the principle will have no difficulty in expressing ourselves. The resolve has been submitted to men well qualified to pass upon the matter and they have approved its form. As to the objection that no committee has considered this question, I will say that the taxation committee has been busy throughout the session considering the question in all its phases. An order was introduced in the house directing the committee to inquire into the advisability of having an income tax. That order has been placed on file with a state-

ment that the committee has recommended this resolve submitting an amendment to give the legislature the right to enact an income tax.

An income tax is fairest because it is based on ability to pay. However, whether you believe in an income tax or not, I ask you to vote for this resolve remembering that it simply gives the people a chance to express themselves as to whether or not the legislature should have the power to enact such a law. As this is an important question, I ask that the vote be taken by yeas and nays.

The PRESIDENT: The senator from Cumberland. Senator Holt, moves that this resolve be passed to be engrossed and he also asks that the vote be taken by yeas and nays.

The PRESIDENT: Those in favor of the motion of the senator from Cumberland, Senator Holt, that this resolve be passed to be engrossed, will, when their name is called by the secretary, say "yes." Those opposed to the motion of the senator from Cumberland will say "No." The secretary will call the roll.

Mr. MARSHALL of Cumberland: Mr. President, do I understand the question is put or is it still open for debate?

Mr. PRESIDENT: It is still open for debate.

Mr. MARSHALL: I very much dislike to disagree with my colleague from Cumberland, but it seems to me that the hasty action of which he speaks is being had at the present time.

This resolve was presented on the 30th day of March, under suspension of the rules, and tabled for printing. I do not understand that there has been an open committee hearing on this particular resolve. It is true no doubt the record shows that an order was passed early in the session for the committee on taxation to consider an income tax or intangible property tax. My recollection is that the committee reported a tax on intangibles, or at least that they did not—I will not say that they did not report favorably on the income tax—I may be mistaken—anyway,

it seems to me that the Legislature had rather reached the conclusion that no resolution of this sort would be offered at this session. I have no objection to the principle of the income tax or the intangible tax. My objection is to a constitutional amendment being offered in the last days of the Legislature, and without reference to a committee and opportunity for a full hearing, to be put through to a vote of the people, particularly a measure of this sort which involves rather complex considerations as is disclosed by the very reading of the resolution of the senator from Cumberland.

It seems that it is taken in part from the Massachusetts act, and in part it not from the Massachusetts act. A constitutional resolve for taxation should be considered in every word and every syllable.

And the resolve itself covers two points, taxation of intangibles, and the income tax straight. It seems to me that the reading of the question which shall be submitted to the people may be possibly misleading in this respect, which reads, on Page 3: "Shall the Constitution be amended as proposed by a resolve of the Legislature, granting the Legislature power to enact an income tax and classify property for the purposes of taxation?"

For these reasons and the fact that it is presented at the last days of the session I therefore move that the matter be left to the next Legislature.

Mr. BUTLER of Franklin: Mr. President, I was somewhat impressed with the theory advanced in this measure, but when you come to mention the name of the state of Massachusetts I naturally oppose it on general principles.

The Pilgrims landed in Massachusetts many years ago looking for freedom, but with the combination of laws they have passed there within recent years I think for the next term of 50 years you will hear of no more Pilgrims looking for freedom landing at Plymouth Rock.

I wish we could so conduct the affairs of the State of Maine as to leave a port of entry for any person of ability to come along and make a landing in Maine.

This proposition may be all right and

for the best, and while many of us will probably not return, there will be others, I hope, more able to take our places, and it is not necessary that this measure should go by on so late a date, in my mind, and if it is for the best interests of the State we can well take time and consider before we make a break away from our constitutional law. I would not be prepared at this time to state that I even opposed the proposition in itself, but I do oppose being hurried on a matter of this importance.

I hope the motion will not prevail.

Mr. HOLT of Cumberland: Mr. President, Massachusetts is known as the land of freedom and liberty. And since Massachusetts has been brought into this discussion I would say a word as to the reason as to why the change was made in Massachusetts.

In Massachusetts under the general property tax whereby intangible property was taxed at the same rate as other property, the conditions of affairs got into such shape that they were intolerable. People moved out of the cities into the smaller towns. And in one small town outside of Boston the tax rate was \$3 a thousand, whereas in the adjoining cities the tax rate was twenty-six to thirty dollars a thousand, and the municipalities were having hard work to supply the necessities.

I should be sorry to see this matter postponed because of a question as to the wording of the resolve. I believe this matter can be laid on the table, if necessary, and that we can get together and if we really do believe in the principle of taxing the income upon this class of property, and giving the Legislature power to solve this whole problem, two years hence, there will be no difficulty in working out a proper resolve and having the wording stand.

The matter has been carefully gone over by men well qualified to pass upon it and they have all endorsed the wording of the resolve. But rather than have it go off on the question of wording, I would prefer to have the matter continued on the table until we have a chance for a conference and see if we cannot make the wording satisfactory to those who object

to it, and yet really believe in the principle.

Mr. GILLIN: Mr. President: Just a moment: I must say that I am in full accord with the distinguished Senators Butler and Marshall, that we ought to leave this matter alone. Instead of sending out the resolve now to have another change in our constitution pertaining to taxation at this late day, I think it would be better to leave our tax system as it is. And I wish to endorse what Senator Butler and Senator Marshall said pertaining to it without going into any long discussion of it at this time to take up unnecessarily the time of my fellow senators. They have said practically what I wish to endorse.

The PRESIDENT: The question before the Senate is on the motion of Senator Holt that this resolve be passed to be engrossed, and the yeas and nays have been called for.

The yeas and nays were ordered, and the secretary called the roll. Those voting yes were: Messrs. Burleigh, Butler of Knox, Davis, Googin, Holt, Swift, Walker—7. Those voting no were: Messrs. Ames, Bartlett, Butler of Franklin, Chick, Conant, Davies, Deering, Fulton, Gillin, Gordon, Grant, Higgins, Lord, Marshall, Merrill, Peacock, Peterson, Ricker, Stanley, Wood—20. Absentees: Messrs. Baxter, Boynton, Hastings—3.

Seven senators having voted in the affirmative and 20 in the negative, the motion of Senator Holt was lost.

At the time Senator Davies announced his vote on the foregoing motion, he made the following statement and by unanimous consent the same was ordered spread on the record:

Mr. President, I vote no, and explaining my vote in a word I desire to say that I believe in the principle of income taxation because it places the heaviest burdens on the broadest backs. I do not believe, however, in the submission of a constitutional amendment to the people until a demand therefor has been clearly and plainly shown, and that can only be shown by the fullest hearing and discussion.

At the time Senator Wood an-

nounced his vote on the foregoing motion, he made the following statement and by unanimous consent the same was ordered spread on the record.

Mr. President: I rise in the same spirit that Senator Davies, the senator from Cumberland, did. I do not believe it is quite fair to ask a man to go on the record and vote in this way on a matter that has not had more consideration than this has had. I do not wish to say I am against the principle, but until it is more fully heard, and not to go on in this hasty manner, I vote no.

At the time Senator Butler of Knox announced his vote on the foregoing motion, he made the following statement and by unanimous consent the same was ordered spread on the record.

Mr. President, I am in hearty accord with the general principle of a State income tax. I believe there are a large number of people that are not being reached under our present system of taxation.

If I understand the situation aright this is a resolve that is to be submitted to the people. Now while I have not very much information about this particular matter, coming in late at this session as it has, I am perfectly willing to trust the people with it, so that all may have a voice in it. While I would not vote yes if it were not to be submitted to the people, I shall vote with that referendum.

Mr. MARSHALL of Cumberland: I move that this resolve, H. D. 427, proposing an amendment to the constitution relative to the authority of the Legislature to impose taxes, be referred to the next Legislature.

The motion was agreed to.

The President at this time read a telegram from the United States Senator Fernald thanking the members of the Legislature for their prompt action in the support of the Government.

The PRESIDENT: The Chair will state that under the provisions of the order passed this morning, the order read by Senator Davies of Cumberland, that the Chair will proceed to take up



automatically and in order all matters upon the calendar this afternoon. So that if any Senator has anything in which he is interested he should be here.

Mr. BUTLER of Knox: Mr. President, I would like to move that the members of this body extend to the citizens of Bangor a rising vote of thanks for the splendid hospitality accorded to us yesterday in the preparedness demonstration in that city.

Mr. MARSHALL of Cumberland: Mr. President, I heartily concur in the motion of the Senator from Knox.

(The motion was adopted by a rising vote of thanks.)

On motion by Mr. Conant of Waldo a recess was taken until 2.30 o'clock this afternoon.

#### After Recess

Senate called to order by the President.

Papers from the House: An Act repealing paragraph 6 of Section 6 of Chapter 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

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 appointed a committee of conference.

On motion by Mr. Walker of Somerset, the Senate voted to join a committee of conference, and the Chair appointed on such committee on the part of the Senate, Messrs. Walker, Stanley and Conant.

#### Emergency Bills

An Act creating a volunteer police reserve force for the city of Portland.

This bill carrying an emergency clause, was passed by a vote of 22 Senators in favor and none against, to comply with the law in regard to emergency measures.

An Act incorporating the Van Buren Light and Power District.

This bill carrying an emergency clause, was passed by a vote of 22 Sen-

ators in favor and none against, to comply with the law in regard to emergency measures.

Mr. Bartlett from the committee on conference on the disagreeing action of the two branches on H. D. 423, Resolve proposing an amendment to article 4, Section 3, of the Constitution in regard to apportionment of representatives in accordance with population, reported that they had prepared a new draft under the title of "Resolve proposing an amendment to Section 3 of Article 4 in regard to the apportionment of representatives in the event of mergers of towns, and that it ought to pass. The report was accepted.

On motion by Mr. Deering of York the rules were suspended, the resolve was given its two several readings and was passed to be engrossed.

The PRESIDENT: We will now resume the regular order of the calendar.

H. D. 382, An Act additional to Chapter 51 of the Private and Special Laws of 1907, relating to the pollution of the waters of North or Varnum's Pond.

(Tabled until later in the session, on motion by Mr. Davies of Cumberland, owing to the absence of Senator Holt.)

S. D. 230. An Act relating to the construction of chimneys.

Mr. DEERING of York: Mr. President, I understand that Senate Amendment B is whether this bill shall relate to manufacturing establishments or not.

(Senate Amendment B read by the Chair.)

On motion by Mr. Deering, Senate Amendment B was indefinitely postponed, and the bill was then passed to be engrossed as amended by Senate Amendment A.

S. D. 404. An Act to amend Section 8 of Chapter 325 of the Private and Special Laws of 1897, as amended by Chapter 150 of the Private and Special Laws of 1915, fixing the salary of the recorder of the municipal court of Waterville.

(Tabled until later in the session on motion by Mr. Bartlett of Kennebec.)

H. D. 119. An Act to provide for conducting scientific investigations bearing upon the agriculture of Aroostook County.

Mr. Bartlett of Kennebec offered Senate Amendment A to H. D. 119, and moved its adoption.

Mr. FULTON of Aroostook: Mr. President, If in order I will say that, being as much interested as any Senator in regard to this matter, I am willing to accept the Amendment of the Senator from Kennebec.

The amendment was adopted and the bill as amended was passed to be engrossed.

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

(Tabled on motion by Mr. Baxter of Sagadahoc, in the absence of Senator Davis of Piscataquis.)

The PRESIDENT: The Chair lays before the Senate, S. D. No. 414, Resolve, in favor of the appointment of a hydro-electrical power investigating committee.

Mr. DAVIES of Cumberland:

Maine has within its confines sufficient water power, if properly developed, to turn every industrial wheel in the State of Maine. Contemplate for a moment this tremendous possibility. Bring into view by the work of your imagination the wonderful transformation if electric power were harnessed to every industrial wheel in the state. The potentialities for development make this state unique in the great sisterhood of states. The development of our water powers is a great, vital and all-absorbing question.

What shall we do with these gifts which nature has scattered with a prodigal hand that they may be used to the best advantages to this and future generations? I believe in conservation. I believe in conservation

for the people of the state. I believe that our law prohibiting the transportation of electricity beyond the borders is a timely, wise and proper statute for the protection of these interests and this opinion is based upon all the information which I have before me at the present time. I realize, however, that on this question there are honest differences of opinion. With some of the members of the House this question seems to have been considered from the viewpoint that those who are opposed to the adoption of the so-called Baxter amendment are either subject to influences outside the legislature or are forming opinions which are based on a superficial investigation and knowledge of the facts, and while their thoughts are so pure that they might be whispered in the ear of an angel, those who disagree with them are debased by unworthy considerations. It is unpardonable to impute to an opponent mercenary motives of action or disloyalty to the common good. Men who disagree with us may be as honest, as intelligent, as high minded as we think we are, and in our highest moments really are. This matter has so developed that the important thing at the present time is to conduct a campaign of education and to get the facts, that the people may thoroughly understand their rights in the rivers and lakes; that they may have a knowledge of the hydro-electric development in the State; that they may know the advantages of our water power resources; and that recommendations be made as to methods for development of our water powers in the interests of all the people.

Who is in a position at the present time to say just what is required for this development? This Legislature has found the public mind in a curious state of confusion. Municipal ownership has been advocated; the transportation of electricity beyond the borders of the State has been urged by men whose loyalty and devotion to the best interests of the State can by no means be questioned; while a large number of others declare that the policy of the State is well fixed and

defined—that no electric current shall be shipped beyond the State line. Those who are opposed to any investigation, outside of the Public Utilities Commission, are maintaining a short sighted policy. They may have the power to defeat any other investigation, but in doing so they must invite the criticism of a number of our people who believe in radical measures; who desire to bring about municipal ownership and public trading. The attendant disasters of this policy will result in consequences so far-reaching and serious that we shall not recover from them for a long period of years.

My view is to get the facts as proposed by the resolution and let the report of this legislative committee be submitted to the next Legislature. This would seem to be a fair, just and comprehensive way to get before the people the facts and information which are necessary at this time, and which surely must aid in bringing about a clearer understanding of what is required for the benefit of all the people.

Mr. DEERING of York: Mr. President, I do not intend to make any extended remarks at this time, but many matters pertaining to the same subject matter, about which my friend, Senator Davies has spoken, have come up at this Legislature for our consideration, and in the course of the consideration of those subjects, we have in some places been treated with extreme unfairness. We have been treated, perhaps, with misunderstanding by some parties. We have been treated so, in very many instances, by people who did not know whether electricity was a solid or a liquid or a gas, whether it flowed over the outside expanse of wire or whether it was some substance which flowed through the wire itself. We have discussed these matters very fully in the Senate and in the House of Representatives, but at the present time I do not feel as though our discussions, and the evidence and the knowledge that has been brought before us, is enough for us to go ahead and carry out a policy which we are all sure of. There have been various commissions proposed by

various people, some understandingly and some not understandingly, to bring this matter before the people in a much more comprehensive way. I believe, however, that this particular resolution introduced by the gentleman from Yarmouth, Senator Davies, comes nearer to meeting the approval of some of us who understand the matter but partly, than any other particular resolution that has been introduced.

I understand that the resolution introduced in the House, if I am correctly informed, is a resolution proposing that the Governor appoint a commission from this Legislature. Am I right?

Mr. DAVIES: That, Mr. President, is a resolution which provides for the taxation—

The PRESIDENT: For the appointment of a commission, as the Senator urged a little while ago, of a new commission to investigate this matter.

Mr. DAVIES: That was the resolution which provided for the appointment of a new commission—was that what you referred to, Senator Deering?

Mr. DEERING: Yes, but I believe that a legislative committee appointed as this one was proposed to be appointed, can accomplish more and can be more legally constituted, appointed, in this way than by any other resolve that I have heard.

I now desire at this time to second the motion of the gentleman from Yarmouth, Senator Davies.

Mr. BUTLER of Franklin: Mr. President, I should rather approve of this resolution than to accept any of the others that might look worse to me than this one. But I am not at this time sufficiently frightened to accept this for fear that we might a little later get something worse.

A surveyor running a line, after locating his compass upon the ground, always waits for it to settle before he starts with his line. With the minds of the people as they are at present time, I think that the first thing that we have got to do is to let the compass settle. I have a good friend living in the town of Temple that wants to live in the town of Farmington, to move

into the village. He is afraid to sell his farm until he buys a house in the village. He does not dare to buy the house until he sells his farm. He is tied up at the present time.

I think that is our status here in the State. And I think we will have ample time, after our minds settle and we can decide whether we dare stand behind the bond issue and develop the water powers that we know we have got, or whether we dare let outside capital in and develop these powers—if we reach a point where we can accept either proposition, I think then it would be well to go ahead and investigate and see which one. But at the present time we know absolutely that we dare not accept either one. And what money we have that we have not already squandered I would propose we keep to pay our bills with at the close of this Legislature.

I hope the motion will not prevail.

The PRESIDENT: The Chair was under a little misapprehension at first. I presumed this was a joint resolution, but it appropriates money so that it clearly is a resolve and it will require the usual form.

Mr. DAVIES: Mr. President, I desire to address myself more particularly to the last remark which was made by the distinguished Senator from Franklin, Senator Butler. He says that we dare not at the present time accept either proposition. Is that not all the reason in the world why we should conduct an investigation? Could there be any better argument for the resolution than that statement? Certainly I make none. If the public mind is in that condition where we dare not accept either proposition, certainly it is high time that we proceed and at once to get the public mind, if we can, in that is precisely the proposition which is offered under the conditions of the resolution.

Mr. BUTLER of Franklin: Mr. President, I see the logic in the argument of the senator from Cumberland, but I cannot forget the hearings that we have held here in this room day after day, and much more fully these

hearings have been attended than any that will be held before a committee that may be appointed. And at the close of this session, with the minds of the senators as widely divergent as they are at this time it seems to me it would be utterly hopeless to think that a commission at a small expense is going to make any serious change in the matter that we have before us.

Mr. DAVIES: Mr. President, I feel confident that the senator from Franklin, Senator Butler, has not forgotten that the report of the committee was to be made to the next legislature.

Mr. BURLEIGH of Aroostook: Mr. President, I believe that we should pass the resolution, and I am in favor of the motion of the senator from Cumberland, and I think it is wise to have a commission appointed to investigate these questions so that they may fully report to the next Legislature so that they may have something to act upon. We have had several hearings here, one against the other. Now this commission will have a chance to investigate and see just right and make their recommendations.

The PRESIDENT: This resolve has been received by the Senate but there has been no motion made as to its disposition.

Mr. DAVIES: Mr. President, I move the passage of the resolution as amended.

The PRESIDENT: The Chair will rule that this being a resolve appropriating money requires to be read twice. This appropriates \$5000 from the treasury.

Mr. BURLEIGH: Mr. President, I move that the rules be suspended and that it take its several readings at the present time.

The resolve was read twice and Senate Amendment A was then adopted.

Mr. DAVIES: Mr. President, I was going to suggest to the Chair that the amendment is adopted.

The PRESIDENT: The amendment was adopted under the impression of the Chair that this was a resolution.

Mr. DAVIES: Mr. President, I thought the appropriation made it practically a joint resolution, that has the same general effect.

The PRESIDENT: The Chair will have to rule under the circumstances, it being an appropriation for money and a resolve it must take the usual course.

The amendment was adopted and the resolve as amended by Senate Amendment A was passed to be engrossed.

Mr. DAVIS of Piscataquis: Mr. President, if it is in order I move to take S. D. 85 from the table now.

The PRESIDENT: It was taken up in your absence, but I presume the senator will yield to you.

Mr. BAXTER of Sagadahoc: Mr. President, I move to take from the table, S. D. 85, An Act to amend Section 19 of Chapter 117 of the Revised Statutes, relating to the banking department.

The motion was agreed to.

Mr. BAXTER: Mr. President, I now yield to Senator Davis.

Mr. DAVIS: Mr. President, I move that this bill be passed to be enacted.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate majority report, ought not to pass, and minority report, ought to pass, from the committee on salaries and fees on bill, An Act to amend Section 43 of Chapter 117 of the Revised Statutes, relating to the salary of the register of deeds for Kennebec county.

Mr. CHICK of Kennebec: Mr. President and Senators, in the early part of this session the bill was introduced which called for the raising of the salary of the register of deeds of Kennebec county. That measure had the majority support, had the unanimous support of the Kennebec county delegation in this Legislature and, so far as I know, it has it now.

Previous the year 1895 the register of deeds received his salary from the fees of the office. That year a law was passed directing the register to turn the fees

into the county treasury and he was placed on a salary of \$1500. That was 22 years ago. The register has continued under the same salary to the present time. When he was put on a salary basis 22 years ago there was turned into the county treasury the first year the law became operative \$1336.70 in fees; during the year 1916 there was turned into the county treasury \$2787.14, which shows that the business of the office had more than doubled during the period of 22 years, during which time no increase in salary has been granted.

During the last few years, until two years ago, there has not been sufficient provision made for clerk hire, and for several years I have been informed the register has paid out of his own salary a part each year for the clerk hire in the office—a small amount. During the early part of the year 1915 at one time there were several deeds received—they were tax deeds, a great many of them, and in order to record them in a reasonable length of time it was necessary to employ an extra clerk for that purpose. The register paid out of his own pocket the sum of \$30 for the recording of those deeds and turned into the county treasury the sum of \$106.70. The amount of fees turned into the county treasury does not necessarily, while it shows that twice the business has been transacted in the office, it does not show exactly the amount of extra work which has been put upon the office during these years, because from time to time the Legislature has passed laws which have increased the duties of the office. And in some cases new devices have been installed, new methods of indexing, which have made a great amount of extra work in the office.

This matter was considered carefully, no doubt, by the committee on salaries and fees, and you have sent in two reports from that committee.

Do I understand, Mr. President, that the motion before the Senate is that the majority report be accepted?

The PRESIDENT: The question before the Senate is on the motion of the senator from Cumberland, Senator Grant, that the majority report be accepted.

Mr. CHICK: I certainly hope that the majority report will not be accepted. I hope that the minority report of that committee will be accepted.

Mr. GRANT of Cumberland: Mr. President, this is one of the 55 cases that was before our committee, and is one of the 40 that was reported by a majority report, of ought not to pass.

We gave this matter full consideration. There were more men appeared in his behalf than in any other case before us. I think practically all the lawyers in this county appeared, and there is no question but they wanted the increase.

In comparison with other counties we found there were only two men holding that position who received more than the register of deeds of this county. We compared it with other counties. In Androscoggin county, about the same size, they received \$1200, where this man is receiving \$1500. They were before us to have that salary increased, and we reported ought not to pass in Androscoggin county, and how could we consistently, after turning down Androscoggin for \$1200, a county of about the same size, give this man an increase who was receiving \$1500. The bill called originally for \$2000.

I hope the senators will stand by the understanding we had at the meeting last week, that they would stand by the majority reports of this committee. I hope the Senate will vote to sustain the majority report.

Mr. WOOD of Hancock. Mr. President and fellow senators, I do not believe that any committee report ought to be so sacred that it cannot be overturned, provided it is wrong. If this committee should not be sustained by the majority, and the minority report accepted it will not be the first time in this legislature that committee reports have been overturned. I believe committee reports should have due respect. I speak from this point of view. Ordinarily we speak from those things that we know most about and come the nearest to us, but here is a case we ought to let alone because we do not know anything about it.

As I look before me I see men from Kennebec who stand for this increase, men who are mayors of cities, managers of large business corporations and men in the several branches of this legislature who are men of large affairs, and they are unanimous in their opinion that they want to keep this present man in office, even if they have to pay him \$500 a year more.

It seems to me, that while we have the interest of the whole State at large, and we are to conserve the interests of the whole State, at the same time we should only take matters out of the local counties' hands where we have to do something to save the counties from themselves.

I do not believe this case is so disastrous as that, when the distinguished Senators from Kennebec are unanimous in favor of making this increase. I do not believe we have come to the point where we must save imperial Kennebec from itself. And I believe we should give consideration to what they think about this matter.

I know that this case comes very near home to me, to Hancock County. We had there at one time a very efficient register of deeds, and I say to you, Mr. President, as a lawyer, and especially to the lawyers in this august body, that there is no officer in the county that should be equipped for the position and qualified to a greater extent than the register of deeds. And as he goes on to acquire knowledge of every piece of land in the county, he has a mass of knowledge at hand which he places at the disposal of every attorney and every man who asks him for it. And it is of the greatest importance that you keep the skilled man who knows your titles throughout the county. He can look up the work for any person in the county for one-quarter of what any attorney could do the same work for. And you know the attorneys are accused of trying to get big fees, and getting all they can. But it is not true, and when an attorney knows there is a competent register of deeds he will send his clients to them and tell them they can get their work done by the register much cheaper than he can do it.

It is very seldom, unless it is a mat-

ter of a great deal of importance, that I go to Ellsworth, 20 or 22 miles away, and charge my clients for a day and travel to look up a small title. I telephone to the efficient register of deeds there, and I feel almost sure when he has looked up that title that I can depend upon it, and that my client can depend upon it. And I know my distinguished friend, former Senator Deazy, does the same thing in all of his smaller matters, he sends to the register and relies upon his skill and ability to look up the title. I dare say that a great many attorneys do the same thing.

The one reason why I hope to get through Saturday night is that I have to go home to Hancock County and next week defend a case where an incompetent register of deeds made an error and did not find two deeds on the record. That means four or five hundred dollars to my client because he went onto this man's land and trespassed, and he has been sued for it, and will have to pay something. We have to go to an expense for we can't settle it at a reasonable rate, and it results that we have to defend that suit which was brought about by an incompetent man making a mistake.

You don't want it, and I can see how Kennebec County is well willing to pay this efficient man \$500 more if they can keep him, and I understand all the lawyers are unanimous and all the people of Kennebec County want him, and know that he is a very efficient register of deeds.

I think this is a case where we can well let the county of Kennebec keep their register of deeds and pay him such a price as it thinks he ought to have. I do not know anything about the facts, but I have no doubt the Senator from Kennebec, Senator Chick, has given them correctly. He says this salary was established 22 years ago, and that the work in the office has almost doubled in that time.

It seems to me reasonable, and if the gentlemen from Kennebec think they want to give their efficient register of deeds a little more pay they should have the right to do it. We are not coming here to say that we have got to protect the county of Kennebec from itself.

Mr. DAVIES of Cumberland: Mr. President, may I ask a question of Senator Wood through the Chair? I wish to ask the Senator if he attended the meeting which was called to meet in the judiciary committee room last week?

Mr. WOOD: Mr. President, I will say that I attended one meeting.

Mr. DAVIES: And did we not organize there with the purpose of acting on the majority reports of the committee on salaries and fees.

Mr. WOOD: I was not present.

Mr. DAVIES: And did we not vote to accept the majority reports of the committee on salaries and fees?

Mr. WOOD: I did not attend that meeting. I attended one meeting, but not any meeting of that nature, that I recall.

Mr. DAVIES: Do you recall what kind of a meeting you attended?

Mr. WOOD: I do not like to go into any extended cross-examination. I was not present, as far as I now recall at any such meeting. I will be willing to go on oath and swear to that if my brother desires me to.

Mr. DAVIES: Your oath would not strengthen your word a bit, Senator.

Mr. WOOD: I thank you, Senator.

Mr. DAVIES: Mr. President, it is not a question of the competency of the register of deeds of Kennebec county, strange as it may seem under what is now here before us. It makes no difference, the question that presents itself is whether we are going to stand by the vote taken in the Senate caucus held in the judiciary room that we would adopt the majority reports of the committee on salaries and fees. Thus far, we have. This is the first time that any Senator has proposed that we should break away from that vote.

Now it may well occur to many of you that very likely Senators from other counties, if it had not been for that vote that they would have come here to press their claims for salaries, but we have felt we were bound by that vote up to now.

Is there any reason why Kennebec county should stand on any different level from the other counties on the increase in salaries? If we accept this report it is unfair to Senator Butler. The same matter came before the Senate and on the suggestion of somebody, I think myself, that we had voted in this caucus that we would accept the majority reports of this committee, he withdrew his motion, and is that fair, just between man and man, to increase the salary of the register of deeds of Kennebec county.

Mr. BUTLER of Knox: Mr. President, I had hoped, fellow senators, that there would be no further discussion on matters of this kind. I have confidence in my fellows and I have confidence in their integrity. I quite agree with the senators from Kennebec. I quite agree with the senator from Hancock. That was the position that I took originally, that it was nobody's business what salaries we had in my county except to the people of that county. And I took the position that inasmuch as in the case of the clerk of courts in my county, who asked for an increase of \$200 and that increase was asked for by the board of county commissioners, who are the financial guardians of the county, and on the unanimous petition of the members of the bar, I thought, and so stated to the committee, that it ought to be left to our people to determine whether we wanted an increase or not. But they reported ought not to pass.

We need an increase, gentlemen, just as much as you do in Kennebec. We do not appreciate the treatment we have received at the hands of the committee on salaries and fees. We believe we know just as much about what salaries our men ought to draw as the committee on salaries and fees, perhaps more. And I speak with no disrespect for the committee. I think they tried to be faithful in the discharge of their high duty. It is a difficult position they are in.

But where are we now, gentlemen? We have been making history. The distinguished senator from Yarmouth, not Portland—

Mr. DAVIES: You have that correct.

Mr. BUTLER: —has very courteously referred to my situation. He has referred to the Senate caucus which we had where I was out-voted, where one of the senators from Kennebec was out-voted. I think the vote was eight to five against us. And then we came into the Senate and I had a matter on the increase of clerk hire in the Probate office in my county, and the senator informed me that we were bound hard and fast by the caucus. And I stated to this Senate that if that was the understanding among gentlemen that I would withdraw my motion, and I did withdraw it.

Now if we are going to make any different rule I shall move to reconsider that vote.

Mr. WOOL: Mr. President, I just want to make myself right. I want to say that if I was present at that meeting I was in a trance or under some influence. I was not present at the meeting. My attitude has been on the superior court stenographer bill that it was none of the State of Maine's business in a way if the county of Kennebec was willing to pay its stenographer \$2000, or if the county of Cumberland was willing to pay its stenographer \$2000, and I have so argued since the beginning of the session, but it did not meet with approval higher up. But I have taken that position and I should have taken it on this matter had I been present in the committee. I simply want to say that I try to play the game fair according to the light I have and not to kick over the traces, Bro. Davies, but in this particular case I did not know there was any such agreement, and it seemed to me perfectly fair, and I have heard some pretty strong expressions from Kennebec where they thought they had a right to say what they should have if they were willing to pay for it, and it appealed to me in the spirit of fair play that they ought to, and therefore I spoke so and I am not going to back down only to say I was not present at that meeting.

Mr. GILLEN of Penobscot: I just rise to say one word, that is all. It is entirely unnecessary for the distinguished senator from Hancock to arise to make any explanation about his position. Every sen-



ator in this Senate knows that he is the soul of honor, and is spotless in every particular, and I would like to argue with him and vote with him, for I feel the same as he does. But unfortunately I am bound by it.

Mr. GRANT: Mr. President, I want to say, in addition to the Senator from Knox county, the Senator from Cumberland, and two from York county have withdrawn their cases on account of that vote.

Mr. SWIFT of Kennebec: The senator from Cumberland, Senator Davies, has referred to the meeting which was held in the judiciary room, and if my memory serves me correctly there were 15 members of the Senate present, eight of whom voted in favor of standing by the committee report. The senators from Kennebec did not agree to stand by any action taken there, and I want to ask you, in all fairness, if it is fair for eight members of this body to control the vote of all the members of the Senate?

Mr. BURLEIGH of Aroostook: Mr. President, I agree with the senators from Kennebec county. I know something about the duties of that office and how much it has increased. We have had occasion to examine those records several times, and the increased work of the register of deeds there, as shown by the amount that has been received for recording deeds, shows that in the last 22 years that the business of that office has more than doubled.

At the time when this commission went round to investigate the different offices, this office was not investigated. They were here after the State election, which was in September, and the man who was the register of deeds at that time was defeated. He had no interest in presenting to the commission the increased duties of that office, because on the first day of January, when the report of the committee was made, he was out of office and a new man was elected and became register of deeds. The new man knew nothing about the duties of the office at that time and didn't know what he had to do. I under-

stand now that the new register does a great deal of work which he should have another assistant to do for him. In my county the register has several assistant clerks, and you have not got more than half as many clerks in the Kennebec office as you have in Aroostook county, and I think that the members of the bar and the members of this legislature should be heard in this case. I was present at the meeting, but I did not vote in favor of the majority there. I did not cast my vote at all.

Mr. HIGGINS of Penobscot: Mr. President, I want to state that I was present at that meeting in response to an invitation to each senator, and while it is true that we did not gather at the room at the appointed hour, certainly a percentage of the senators did gather, and while I voted with the gentlemen from Kennebec and Knox, we were in the minority, and I am a mighty good loser and can stand by the majority reports of the committee.

Mr. CONANT of Waldo: Mr. President, my county asked for an increase and it was turned down. Probably if we had had all of our attorneys in the county up here for the last two weeks and our register of deeds, just as efficient a one as any county has, possibly we might have carried our county.

Gentlemen, if you give Kennebec this amount I shall feel that you are doing an injustice to Waldo.

Mr. FULTON of Aroostook: Mr. President, I just wish to state my opinion on this question. I was one of those who voted to sustain the majority reports of the committee on salaries and fees at that meeting, and to be entirely consistent and whatever other opinions I may hold privately and individually, in honor I feel bound to support the report of the committee.

The PRESIDENT: The pending question is on the motion of the senator from Cumberland, Senator Grant, that we accept the majority report of the committee on salaries and fees.

Mr. CHICK: Mr. President, I ask for a division.

The PRESIDENT: All those in favor of the motion of Senator Grant that we adopt the majority report of the committee on salaries and fees, ought not to pass, will rise and stand until counted.

Twenty-two senators voting in the affirmative and five in the negative the motion prevailed, and the majority report, ought not to pass, was adopted.

The PRESIDENT: The Chair lays before the Senate H. D. No. 418, An Act to establish the farm lands loan commissioners of Maine and to authorize the investment of certain moneys now on deposit in the State treasury known as the reserved land fund.

Mr. AMES of Washington: Mr. President, I move the indefinite postponement of this bill.

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

The PRESIDENT: The Chair lays before the Senate, H. D. No. 502, An Act to provide for the registration of resident hunters.

Mr. DEERING of York: Mr. President, I have no motion to make. I yield to my colleague, Senator Chick of Kennebec county.

Mr. CHICK of Kennebec: Mr. President, I move that we insist and join in a committee of conference.

Mr. GILLIN of Penobscot: What is the measure, Mr. President?

The PRESIDENT: An Act to provide for the registration of resident hunters.

Mr. GILLIN: What is the motion?

The PRESIDENT: To insist and concur with the House and appoint a committee of conference.

Mr. GILLIN: Now, Mr. President and fellow Senators, this matter was voted upon in this Senate and was discarded by an overwhelming majority. Thereupon the House asked for a committee of conference. A committee of conference was appointed

and their report was brought back. For some reason or other, some person who is in charge of this at the other end of this legislative hall must think that we are not a deliberative body when for the third time they come back to us with such a proposition as this. Mr. President, I would like to have the motion stated clearly so that I may know what I wish to say.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Chick, that we insist upon our former action and join with the House in a committee of conference.

Mr. GILLIN: I move, Mr. President, that we adhere to our former action and appoint no further committee of conference.

Mr. COMANT of Waldo: Mr. President, I second that motion.

Mr. DEERING of York: Mr. President, I rise to inquire, is not this matter already dead?

Mr. GILLIN: They are trying to resurrect it.

Mr. BUTLER of Knox: I did not learn, on the inquiry of the senator from York, whether it be dead or not. But if it is, I am in favor of letting it stay dead.

Mr. GILLIN: So am I.

Mr. DAVIES of Cumberland: I move it be cremated.

The PRESIDENT: There is a multiplicity of motions here, but the one that has the preference is that of the senator from Kennebec, Senator Chick, that we insist and join with the House in the appointment of a committee of conference.

A viva voce being taken, the motion was lost.

S. D. 380. An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relating to the compensation of inspectors of steam boats.

Mr. CHICK of Kennebec, Mr. President, I have an amendment I would like to offer.

The PRESIDENT: This bill has been passed to be engrossed, and in order to be in an amendable stage the vote must be reconsidered whereby it was passed to be engrossed.

Mr. HIGGINS of Penobscot: Mr. President, perhaps the Senator from Kennebec can give us in a few words just what his amendment proposes.

Mr. CHICK: Mr. President, I will say first, and I am very happy to say it, that this does not call for an increase of salary. It just simply asks for a readjustment of the inspection fee, a slight increase in the fee for the inspection of steam boats. That is, the license fee.

Mr. HIGGINS: Mr. President, I would like to ask the Senator through the Chair if that is in line with the recommendations of the executive?

Mr. CHICK: Mr. President, I will say in reply to the Senator from Penobscot, that the matter has the approval of the Chief Executive of this State.

Mr. DAVIS of Piscataquis: Mr. President, in regard to this bill I will say that it came before the committee on interior waters and the bill is to raise the salary of the steamboat inspectors from \$4.00 a day to \$11.00 per annum. And the amendment which the Senator wishes to put on is the part of the original bill that was struck out by the committee unanimously. The whole bill as originally presented was heard by our committee, and this was turned down on account that it called for an increase in the inspection. The title stated that it related to the inspection of steam boats, but the bill called for a raise in the registration fees, and the committee after talking it over, although no one appeared except steam boat inspectors, decided to cut out the raise in the license fee, for the reason that the title of the act did not state that it was for any increase in those fees. We thought it not fair to act upon a measure of that kind, when not properly advertised. If we accept this amendment it will make this bill exactly as it was in the first place.

I move that the amendment be indefinitely postponed.

Mr. HIGGINS: Mr. President, do I understand the Senator from Piscataquis, to say that the bill the committee recommended and which is on its passage to be recommended, granted an increase for inspection, that did not grant an increase in salaries?

Mr. DAVIS: Mr. President, yes.

Mr. HIGGINS: And the amendment just introduced does provide an increase of salaries as well as an increase in the fee for inspection?

Mr. DAVIS: I would say that the bill provided, as passed, provided for putting inspectors on a salary basis but did not provide for any raise in the licensing of steam boats.

Mr. HIGGINS: Do I understand that the amendment introduced by Senator Chick provides for an increase in the license fees?

Mr. DAVIS: For the license fees.

Mr. CHICK: Mr. President, I have a feeling that this matter is not quite clear.

The bill which was introduced first called for the placing of the steam boat inspectors on a salary of \$1200 a year, in place of a per diem rate of \$4.00 a day and expenses. It also provided for an increase in the license fees. That is, fees for the inspection of licenses.

When the committee reported the bill back, they omitted that part that provided for an increase in the inspection fees, and they reported the bill back, giving the inspectors a salary of \$1100, instead of \$1200.

This amendment which I propose to offer simply increases the fees of inspection slightly. For instance, there are 130 boats at the present time for which no inspection fee is charged. That is, boats under five tons burden. This bill provides that all those boats under five tons burden shall pay a license fee of \$5.00.

It also increases—the law as on the statute book at the present time, it calls for a fee of \$5.00, a license fee, for any boat regardless of what its burden may be. A boat of fifty tons burden pays no

more than a boat of ten tons burden, and so the fees were increased slightly on the number of tons burden. That is, the fee is slightly higher on 20 tons burden than on a boat of ten tons burden. That is what this amendment provides.

(Tabled until tomorrow morning on motion by Mr. Higgins of Penobscot.)

On motion by Mr. Davies of Cumberland, the resolution providing the sum of \$50,000 for an armory to be erected for the University of Maine was taken from the table.

Mr. DAVIES: Mr. President, I now yield to the Senator from Penobscot.

Mr. HIGGINS: Mr. President, I move that the rules be suspended and the resolve be given its two several readings at this time.

The motion was agreed to and the resolve was read twice.

Mr. HIGGINS: Mr. President, I now offer Senate Amendment A to Resolve appropriating the sum of \$50,000 for an armory to be erected at the University of Maine. "Amend by striking out in the 6th line the words 'fifty thousand dollars' and insert in place thereof 'such sum or sums as may be necessary.'"

The amendment was adopted and the resolve as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, S. D. No. 413, An Act to amend Chapter 25 of the Revised Statutes relating to State and State-aid highways and to provide a mill tax fund for their construction.

Mr. DEERING of York: Mr. President, I move that the bill pass to be engrossed.

Mr. BUTLER of Franklin: Mr. President, while I have been of the opinion that this mill tax money should be expended on the trunk line roads, at this time, with our danger that we seem to be in from approaching war, I think it is a very serious matter at this time, and it would have been better to consider our road problems along that line; and it is of much more importance now than I

considered it at the early stages of this session.

However, I shall accept the inevitable, as I was unable to change that part. But there are one or two points in the bill that I would like to mention before it is accepted. One is on page 10: "Further provided, however, that after payment of the additional State aid called for by this section the commission may set aside from the fund for State aid highways a special road fund not to exceed \$50,000 in any one year. This fund shall be apportioned by the commission, for assisting towns having an excessive highway burden, to eliminate especially bad sections on their principal roads." That does not seem to be the point that I was looking after.

On page 11, at line 24, in reference to this \$50,000. "This fund shall be apportioned by the commission, for assisting towns having an excessive highway burden, to eliminate especially bad sections on their principal roads. Nevertheless, if there should not be a sufficient surplus from the State aid highway fund to provide for the said special road fund, there may be taken by the commission, from the maintenance fund created by section thirty-three of this chapter a sufficient amount to make up said special road fund."

On Page 13 Section 36 reads: "A tax of one mill on a dollar shall annually be assessed upon all property of the State according to the value thereof, and shall be known as the mill tax highway fund for the construction of State and State-aid highways as defined in Section 5, Chapter 25 of the Revised Statutes. The proceeds of this tax shall be used wholly for the construction of State and State aid highways as contemplated by said Chapter 25."

You notice there, that it states explicitly that the proceeds of this tax shall be used wholly for the construction of State and State aid highways as contemplated by said Chapter 25.

"Two hundred thousand dollars of the amount herein named shall be added to the fund of \$500,000 for State aid construction."

I fail to find the place in the bill, but I will give you an outline of the way it

reads; perhaps I can find it a few moments later.

It states, that after this fifth clause is taken care of in the bill that the highway commission may set aside \$50,000 to be used on roads outside of the State and State aid roads and in this State bad sections. The point I refer to is on page 3, section 36 that states that money shall be used wholly for State and State aid roads and in this other place, which I was unable to find at the moment, it makes the statement that it shall be used for roads outside, that is neither State nor State aid roads. Then it states on Page 5, Section 3, "Section 10 of said Chapter 35 shall be amended by inserting after the word, 'approved' in the 29th line, the following: 'the commission may, however, with the approval of the governor and council, let contracts for State highway construction or do the same for, or in behalf of the State, without advertising for bids, if it shall be for the best interests of the State,' so that said section as amended shall read as follows:" and goes on and gives this section.

Up until about two years ago, on State aid work, the highway commission sent out their engineers and surveyed all these State aid roads that were to be built, even as to as small a job as where the town raised \$300 and the State contributed perhaps \$600, or whatever amount it would be,—they were all surveyed and it made a large expense. The last two years the commission has not sent out engineers to survey these roads, which I think has met with approval all over the State. The roads have been built without this unnecessary expense. But I do not think, strictly following the wording of the law, that the commission has a right under this law not to survey these roads before they let the contracts to the towns, and what I wish to insert at this point is,—“The commission may, however, with the approval of the Governor and council, let contracts for State or State aid highway construction, or do the same for and in behalf of the State, without advertising for bids or without making a survey of said roads.”

That would leave it so that there could be no objection brought up in regard to their exceeding their authority in letting towns go on and build State aid roads without having a survey made, which has not been done for the last two years, and which, in my opinion, is better.

If they have a place where it actually requires, an engineer they can hire him; and it is well agreed and there has been no difficulty between the towns and the highway commission. But I thought this would make it plain, so that there would be no question come up in the future; it would change nothing in the intent of the bill, except adding these words here.

And the point that I spoke of in regard to the distribution of this \$50,000, if that wording does not take care of it, to change it, allowing the amount to be taken from the \$50,000 and put on the roads outside of the State or State aid roads, or else make the place where the road was to be built to comply with where the money was to be raised, so they would not conflict.

The PRESIDENT: Has the Senator any amendments in writing which he wishes to offer?

Mr. BUTLER: I have not anything. I could reduce this to writing to change these points. I move that this lie on the table for the present and I will try and arrange these amendments before the close of the session this afternoon, if possible.

Mr. MERRILL of Somerset: I would like to inquire if the mill tax here is in addition to the five mill tax already provided for and that we had last year; Is this any part of that five mills, or five mill tax, that we had?

The PRESIDENT: You mean the general State tax of five mills?

Mr. MERRILL: Yes.

The PRESIDENT: I understand that this is included in the general tax of five mills.

The question before the Senate is on the motion of the senator from Frank-

lin, Senator Butler that this bill lie on the table.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, H. D. 417, Resolve in favor of the reformatory for women for the construction of additional buildings and for other purposes for the years 1917 and 1918.

On motion by Mr. Walker of Somerset, the resolve was passed to be engrossed and sent down for concurrence.

The PRESIDENT: The Chair lays before the Senate, H. D. 322, An Act to amend section 10 of chapter 99 of the Revised Statutes relative to leases.

Mr. DEERING of York: Mr. President, I move, that this bill be passed to be engrossed in concurrence.

Mr. DAVIES of Cumberland: Mr. President, I shall only take just a minute on this question, and I hope that the Senate will bear with me. This act provides that when property is under lease, and the property burns down, either the house or buildings, that the tenant shall not be compelled to pay rent for the buildings so destroyed or partially destroyed. That is the only question that is suggested by the bill. Now it seems to me perfectly fair and equitable legislation that we should pass a law which prohibited the lessor from inserting in his lease that if the property or buildings burned down the tenant should be compelled to pay the rent. Therefore, Mr. President, I signed the minority report, and if I understand the motion that is now pending, it is that the bill pass to be engrossed and to that motion I object.

Mr. MARSHALL of Cumberland: Mr. President, the effect of the bill is to read into the statutes the usual fire clause of the lease.

Mr. DAVIES: Precisely.

Mr. DEERING: I understand that the motion that I made is the very one that the Senator from Cumberland wants. Do you not want the bill to pass?

Mr. DAVIES: Now I may have gotten a wrong slant on this thing, and if the Senator, Mr. Deering, is correct in what he has said, I am very much obliged to him, but I didn't quite get that slant on his motion.

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

Mr. HOLT of Cumberland: Mr. President, if it be in order at this time I move we take from the table, H. D. 382, An Act additional to Chapter 51 of the Private and Special Laws of 1907, relating to the pollution of the waters of North or Varnum's pond.

The motion was agreed to and on further motion by the same Senator it was read and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate H. D. No. 395, An Act to amend Section 55 of Chapter 30 of the Revised Statutes, relating to the amount to be expended by the insurance commissioner in investigating fires.

On motion by Mr. Grant of Cumberland, Senate amendment A was adopted, and on further motion by the same Senator, the bill as amended was passed to be engrossed in concurrence.

The PRESIDENT: The Chair lays before the Senate H. D. No. 657, An Act to amend Chapter 117, Section 18 of the Revised Statutes of 1916, relating to the insurance department.

Mr. GRANT of Cumberland: Mr. President, I move we accept the report of the committee, ought to pass.

Mr. BARTLETT of Kennebec: Mr. President, may I ask what the situation of the bill is?

The PRESIDENT: In the House it was indefinitely postponed.

Mr. BARTLETT: Mr. President, for the information of the Senate I will say that this is a bill for the reduction of a salary, not for the increase, and I will further say it does not affect Kennebec county.

The salary of the insurance commis-

sioner for a number of years has been 2500. Two years ago, the industrial accident commission being constituted, the insurance commissioner was made a member of that board and given certain duties in regard to supervision and approval of rates, and as a member of that board was given a salary of \$500. The same was true of the commissioner of labor. He was made a member of the board, and his salary in that capacity was made the same amount.

This present bill proposes to still continue him as a member of that board, doing that work, but to say that his original salary of \$2500 is to cover all that he does. As the President has stated, this bill has been indefinitely postponed in the House to leave the salary the same as it was fixed two years ago. I know that this has added very materially to the work of the insurance department. I know that today they are following the matter of compensation rates, and also have up with the representatives of the companies questions relative to whether certain rates on certain classes of property should not be reduced, and they are endeavoring to work along those lines for equitable rates for the citizens of Maine.

It seems to me that this legislature should not do anything to reduce this salary and endeavor to discourage this type of work. I hope that we shall concur with the House on this matter, and if in order I will make that motion that we concur with the House.

The PRESIDENT: The motion of the Senator takes precedence that we concur with the House in indefinitely postponing this bill.

Mr. DAVIES of Cumberland: Mr. President, excuse me just a minute—is not this one of those reports that came from the committee on salaries and fees?

The PRESIDENT: It is a report from the committee on salaries and fees.

Mr. DAVIES: And their recommendation was that the salary should be reduced \$500. Now if I understand

the procedure as outlined by Senator Bartlett, the House moved to indefinitely postpone. That would leave the salary of the official just what it was before and would defeat the majority report of the committee.

Mr. GRANT: I will say, Mr. President, that at the hearing it was stated by the deputy insurance commissioner, that while they had had but very little work they had drawn the salary, but they did think there might be work in the future. That is about the substance of what he said before the committee. I take a different view from some of my friends as to the efficiency of the insurance department. I think they are well paid when they get \$2500 for what they do in that office. I hope the committee report will be accepted.

Mr. BARTLETT: Mr. President, I simply want to say in regard to my position in this matter: I was present in the judiciary room when that caucus was held, and I was one of the thirteen members and I voted against this action, and said that I did not feel I was bound by the action of the caucus. I do not feel that any one is bound by the vote of a majority, where less than half the members vote.

The PRESIDENT: The question before the Senate is on the motion of the senator from Kennebec, Senator Bartlett, that we concur with the House in indefinitely postponing this bill.

Mr. BUTLER: I ask for a division.

A rising vote was had, and four Senators having voted in the affirmative, and 18 in the negative, the motion of the senator from Kennebec was lost.

On motion by Mr. Grant of Cumberland the report of the committee was accepted, the bill was given its first reading, and on further motion by the same senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed.

On motion by Mr. Bartlett of Kennebec, S. D. No. 404, An Act to amend Section 8 of Chapter 325 of the Private and Special Laws of 1897, as amended by

Chapter 150 of the Private and Special Laws of 1915, fixing the salary for the recorder of the municipal court at Waterville, was taken from the table.

Mr. BARTLETT: Mr. President, I now present Senate Amendment A and move its passage: adding these words, "But the salary of the present incumbent shall in no wise be affected by the foregoing provision."

Mr. GRANT of Cumberland: Mr. President, it was a reduction of \$100 in salary and as I understand the wording of that amendment if that man holds the office for the next ten years or a dozen years there would not be any change.

Mr. BARTLETT of Kennebec: Mr. President, I will say in explanation that this man was appointed for a specified term. My understanding is that the salary cannot be reduced during that term, for which he was appointed, and that being the case, that was put in simply to clear up that understanding so that there might not be any possible controversy over it.

Mr. GRANT: I would like to inquire, through the President, if it is impossible to lower a man's salary? We find it is possible to increase their salaries. I should think by the same process we could reduce them. I am not a lawyer; if that is a fact, I agree to the amendment; otherwise I would like to see it stricken out.

The PRESIDENT: The amendment reads: "That the salary of the present incumbent shall in no wise be affected by the foregoing provision."

Mr. DAVIES of Cumberland: Mr. President, I do not desire to present myself as the father of this caucus that met in the judiciary committee room sometime ago, and at which time we acted upon the reports of the committee on salaries and fees, but I feel that if one of these is going, we should open the door widely and have a full discussion of it. Up to this time we have kept them out. The committee on salaries and fees reported that the officer who is affected by the bill now under

consideration should have his salary reduced \$100. I think we should stand by that report. We have gotten into it now, and we have accepted it thus far to the detriment of many of us, including myself, as almost every county officer in the county of Cumberland, asked for an increase in his salary.

Now I think that the thing to do is to go the whole figure and to refuse the acceptance of this amendment. I sincerely hope that it is the last one that will be presented that will involve the majority report of the committee on salaries and fees.

Mr. MERRILL of Somerset: Mr. President, I have just this moment received this letter from one of the judges of probate or the judge of probate, in Somerset county, and he states in this letter that he understands that they have got his bill tabled and that the idea is to keep it on the table until about the close and then turn it down.

Now he says further, "If they are going to do that and turn them all down, all the salaries of the men that have asked for them, why, I am willing."

Mr. DAVIES: Good!

Mr. MERRILL: But he don't want anything of that kind done to him alone. Now I say, let us stand by what we agreed, because that is just what every man will say,—if you increase one they will say you ought to increase the whole.

Mr. BARTLETT: Mr. President, I will say to relieve any apprehension of the senator from Cumberland, that nothing was further from my mind in drawing this amendment than to interfere with any report of the committee on salaries and fees. If the chairman will recall, when I appeared before that committee, when this bill was under discussion, I stated that my understanding was, that it would not and could not go into effect until the expiration of the term for which he is appointed. Now my only object in putting this in at the present time is so that it may not be a disputed point. I understand that it is a principle of the law that the bill would not go into effect anyway, so far



as decreasing, until the expiration of the term for which he is appointed and this is simply to make it plain what the intention was. No intention of being anything against the committee on salaries and fees in this matter.

Mr. GRANT: But the amendment does not so state, as I understand it.

The PRESIDENT: The amendment could be readily amended so as to meet the objection.

Mr. BARTLETT: I move it lie on the table until we can confer on the matter.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, H. D. 677, An Act to improve the public highways of Maine by regulating the width of tires upon wagons and carts for carrying heavy loads.

Mr. MARSHALL of Cumberland: Mr. President, as I understand it, an amendment was offered and adopted in the House.

The PRESIDENT: Yes.

Mr. MARSHALL: If the amendment is very short, I would liketo have it read.

(The amendn.ent read by the President.)

Mr. MARSHALL: Mr. President, these amendments, as I understand it, practically render the bill useless. I believe it is a very good bill. It also has serious defects. I have tried to draft some amendment, which I might offer in the Senate for adoption. I have been unable to draw them in a manner satisfactory to myself. Moreover I have reason to believe that there are several senators who are ready to move the indefinite postponement of this bill. I believe it stands no chance of a passage in anywhere near its present form.

It is not going into effect according to the terms, until the year 1921. Therefore under all the circumstances I believe the best way to dispose of it is to move its indefinite postponement. And I so move.

Mr. GILLIN of Penobscot: Mr. President, I second the motion.

Mr. WALKER of Somerset, Mr. President, I want to second that motion too.

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

The PRESIDENT: The Chair lays before the Senate, H. D. 688, An Act amending Section 4 of Chapter 41 of the Revised Statutes, increasing the license fee for itinerant vendors.

Mr. WOOD of Hancock: Mr. President and senators, this bill affects my particular location at Bar Harbor, as I understand it.

The idea is to increase the license fee from \$25 at the present time to \$100. Now at Bar Harbor,—we have a great number on the island, not only at Bar Harbor, but other watering places, Bar Harbor, Seal Harbor, Southwest Harbor, Northeast Harbor, Winter Harbor, Sullivan and other places around there in my county; a great many people come there and hire stores for the summer and do business, carry on mercantile pursuits, large rug dealers from New York and Boston, hire stores there and pay good rent for them, and it means a good deal to a lot of our people.

They are very much opposed to any change, and I hope that the bill will not receive a passage. It affects very materially and will shut out a good many people who hire stores and who really do not interfere with our home, native traders, because they have an entirely different class of goods and rather supplement our summer business than infringe upon it. I think it is unwise to make any change.

Mr. GILLIN of Penobscot: Mr. President and fellow senators, I fully sympathise with the statements of the learned senator from Hancock county, but it is local. State wide it is very injurious not to have this bill receive a passage as proposed, particularly in our cities. The Boards of Trade in all of the large centers of the State, I take it, have written to many of the Senators here, as I have received communications, I know others have, urging us to put up the license. Now I am going to speak very briefly, because it is all in a nut shell. Now in our cities and large towns the resident merchants pay

heavy taxes for municipal, county and state purposes. They pay high rent and insurance and these itinerant vendors come into our hotels, open up their trunks as they do in my own city, go into our offices and attempt to sell their wares and merchandise in open, notorious competition with all of your merchants in our different cities that bear these great burdens and public burdens, and I am so antagonistic to that individually, that I have always refused to buy any kind of clothing that I could purchase in my own city or in my own State, outside of its boundaries from people who come from without the State.

And I believe, and I think the majority of the judiciary committee were of the same opinion that the license fee is too small rather than too large. Where we live, where we earn our board and where we get our money, we want to deal and trade with those people who live amongst us and help to bear our burdens. And while I can readily understand that in certain localities, like Bar Harbor, for instance, from which the distinguished Senator from Hancock come and in which he resides, these itinerant vendors during the summer months, who come from away to sell to summer residents, and to others, would be of great benefit to his town; but they are getting great profits and you won't find any trouble in filling up your vacant stores through that period of time in my judgment, that they stop with you.

Now here is a complete answer in my mind to the proposition. The learned Senator admits, Mr. President and fellow Senators, that they are only local; that they only come at certain periods of the year, for certain specific purposes, and what are those purposes? These, briefly, namely: They come into your community, your cities and your towns, and compete with the resident merchants in selling their goods and wares. That is one thing. And furthermore, they pay no taxes, they bear no burdens, they are birds of flight.

And now while there is not a single man in the drygoods business or selling curtains, or rugs, etc., in our different cities, and the wares, etc., that

they sell, who is satisfied with the license fee which you have now placed in this bill, they say it is too little, they are not satisfied with it; but we say that it is more than reasonable and if they want to come into our towns and cities and compete with our local merchants who are struggling along under heavy burdens, let them pay for doing it.

Now, I think, Mr. President and fellow Senators, that that is the meat in the coconut; that is the kernel of wheat in the bushel of chaff; and we won't find any trouble about these itinerant vendors coming into our State to sell their wares and merchandise.

It is not fair, it is preposterous and absurd for these itinerant vendors to ask the right to come in and compete with your merchants in your towns and cities free gratis, and I do not know of a single merchant in any city or town in the State of Maine that I have reached, who want them to come in, unless they get something in the treasury vaults of their cities and towns which is some slight recompense for the great opportunity offered them. And I do not believe, my fellow Senators, as representing the business interests of this great State, that we want to make any exception in favor of non-resident vendors coming into one locality, when every other locality in the State is absolutely adverse to it.

In closing, it seems to me, if you have had the same communications that I have had and that I understand other Senators have had, that you ought to know before I tell you, that sweeping over the cities and towns of your State that your local merchants are against the very bill we have proposed because you have not made the license fee high enough.

Now if they want to come into Augusta, if they want to come into Portland, if they want to come into Bar Harbor, if they want to come into Bangor and go into our hotels and travel through our places to sell their goods and wares, or rent a store temporarily for that purpose, at any period of the year—not there the first of April, so that their goods and wares

can be taxed—are you going to say that for giving them those great privileges to compete with your merchants in your towns and cities, a \$100 license fee is too much?

And therefore, Mr. President and fellow Senators, I move that the majority report of your committee be accepted, and that the fee be fixed at \$100.

Mr. WOOD: Mr. President, I dislike very much at this late hour to take any time. I did not realize I was going to stir up such a hornet's nest, or I would have been better prepared and ready, but I want to say to the Senator from Penobscot, that he is putting several of our people out of business if this bill passes, in my judgment. Now I had in my mind a gentleman at Bar Harbor, whom you all know, Mr. Pineo; the members of the ways and bridges committee will remember Brother Pineo, he was up to see them, because he is an original fellow and he expresses his ideas so that he impresses himself on one's memory.

Now he makes quite a specialty of building stores and renting them to people who come from New York, Boston and Providence and various places, to sell merchandise at Bar Harbor; and the distinguished Senator is certainly in error when he says that the men who come to Bar Harbor do not pay taxes, because they are assessed. Every one of them pays a tax just the same as our own natives pay a tax, in addition to the \$25, and they pay \$500 for a store there in the summer.

I am willing for this to be amended so that the fellow who comes to spend the summer—and you must remember that our business is done in a few months, and our business men are birds of passage, for they stay a few months, and the people who come and hire stores and pay four or five hundred dollars for the season, are there perhaps two or three months and have to pay just the same.

I happen to be at this very moment one of the trustees of some store property there. We have three stores in the Hamor Block, and we let those

stores to itinerant vendors who come there for the summer. I do not know where the children I represent as one of the trustees, I do not know where they will get revenue from that property if you put these people out of commission.

Since I have been here I have had a communication from the man who has had the store three times, the corner store. I can illustrate it by a particular instance. We are asking \$500 for that store. He has offered \$350. We are still standing out for \$500. If he has to pay \$100 additional we cannot hope to get our \$500.

We have our taxes to pay, and we have to reap our crops during a very short season. I can tell you of many stores of that kind that would have to go out of business. They will be useless if you put on this additional tax, for these people will not come.

They certainly pay a tax on their stock. Our assessors go around and assess them for taxation just as they do other merchants, and they have to pay a regular tax in addition to their \$25 license.

I certainly hope that there will be some exception made so that it will not apply to persons who come to take a store for the summer season.

Mr. MERRILL: Mr. President, I would like to ask the Senator a question, Senator Wood. Do they assess these men for their stocks of goods that they bring in there after the first of April?

Mr. WOOD: I will say in answer to the Senator that they do. They are assessed just the same as any resident is assessed, and they pay it, too.

Mr. MERRILL: Mr. President and fellow Senators: That has been a part of my business for the last 25 years, I have been renting real estate, and especially stores. During that whole time I have had applications a great many times by itinerant vendors. I have never yet let a man into a store of mine—and I have had them apply to me for them, many, many times—on the ground that our resident dealers should be protected against men coming for a week or two weeks or a

month or two months, with a second class set of goods and sell them at a discount, and anyway to get them into cash.

I can see the difference between my town, or the town I live in, and the Bar Harbor situation. It seems to be that they are regular merchants there. They are there every year during the season at Bar Harbor, so that I can see the difference in that one place; but do we want to pass a State wide law simply to apply to one place?

It seems to me that the Senator from Hancock is too much exercised about this tax. It is a money making proposition and the difference between the present tax and the tax that is anticipated by this bill, I do not think it would keep them out of Bar Harbor.

Mr. DAVIES: Mr. President, Bar Harbor is the last town in the State of Maine which should complain about the payment of the itinerant vendor's tax. When York Harbor and Old Orchard, and other places of that kind make no opposition to it, it little behooves Bar Harbor to come here and put up a protest.

The fact that the merchants are able to go to Bar Harbor and pay a rental of \$500 for the summer season for selling their goods is sufficient in itself to show that they are able to pay to the State of Maine for the protection of our own merchants, an increase of \$75 under the itinerant vendor's tax.

Frederick Mosher and Company who exhibit regularly down at Bar Harbor, probably could pay this increase of \$75 without much trouble. Tiffany and Company of New York certainly ought to be able to scare up the money from somewhere that they might pay this increase of \$75 on the itinerant vendor's tax. Ovington Brothers Co. who exhibit and sell down there regularly, I believe, do they not Brother Wood?

Mr. WOOD: They do.

Mr. DAVIES: In all probability they would not have any trouble, like the others I have mentioned, in finding from some source the sum of \$75 that they might contribute for coming in here in direct competition with our merchants, to pay this tax.

The Chamber of Commerce at Portland which has pretty good control of the affairs commercially in this State recommended that this tax be made \$500. After a while the representatives consented it might be reduced to \$400. The committee refused to report favorably on that basis, and they found they would make no opposition to \$300. It was with the utmost difficulty that Senators Deering, Gillin and myself succeeded in getting the unanimous report of the committee that this tax be fixed at \$100. If there is anything unfair about it, it is that it is not enough, compared with other states in like circumstances. Take the State of Virginia where they sell to winter people and their tax is \$350 for itinerant vendors. There is no state in like circumstances,—witness the State of Virginia where they sell to winter people who come from other states—and Bar Harbor is the only town in this State that complains.

Mr. WOOD: I am simply saying two things. Competition is not what it appears. The people who come to Bar Harbor do not compete with any other people there. They bring in an entirely different line from what our merchants have there and our own merchants, I dare say, are glad to have them come because they help to make up our summer stores, and we should not have as attractive a street and as good a shopping district were it otherwise.

Our men could not, and do not, attempt to put any such lines of goods in. They are entirely out of competition with us. Another thing is the two interests we must think of. We have a large interest there at Bar Harbor, and all along the coast, and you must have the same conditions up there, people who have stores to rent.

Put yourself in our place. And I tell you, it is hard enough to rent our stores now. We have got to get large prices, it is true for the summer, because our summer rental means an annual rental. That is all the income there is. If our store is rented for one or two months we don't rent it again for the year, fellow senators.

You have to make hay while the sun shines, and it is out only a short time in Bar Harbor. And therefore we have

got to get as large fees as we can. I do not expect that my idea will prevail, but I do certainly hope that you will arrange something or accept some amendment, fellow citizens that will take those people out who come actually into our State and rent our own real estate and pay good prices for it.

Mr. DAVIES: Mr. President, I cannot see how the itinerant vendor who goes to Palm Beach in the winter time should complain when he moves his stock from Palm Beach to Bar Harbor, if he is compelled to pay \$100.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Gillin, that the bill be passed to be engrossed in concurrence.

A viva voce vote being taken the bill was passed to be engrossed in concurrence.

The PRESIDENT: The Chair lays before the Senate, H. D. 694, An Act to amend section 72 of chapter 82 of the Revised Statutes increasing the annual appropriation for the attorney general's department.

Mr. DAVIES of Cumberland: Mr. President, my purpose in tabling that bill was to look over with Mr. Bartlett the amendment which he had proposed, and we have discussed the matter, and I move that the amendment be adopted. The motion was agreed to and the bill as amended was passed to be engrossed and sent down for concurrence.

The PRESIDENT: The Chair lays before the Senate, H. D. 701, Resolve authorizing the publication of automobile registration.

Mr. HIGGINS of Penobscot: Mr. President, I move that the House Amendment A be indefinitely postponed. In this connection I would say that the report of the committee was that the secretary of State be authorized to contract with a firm or firms for the publication monthly of automobile registration. This amendment sort of makes it permissible for anybody to publish it. It is absolutely impossible to get an authentic list unless there is contract

made with some particular firm or firms for that purpose. I therefore move that the House Amendment A be indefinitely postponed.

The motion was agreed to and on further motion by the same Senator, the bill was passed to be engrossed and sent to the House for concurrence.

The PRESIDENT: The Chair lays before the Senate, H. D. 702, An Act to amend section 36 of chapter 45 of the Revised Statutes relating to the purchase, marking and liberating of seed lobsters.

On motion by Mr. Gordon of York, the bill was passed to be engrossed in concurrence.

The PRESIDENT: The Chair lays before the Senate H. D. 708, Resolve appropriating money to aid in screening lakes and ponds and for other purposes.

Mr. WOOD of Hancock: Mr. President, the reason I tabled this was not because I oppose any part of the policy of screening ponds. I believe it is a great and beneficent thing to do. I tabled it for the reason that I want to speak on this claim that is put in under this resolve, a claim in favor of Sewell and Phair.

I wish to say simply this: Two years ago a representative from the Gouldsboro district asked to have a screen put in at the pond at West Gouldsboro. Now West Gouldsboro has a very beautiful lake known as Jones Pond and it is fished by non-residents from Winter Harbor, Sorento and all the adjoining places, that come over from Bar Harbor and it is very good fishing. They had no screen in it, and they desired to get one for the purpose of protecting that pond.

He tried his best, I am informed, to get a screen for that two years ago, and no money could be appropriated for that purpose. And if you look at the Private and Special Resolves you will find that in only one or two instances was any bond screened. Now what happened?

The people down there tried to take up a subscription after they found the

State would not help them, and they got part enough money but found they could not get enough to put in a screen down to this pond and they returned the money.

Last year they went at it again and they subscribed a sufficient sum to build a screen, all by private subscription, and with the approval of the fish and game commission, and when I came up here, I found a resolve on here for Sewell and Phair; that was as much as six or eight weeks ago. Well, it went off the docket, was put back into the committee, and now it has come up—no intention about it—but certainly, anybody is misled by reading the title to this, because Sewell and Phair's claim has disappeared from the title all together, and we are to pass a bill for screening lakes.

I have no objection to the policy and I don't want to oppose it. But I want to go on record in this way.

I wished to put in a bill to ask to have those people reimbursed, and I know that Representative Holt who is zealous for his people down there would have put in a resolve asking for their people to be reimbursed, if he had not supposed it was absolutely hopeless to expect to get it; to get a committee to reimburse anybody for screening done in any pond. That is the exact case this is. They went to work and screened their pond, and now ask for reimbursement and they are going to have it.

At the time this resolve was put in, the chairman of the committee told me today, nobody expected that they were going to get anything for putting in the screen. I did not want to encumber the records with any claim or resolve for reimbursing my people and I know very well Representative Holt must have taken the same view of it, that it was so hopeless that there was no need of putting it in. Now we have got some money by taxing the non-resident fishermen and they are going to pay these claims, and we are shut off because it is too late to put in our claim.

I am going to say that this is a class of cases different from others, and it seems hardly fair. We ought to have some regular policy about it. If we are

going to reimburse one,—and these men who put in screens down at West Gouldsboro put them in with the approval and just according to the specifications of the fish and game commissioner—there is no earthly reason why those people ought not to be reimbursed except as somebody may say that their representatives up here were not zealous enough and did not look after their interests.

I want to go on record—I am not awfully anxious to go on the record—but I do want to go on record and have it known, so that if I should ever come back here, or whoever comes back, would feel that we are justified at the proper time, at another session, to put in a resolve asking for these people down there to be reimbursed, if we are going to reimburse Phair and Sewell.

I want to have that in the record so that I will feel that our case is not prejudiced by delay.

I yield to Senator Chick.

Mr. CHICK of Kennebec: Mr. President, I move that this resolve be passed to be engrossed in concurrence with the House.

The motion was agreed to.

The PRESIDENT: The Chair inadvertently failed to call H. D. 703, An Act to amend Sections 40 and 42 of Chapter 45 of the Revised Statutes, relating to the inspection and transportation of lobsters.

On motion by Mr. Gordon of York, passed to be engrossed in concurrence.

On motion by Mr. Butler of Franklin, S. D. #13, An Act to amend Chapter 25 of the Revised Statutes, relating to State and State aid highways, and to provide a mill tax for their construction was taken from the table.

Mr. BUTLER of Franklin: Mr. President, I wish to state that I had examined this bill several days ago, and made the statement to one of the committee, which I made here, in regard to apportioning this \$50,000. I had not understood that there had been a reprint of this bill, but I had marked on the bill

that I had found on my desk the points where I expected to have the change. I find by investigation that the change had already been made and the new bill had been printed. I therefore offer no amendment to the bill.

Passed to be engrossed and sent to the House for concurrence.

The PRESIDENT: The Chair lays before the Senate, H. D. 724, An Act relating to the qualification of judges in the municipal and police courts.

Mr. GOOGIN of Androscoggin: Mr. President, in the absence of my colleague I request that it lie on the table until tomorrow morning.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, S. D. 208, An Act to secure information relating to the yearly cut of timber from the wild land townships.

Mr. HIGGINS of Penobscot: Mr. President, I move we adopt Senate Amendment B.

Mr. BUTLER of Franklin: Mr. President, I would like to have this amendment read.

(The amendment was read by the President.)

Mr. BUTLER: There is another amendment offered.

The PRESIDENT: Senate Amendment A was read and adopted in the Senate.

Senate Amendment B was adopted and the bill as amended was passed to be engrossed and sent down for concurrence.

The PRESIDENT: The Chair lays before the Senate, S. D. 321, An Act amendatory to Section 27 of Chapter 52 of the Revised Statutes to permit savings banks to invest in certain railroad bonds.

On motion by Mr. Baxter of Sagadahoc the vote whereby this bill was passed to be engrossed was reconsidered.

The same senator then offered Senate Amendment A to this bill.

Mr. BAXTER: Mr. President, I will give the substance of this amendment. It leaves the old law as it stood before, and the other clauses in there make the securities legal of other roads.

In the original draft that we had passed to be enacted, there were certain sections of the old law that were eliminated, and after the bill came to the Governor he criticized some of the features, and therefore a new draft was drawn putting back into the bill the old law, and making the restrictions very much more severe on new issues that might be made legal for savings banks.

This was drawn up by a man in whom the Governor had confidence. The bill has been submitted to attorneys for savings banks and has been approved by them as well as by the man who drew it for the Governor.

On motion by Mr. Stanley of Oxford, the bill and amendment were tabled.

S. D. 377. An Act to extend the time within which the provisions of Chapter 186 of the Private and Special Laws of 1915 providing for the reorganization or consolidation of the railroad companies constituting the Boston & Maine Railroad System, may be exercised.

On motion by Mr. Swift of Kennebec, this bill was passed to be enacted.

On motion by Mr. Wood of Hancock, the rules were suspended and that Senator introduced a public act at this time: An Act to provide for the recording of discharges of attachments by registers of deeds.

Mr. WOOD: I will say in explanation of this act that this has been sent on by Mr. Matthew Laughlin of Bangor, who has discovered an error which he thinks would be of public value to have corrected, at this time, and is in a case he has just had come up.

Mr. DAVIES of Cumberland: Mr. President, I will say that it is not good policy to pass a general law for the purpose of correcting one error. It generally works out badly, but it may work out all right at this time.

On motion by Mr. Wood the rules were suspended and the bill given its

two readings at this time, and was then passed to be engrossed.

On motion by Mr. Davies of Cumberland, S. D. 224, An Act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making and repairing same, was taken from the table.

Mr. DAVIES: I desire to say in explanation that I have previous to today been opposed to the passage of this legislation, but my friend, the Senator from Knox, has talked to me so sweetly that it has been music in the air and I only desire to suggest to him before I move that the act be passed to be enacted that he make some amendment in the first section so that it may provide that those who are to have these liens shall have a regular place of business.

The act reads "every individual, partnership or corporation engaged in making, altering or repairing any watch, clock or jewelry or expending any labor or materials thereon by direction or consent of the owner thereof, shall have a lien upon such watch, clock or jewelry, for his reasonable compensation, for such labor and materials."

Under the provisions of that act if the itinerant watch maker should come around my house sometime this summer, and they come around very frequently, and he induced them to give him some work on a clock and if he did the work and furnished the material, and say that his bill was three dollars, he could, under the provisions of this act keep my clock for one year.

It seems to me that if the bill is to be passed that it should read "Every individual, partnership or corporation engaged in making, altering or repairing any watch, etc., who has an established place of business." Would there be any objection to that?

Mr. BUTLER: Mr. President, I did not draft the act and would be very glad to accept such an amendment. I think it is very proper.

Mr. DAVIES: Don't you think the amendment should be adopted?

Mr. BUTLER: I think it would be desirable. I do not think we have much to fear from these people. The

man who drafted the act did not think there would be any danger from these people. I shall be glad to defer to the Senator if he thinks it is worth while, but it is late and unless he urges it I would prefer to have the matter go on its way. I will leave it to the Senator.

On motion by Mr. Davies, tabled until tomorrow.

On motion by Mr. Peacock of Washington, S. D. 435, An Act to create a commission of sea and shore fisheries, was taken from the table.

Mr. PEACOCK: Mr. President, I move that we accept the majority report.

Mr. BUTLER of Knox: Mr. President, by arrangement we have, he is desirous that the matter may progress and I desire to be heard in the matter at some time in the progress, but I am willing it should go on for the present, with the idea that it will be back here probably by tomorrow afternoon. I have that arrangement with him.

The majority report was accepted, the bill was given its first reading, and on further motion by Mr. Peacock, under suspension of the rules, it received its second reading.

Mr. PEACOCK: I would like to present Amendment A, to amend Section 4, by striking out all of said Section 4 which is after the word "term" in the 11th line thereof, and move its acceptance.

Senate amendment A was adopted, and the bill as amended passed to be engrossed and sent to the House for concurrence.

On motion by Mr. Bartlett of Kennebec, S. D. No. 404, An Act to amend Section 3 of Chapter 325 of the Private and Special Laws of 1897, as amended by Chapter 150 of the Private and Special Laws of 1915, fixing the salary of the recorder of the municipal court of Waterville, was taken from the table.

Mr. BARTLETT: Mr. President. I would like to withdraw the amendment I offered a short time ago and offer another one.

Senate Amendment A was withdrawn.



Mr. BARTLETT: I now present another amendment and move its adoption. I will say I have changed the wording to agree with the Senator from Cumberland—"the salary of the present incumbent during the term for which he is now appointed shall in no way be affected by the foregoing provision.

The amendment was adopted, and the bill as amended was passed to be engrossed.

Mr. CHICK of Kennebec: Mr. President, I move to take from the table S. D. No. 434, An Act to amend Chapter 121 of the Public Laws of 1917 entitled, An Act to amend Section 17 of Chapter 12 of the Revised Statutes, providing for notice by registers of deeds to municipal officers of real estate transfers,—which does not appear on the calendar.

The motion was agreed to, and on further motion by the same senator, under suspension of the rules, the bill received its two several readings.

Tabled by Mr. Deering of York, pending its passage to be engrossed.

Mr. STANLEY of Oxford: Mr. President, as I understand Senate amendment A to S. D. No. 321, which I just tabled, is practically a whole new draft, and I would inquire whether it would be proper at this time to move to have it printed?

The PRESIDENT: The senator may make a motion that it be tabled for printing.

Tabled for printing on motion by Mr. Stanley.

Mr. CHICK of Kennebec: Mr. President, I move that the rules be suspended and that I may introduce an order at this time.

The motion was agreed to and the following order was received:

Ordered, the House concurring, that the commissioners of inland fisheries and game cause to be compiled in convenient form the inland fish and game laws, and that not exceeding 20,000 copies be printed for general distribution; and the Governor is authorized to draw his warrant for the payment of same on the amount appropriated 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 commissioners of inland fisheries and game, and other expenses incident to the administration of the department of inland fisheries and game.

Passed and sent down for concurrence.

On motion by Mr. Davies of Cumberland,  
Adjourned.