

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
KENNEBEC JOURNAL PRINT
1916

SENATE.

Saturday, April 7, 1917.

Senate called to order by the President.

Prayer by Rev. Mr. Livingston of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Communication from the House:

To the Senate of the State of Maine.

The Governor of the State of Maine, having returned to the House of Representatives, "An Act to establish the police court of the city of Belfast," House Document No. 126, which passed to be enacted in the House, March 30, and passed to be enacted in the Senate April 2, said act being signed by the Speaker of the House and the President of the Senate, with his objections to the same.

The House proceeded to reconsider the vote whereby the bill was passed to be enacted in the House on March 30, 1917, as is required in such cases by the Constitution of the State of Maine, and, less than two-thirds of the members of the House of Representatives having voted that the bill become a law, notwithstanding the objections of the Governor, the bill has accordingly failed of a passage, and failed to become a law.

(Signed) WILLIAM R. ROIX,

Clerk of the House.

Placed on file.

Mr. GILLIN of Penobscot: Mr. President, I move that the secretary of the Senate be directed to insert in H. D. 644, An Act to amend Section 51 of Chapter 82 of the Revised Statutes in relation to trial terms of the supreme judicial court, the following: it is simply a clerical error. Add at the end of the fourth section, relating to county of Hancock; "at each term of which the court shall place upon the trial list and hear only such civil actions pending in said court as may be more conveniently tried at that

term, except that by agreement of attorneys interested other cases may be placed upon such trial list."

The motion was adopted and the Secretary made the correction.

From the House: H. D. 727, An Act relating to the conservation of the storage reservoirs and water powers of the State of Maine.

In the House this bill was passed to be engrossed as amended by House Amendment A.

Mr. GILLIN of Penobscot: Mr. President, I understand this bill does not carry any money?

Mr. DEERING of York: It does not, Mr. President.

Mr. GILLIN: And it goes to the utilities commission?

Mr. DEERING: Yes. I move that the rules be suspended and this bill receive its two readings at this time.

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

House Amendment A was then adopted in concurrence and the resolve as amended was passed to be engrossed.

From the House: An Act to amend Section 2, of Chapter 7 of the Revised Statutes, of 1916, relating to the printing of ballots.

In the House read three times under suspension of the rules and passed to be engrossed.

In the Senate, on motion by Mr. Merrill of Somerset, read twice under suspension of the rules, and passed to be engrossed in concurrence.

From the House: H. D. 663, An Act to amend Section 16, Chapter 4 of the Revised Statutes, relating to the election by ballot or the appointment of road commissioners.

In the House, the minority report of the committee, ought to pass, was accepted; in the Senate, the ought not to pass report was accepted in non-concurrence. The House then insisted on its former action and appointed a committee of conference.

On motion by Mr. Butler of Franklin, the Senate voted to adhere to its former action.

From the House: H. D. 692, An Act to regulate the practice of the system, method or science of healing, known as osteopathy, creating a board of examination and registration for those desiring to practice the same and providing penalties for violation of this act.

In the House the majority report, ought to pass, was accepted.

In the Senate, the minority report, ought not to pass, was accepted.

The House then appointed a committee of conference.

On motion by Mr. Marshall of Cumberland, the Senate voted to adhere to its former action.

From the House: S. D. 376. An Act to amend Sections 20 and 21 of Chapter 7 of the Revised Statutes, relating to lands reserved for public uses.

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

The House voted to insist and appoint a committee of conference; the Senate joined a committee of conference, which failed to agree.

The House voted to adhere to its former action.

From the House: S. D. 424, An Act to establish military training in the public schools.

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

The Senate asked for a committee of conference; the House adhered to its former action.

From the House: H. D. 725, An Act to amend Section 3, of Chapter 130 of the Revised Statutes, relating to the sale of milk.

In the House the report of the committee, ought not to pass was accepted; the Senate accepted the ought to pass report.

The House adhered to its former action.

Mr. CONANT of Waldo: Mr. President, it seems to me that there must be some misunderstanding regarding this bill. There has been a great revolution in favor of milk and cream in the last thirty-five years. I have been some interested in creameries myself. I am not at the present time. I am interested in farming and selling cream.

Thirty-five years ago there were a great many cheese factories all through the country, while today I do not think there is one in operation. Then came the creameries. The creameries bought the cream from the farmers paying, if the cream was set in deep cans, about 8 inches in diameter, paying so much per inch, and perhaps two inches of cream would make a pound and a half of butter, or perhaps two pounds. But they paid for two inches for a pound.

Then came the Babcock test which gave the accurate amount of butter fat in the milk or in the cream. Now cream is a standard from 17 per cent to 44 per cent and you can name your price accordingly.

Now a new departure has come. There is not much butter being made in the State. It is almost all the selling of milk. Now they want to standardize this milk to 3.8 per cent. butter fat. The Turner Center creamery put out their card advertising to sell this standardized milk at 3.8—a 10-gallon can for \$2.80, one gallon for 30 cents, a quart for eight and one-fourth cents and a pint for 4 1-4 cents.

I think the farmers are standing in their own light if they do not let this bill go through. They are going to get more for their cream and no one is harmed.

Mr. GILLIN of Penobscot: Mr. President, this is a question with which I am somewhat familiar and I simply rise, not to take the time of the senators, but to fully indorse what has been said by the senator from Waldo. I believe that it ought to go through.

The PRESIDENT: Unfortunately the House adopted the ought not to pass report and voted to adhere to their former action. There is not very much left for the Senate to do.

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

In the House the bill was substituted for the report of the committee; the Senate accepted the report, ought not to pass.

The House insisted on its former action and appointed a committee of conference, and then the House voted to adhere to its former action.

From the House: S. D. 230, An Act relating to the construction of chimneys.

In the Senate this bill was passed to be engrossed as amended.

In the House, the report, ought not to pass, was adopted.

The Senate insisted and appointed a committee of conference; the House adhered to its former action.

From the House:

Ordered, the Senate concurring, that the Board of State Assessors be and hereby are directed to investigate and report as to the advisability of imposing an excise, franchise or other tax on corporations which generate, distribute or sell electric current for light, heat and power purposes, generated within the State of Maine.

The said board shall investigate and report on the general subject of taxation of the corporations above mentioned and on the taxation of undeveloped water powers wherever located and the taxation of water power and storage dams, both in incorporated and in unincorporated places. Said board shall have the power to summon and compel the attendance of witnesses who shall testify under oath, to compel the production of books of account and other papers and to punish for contempt; and the attorney general is directed to act as legal counsel for said board.

Said board shall commence its investigation as soon as practicable after the adjournment of this Legislature and shall report its findings to the Governor and Council on or before the first day of October, 1917, but in case said board shall not have completed

its report by said date, it shall render a partial report to the said Governor and Council on that date, and shall complete its findings before January 1, 1918.

The funds necessary to carry out the provisions of this order shall be taken from any funds in the State treasury not otherwise appropriated.

In the House this order was read and passed.

Mr. GILLIN: Mr. President and fellow Senators, in a few words I wish to say that I think it would be extremely unwise for us to pass that measure in the closing days of this session when we have not had an opportunity of looking into it; to leave the business interests of your State doubtful as to what is going to happen to them for the two years that are to come. I am satisfied, from the study that I have given the proposition, that I might be able to say some things which would have weight in showing the bad policy of accepting this resolution, but I am not going into it at the present time. But I do hope and trust that we will adjourn, after closing up the business of this Legislature, without leaving the men who are making the wheels of industry in your State go round, spending millions of dollars, when there is a cloud hanging over the nation and the State as well—without sending out something like that, that is going to annoy and harass them—and I believe it will—and I move, Mr. President, that the resolve be indefinitely postponed.

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

From the House:

The committee appointed under a joint order of both Houses to make recommendations to this Legislature, regarding the procuring of an Executive mansion, beg leave to report that they have been unable, after a thorough investigation, to secure any suitable location, and recommend that authority be granted the Governor and Council to take such property as they deem suitable and pay for the same

out of any money in the treasury not otherwise appropriated or expended.

The report was read and accepted.

The report was accompanied by the following order:

Ordered, the Senate concurring, that the Governor and Council be and hereby are authorized to secure by purchase or to take by eminent domain any property in Augusta which in their judgment they deem suitable for an Executive mansion, and pay for same out of any money in the treasury not otherwise appropriated.

The order was given a passage in concurrence.

From the House: Resolve in favor of Fred F. Lawrence for services to the committee on taxation.

On motion by Mr. Butler of Franklin, the rules were suspended and the bill was given its two several readings, and was passed to be engrossed in concurrence.

From the House: Majority and minority report of the committee on taxation on An Act to amend Chapter 9 of Section 13 of the Revised Statutes of 1916, relating to taxation of corporate franchises.

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

On motion by Mr. Deering of York, the majority report, ought not to pass was accepted in concurrence.

From the House: The committee of conference on the disagreeing action of the two branches on H. D. 644, An Act prohibiting the sale or giving away of air rifles to children under 14 years of age.

On motion by Mr. Marshall of Cumberland the Senate voted to reconsider the vote whereby this bill was passed to be engrossed.

On further motion by the same senator House Amendments A and B were adopted in concurrence, and the bill as amended was passed to be engrossed in concurrence.

Mr. GILLIN of Penobscot: Mr. President, I hope that when we get to the act to regulate motor vehicles that

the secretary will call our attention to it. That is a matter that no one has paid any attention to. I was telephoned to from Bangor last night in regard to it.

Final Report.

The joint standing committees on mines and mining submitted its final report.

From the House: An Act to amend Chapter 295 of the laws of 1915, relative to compensation for employes for personal infirities.

The PRESIDENT: There have been two committees of conference on this bill, and they could not agree. The House has appointed a third committee.

On motion by Mr. Davies of Cumberland the Senate voted to adhere to its former action.

From the House: The committee of conference on the disagreeing action of the two branches, on An Act to establish a Land Loan Commission of Maine, and to authorize the investment of certain moneys now on deposit in the State treasury and known as the reserved land fund, reported that the bill ought to pass.

The report was accepted in concurrence.

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

On motion by Mr. Lord of York, the Senate voted to reconsider the vote whereby this bill was indefinitely postponed.

On further motion by the same Senator the bill was read twice under suspension of the rules, and was then passed to be engrossed in concurrence.

On motion by Mr. Grant of Cumberland, the secretary was authorized by vote of the Senate to make certain correction of clerical errors in An Act to amend Section 45 of Chapter 117 of the revised Statutes, increasing the amount to be paid for clerk hire in the office of the clerk of courts for Sagadahoc county.

Mr. BARTLETT of Kennebec: Mr. President, I rise to a matter of personal privilege.

A few days ago, the honorable senator from Knox, Senator Butler, in most eloquent and in most fitting words expressed to you the appreciation of the members of this senate for you, and I know that every senator agreed most fully with everything that the honorable Senate has said.

The members of the Senate feel that this time should not pass without some token being sent to her who awaits you on your return home. We have been together 14 weeks and we expect to depart to our homes today, and give up this comradeship which has been very pleasant during all that time, and in behalf of the members of the Senate I wish to give to you, to carry to her, this token from the members of this Senate. (Applause).

We regret that she could not have been here so that we might have said it to her in person. But may you carry it to her with the good wishes of every member of this Senate, and may the future for you and for her have all that is best in life.

The PRESIDENT: The Senator from Kennebec, Senator Bartlett, and fellow senators: On behalf of her who is not present, but whom I would very much like to have here at this time, I accept this tribute and this remembrance, and I assure you that on her behalf I appreciate it from the bottom of my heart. This world would be a very dreary and cheerless place to live in if we did not have our wives, our sweethearts, with us. If there is anything in the world which makes this place pleasant and agreeable, it is love. Poets have written about it, orators have declaimed about it, ministers have preached about it, and once in a while some man has cursed about it. Nevertheless, there is no more powerful influence for good in the world than that relation which binds the sexes together.

I may say that in our social relations of this session of the Legislature—I have happened to be here at various sessions and in varying capacities, but I think that I never enjoyed myself so

much socially at any session, and I know that Mrs. Bailey has expressed the same several times, and I am very glad at this time to express the appreciation of myself and of Mrs. Bailey for the courtesies and kindness shown her at the various places where we have met for social intercourse and for recreation. I very gladly bear this token to her and I assure you that it will be very much appreciated and very much cherished. (Applause.)

From the House: An Act to establish the legal length of lobsters in York, Cumberland and Lincoln.

Mr. DEERING of York: Mr. President, I move that the reports be tabled pending the acceptance of either.

Mr. PEACOCK of Washington: Mr. President and fellow senators: I hope in voting for this that you will not accept the minority report. You perhaps remember that last Tuesday we discussed the measurements of lobsters very fully and our distinguished senator from York at that time advocated that we should pass a double gauge law whereby we could conserve the large lobsters, the seed lobsters.

Now today we are considering what I claimed at that time was nothing more or less than a nine-inch law and I hope that the senators will not vote to accept this nine-inch law.

The PRESIDENT: The pending question is on the motion of the senator from Washington, Senator Peacock, that the majority report of the committee be accepted. It came over as unfinished business from yesterday.

A viva voce vote was had, and the Chair being in doubt, a rising vote was taken. Twelve senators voting in the affirmative, and nine in the negative, the majority report, ought not to pass, was accepted.

Mr. WOOD of Hancock: Mr. President, I rise partially to a question of personal privilege. At the interruption when the storm broke last night, I was trying to second Senator Peacock's motion in regard to the acceptance of the commission for sea and shore fisheries. As I rose and grasped this match-

less gun, I was reminded of Eugene Field's beautiful poem:

"The little tin soldier is red with rust
And his musket moulds in his hand."

I am about to leave on the 12.06 if possible, Mr. President, although I want to leave no duty undone that I may help perform. I have a rather confused memory of attempting last night to second this motion, as I was a member of the committee on sea and shore fisheries and the matter was gone into very fully. My continuity of thought was somewhat disturbed, and I recall visions of guns and medals and marching men and ribaldry and song. Mr. President, if I do not adhere entirely to the subject, I may not have got straightened out since last night. But at the moment when the seditious insurrection from the other end of the building was sprung upon us, or, in the language of the poet, when H— broke loose, I think that was the situation that we were in. We were somewhat disturbed by the great noise from the overflow from the house, which swept down on us as did the Assyrian of old like the wolf on the fold. In the facetious mood which seemed to possess the thoughtless last night, when the ambient air was filled with raucous noise, I had intended to use a Biblical injunction, slightly paraphrased, and particularly applicable to those western counties "of the State of Maine, fellow senators." Look not upon the nine-inch lobster when it is red, when it giveth its color in the cauldron, for at the last it stingeth like the Baxter amendment and biteth like the Luther Maddocks dogfish.

But now in the cold gray dawn of the morning after, when we have resumed man's estate and put aside childish things, I wish to address myself in all seriousness to the importance of this commission. In the passing of this law—I had intended to say something in the presence of my distinguished friend, Senator Butler, but if we ever have to have a Democratic Governor I commend him to his fellow Democrats as proper material, and if I were going to be defeated I should as lieve be defeated by Senator Butler as any Democrat that I know—I mean my party,

I have no aspirations for the governorship personally—but in his absence I am going to refrain from saying it.

I do want to say, however, that for the 14 weeks that we have been here, as Spartacus said "amid the blood and dust of the arena," we have hardly heard politics mentioned and the members of the committee on sea and shore fisheries have hardly known who were Democrats and who were Republicans with the exception of this measure, and this it was clearly understood was an administration measure. We had heard at various meetings of the ill effects of the present law and the want of enforcement of it, and the entire lack of enforcement so it had become almost a disgrace, not under any one administration but simply the method in which this law was non-enforced. We had heard that from time to time. The governor had asked for it—in the presence of Senator Butler I meant to have said something about politics, I don't want to say it now—I don't want to be led around by any man with a ring in my nose, not even by the Governor, but he has not tried to. He is the man that the Republican party looks to as the responsible head of the party and he promised the people to do certain things and he is trying like the man that he is, every inch of him, to do this, and he asked this committee to give him some power whereby he believed he could better enforce the law. And he asked for this commission, and most cheerfully those members who were party men desired to give it to him. I certainly believe it is a party measure. It is an administration measure. It was so regarded in the committee and ought to have the support of every loyal Republican. I thank you.

On motion by Mr. Davies of Piscataquis a recess was taken until 12 o'clock.

After Recess

The Senate called to order by the President.

From the House An Act to amend Section 16 of Chapter 59 of the Revised Statutes relating to the compensation of steamboat inspectors.

In the Senate this bill was passed to be engrossed as amended by Senate Amendment A.

The House passed the bill to be engrossed, but rejected Senate Amendment A.

Mr. CHICK of Kennebec: Mr. President, I move that we recede and concur with the House.

Mr. HIGGINS of Penobscot: Mr. President, I rise to a point of inquiry. I would like to ask the senator from Kennebec, if we recede and concur with the House, if that does not increase the salary without making any provision therefor.

Mr. CHICK: Mr. President, it leaves the bill in its original form.

I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. DAVIES of Cumberland: Mr. President, I do not care to depart from these surroundings without expressing my sense of appreciation and gratitude to the secretary of the Senate for his very efficient and painstaking work during this session of the Senate. We are all under a great deal of obligation to him for his many courtesies and for the unusual ability which he has displayed in handling the great amount of work which has come before this body.

I desire to extend too, Mr. President, our thanks to the assistant secretary of the Senate, who has co-operated with him most ably and most efficiently.

And I desire, Mr. President, further, to extend the thanks and gratitude of the Senate to Charles Lovejoy, our esteemed friend and fellow worker, whose name is synonymous with long, able, patient service and exemplary conduct.

I desire to thank too, the doorkeeper of the Senate who has always been on the lookout for us whether coming or going, and has generally had a kind and courteous words for each one when he passed by him, I extend thanks too, Mr. President, to the assistant doorkeeper of the Senate, who under stress of circumstances has been willing to leave his place and to do favors for us. He has done our errands. He

has assisted us, myself particularly, not a little with advising council in regard to matters in the Senate which I know little or nothing about.

Heartily do we wish them all well, and may the future bring them only brimming measure of the things which go to make life sweet. (Applause)

The PRESIDENT: The Chair acknowledges the remarks of the senator from Cumberland and wishes to thank all of those who have worked with us to make the Senate a success and to make the people of the State of Maine satisfied with our work. And it will be entered upon the records.

From the House: An Act relative to the operation of traction engines, motor and other vehicles upon highways and bridges.

In the Senate this was passed to be engrossed as amended by Senate Amendment A.

In the House it was indefinitely postponed.

Mr. HIGGINS of Penobscot: Mr. President, I move we recede and concur with the House.

The motion was agreed to.

From the House: An Act to amend Section 32 of Chapter 9 of the Revised Statutes, relating to the taxation of street railroad corporations.

In the House the report of the committee was accepted, and the bill was then indefinitely postponed.

On motion by Mr. Merrill of Somerset, the bill was indefinitely postponed in concurrence.

Passed to be Enacted.

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

An Act to create the Auburn sewerage district and transferring to it the sewer system of the city of Auburn.

An Act to amend Sections 10, 17 and 18 of Chapter 35 of the Revised Statutes, relating to the importation of horses and cattle and also the testing of pure blooded cattle to be sold for breeding purposes.

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.

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

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.

An Act to amend Section 36 of Chapter 45 of the Revised Statutes, relating to the purchase, marking and liberating seed lobsters.

An Act relating to the operation of motor vehicles.

On motion by Mr. Davis of Piscataquis, a recess was taken until 2.30 o'clock this afternoon.

After Recess

Senate called to order by the President.

Communication from the House.

To the Senate of the State of Maine:

The Governor of the State of Maine having returned to the House of Representatives the bill entitled An Act to amend Section 76 of Chapter 45 of the Revised Statutes, relating to smelts, House Document 520, which was passed to be enacted in the House March 28, and passed to be enacted in the Senate April 5, with his objections to the same.

The House preceeded to reconsider the vote whereby the bill was passed to be enacted, as is required in such cases by the Constitution of the State of Maine, and, less than two-thirds of the members of the House of Representatives having voted that the bill become a law notwithstanding the objections of the Governor, the bill failed of having a passage and failed to become a law.

(Signed) WILLIAM R. ROIX,
Clerk of House.

Placed on file.

From the House: An Act to establish the legal length of lobsters in York, Cumberland and Lincoln counties.

The Senate accepted the majority report of the committee, ought not to pass. The House accepted the minority report, ought to pass, and passed the bill to be engrossed.

On motion by Mr. Ricker of Hancock, the Senate voted to adhere to its former action.

Passed to Be Enacted

An Act to provide for the recording of discharge of attachments by registers of deeds.

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.

An Act to provide for the transfer to the reformatory for women of women serving sentences in the State prison, any county jail or house of correction.

An Act relating to qualifications of judges of municipal courts or police courts.

An Act to amend Section 23 of Chapter 115 of the Revised Statutes, granting jurisdiction of poor debtor disclosure matters to the municipal courts.

An Act to regulate motor vehicles as common carriers. (Tabled on motion by Mr. Gillin of Penobscot.)

An Act to amend Section 55 of Chapter 36 of the Revised Statutes relating to the amount to be expended by the insurance commissioner in investigating fires.

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

An Act to authorize the county of Aroostook to enlarge and repair the court houses at Houlton and Caribou n said county.

This bill carrying an emergency clause, was passed by a vote of 23 senators in favor and none against, to comply with the law in regard to emergency measures.

Resolve relating to pay for National Guard and Naval Reserves of the State of Maine.

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

Resolve in favor of Mary S. Hillman.
Resolve in favor of Rena Cooley.

Resolve in favor of certain employees of the House of Representatives.

Resolve, in favor of the official reporter of the House for services of assistant reporter, typewriter operator and additional assistance in the preparation and completion of the Legislative Record, including installation and rental of dictating machines.

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

Resolve appropriating money to pay Ethel M. Wade, stenographer and typist to the clerk of the House.

Resolve in favor of securing plans for a State library building.

Resolve in favor of improvement of the navigation of the Fish River lakes in the county of Aroostook.

Resolve proposing an amendment to Article 7 of the Constitution relating to military.

This resolve carrying an emergency clause, was passed by a vote of 23 senators in favor and none against, to comply with the law in regard to emergency measures.

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

This resolve 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.

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

This resolve 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.

On motion by Mr. Davies of Cumberland, it was

Ordered, the House concurring, that the State librarian be directed to mail a copy of the Legislative Record, for each day that it has not already been delivered on the desks of the members, to their respective homes; and the money therefor to be taken from the library fund.

Sent down for concurrence.

Mr. HIGGINS of Penobscot: Mr. President, I would like to introduce out of order the supplementary appropriation bill. I move that the rules be suspended, that it be given its two readings at this time.

The motion was agreed to and the bill, An Act appropriating money for the expenditures of government and other purposes for the year 1917, was read twice, under suspension of the rules.

Mr. MERRILL of Somerset: Mr. President, I would ask to have the bill read. I would like to know what it is.

Mr. HIGGINS: Mr. President, I may say for the information of the senator that the appropriation bills for 1917 and 1918 came up as matters in the budget. These bills cover all matters that have passed the Legislature, resolves and acts carrying money, since the introduction of the first appropriation bills. This is the usual supplementary bill that goes through each session of the Legislature.

Mr. MERRILL: Mr. President, that is satisfactory.

The bill was then read twice and was passed to be engrossed.

Sent down for concurrence.

Mr. Higgins then presented the following bill and moved it be received and receive its two several readings under the suspension of the rules:

An Act appropriating money for the expenditures of government and other purposes for the year of 1918.

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

Sent down for concurrence.

Passed to Be Enacted

An Act to revise the military law.

This bill carrying an emergency clause, was passed by a vote of 23 senators in favor and none against, to comply with the law in regard to emergency measures.

An Act to provide for the organization of the Maine Home Guard during the continuance of the war with Germany.

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 to provide for State pay for soldiers and sailors in the volunteer service of the United States.

This bill carrying an emergency clause, was passed by a vote of 23 senators in favor and none against, to comply with the law in regard to emergency measures.

An Act to provide for the appointment of special deputy sheriffs.

This bill carrying an emergency clause, was passed by a vote of 23 senators in favor and none against, to comply with the law in regard to emergency measures.

An Act authorizing the taking of lands for forts and other purposes.

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.

Mr. GILLIN of Penobscot: Mr. President, do I understand that it is in order to take up the act to regulate motor vehicles as common carriers which I laid on the table a few moments ago.

The PRESIDENT: The Chair will so hold.

Mr. GILLIN: Mr. President and Senators, I read this over last evening. I did not wish to say anything further relative to it at the present time except that I think from a perusal of it, it is a measure that ought not to become a law, and I, therefore, move for its indefinite postponement.—An Act to regulate motor vehicles as common carriers.

Mr. DAVIES of Cumberland: Mr. President, I think there is a good deal of merit in the bill. I think the time has come when it is necessary for the State of Maine to regulate motor vehicles which are used as common carriers. The motor vehicle has its use and it also has its abuse, and the so-called automobile or bus has been used in a way that is abusive to interests which the Legislature should protect.

Let me give you briefly a little local illustration. I, as you all know, live in the town of Yarmouth, and the Cumberland County Power & Light Co. operate its electric line between the city of Portland and that town and operate it of course, Mr. President, during the entire year. Beginning the first of June or thereabouts, there comes into competition with the Cumberland County Power & Light Co. between Portland and Yarmouth the operation of a line of jitney buses so-called, which carry perhaps 30 passengers, and run about on the same schedule as the electric cars of the Cumberland County Power & Light Company. They make their schedules so as to run just a little in advance of the electric car so that they may pick up all the passengers which happen to be waiting at the moment for the car and they terminate their service into Yarmouth at the waiting room of the Cumberland County Power & Light Co. I have seen, Mr. President, myself the jitney bus stop in front of the waiting room of the Power & Light Company, take every single passenger there waiting for a car, and turn about and go to Portland, and when the electric car comes it has absolutely no passengers. Now in returning they also return just a little in advance of the electric car so as to pick up what passengers they can between Yarmouth and Portland.

It occurs to me that the Cumberland County Power & Light Company pay their taxes in Yarmouth. The jitney bus company pays nothing. A large number of employees on the system live in Yarmouth and contribute to the social and industrial life of the town, while the jitney bus company has no one who lives there.

But that is by no means all. As soon as the frost begins to touch the ground, the jitney bus is gone. The cream of the transportation of passengers, the cream at Yarmouth and Portland has been taken. Now, then, it becomes necessary for the electric company to operate their cars all through the winter, and without any exaggeration at all during the latter part of December, January and February, at a loss. Is that a fair proposition? Are they not entitled to some regulation for this competition?

And that is exactly what this bill provides for, Mr. President. There may be certain conditions different from these which I have outlined here conditions existing in other parts of the State, but generally speaking—and it is a general proposition that the Senate is asked to deal with—it is a private competition which should not be allowed.

Mr. GILLIN: Mr. President, may I ask the distinguished senator from Cumberland before what committee this was heard.

Mr. DAVIES: It was heard before the public utilities committee. I don't happen to be a member of it but it was advertised very freely and the report of the hearing was probably in every paper in the State of Maine that I saw. Various people appeared in favor of it and various people appeared against it, and the committee sent it in on a unanimous report on a new draft.

Mr. GILLIN: Has this ever been printed?

Mr. DAVIES: It has to be printed to be in the form that it is before you now.

Mr. GILLIN: Is it printed so that anybody has ever seen it? Can you find it in any of your files, this bill that I hold in my hand?

Mr. DAVIES: It has to be printed to be on its passage to be enacted. Just a moment and I will look it up for you.

Mr. GILLIN: You need not bother looking for it. Has it been printed, Mr. Secretary?

The SECRETARY: The new draft has not been printed.

Mr. GILLIN: That is as I said it, and the new draft has never been before any committee of this Legislature, and this bill that I hold in my hand has never been printed.

Mr. DAVIES: Just a minute, Mr. President, I don't see how the bill comes in this form if it has never been printed.

Mr. GILLIN: This is a new draft.

Mr. DAVIES: How can the bill be on its passage to be enacted and not be in print?

Mr. GILLIN: I don't know.

The PRESIDENT: It has to have a printed copy to be enacted.

Mr. GILLIN: No copy has even been printed or distributed or put in any book on our desks of this bill before me. Has there been? If so, find it. I will give you time.

Mr. DAVIES: What's the number of it?

Mr. GILLIN: I don't know.

The SECRETARY: The original draft is No. 559, but this new draft has not been printed as a document. It is simply in engrossed form.

Mr. DAVIES: It is No. 559.

Mr. GILLIN: I know the other one, but this one never has been printed, and this bill in this draft, as I am informed credibly now—I have established one fact, that this bill has never been printed except in that copy up there and this is a copy from that. I have also established another fact by inquiry that this bill as it now is has never been printed so that we could read it in our books, but it has never had a hearing before a committee in its present form. And I also took the trouble to have members of the Legislature look that fact up today.

Mr. DAVIES: Good for you.

Mr. GILLIN: Now let us take Section second. In the first place this bill makes any motor vehicle, including a car that carries ten persons anywhere subject to Section second, as I look at it, and it is a most drastic measure, and it is no laughing matter.

Furthermore, than that, I wish to say that the gentlemen who own jitneys I have no interest in, but they are also citizens of the State of Maine. They are also citizens of Portland and citizens of Yarmouth, and while they do not pay excise tax they pay poll tax and the pay individual tax and they pay tax upon their jitneys. If you are going to put them under Section second why not put the other common carriers under Section second so that

they will have to put up a \$2500 bond in order to carry people in our cities or our states?

The act is marked on its face as in the interest of electric roads in Portland from whence the bill originated, and no other place; and nobody in the State of Maine has asked for it, and nobody in the State of Maine has asked for it, and nobody in the State of Maine is interested in it except as enunciated by the distinguished senator, the electric roads of Portland, who are in exact opposition to these jitney carriers in Portland, and about whom I do not care a jot or tittle. But I do care about the other citizens in the State of Maine who may run automobiles and who may want to carry ten people as they do up through our different sections of the State to circuses, down to our fairs and other places.

Now here is Section 2. "Whenever said commissioner shall decide to allow the operation of said motor vehicle"—that means simply a car, a motor car, it means even a Ford automobile—"for any such purposes"—that is, of carrying anybody, passengers, anywhere, here is what they are going to do with them—"they shall also determine and fix upon a bond with good and sufficient sureties or surety to be approved by them, and deposited with the State treasurer, conditioned that the person or corporation issuing the same shall be directly liable for and shall pay all damages, not exceeding \$2500 to any one person, that may be recovered against the operator or owner of the motor vehicle." They fix the amount of damages in the bill. I wonder how one of their electric roads in Portland would like to have us put in a bill requiring that their damages be fixed—"by reason of the negligent use and operation of such motor vehicle. All such bonds shall be numbered and all vehicles covered by such bond shall have the corresponding numbers with the words 'bonded carrier' affixed to both sides of such vehicle."

Now the purpose of that bill is to put the jitneys in the State of Maine entirely out of action. But it does not stop there. All through the northern sections of my county there are men who own automobiles, and they are

carrying passengers just as I have said down to our fairs, down to our cities and being paid for it, men who have bought their automobiles and paid for their automobiles, and pay taxes on their automobiles and now under this bill they are to become common carriers, they are to be put under your Public Utilities Commission and go through all this red tape.

Look at the amount of litigation that second section might breed, if anyone gets the slightest injury or hurt, and the measure of damages is \$2500. I say to you my fellow senators, that I am not interested in the jitney, neither am I interested in the electric road, enough to vote on such a drastic measure as that which will kill—and that is the purpose of the bill—every single jitney bus in the State of Maine.

I wish to go on record as absolutely against it and I repeat that the bill has never been heard before any committee in this Legislature as now drafted and before me. I repeat it, that a copy of it has never been printed as it is now being passed, Mr. President, except the original print from which this is a copy, and you cannot find it in these books. A measure of that kind and of that magnitude to be passed in our State. I know of man after man who has a right, licensed by our city under our city law and regulation to run their jitney buses through our cities and out into our districts, and it may be so in every other town and city, and not one of them knows of this bill, and I didn't know of it, until someone called by attention to it, some representative in the House.

I think, fellow senators, that no such law as that should be put upon the statutes of the State of Maine and I hope and trust you will not do it.

Mr. LORD of York: Mr. President, I just wish to make a statement or two in regard to this bill, to correct some erroneous impression that the senator from Penobscot seems to have in his mind.

This was a bill that was heard before the public utilities committee. There were a number of people appeared in favor of it and representatives from Sanford, some from York, some from Portland; there was also one at-

torney, Judge Swett of Sanford, who appeared in opposition. This was the difficulty that it was intended to remedy: In a number of instances, I think one occurred in the town of Sanford, a party came in from Massachusetts and run a Ford car for 29 days, taking the passengers of the Atlantic Shore Line between Sanford and Springvale and running on a schedule similar to the one which was referred to by the gentleman from Yarmouth stopping before the waiting room of the Atlantic Shore Line, starting a minute before the cars and so taking the cream of the business. This continued for 29 days, and then they returned to Massachusetts. The State of Maine received nothing in the way of license fees, tax or anything else. It appeared in the hearing that it was a common practice in York to parallel the most crowded sections of the railroad in the same way. People came in that were irresponsible. Nobody know where they were from or anything about it. There are also residents in some of the sections that are conducting this business. The opponents did not object to the provisions of giving bonds for security in case of accident. There had been some cases where in case of an accident there appeared to be nothing, the automobiles were mortgaged and there was simply no responsibility behind them.

Now this bill was drawn in a new draft with the idea of meeting the objection of the opponents of the original bill and there was a very full hearing that occupied something like two hours on the matter. As far as the damages being fixed, I think that if the bill is read carefully that we simply have security for any damages up to an amount of \$2500. It is also provided that any in cases where ten persons, corporations, or firms, aggrieved petition the public utilities are the regulations established. It was intended to take care of this unfair competition.

Mr. MERRILL of Somerset: Mr. President and fellow senators, taking into consideration the laws of the State of Maine, we are not allowed to run another line or parallel another railroad

within a certain number of miles. Now what is that for? Why don't the State of Maine grant to anybody and everybody license to run a trolley line within 40 rods of each other right through the same country? It is because when they grant the one party the right of franchise for a road running through a section that the granting of another paralleling it will destroy the value perhaps of both of them.

Now this measure seems to me to be something of that character. Are the railroads, the trolley lines, the electric roads from Portland to Yarmouth and many other places—they have gotten their franchises from the State, they have built their roads, they have put out their money and now comes what? Comes the jitney car and follows right along to the very station of these trolley lines whose money has been invested, whose bonds are owned by the widows and orphans of the State of Maine, by the savings banks of the State of Maine, and they come along and start as has been related here, a minute before the trolley car leaves the station. They take the cream of the work through the hot season, through the busy season of the travellers along these lines.

It seems to me that it is not fair to the corporation which owns the trolley line. The learned senator says this originates with the owners of the trolley lines. I should be inclined to think as he does, that it was that way, for their protection. Why shouldn't they come to this Legislature and ask for something that is in their favor? They would not ask for it if it was not in their favor and I assume that the trolley line did that. I assume that they are the ones that are behind the bill. But isn't it right that they should have it? The example has been given from the Senator from York that there was a jitney car came into Massachusetts, stayed 29 days and every day, and every hour of the day, it was just about a minute or two ahead of the trolley line car leaving its depot for another. Is that right? Is it a fair competition and should we maintain the laws of the State of Maine and protect the property of the State of Maine

and protect the property of the State of Maine against such competition?

I hope, fellow senators, that you will see it in the same light that I do.

Mr. RICKER of Hancock: I am very much interested in this matter. It seems to refer only to the trolley lines in Cumberland county, possibly, York county. I was wondering how it would affect the cars that travel from Bar Harbor to Bangor. They parallel the Maine Central Steamboat line and the Maine Central Railroad. In Bangor, they parallel in many cases the trolley line, and I have not heard any complaints from those people as to the damage the automobiles are doing there. In fact, take the section of the State which I represent, Hancock county, also in Washington county and Penobscot county, it seems to me that a bill of this sort would be very poor legislation to place on the books. I cannot see anything but harm in it. I am certainly against it and I know the people from my whole section are.

Mr. GILLIN: Mr. President, now the question has taken definite form, I wish to state and be corrected if I am mistaken—first, to reiterate that there never was any hearing on this bill before any committee in this legislature as now drawn and before us, and ask the distinguished Senator Lord if it was not on another bill which is printed and in these books, and is this is not a new draft upon which no hearing was ever had? I want to find out before I go further.

Mr. LORD: In reply to that question I will simply say that the hearing was on the original bill and as a result of this hearing a new draft was drawn to meet the views of the committee, as the new drafts are usually drawn that come in.

Mr. GILLIN: Then I was correct in my statement. I state to you, my fellow senators, that on this new draft which the committee drew there never was any notice given, and I reiterate it, and now the distinguished senator has admitted it, so that I was right on that. Now I am glad that the distinguished Senator Merrill has shown the

real issue here, and has frankly admitted that his bill ought to be labelled a bill to be placed upon the statute books of the State of Maine to put everybody who has a motor car with which he is carrying passengers, out of business. And the distinguished senator has very frankly admitted that it was drawn by the railroads, for the railroads, in the interest of the railroads against everybody else. So there are two things I was right in in my original statement.

I am sorry that we are taking this up at this late hour, when our seats are empty by the departure of our senators, but I hope and trust that when they admit, and they cannot get away from it now, that this is a law for the sole purpose, and that alone, of putting out of action any jitneys unless they comply with that such a law does not go upon the statute books of the state.

Now, as I said in the opening, I have no interest whatever in it, and I do not disagree for one moment with my Brother Merrill, the distinguished senator, when he says that it was made in the interests of the railroad, and when you come to put out of action a number of cars, Mr. President, that are in Hancock county, in Penobscot county, in Piscataquis county, and in all the other counties of the State, it seems to me it ought not to be done.

Mr. MERRILL: Mr. President, the learned senator from Penobscot is not perfectly correct in his premises, and when you start out in the wrong premises you are liable to come to wrong conclusions. He says that the Senator from Somerset admits that this was drawn by the railroads, and in their behalf, and so forth and so on.

Mr. GILLIN: That is as I understood it.

Mr. MERRILL: I stated that I did not know by whom it was drawn, whether by the railroads or not, but as I considered it I was willing to look upon it as though drawn in the interests of the railroads. Now I do not know whether it was or was not. I do not know who drew the bill. And then my brother senator goes on further and says with a great deal of force that

this bill was never before any committee.

Mr. GILLIN: The new draft.

Mr. MERRILL: I say to you, Mr. President and fellow Senators that I consider that this bill has been before a committee and fully heard, and like hundreds of other bills that we have passed upon during this session. The bill was heard by the committee. The parties interested came in. And the committee voted ought to pass in a new draft. There are hundreds of bills that have thus passed this legislature and gone through this senate this very term. So that all the noise that is made about this bill never having been heard by any committee is all wind and nothing else.

Mr. DEERING of York: Mr. President, there seems to be quite a lot of difference of opinion on this particular bill. In order that the senate may understand the way it is going to work I will read the first section of it. Section 1 says: "The Public Utilities Commission shall, upon written complaint made against any person, firm or corporation operating any motor vehicle upon any public street or way for the carriage of passengers of freight, or both, for hire, by ten persons, firms, corporations or associations aggrieved thereby after reasonable notice and hearing, determine and fix the terms and conditions and make all rules and regulations under which said motor vehicle may be so operated."

Perhaps there may have been some few changes in the bill from the time it was first presented to the committee to the time the new draft was drawn. The principal, the only change that I remember, is that it was changed so that it would not hit everybody that carried a passenger from Bangor down to the fair grounds, from one place to another like that, but would hit people who operated upon a regular schedule.

The Public Utilities Commission has received power from the State of Maine to regulate the railroads of Maine, and they have received power from the State to regulate the electric railroads of Maine and all the water companies and all the electric light companies and

all the great big companies that we have. It seems to me that that same commission car. safely be intrusted with the regulation of four or five Ford cars or such a matter from one point to another. If for instance a man should drive up to the waiting room of the Lewiston, Augusta & Waterville railroad out here in Augusta just a minute before the car started for Waterville and pick up all the passengers there were there to go to Hallowell and go down there, and before the next car came back go to the depot down there and bring all their passengers back again, it is easy to see that that automobile is coming into unfair competition with people that pay so much taxes.

This is just as good a bill for Bangor and Bar Harbor as it is for York Harbor, Portland or any other place. There is no particular hardship placed upon anybody. The fact that the man files a bond with the Secretary or State, or the State Treasurer, gives him the right to have on his car, "bonded carrier," and that is a good advertisement for any man to have on his car. He can get business if he is a bonded carrier. Because I do not know anybody who rides in those particular machines—some of them flabby and dilapidated—that are going to swap a leg for the price of one of them, and that is very often all that the fellow has that runs them. So I say the fact that he has a right to carry those words on the side of his car, that he is "a bonded carrier" is a good thing for his business, because people will ride with him when they would not ride with a man who was not a bonded carrier. It is not going to be hard work for a man who runs an automobile from Bar Harbor to Bangor if he is a good, respectable man to get a bond for \$2500. He has got to get it and file it with the Secretary of State if the Public Utilities Commission say so and then he can run his car back and forth from Bangor to Bar Harbor all he wants to, and the people who ride with him have confidence that he is a bonded carrier, that he is authorized to do business, and that he is a safe man to travel with. Nowadays somebody comes along in a dilapidated machine, and you get in with them, and

you don't know whether if they hurt you you can get any pay or not. I see no harm in this bill passing, and I believe that the bill ought to pass.

But there is one particular inconsistency, perhaps it may only be in the title, between this bill and the bill we have passed in regard to the seizure of automobiles which convey intoxicating liquors. In that particular bill which we have already passed, I think, I am not sure where it is, bills have an extraordinary way of disappearing,—but in that particular bill where we authorize the seizure of automobiles for carrying intoxicating liquors we have exempted common carriers, and so when we make these automobiles common carriers we exempt them from seizure for carrying liquors. Perhaps if the title of this bill were changed, it would cure that, but I do not know, because I find down in section two that the man shall have the words "bonded carrier" upon his car, and he does things that common carriers do, and I should fear that the courts might interpret this bill in a way that might make these people common carriers. It seems to me that we ought to harmonize the provisions of these two bills if we are going to pass them both, because we will certainly get into trouble with them if we do not. I suggest the matter lay in abeyance for a few minutes until some discovery can be made of the bill by which we confiscate automobiles for carrying liquor.

Tabled on motion of Mr. Deering.

Mr. GILLIN: Mr. President, I want a word of explanation—

The PRESIDENT: The Chair cannot hear any more discussion after the motion to lay it on the table.

Mr. DAVIES: I do not understand just what Senator Deering's position is, whether he wants to amend the title of this bill, or what he wants to do.

Mr. DEERING: My position is this; that there is some bill somewhere by which automobiles can be confiscated if they carry liquor and that bill exempts common carriers. Well now, if we make motor vehicles common carriers, we take the teeth all out of the confiscation of the automobiles.

Passed to Be Enacted

An Act to incorporate the Calais Water and Power Company.

An Act to amend Sections 40 and 42 of Chapter 45 of the Revised Statutes, relating to inspection and transportation of lobsters.

An Act to incorporate the St. Croix Water Company.

An Act amending Section 14 of Chapter 41 of the Revised Statutes, increasing the license fee for itinerant vendors.

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

An Act to amend Section 5 of Chapter 146 of the Revised Statutes relative to admittance and charges for patients at State Sanatoriums.

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.

An Act to amend Sections 1 and 22 of Chapter 69 of the Revised Statutes, relating to succession taxes.

Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements.

Mr. MARSHALL of Cumberland: Mr. President, last evening one of our colleagues received a call for service in the war against Germany and he forthwith reported for duty.

It seems fitting for the Senate to take notice of this fact and commend the action of this fine young man in some more fitting manner than a mere expression of his colleagues may be conveyed.

I therefore offer this resolution and move its adoption:

STATE OF MAINE.

In the year of our Lord One Thousand Nine Hundred and Seventeen.

Whereas the Hon. Roscoe T. Holt, Senator from the county of Cumberland, has been called into the naval service of the United States, and has answered the call of service,

Resolved that the members of the 78th Legislature commend his example

to the young men of the State of Maine and extend to him the appreciation of his associates in both branches and wish him a service of honor and distinction, and a safe return to the duties of civil life.

Mr. MARSHALL: I move the passage of this resolve, and ask that it be sent to the House for concurrence at once.

The motion was agreed to and the resolve was adopted by a rising vote of all senators present.

At this point a recess was ordered until 4 o'clock this afternoon.

After Recess

Senate called to order by the President at 4.25 o'clock.

Passed to Be Enacted

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, decreasing the salary of the recorder of the municipal court of Waterville, and providing for payment of the same by county of Kennebec.

An Act allowing dentists to employ women assistants who shall be known as dental hygienists.

An Act in relation to suits in court, the parties where to being in the military service of the United States, or of this State.

An Act to require certain vehicles to carry lights at night and to control the glare of head lights.

An Act to amend Section 45 of Chapter 117 of the Revised Statutes, and relating to clerk hire in certain Aroostook county offices and certain expenses of the Aroostook clerk of courts.

An Act to amend Section 76 of Chapter 82 of the Revised Statutes of Maine, relative to price of Maine Reports.

An Act to grant a new charter to the city of Auburn.

An Act to amend Section 10 of Chapter 99 of the Revised Statutes, relative to leases.

An Act to provide for the support of families of volunteers.

This bill carrying an emergency clause, was passed by a vote of 24 senators in favor and none against, to comply with the law in regard to emergency measures.

Finally Passed

Resolve in favor of the erection of a State sanatorium in the county of Aroostook for the treatment of persons suffering from tuberculosis.

The PRESIDENT: The Chair lays before the Senate, An Act regulating motor vehicles as common carriers.

Mr. DEERING of York: Question.

Mr. GILLIN of Penobscot: Question.

The PRESIDENT: The pending question is on the motion of the Senator from Penobscot, Senator Gillin, that the bill be indefinitely postponed.

Mr. GILLIN: Mr. President, I move that the vote be taken by a division.

The motion was agreed to.

Mr. HIGGINS of Penobscot: Mr. President, I am paired with Senator Swift. I vote yes, and he would vote no.

Mr. RICKER of Hancock: Mr. President, I am paired with the Senator from York, Senator Lord.

Six Senators voting in the affirmative and seven voting in the negative, the motion of the Senator from Penobscot was lost.

Mr. DEERING of York: During the recess, Mr. President, I consulted a lawyer and I now offer Senate Amendment A to this bill and move its adoption;

Senate Amendment A to H. D. 559. New Draft.

Amend H. D. 559, new draft, by striking out in the title everything after the word 'vehicle'. So that the title as amended shall read as follows: 'An Act to regulate motor vehicles.'

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

The PRESIDENT: The change to be made was a small clerical error and the secretary will make the change here.

(The change was made by the secretary.)

From the House: Ordered, the Senate concurring, that the board of state assessors be and hereby are directed to investigate and report on the advisability of imposing an excise, franchise or other tax on corporations, etc.

In the House this order was read and passed; in the Senate it was indefinitely postponed.

On its return to the House that body insisted on its former action and appointed a committee of conference.

(Upon request of Mr. Baxter of Sagadahoc, the president read the order.)

Mr. BAXTER of Sagadahoc: Mr. President, I see no valid reason why this order should not pass the Senate. I never have inflicted a speech upon the Senate, but I feel that I want to go on record that this measure in my opinion should pass.

I think we should recede and concur with the House, and I make that motion.

Mr. DEERING of York: Mr. President, I did not hear anything read that gave the state assessors any power they do not have now, and I do not know of anything that has happened since we had our action this forenoon that should change our action now.

I hope the Senate will not recede and concur.

The pending question being on the motion of the Senator from Sagadahoc, that the Senate recede and concur with the House, that Senator asked for the yeas and nays.

A sufficient number not arising, a viva voce vote was taken and the motion was lost.

The PRESIDENT: On account of the engrossing and printing department we cannot do any more business this afternoon, but it will be necessary to have an evening session to put through what is left, and the Chair hopes the Senators will stay to that evening session.

On motion by Mr. Marshall of Cumberland, a recess was ordered until 8 o'clock tonight.

After Recess

Senate called to order by the President at 8:30 o'clock.

Passed to Be Enacted

An Act to amend Section 72 of Chapter 82 of the Revised Statutes, increasing the annual appropriation for the attorney general's department.

An Act additional to Chapter 250 of the Private and Special Laws of 1911 granting to the Clark Power Company the right to extend its lines and the right to exercise the power of eminent domain.

An Act to amend Paragraph 6, Section 6, Chapter 10 and Section 10, Chapter 9 of the Revised Statutes, relating to the exemption of live stock from taxation.

An Act for the assessment of a State tax for the year 1918.

An Act to provide for conducting scientific investigation bearing upon the agriculture of Aroostook county.

An Act to incorporate Gould Electric Company.

An Act to amend Section 28 of Chapter 117 of the Revised Statutes, increasing the salary of the judge of probate for the county of Androscoggin.

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.

An Act for the assessment of a state tax for the year 1917.

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 regulating the keeping and sale of dynamite, powder and other explosives.

This bill, carrying an emergency clause, was passed by a vote of 21 senators in favor and none against to comply with the law in regard to emergency measures.

An Act to provide for the better defence of the State and for the discharge of its duties towards the national defence.

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 measure.

An Act to amend Section 2 of Chap-

ter 5 of the Revised Statutes relating to qualification of voters.

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

An Act to amend Section 34 of Chapter 55 of the Revised Statutes, relating to free transportation of firemen and policemen by Public Utilities.

Resolve authorizing the publication of automobile registration.

Resolve, for the pay of the chaplains and certain employees and for type-writing and stenographic assistance for the official reporter of the Senate.

Finally Passed.

Resolve continuing unexpended balance of appropriation provided by Chapter 321 of the Resolves of 1913, entitled "Resolve in favor of aid in the construction of a highway bridge across the St. John river between Fort Kent, Maine, and Saint Francis, New Brunswick.

Resolve to provide for the building of an armory at the University of Maine.

This resolve carrying an emergency clause, was passed by a vote of 23 senators in favor and none against, to comply with the law in regard to emergency measures.

From the House: The conference committee on the disagreeing action of the two branches, on An Act to amend Section 26 of Chapter 129 of the Revised Statutes, relating to wanton injury to books, pictures and statues, report that they were unable to agree.

The report was accepted.

The President declared a recess.

After Recess

Senate called to order by the President.

Mr. HIGGINS of Penobscot: Mr. President, I move that the secretary be instructed to correct a clerical error in An Act relating to the salary of the judge of probate for Androscoggin county.

This bill recites the amended act, and does not make the change which we

have already made by law in the salary to be paid in York county..

I ask that the Secretary make this correction of an clerical error, on suggestion, changing the words "thirteen hundred", to correspond with the facts.

The motion was agreed to and the secretary made the correction.

On motion by Mr. Deering of York, An Act to regulate motor vehicles, was recalled from the Governor.

Mr. GILLIN of Penobscot: Mr. President, I move that we reconsider the vote whereby this bill was passed to be enacted.

The motion was agreed to.

On motion by the same senator the bill was referred to the next legislature.

From the House: An Act to amend Section 16 of Chapter 7 of the Revised Statutes, relating to the manner of voting.

On motion by Mr. Burleigh of Aroostook the vote was reconsidered whereby the bill was passed to be engrossed.

On motion by the same Senator, House Amendment A was adopted in concurrence.

The bill was then passed to be engrossed as amended.

Passed to Be Enacted

An Act to create a commission of sea and shore fisheries.

An Act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making and repairing the same.

An Act to amend Section 18 of Chapter 45 of the Revised Statutes, relating to lobster licenses.

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

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

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 of-

ficers of real estate transfers." (Tabled on motion by Mr. Burleigh of Aroostook.)

An Act to amend Section 2 of Chapter 7 of the Revised Statutes of 1916 relating to the printing of ballots.

An Act to amend Chapter 127 of the Revised Statutes, to make plain the penalties imposed under certain sections thereof.

The President declared a recess.

After Recess

Senate called to order by the President.

Passed to Be Enacted

An Act to license and regulate the business of making loans in sums of \$300 or less, at a greater rate of interest than 12 per centum per annum, and regulating the assignment of wages or salaries given as security therefor.

An Act to appropriate moneys for the expenditures for the government for the year 1918.

An Act to amend Section 1, 2 and 3 of Chapter 141 of the Revised Statutes, better defining the duties and increasing the number of medical examiners.

An Act to amend certain sections of Chapter 148, of the Revised Statutes, relating to pensions for the blind.

An Act to amend Sections 49, 50, 51, 52, 53, 54, 56, and 57 of Chapter 64 of the Revised Statutes, relating to the protection of neglected children.

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.

An Act additional to Chapter 19 of the Revised Statutes, relating to care and treatment of certain infectious diseases.

An Act to prohibit the selling or giving away of air rifles to children under 14 years of age

Finally Passed

Resolve appropriating money to aid in screening lakes and ponds, and for other purposes.

Resolve on the pay roll of the House of the 78th Legislature.

Resolve on the pay roll of the Senate.

On motion by Mr. Burleigh of Aroostook, 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, was taken from the table, and on further motion by the same senator was passed to be enacted.

The President declared a recess.

After Recess.

Senate called to order by the President.

Passed to Be Enacted

An Act to amend Section 16 of Chapter 7 of the Revised Statutes, relating to manner of voting.

An Act to amend Chapter 319 of the Public Laws of 1915 entitled "An Act to provide for State and county aid in the construction of highway bridges.

Finally Passed

"Resolve proposing an amendment to Section 3 of Part 1 of Article 4 of the Constitution, in regard to the apportionment of representatives in the event of merger of towns and cities. (18 senators voting in the affirmative and none opposed to resolve, was finally passed.)

Passed to Be Enacted

An Act to permit savings banks to invest in certain railroad bonds.

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

An Act to authorize Fort Kent Electric Company, to erect and maintain a dam across Wallagrass Stream.

Finally Passed

Resolve in favor of Fred F. Lawrence for services to committee on taxation.

Resolve to provide for the payment of

telephone service for members during the present session of the legislature.

Resolve in favor of George Martin for services as clerk and stenographer of the committee on interior waters.

Resolve in favor of T. M. Rollins, mail carrier of the House of Representatives, for expenses.

Resolve for the memorial in honor of Major General Hiram G. Berry. (Indefinitely postponed on motion by Mr. Higgins of Penobscot.)

Resolve providing for certain State pensions.

Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

From the House: Resolve relating to the conservation of the storage reservoir and water powers.

On motion by Mr. Higgins of Penobscot it was

Ordered, that a message be sent to the House of Representatives informing that body that the Senate had transacted all business before it and is ready to adjourn without day.

Senator Higgins was appointed to convey the message to the House.

Subsequently he reported that he had delivered the message with which he was charged.

Message from the House

A message was received from the House conveyed by Mr. Bessy of Clinton informing the Senate that the House had transacted all business before it and was ready to adjourn without day.

On motion by Mr. Burleigh of Aroostook it was

Ordered, the House concurring, that

a committee of three on the part of the Senate with such as the House may join be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted upon all matters before them and are ready to receive any communication he may be pleased to make.

The President appointed on such committee on the part of the Senate Messrs. Burleigh, Deering and Bartlett.

Sent down for concurrence.

Subsequently the committee retired and upon their return to the Senate the chairman reported that the committee had attended to their duty and the Governor reported that he would communicate with the Senate forthwith.

Communication from the Executive Department

To the President of the Senate and the Speaker of the House:

A list of the acts and resolves passed during the present session of the Legislature and approved by me, numbering 514 acts and 119 resolves, is hereby transmitted.

I have no further communication to make.

(Signed)

CARL E. MILLIKEN, Governor.

Mr. BURLEIGH of Aroostook: I move that we present to the President the gavel that he has used so faithfully and impartially during the present session.

The motion was agreed to. .

On motion by Mr. Merrill of Somerset the Senate finally adjourned without day.