

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

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1919

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AUGUSTA  
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**SENATE**

Thursday, March 13, 1919.

Senate called to order by the President.

Prayer by Chaplain Howard R. Sisson, U. S. A., 1st Division, 26th Infantry, of Island Falls.

The PRESIDENT: It gives me great pleasure at this time to present to you a former member of this Legislature, at the last session, who gave a most excellent account of himself in his services to his constituents. I have the great pleasure to present to you Chaplain Howard R. Sisson, U. S. A., 1st Division, 26th Infantry, of Island Falls. (Applause.)

(Chaplain Sisson thereupon addressed the Senate at some length, referring particularly to the methods necessary to be used in the burial of the dead upon the battlefields of France.)

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

**House Bills in First Reading**

H. D. 323: An Act to amend Section 21 of Chapter 83 of the Revised Statutes, as amended by Chapter 56 of the Public Laws of 1917, relative to temporary loans by the county commissioners.

H. D. 225: An Act to prohibit persons not duly authorized attorneys, firms, voluntary associations and corporations from the practice of law.

In the House this bill was indefinitely postponed.

Mr. DAVIES of Cumberland. Mr. President, inasmuch as the House seems to have such very positive views in relation to this bill I move that we concur with the House in its indefinite postponement.

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

H. D. 345: An Act to revise, consolidate and amend the charter and laws of the city of Augusta.

An Act to incorporate the city of Old Town.

(In the House this bill under suspension of the rules, without being printed was given its several readings and was passed to be engrossed. In the Senate, under suspension of the rules the bill was given its two several readings and was passed to be engrossed.)

An Act to authorize the city of Old Town to raise money for highway purposes by popular vote.

(In the House this bill under suspension of the rules, without being printed was given its several readings and was passed to be engrossed. In the Senate, under suspension of the rules the bill was given its two several readings and was passed to be engrossed.)

H. D. 228: An Act to amend Section 8 of Chapter 6 of the Revised Statutes, relating to ballots in primary elections and providing that the order of the names of candidates on said ballots be determined by lot. (Tabled pending first reading on motion by Mr. Butler of Franklin.)

From the House: Ordered, Senate concurring that all bills and resolves received after 4 o'clock, March 15, 1919, be referred to the next Legislature.

In the House this order was given a passage.

Mr. THOMBS of Penobscot: Mr. President and Senators, yesterday I presented an order in this body limiting the time for the introduction of bills to today at 4 o'clock, and the Senate graciously passed the order and it was sent to the other end of the corridor, and there it has been shelved, another order appears here this morning which has just been read. I have no disposition at all to quarrel with the House concerning this matter, being perfectly willing personally to stay here until all proper matters are disposed of. I do feel that whenever this order is agreed upon it might properly contain an exception so that there might be no doubt or trouble about drawing bills or resolves necessary to pay administration expenditures. My order yesterday morning included such a

clause, and I offer Senate Amendment A to the present order for that purpose.

Senate Amendment A to House Order

Amend said order by adding thereto after the word "Legislature" the following words "with the exception of such resolves as relate to the administration and expenditures of the present Legislature."

The amendment was adopted and the order as amended was given a passage and sent down for concurrence.

From the House: Ordered Senate concurring, that all bills and resolves introduced in the Senate and the House of Representatives after 4 o'clock of Tuesday, March 11, 1919, be referred to the next Legislature.

On motion by Mr. Thombs of Penobscot, this order was indefinitely postponed.

The following bills, resolves, etc., were presented and on recommendation by the committee on reference of bills were referred to the following committees:

#### Education

By Mr. Ricker of Hancock, An Act to provide for up-keep, equipment and extensions for the several Normal schools and the Madawaska Training school.

#### Placed on File

By Mr. Butler of Franklin, petition of Chauncey Clark and seventeen others favoring the passage of an act prohibiting the sale of cigarettes within the State of Maine.

#### Judiciary

By Mr. Thornton of Aroostook, An Act to amend Section 87 of Chapter 2 of the Revised Statutes relating to the State Auditor.

By Mr. Deering of York, An Act to provide for the attendance of witnesses before the Governor and Council.

#### Legal Affairs

By Mr. Gurney of Cumberland, An Act to amend Section 55 of Chapter 82 of the Revised Statutes relating to exceptions in civil and criminal cases.

By the same Senator, Resolve amending Chapter 109 of the Resolves

of 1917 relating to lists of automobile registrations.

#### Public Utilities

By Mr. Googin of Androscoggin, An Act repealing provisions of law relating to paving and construction of streets and highways and removal of snow therefrom by street railroad companies and conferring jurisdiction upon the public utilities commission.

By the same Senator, An Act to provide for the jurisdiction of the public utilities commission over certain motor vehicles.

(500 copies ordered printed of each bill.)

#### Taxation

By Mr. Googin of Androscoggin, An Act amending Section 32 of Chapter 9 of the Revised Statutes, relating to street railroad tax.

#### Bills in First Reading

S. D. 198: Resolve in favor of the Bath Military and Naval Orphan Asylum, for maintenance and other purposes for the years 1919-1920.

#### Reports of Committees

Mr. Emerson for the committee on appropriations and financial affairs, reported ought not to pass on An Act to provide for the employment of expert assistants to the board of State assessors.

Mr. Gannett for the same committee reported ought not to pass on An Act relating to the department of agriculture.

The reports were accepted and sent down for concurrence.

Mr. Parent for the committee on legal affairs reported ought to pass in new draft on resolve appropriating money for the public roads of Oxford county, in accordance with an act of Congress approved in 1908.

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

Mr. Parent for the committee on public health reported ought not to pass on An Act appropriating money for the inspection of public buildings of local boards of health.

The report was accepted and sent down for concurrence.

The same senator for the same committee reported ought to pass on

An Act relating to diseases infectious or contagious.

Mr. Butler for the committee on counties, on a communication from the secretary of State transmitting the county estimates from the various counties, reported ought to pass on Resolve for the laying of county taxes for the year 1919 and Resolve laying county taxes for the year 1920.

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

**Passed to Be Engrossed**

H. D. 41: An Act to amend Section 13 of Chapter 10 of the Revised Statutes relating to the assessment of taxes on personal property.

H. D. 139: An Act to amend Section 12 of Chapter 76 of the Revised Statutes concerning sale of estates of deceased non-residents or of minors out of the State.

H. D. 248: An Act to amend Sections 73 and 74 of Chapter 16 of the Revised Statutes and Section 75 of Chapter 16 of the Revised Statutes as amended by Chapter 67 of the Public Laws of 1917, relating to the classification of high schools.

H. D. 249: An Act to amend Section 85 of Chapter 16 of the Revised Statutes as amended by Chapter 229 of the Public Laws of 1917, relating to tuition paid by towns for secondary school pupils.

H. D. 267: An Act to amend the charter of the city of Calais providing for biennial elections.

H. D. 346: Resolve in favor of John G. Fleming, for building a highway in the town of Wiscasset.

H. D. 348: Resolve, providing a State pension for Caroline Davis.

H. D. 349: Resolve, in favor of Benjamin H. Varney, secretary of the committee on education.

H. D. 350: Resolve, reimbursing the town of Lyman for expenses on account of State paupers.

H. D. 351: Resolve, in favor of Elizabeth J. Pierce.

H. D. 352: Resolve in favor of the town of Brownfield, for damage done by dogs.

H. D. 353: An Act relating to sale of standing wood and timber on

islands within the limits of the Indian reservation of the Penobscot Tribe of Indians.

H. D. 354: An Act authorizing the American Realty Company to locate, erect and maintain piers and booms in the Aroostook river.

(On motion by Mr. Thornton of Aroostook, tabled pending second reading.)

H. D. 355: An Act to amend Section 4 of Chapter 40 of the Revised Statutes relating to the filing of examination questions with the State librarian for public reference.

H. D. 356: An Act to make valid municipal elections of the city of Rockland.

H. D. 357: Resolve, in favor of Alfred D. Sawyer.

H. D. 358: An Act to amend Section 127 of Chapter 87 of the Revised Statutes relating to affidavits of plaintiffs.

H. D. 359: An Act to provide for a draft, when necessary, to maintain the minimum number required by law for organizations of the National Guard in time of peace.

H. D. 365: Resolve, providing a State pension for Mrs. Alfred Polk of Lewiston.

S. D. 183: Resolve, providing for the payment of certain deficiencies that accrued prior to January first, 1918.

S. D. 184: An Act to amend Section 61 of Chapter 8 of the Revised Statutes relative to the Maine forestry district tax.

Mr. Gannett of Kennebec offered Senate Amendment A to Senate Document 184, the same being a preamble to the bill setting forth that an emergency existed and that an emergency clause should be carried by this bill, and moved its passage.

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

S. D. 185: An Act to amend Section 16 of Chapter nine of the Revised Statutes, relating to inventory of exempt live stock, etc.

S. D. 186: An Act to amend Section three of Chapter 253 of the Revised

Statutes, to provide for the collection of delinquent taxes.

S. D. 187: An Act authorizing the Clark Power Company to construct and maintain a dam or dams on Saco waters in the cities of Saco and Biddeford.

S. D. 188: An Act to supplement Chapter 29 of the Revised Statutes and to provide for the care of persons requiring full support, or more than temporary relief.

S. D. 190: Resolve, relating to payment of damages arising out of death of Edgar Chase Harnden.

S. D. 191: Resolve, to provide funds for vocational education.

S. D. 192: An Act to amend Section 86 of Chapter 16 of the Revised Statutes relating to returns from towns showing expenditure for high school tuition.

S. D. 193: Resolve, providing for the care, support and the medical or surgical treatment of dependents in or by certain charitable and benevolent institutions and organizations not owned or controlled by the State, and for other purposes.

(On motion by Mr. Grant the resolve was tabled and assigned for tomorrow morning.)

#### Passed To Be Enacted

Resolve, in favor of the University of Maine for maintenance.

Resolve, in favor of the national conference of commissioners on uniform State laws and of the commissioners from Maine for the promotion of uniformity of Legislation in the United States.

Resolve, in favor of Morrison Libby of Oakland.

(Tabled on motion by Mr. Thombs of Penobscot.)

Resolve, in favor of Ellie L. Stafford for teacher's pension.

An Act to amend Sections three and five of Chapter 37 of the Revised Statutes, regulating the sale of milk.

An Act to authorize the Northern Maine Seaport Railroad Company to merge with, and into the Bangor and Arostook Railroad Company.

An Act to incorporate the Steep Falls Water Company.

An Act to authorize the commissioner of agriculture to group the va-

rious bureaus and lines of work in the department of agriculture into divisions.

"An Act to amend the charter of Shepard and Morse Lumber Company."

An Act to amend Section 22 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 and 244 of the Public Laws of 1917, relating to the sale and purchase of certain protected fish.

An Act to incorporate the Island Falls Water District.

#### Finally Passed

Resolve, in favor of Harry S. Coombs for preparing sketches and estimates and attendance before Legislative hearings, making changes in said sketches and other expenses for the board of trustees for the Maine State School for Girls.

Resolve, in favor of the inhabitants of Scarborough, reimbursing them for expenses incurred in defence of suits for damage alleged to have been received upon the State highway in Scarborough.

Resolve relating to the erection of a free highway bridge across the Piscataqua river from some point in the county of York in the State of Maine to some point in Portsmouth, Rockingham county, New Hampshire.

#### Unfinished Business

The PRESIDENT: The Chair lays before the Senate, H. D. 210, Resolve providing for the purchase of certain volumes of the Documentary History of Maine, tabled by senator from Somerset, Senator Walker, pending its second reading.

Mr. WALKER: Mr. President, I yield to the Senator from Lincoln.

On motion by Mr. Lewis of Lincoln, the bill was given its second reading and passed to be engrossed in concurrence.

The PRESIDENT: The chair lays before the Senate H. D. 231, Resolve making appropriation for Maine Seed Improvement Association, tabled by the senator from Cumberland, Senator Grant, pending its second reading.

On motion by Mr. Grant, the Resolve was recommitted to the com-

mittee on appropriations and financial affairs.

The PRESIDENT: The Chair lays before the Senate H. D. 273, Resolve in favor of Hahnel Bros. & Co. for labor and material furnished by them in the construction of the Women's Reformatory at Skowhegan, tabled by the senator from Cumberland, Senator Grant, pending its second reading.

Mr. GRANT: Mr. President, I will move that this be laid on the table until another resolve is reported in.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 299, Resolve appropriating money for the payment to Delano Mill Co. of Portland for material furnished in the construction of Stevens cottage at Skowhegan, for the Reformatory for Women, tabled by the senator from Cumberland, Senator Grant, pending its second reading.

Mr. GRANT: I will make the same motion, that it be tabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, H. D. 301, Resolve in favor of McQuillan and Pooler for material furnished by them in the construction of the Women's Reformatory at Skowhegan, tabled by the senator from York, Senator Deering, pending its first reading.

Mr. DEERING: Mr. President, this resolve is the same as all other resolves in regard to the Women's Reformatory, which are expected to be taken care of by a general resolve that will pay them all, and until that general resolve comes in I move to have this one retabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 303, Resolve in favor of the Blunt Hardware Company for material furnished by them in the construction of the Women's Reformatory at Skowhegan, tabled by the senator from York, Senator Deering, pending its first reading.

On motion by Mr. Deering, tabled.

The PRESIDENT: The Chair lays before the Senate, H. D. 211, Resolve appropriating money to provide offices for the adjutant general's department and fire-proof apartments for the records and documents thereof, tabled by the senator from Cumberland, Senator Grant, pending its final passage.

On motion by Mr. Grant, the Senate voted to reconsider its action whereby this resolve was passed to be engrossed.

Mr. Grant then offered the following amendment, which was read by the Secretary.

Senate amendment A to H. D. 211. Amend by striking out in the 12th line thereof the word "fifteen" and inserting in place thereof the word "twelve."

The Senate then voted to adopt Senate Amendment A, and the Resolve was passed to be engrossed as amended.

The PRESIDENT: The Chair lays before the Senate H. D. 214, An Act to amend Section 86 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the disposition of money collected under the provisions of the inland fish and game laws, tabled by the senator from Aroostook, Senator Emerson, pending second reading and adoption of House Amendment A.

Mr. Emerson: Mr. President, if such a motion is in order, I move the adoption of House Amendment A, and that the bill be put on its final passage.

Mr. DAVIES of Cumberland: Mr. President, I would like to have the amendment read.

The secretary read the amendment.

The Senate then voted to adopt House amendment A, and the bill was given its second reading and passed to be engrossed in concurrence.

The PRESIDENT: The Chair lays before the Senate H. D. 277, Resolve making an appropriation to support the bureau of horticulture, tabled by the Senator from Cumberland, Senator Grant, pending its second reading.

On motion by Mr. Grant, the Senate voted to return the bill to the committee on appropriations and financial affairs.

The PRESIDENT: The Chair lays before the Senate H. D. 279, An Act amending Section 41, Chapter 36 of the Revised Statutes, relating to the department of agriculture, providing for the collection and examination of feeding stuffs, fertilizers, insecticides, seeds, foods and drugs, tabled by the senator from Kennebec, Senator Gannett, pending its second reading.

On motion by Mr. Gannett, the Senate voted to recommit the bill to the committee on appropriations and financial affairs.

The PRESIDENT: The Chair lays before the Senate H. D. 283, Resolve providing for the compilation, printing and distribution of an index to the private and special laws and to the resolves of the State of Maine, tabled by the Senator from Aroostook, Senator Emerson, pending its passage to be engrossed.

Mr. Emerson offered the following amendment, which the secretary read.

Amend H. D. 283 by striking out in the 9th and 10th lines thereof "and that the sum of \$5000 be and is hereby appropriated for the above purposes."

Mr. RICKER or Hancock: Mr. President, I certainly hope that this amendment will not be accepted. That practically kills the bill as you all understand.

This bill is to publish an index of all the resolves and private acts that have been passed by the Legislature of this State. I am not an attorney and not able to quote the specific instances that have to do with it; but any one who is, any of the attorneys present will appreciate the fact that this index is very important in case of looking up property and other matters. In the office of the librarian at present there is on file a card index of somewhere about 24,000 cards for the resolves, and about 18,000 or 20,000 for private acts, and in case you wish any information you have got to go to Augusta, or write in to the librarian for that informa-

tion in regard to any deed that you may be looking up. Under this act the librarian would publish the book, some copies are to be distributed as provided in the bill, and the rest are to be sold at a price to be established by the State, and this money returns directly back into the State treasury. The price per copy is supposed to be enough more to partly take care of the free copies distributed. Attorneys have told me that they were willing to give practically any price for a copy of that book; that the first case that come before them will more than make up to them for the price of the book. This amendment takes away the sum of \$5000, and in fact it gives no sum for the printing of the book.

Now it is immaterial to me or to our committee whether the sum is \$5000 or less. We do not think it will take \$5000 to do it, but whatever it takes it seems to us a very important document. If the attorneys in the Legislature are of opinion that we are just as well off without this document I have no personal reason for having it printed whatever, but it did seem for the benefit of the state and for everybody in general that it should be printed.

Mr. EMERSON: Mr. President, I am not conversant with this bill but I would like to say that the amendment was offered at the suggestion of the Governor. He feels that the index will be completed without the appropriation.

Mr. RICKER: Mr. President, I would like to ask through the Chair how they are going to complete the index when the State library has no funds with which to do it.

Mr. EMERSON: I cannot answer the question, Mr. President.

Mr. GANNETT of Kennebec: Mr. President, I understood that this matter could be taken care of in another way out of the general appropriation that the library may have or some such manner. It was not the purpose to kill the project,—simply to keep the appropriation within bounds, I understand.

The PRESIDENT: The pending question is the adoption of the amendment.



Mr. DEARTH of Penobscot: Mr. President, do I understand that the senator from Kennebec, Senator Gannett, will assure us that if we vote in favor of the amendment that it will not affect the bill, that the necessary funds will be provided?

Mr. GANNETT: Mr. President I cannot answer that question. As I understand it, the project is entirely up to the Governor and we should have to get his O. K. on it before we could answer that question.

Mr. DEARTH: Many of us might be governed entirely in our vote by the question of whether or not the adoption of the amendment will kill the bill, if there are other ways of providing the necessary funds. I think it is a meritorious matter. Would it not be well, Senator Ricker, to let the matter lie on the table and investigate it a little. I would make that motion.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 284, Resolve making appropriation for support of bureau of weights and measures, tabled by the senator from Kennebec, Senator Gannett, pending its passage to be engrossed.

On motion by Mr. Gannett, the Senate voted to recommit the resolve to the committee on appropriations and financial affairs.

Mr. DAVIES of Cumberland: Mr. President, may I inquire of Senator Gannett, if you please, what the purpose is of recommitting to the committee on appropriations and financial affairs a resolve making an appropriation for the support of a bureau of weights and measures, when, as I understand, it formerly went to the committee on agriculture?

The President: Will the senator from Kennebec please answer the Senator from Cumberland through the Chair?

Mr. GANNETT: I understand these different resolves coming from the agricultural department are to be recommitment to that committee and one blanket resolve is to come out covering all these appropriations in a lump sum.

The PRESIDENT: The Chair lays before the Senate H. D. 305, An Act to amend Chapter 141, Public Laws of 1917, providing for the improvement and certification of seed, tabled by the senator from Cumberland, Senator Grant, pending its passage to be engrossed.

On motion by Mr. Grant, the Senate voted to recommit the bill to the committee on appropriations and financial affairs.

The PRESIDENT: The Chair lays before the Senate H. D. 300, Resolve appropriating money for the maintenance of teachers' Old Home, on Old Town, Indian Island, No. 1, tabled by the senator from Aroostook, Senator Emerson, pending its second reading.

On motion by Mr. Emerson, the Resolve was given its second reading and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 155, An Act to amend Sections 6, 10 and 33 of Chapter 6 of the Revised Statutes relating to primary elections and the filing of nomination papers by independent candidates, tabled by the senator from Aroostook, Senator Thornton, pending its passage to be engrossed.

Mr. THORNTON: Mr. President, there has come to the Senate this morning a bill or an act relating to the same chapter, another section of the same chapter, which has been tabled, and I would move that this be re-tabled, so that we may confer and perhaps they can both be incorporated in one act.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 157, Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements, tabled by the senator from Cumberland, Senator Grant, pending its second reading.

On motion by Mr. Grant, the bill was given its second reading and passed to be engrossed.

### Orders of the Day

The PRESIDENT: The Chair lays before the Senate H. D. 99, An Act to provide for the election of road commissioners by towns, tabled by the senator from Penobscot, Senator Dearth, pending question being the adoption of House amendment A to House amendment A.

Mr. DEARTH: Mr. President, the matter automatically comes from the table, I presume, and I would yield to the Senator from Somerset, Senator Folsom, who has the matter in charge.

Mr. FOLSOM: I move the pending question, Mr. President.

The motion was agreed to, House amendment A to House amendment A was adopted and the bill was passed to be engrossed in concurrence.

The PRESIDENT: The Chair lays before the Senate, resolve in favor of the town of Porter, tabled by the senator from Oxford, Senator Stanley, the pending question being acceptance of report.

Mr. STANLEY: Mr. President, I move that the resolve be substituted for the report.

Mr. DAVIES of Cumberland: Mr. President, excuse me just a moment—we may have the resolve read, please? (The secretary read the resolve.)

Mr. STANLEY: Mr. President and fellow Senators, it is with some degree of hesitation that I have moved to substitute the resolve for the report, having admiration for the judgment of the committee and their good intentions toward this bill.

If the Senate should now substitute the resolve for the bill, when it is in amendable stage I would agree to offer an amendment that the words and figures \$25,000 be struck out and in the place thereof the sum of \$5000 for the year 1919 and a like sum for the year 1920 be substituted.

The town of Porter for a number of years has been trying to maintain a High school. The High school has been maintained in a building that was built thirty years ago or more for common school purposes, and at the present time all of the grades ex-

cept the primary grade are housed in that building. The high school is in the upper room and we have two teachers at the present time. There are 42 scholars in the High school; there are only 37 desks and no recitation seats. The assistant teacher in the High school has an ante-room or a small room that is 9x14 ft., and that is the only room they have for an assistant teacher.

Suffice it to say that the inspector of High schools during this session notified me as a member of the school board that they could not approve this school as an A grade standard school unless the town provided better equipment, and a better school building; that we had a sufficient number of scholars we had a good corps of teachers, but the equipment and the building were insufficient to warrant the State educational department in grading it as an A grade school.

Within two years the town of Porter has had left them under the will of the late George A. Towle \$30,000, the income thereof to be expended to support this school. And also within two years there has been left to the town of Porter from Elijah Fox of Haverhill, Mass., a native of our town, \$10,000, the income to be expended for the support of a free High school in the town of Porter. In the will of Mr. Towle it is also provided that the scholars in the village of Kezar Falls, where the school should be located—that the scholars in that part of the village of Kezar Falls that is in the town of Parsonsfield shall also be admitted to this school free of charge, so that if the town accepts the provisions of this will they will have to house not only their own High school scholars but they will also have to provide a building that will take care of the scholars in the other part of the village that is situated in the town of Parsonsfield.

Now it will probably be asked why we should expect or ask the State to help in building a High school building. The town of Porter is situated in the southern end of Oxford county and the town of Parsonsfield in the northern part of York, and the river

divides them. The village of Kezar Falls is on both sides. The woolen mill that we have which provides employment for the people of that village, is situated on the Parsonsfield side of the river. The larger number of the employees live across the river in the town of Porter, and the people of that part of the village are working people who work by day in the woolen mills, in the bobbin mills and in the lumber mills. Most of them have large families of children to support. And the town of Porter, with its present valuation and its present indebtedness could not possibly build a High school building that would be adequate for the needs of those scholars.

The valuation of the town of Porter last year was \$27,000. At the present time the town is owing \$6482. As the senator from Somerset said yesterday in regard to towns and cities, the constitution of the State has provided that a town or city's indebtedness shall not exceed 5 per cent of its valuation. The total indebtedness that the town of Porter could assume under the constitution of our state would be \$13,500. With their present indebtedness, if they should raise all the money that they could under the constitutional limit, the full amount that could be raised would be only about \$7000 or \$7018.

Now the department of education has said that we must provide a suitable school building in order to expend the money that the State of Maine provides. There has come in a fund that will provide perpetually, not for one year, not for five years and not for ten years, but a fund that will provide perpetually to help educate these children, practically \$2000 income a year. Now if the department of education has said that we have not a building suitable and sufficient to spend \$500 of the town's money, would it be reasonable to suppose that the heirs of these estates would say that we had fulfilled the conditions of the will unless we provided at least as good as is required by the State educational department for expending \$500 that the State of Maine provides in support of a free high school?

It seems to me, fellow senators, that this is an extraordinary case. I have been a member of the House and a member of the Senate the second term, and I have never asked for any special appropriation for our town or any of the towns in our county. It would be the last thing that I would do, would be to ask for an appropriation for my own personal benefit, or for the benefit of my own town. But here is an extraordinary case, where the town of Porter wishes to accept the provisions of that will and wishes to carry out the provisions of that will, but it is impossible for them to provide a building that will meet the requirements of the department of education.

I went into the office of Dr. Thomas after Inspector Taylor was in our town, and he said that the needs of that community demanded a building that would cost from \$25,000 to \$30,000 and that is why the original resolution was drafted for that amount. At the hearing the question was asked whether or not we might use the present building by the town making some repairs on it for the grade schools, and the town would be very willing to do that or to do anything that they can that they might give a good education to the boys and girls. And Dr. Thomas said that the department had recently received a plan for a high school building, for high school purposes alone, that he thought might meet the needs of that community, that would cost about \$15,000 under the present estimate.

Now the town of Porter is willing to do everything that it can do. It is willing to provide a lot. It is willing to appropriate \$5000. And if it didn't cost us anything for the lot, if we could get the citizens to give the lot, that would only leave \$2000 under our constitutional limit for the town to come and go on for emergencies that might arise. The town is willing to give every dollar that it can give, but it does not wish to lose, and for the scholars to lose, for the boys and girls for the next ten, twenty, thirty or forty years to lose the benefit of the income of this \$50,000 fund.

And they feel, and we feel, that it

is the duty of the State of Maine to step in, in an emergency like this, and help so that the town may provide a suitable place for its high school scholars, and that they may accept the provisions of these wills and carry them out in the spirit in which the money was left by the donors. It is wisely provided in our constitution that the State of Maine shall from time to time, as its finances will permit, assist colleges, seminaries and academies. At the time this constitution was written a free high school was unknown. The free high school has taken the place in a great many instances of the academies and seminaries. In fact, fellow senators, I believe that the free high schools have sprung up in those places where the needs are. They have sprung up in those places where the scholars are, and where they need money to give them a better education than they could get in the common schools of our State. And fellow senators, this question is a question that does not affect me personally, but it is a question that affects the boys and girls in the community around where I live, in the southern part of Oxford and the northern part of York, and those boys and girls are the boys and girls of the State of Maine, and I earnestly hope, fellow senators, that you will consider this matter well and that you will substitute the resolve for the report, with the understanding that an amendment be introduced at the proper stage.

(Senator Davies in the Chair.)

Mr. WALKER of Somerset: Mr. President, I admire the zeal of the senator from Oxford, Senator Stanley, in the plea which he has made for a high school building at his home town, and I assure him that the committee on education would have been very glad to have helped along the project if it had not been departing from the custom of this and all past Legislatures in relation to appropriating money for high school buildings.

Our hearing was well attended by the friends of the project. They put up a strong plea to us. I asked them at that time if they could not get along with less than \$25,000, and they thought they could not because the

plans that had been submitted would require an expenditure of \$30,000.

I also asked them, inasmuch as the town of Parsonsfield would be benefited by the erection of the school building, the village of Kezar Falls being located in Parsonsfield, would be benefited under the will of those generous men who left that money to the cause of education in that town, and they thought it would be impossible to raise the money by the town of Parsonsfield as a municipality.

I further asked if it would not be possible to raise the money by subscription in some way, a substantial amount, and they thought that it would be impossible to raise a substantial amount by the citizens for the erection of that school building.

I remember that it was suggested by some member of the committee on education at that hearing that provided the figures were reversed, that Porter raise \$25,000, if the State would raise \$5000 on condition that Porter raised in some way, either by contribution or by direct vote or appropriation by the town, \$25,000, and they thought it would be impossible to do that.

I also remember that there were several gentlemen who stated at that hearing that if we granted this request their towns, which were much worse off than the town of Porter, would come in at the next session of the Legislature and ask that the State appropriate money for the building of high schools in their towns. Therefore the committee on education felt that it would be a rather dangerous experiment for us to embark upon the appropriation of money for building high schools.

Therefore, although we would have been delighted to have reported on the resolve, if it had seemed wise for the schools as a whole of the State of Maine, yet under all the circumstances we felt the only way was to report that the bill ought not to pass.

The CHAIRMAN: The pending question is on the motion of the senator from Oxford, Senator Stanley, to substitute the resolve for the report.

Mr. DEERING of York: Mr. President, I understand the difficulties

which have attended this particular case in its various hearings before the committee on education. If I am correctly informed it was before the committee on education at one time and was refused a passage. And then was recommitted, sent back to the same committee for a re-hearing. At that time there was a suggestion that if the committee did not see fit to give the \$25,000 that perhaps it might indicate to the proponents of the bill what the committee could give for that particular purpose.

Now it seems to be an important question. I am interested, not only in the establishment of this particular school, under the circumstances which gave rise to the demand for the money, but also in the principle of the thing. It is the fear, perhaps, that there will be a precedent established. Precedents may be established by following particular incidents which are absolutely the same in all respects. But I desire to say that not any where in the State of Maine has there ever arisen before this Legislature a question where the circumstances are the same as in this particular question. What town is there that the senator from Somerset, Senator Walker, can name in the State of Maine that is called upon only to stretch out its hand and it will receive \$50,000 for the purpose of educating its pupils?

Has any person who comes to this Legislature year after year seen any case where a town by building a schoolhouse that is fit for its pupils could obtain \$50,000 from two liberal gentlemen who provide in their will that this money should be expended for the maintenance of a proper high school? That situation has never existed in the State of Maine, and it will be years and years if at all, when a similar occasion would ever arise. When you establish a precedent you establish a precedent for similar things to follow, and there never has been in the State a similar thing, and it is a doubt in my mind if a similar thing ever happens again.

If any town in the State of Maine has \$50,000 handed to it to support its schools we will establish a good precedent if we give them a schoolhouse which is

fit for their pupils. I do not think the State of Maine will suffer any if they build all the schoolhouses they can build if some person will come along and maintain the school, scholars and teachers.

It strikes me if that precedent should be established for the whole State, that if some private individual will give money to the maintenance of the schools let the State build the schoolhouses, I would like to see a precedent established by which that could be done.

The State of Maine through its officials went to the town of Porter and looked over the buildings and said that those buildings were not fit for schoolhouses, and they practically condemned the buildings and ordered the town of Porter to provide suitable buildings. And when the State of Maine condemns a schoolhouse can it consistently refuse to aid that town for the purpose of accepting funds?

It has been suggested that Parsonsfield, which lies across the river from Porter, appropriate money for the support of the school and help out the citizens of Porter in the building of this schoolhouse. I want to say as a lawyer, without fear of being successfully contradicted, that no town, not the town of Parsonsfield or any other town, has the right at any town meeting or in any other way to appropriate money for the use of another town or to be expended by any other town. It can't be done. That ought to answer that particular argument.

Furthermore, they say "let the private individuals of Parsonsfield take up a contribution to build a schoolhouse." What do they want the town of Parsonsfield to do more than it has done? Two loyal citizens of that town, Mr. Fox and Mr. Towle, have already contributed \$50,000, men that lived in Parsonsfield have already made their contribution to support and care for the education of the children of the employes around Kezar Falls.

It is unfortunate, perhaps, that the Ossipee river divides the counties at that particular place. If it did not divide Kezar Falls into two parts at that particular place this difficulty would not have arisen, but here we are con-

fronted with a geographical fact that no one is to blame for. We cannot correct it. It exists on the face of the earth and is immutable. But because the geography of the State of Maine has seen fit to divide this town by a natural division is that any reason why we should fear precedent and fear to establish some method by which this particular town should receive the money to build its schoolhouse, that we should take action to refuse to help give the adequate succor, that the children of that town need for their education?

Why, not 24 hours ago I heard a distinguished member of this body say—and it may apply to some here—that if he had any doubt about which way to vote, as far as the maintenance and education of the children and the American home was concerned, that he would make the mistake on the side of the education of the children and the maintenance of the home. And if there be any here who have a doubt in their minds as to whether it is proper at this time to vote this money for the town of Parsonsfield, then I say that the words of that distinguished senator may be properly followed by those who have that doubt, and if you are in doubt whether this is a precedent or not, take into consideration what I have said. You cannot make a mistake by following those words of the distinguished senator.

I have not much more to say about this question. This particular community is far from where I live. I have no business connection in particular with it, but the two men who died lived in the county in which I live, and I am friendly with the people who live in the town of Porter. I would like to see every town which proposes to give its children a better education receive all the encouragement from the State of Maine that it can.

We have to put up dollar for dollar to receive money from the United States for roads and for schools. That has never happened until within a very few years. Supposing some person at that time when it was proposed that we put out as much money from the State of Maine as the federal govern-

ment would put up for us to use for roads and schools, supposing someone had set up this and said, "if we establish this precedent nobody knows whither we are drifting." If that had happened this year we would have been deprived of nearly two million dollars from the federal government for ways and bridges and schools.

Gentlemen, this fear of precedent is a natural fear, but it should not be a fear; it should be an exercise of judgment for determining whether a new thing shall be done or not. We are here to meet and establish precedents or not, just as our discernment or understanding teaches us.

As members of this Senate we have no right to fear a precedent that is of benefit to any part of the State of Maine. We must think these matters over with a view to understanding them and when we get the matter fully considered it is our duty to discern the deserving things from those not deserving.

I do not believe there is any person within the sound of my voice who cannot say that this is the most deserving and the fairest proposition we have had put up to us during this whole session.

I believe that the motion from the senator from Oxford, Senator Stanley, should be adopted with the understanding that the amendment will be offered when the proper stage arrives. I would like to see this resolve passed, as amended, not as drawn in the first place.

I believe the senators will not make any mistake by voting to pass a motion made by this distinguished senator from Oxford.

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

A sufficient number arising the yeas and nays were ordered.

(The President in the Chair)

Mr. DAVIES of Cumberland: Mr. President, I do not shrink from the precedent involved in this matter here. I think that new conditions should necessitate the casting aside of precedent. I believe, too, Mr. President, that the success of our

system of government in no small measure depends upon our school system. I think too, Mr. President, that the State may maintain and should maintain not only a generous but a liberal policy for its schools.

I desire to address myself just a moment to the question which has been raised by Senator Walker in relation to this appropriation as it touches the matter of precedent in making an appropriation for schools. I do not feel that we have any right to distinguish here between the free high school and the academy which stands precisely on the same basis. There is before the Senate at the present time, which senators will notice by referring to Senate Document 157, recommendations from the committee on education for the various academies and schools. With your permission I will read one or two and the reasons for which those two appropriations are suggested and recommended.

I refer to Senate Document 157, new draft, Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements. On page 2 of the printed resolve I find this:

"Anson Academy, North Anson, for establishing an agricultural course and purchasing equipment for the same and for general maintenance."

"Higgins Classical Institute, Charleston, for aid in paying the indebtedness of the institution."

"Freedom Academy, Freedom, for general running expenses, deficit and repairs."

"Nasson Institute, Springvale, for maintenance and for extension of work and for additional equipment."

"Maine Central Institute, Pittsfield, for maintenance of the course of instruction and for repairing the roof and heating apparatus."

"East Corinth Academy, East Corinth, for enlarging and improving the academy building."

"Leavitt Institute, Turner, for aid in rebuilding dormitory."

"Van Buren College, Van Buren, for maintenance, the purchase of equipment and the installation of electric lights."

"Aroostook Central Institute, Mars Hill, for finishing and furnishing building and general maintenance."

It occurs to me, Mr. President, that this resolve stands on precisely the same footing as the recommendations that have already been made by the committee on education.

The PRESIDENT: Those voting yes vote to substitute the resolve for the report. Those voting no vote against accepting the report.

The secretary called the roll. Those voting yes were: Messrs. Babb, Baxter, Butler, Chick, Cobb, Davies, Dearth, Dearing, Folsom, Gannett, Googin, Gordon, Gurney, Higgins, Lewis, Lord, Metcalf, Parent, Stanley Thombs, Thornton, Tuttle—22. Those voting no were: Messrs. Ames, Clement, Emerson, Grant, Holt, Peacock, Ricker, Walker—8. Absentee, Mr. Creighton—1.

Twenty-two senators voting yes and eight voting no, the motion was adopted and the bill was substituted for the report.

On further motion by Mr. Stanley the bill was given its second reading.

The same senator then offered Senate Amendment A to resolve in favor of the town of Porter.

#### Senate Amendment A

Amend Resolve in favor of the town of Porter by striking out in the first and second lines the words and figures "\$25,000" and insert in place thereof the words "the sum of \$5000 for 1919 and a like sum of \$5000 for the year 1920."

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

The PRESIDENT: The Chair lays before the Senate S. D. 175, Resolve in favor of the Bangor State Hospital for purposes herein enumerated for the years 1919 and 1920, tabled by the senator from Cumberland, Senator Grant, pending its second reading.

Mr. Grant offered the following amendment which was read by the secretary:

Senate Amendment A to S. D. 175.

Amend by striking out on the second page the words "and renovation of barn, the sum of \$4000, for the year 1919 . . . . . \$7600," and by inserting in place thereof "for the year 1919 . . . . . \$3600."

Mr. CHICK of Kennebec: Mr. President, I move that this resolve, together with the amendment, lie on the table and be specially assigned for consideration next Wednesday.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 164, Resolve in favor of the town of Eagle Lake to reimburse said town for a part of the excessive expenses incurred in the influenza and smallpox epidemics, tabled by the senator from Androscoggin, Senator Googin, pending its final passage.

Mr. GOOGIN: In reply to the request of yesterday that explanation be made of this resolve, I will say that during the influenza epidemic the town was flooded with cases that it was not financially prepared to take care of; but they did take care of the cases and they came to the Legislature with a request for \$1000. At the time that the resolve was heard before the committee on claims, there was no one who appeared in opposition. A man by the name of Thibedau, I think, appeared for the resolve and said that although the State might not be willing to give \$1000, that anything that the State could do would be appreciated by the town. After the report of the committee I heard that some of the senators from Aroostook county were not in favor of the resolve, and since then I have understood that the committee upon appropriations and financial affairs have well taken care of the hospital at Eagle Lake. In view of these facts, any disposition that the Senate chooses to make of this resolve will be satisfactory to the committee on claims.

Mr. GRANT of Cumberland: Mr. President, I move that this be indefinitely postponed, because we took that into consideration when we made the appropriation to the hospital and made a very liberal appropriation.

Mr. THORNTON of Aroostook: Mr. President, I would inquire through

the Chair of the senator from Cumberland, Senator Grant, if that is not a different matter from the matter included in the budget.

Mr. GRANT: It is, Mr. President, and it would be a serious matter, I think, for us to enter into at this time, because there are many towns in the State of Maine under similar circumstances that would like to be reimbursed for the money they have expended for the influenza epidemic. That opens the door wide open, if we allow this resolve to go through.

Mr. THORNTON: I would like to ask Senator Grant if he considers that this claim is barred by the budget or if it is a question outside the budget?

Mr. GRANT: I didn't quite get that.

The PRESIDENT: The Senator will please ask the question again, through the Chair.

Mr. THORNTON: I ask if you consider this is a claim that should be in the budget, or if it is a claim outside of those required to be in the budget?

Mr. GRANT: It is outside of the budget entirely.

Mr. THORNTON: Mr. President, what is the question before the Senate?

The PRESIDENT: The motion of the senator from Cumberland that this resolve be indefinitely postponed.

Mr. THORNTON: Mr. President, I think there is some misunderstanding in regard to this resolve. I do not think we should vote upon this question with the understanding that it is taken care of in the budget, because the senator has said it is a matter outside of the budget, and as I understand it, not barred by the budget.

Mr. DAVIES of Cumberland: Mr. President, I do not quite understand the word "barred" there. There is nothing holy about the budget, and I do not understand the word "barred" in relation to this bill. If I may pursue it a little farther, I suppose, Mr. President, that we have a perfect right to pass here anything that we care to.

The PRESIDENT: You are quite correct, Senator.



Mr. DAVIES: I desire to conform to the recommendations made by the budget committee, but there is no reason why I or any other member of the Senate should feel that it is entirely holy. I only want to make my position clear.

Mr. THORNTON: Mr. President, I did not intend to attack the budget appropriation or the allowance that is made in the budget, because that is a different bill, as I understand it, for the regular hospital at Eagle Lake, the bill for which was introduced by myself. There has been an allowance of perhaps \$500 over the previous appropriation, and that of course I appreciate. That is the regular hospital that has been at Eagle Lake for some time. But as you all know, influenza is an emergency that came to us suddenly that year, and this seems to be the result of that emergency which came to the people of Eagle Lake and not along their regular hospital lines.

Eagle Lake is a small town in the northern part of Aroostook county. In 1900 it had only a little over 400 inhabitants. After the coming of the railroad and the building of the mills, it has increased in the last 10 years to about 1000 people. The property has not increased except as the property in a mill town increases. The burden of that town by the increasing population is much greater than the increase in valuation, the building of new school houses and the building of new streets and new roads, so that the town at the present time is burdened by some \$4000 debt, and it has but a small farming population. It is classed in the forestry district of our state.

Now last December the disease of influenza which passed over this country came there, and came so rapidly that the local hospital could not take care of it and there was put in operation an emergency hospital and 17 nurses supplied at the expense of the town. There is in that town a mill having 200 employes, more than half of which have no residence in the town. They come from Boston or from other places and have no part in the family affairs of

the town. There are working in the lumber woods adjoining that town some 400 men and those men are transient men, so that when they fall into distress they come to Eagle Lake as a center to be taken care of; and they were taken care of by the selectmen by this emergency hospital. Two-thirds, perhaps, of the patients who were taken care of by this hospital, as I understand it from the representative, were transient men or transient parties not belonging to the town, and the town had no claim on them. But yet they were taken care of, provided for as best they could in this emergency.

The total expense which I think the statement of facts here shows was \$1000 or more. The committee on claims heard the statement and allowed this claim of \$500 to reimburse the town for expenses in this emergency for taking care of men who had no claim on them either by pauper residence or by settlement. And it does not affect this in one way or another that the regular hospital, which is a charitable institution, is included in the appropriation made by Senator Grant. Now I think it but proper that this bill should have its passage to assist those men of Eagle Lake who so generously in this emergency put the credit of the town to the help of anyone who was in that distress or sickness. They knew not where they came from. They did not stop to inquire. If in distress in the woods or in the mill or in sickness anywhere, they were taken to this emergency hospital and taken care of. And the town, burdened as it is with debt, with a tax rate of 36 mills, a small farming population, is asking the State to reimburse this small sum of \$500 in this emergency case. And I think it is but right. We do not want to cast any reflection on this bill because it comes into the House instead of into the Senate or because it is outside of what was a regular appropriation bill. These men in later years might feel that in another emergency like this they could stand with stony hearts and not perhaps open the treasury of their town to your unfortunate boy, or your friend,

who in the woods is in distress and comes to them. They would say, no—the State of Maine says no, we must only take care of those living within our town limits. And have you ever had sickness and emergency of the influenza? Have you ever been taken, as it were, and dragged through the door almost to eternity until you could at last grasp it and hold on to the last minute until you found a friendly human touch, and then feel the hand of brotherhood coming to you—those away from home, without friends, in an unknown land, for the selectmen of Eagle Lake to say no, no nurse, no doctor, you are not a resident of our town. I say, gentlemen, it is but fair to assist these taxpayers burdened as they are now, to reimburse them for this emergency which has come to them in these influenza and smallpox epidemics of this year.

Mr. GRANT: Mr. President. I want to make it plain to members of the Senate that the appropriations committee and the committee on budget do not consider their report anything more than a recommendation. But we have recommended those amounts on the basis of seven mills and we have certainly gone the limit, and if these amounts are to be carried beyond the amount we have recommended we have got to reconsider the seven mills and increase the amount. I think we will have to call the members of the Legislature together very soon to consider whether it shall be 7½ mills or eight mills.

Now in regard to Eagle Lake, the senator from Aroostook just said that what we had done in increasing the amount had no effect on the town. We did take into consideration what effect it would have on the town by allowing a thing that we have not allowed in any other town in this State, and that was \$500 for a physician to go there, to be paid by the State, so as to enable that town to have a physician in the future, and I think that is helping the town.

If the members of the Senate see fit to go beyond the budget and to increase the tax rate, that is for them to do.

Mr. THOMBS of Penobscot: Mr. President, I do not feel to vote on this matter at the present time. I would like to ask through the Chair of the chairman of the appropriations committee if he will not explain to me wherein this particular town benefits from the resolve that they have recommended for the hospital over and above other towns in its vicinity?

Mr. GRANT: We considered we were helping them out to the extent of \$500 on the doctor, which they were unable to maintain in their town.

Mr. THOMBS: Would not his services be available to other towns in his vicinity,

Mr. GRANT: Certainly.

Mr. PARENT of Androscoggin: I would like to inquire through the Chair of the senator from Cumberland, Senator Grant, how much of an increase the committee has given this hospital over what they were allowed two years ago?

Mr. GRANT: I have not the figures before me but I think it is \$1000, as I remember it.

Mr. THORNTON: The resolve calls for \$500.

The PRESIDENT: The question asked by the senator from Androscoggin, Senator Parent, was as to the amount of the appropriation allowed the hospital as compared to that allowed two years ago, and he asked that question of the senator from Cumberland, Senator Grant, who said he was not sure but he was of the opinion it was \$1000 larger.

Mr. THORNTON: I wish to state to the Chair that I think the additional amount given by the resolve is \$500 instead of \$1000.

The PRESIDENT: For hospital maintenance you are of the opinion it was \$500 instead of \$1000?

Mr. THORNTON: Yes.

Mr. FOLSOM of Somerset: Mr. President, we have been told that by doing this we might establish a very serious precedent. While I feel the senators have not much fear of old man Precedent, I myself would like a little more time to think of this matter. I move that it be tabled until tomorrow morn-

ing, and I think that will meet the wishes of many of the other senators.

The motion was agreed to.

The Chair laid before the Senate H. D. 205: Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol, tabled by Mr. Walker, the pending question being the second reading.

Mr. WALKER: Mr. President, I yield to the Senator from Lincoln, and so yielding would say it was because of a misapprehension of the matter before the Senate that I yielded on a former matter.

Mr. LEWIS of Lincoln: Mr. President, I move that the bill take its second reading.

Mr. GRANT of Cumberland: Mr. President, I move the bill lie on the table pending second reading.

The motion was agreed to.

Ordered, the House concurring, that resolve in favor of the State department of Health, H. D. 202, be recalled from the committee on engrossed bills and delivered to the Secretary of the Senate.

The order was passed and sent down for concurrence.

The Chair laid before the Senate Resolve in favor of the State department of health.

On motion by Mr. Grant of Cumberland, tabled.

The Chair laid before the Senate An Act to amend Sections 2 and 6 of Chapter 66 of the Public Laws of 1917 as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing licenses, tabled by Mr. Ames.

Senator Ames yielded to Senator Metcalf.

On motion by Mr. Metcalf, the Senate reconsidered the vote whereby this bill was passed to be engrossed.

The same Senator then offered Senate Amendment A.

The PRESIDENT: Will the Senator from Piscataquis explain the purpose of the amendment?

Mr. METCALF: Mr. President, the amendment is to repeal the clause in that section whereby non-resident fishermen had to report to the commissioner of inland fisheries and game. It is in accordance with the wishes of the Governor that this amendment was drawn up.

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

Mr. GRANT of Cumberland: Mr. President, I move to take from the table H. D. 202, just tabled by me, Resolve in favor of the State department of health.

The motion was agreed to, and on further motion by the same senator the resolve was returned to the committee on public health to be reported in a new draft.

The PRESIDENT: Returned from the Governor, Resolve authorizing DeForest Keyes to bring a suit at law or in equity against the State of Maine.

Mr. DEERING of York: Mr. President, for the purpose of proposing an amendment, I move that we suspend the rules and reconsider the vote whereby this resolve was passed to be enacted.

The motion was agreed to and on further motion by the same senator the Senate reconsidered its action whereby this resolve was passed to be engrossed.

Mr. Deering then introduced an amendment and moved its adoption.

Mr. DEERING: I will say that this is quite a long amendment, that is, it will take some time to read it, but the only change made by the amendment to the law as originally drawn is the striking out of the word "for." There was a grammatical error which included the word "for" and the Governor called me in and said he thought it should be stricken from the draft, and agreeing with him upon it, the amendment strikes out the word "for" from the resolve.

The PRESIDENT: Is it the pleasure of the Senate that this amendment be adopted without further reading, on this explanation by the senator from York, Senator Deering?

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

The PRESIDENT: From the Governor, An Act to amend Chapter 215 of the Public Laws, entitled An Act to incorporate the city of Saco.

Mr. DEERING of York: Mr. President, I move we suspend the rules and that the Senate reconsider its action whereby it passed this bill to be enacted.

The motion was agreed to, and on further motion by the same senator the Senate reconsidered its action whereby this bill was passed to be engrossed.

Mr. DEERING: Mr. President, I desire to offer Senate Amendment A and move its adoption. In explanation I will say that this is a bill to amend a city charter, and it did not have any reference to the people upon the question. The Governor asked that the referendum clause be added to it, to which there was no objection, and that is what the amendment calls for.

The PRESIDENT: With this explanation on the part of the senator from York, Senator Deering, is it the pleasure of the Senate to adopt Senate Amendment A?

The motion was agreed to, Senate Amendment A was adopted, and the bill as amended was passed to be engrossed.

Mr. PARENT of Androscoggin: Mr. President, I move that the rules be suspended and that we reconsider the vote whereby we voted to pass to be engrossed Senate Document 160, An Act abolishing the city council of Lewiston.

The motion was agreed to.

On further motion by the same senator the vote was reconsidered whereby Senate Amendment A was adopted.

Mr. PARENT: I now offer Senate Amendment B and move its adoption. And in explanation say it is merely to correct a clerical error, where a wrong copy was returned from the stenographer.

The motion was agreed to and

Amendment B adopted without reading, and the bill was amended and passed to be engrossed.

Mr. RICKER of Hancock: Mr. President, I move that we take from the table the report of the committee on pensions, ought not to pass, on resolves to be taken care of by pension department under regular appropriation.

The pending question being on the adoption of the report the same senator moved that the report be accepted.

Mr. DAVIES of Cumberland: Mr. President, I desire to separate from these various resolves which came in under that report, Resolve in favor of Susan E. Dumphy of Yarmouth.

The motion was agreed to, and on further motion by the same senator the resolve was tabled.

On motion by Mr. Ricker the report of the committee was then accepted.

Mr. DAVIES of Cumberland: Mr. President, I desire to make a motion for my colleague, Senator Babb, and it relates to H. D. 212, An Act to amend Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the use of automobiles in hunting wild birds and wild animals.

I move we reconsider the vote whereby we voted to adhere. I might say, Mr. President, that the only reason for the motion is that a motion may be then made to insist and a committee of conference asked for, that is all.

The motion was agreed to.

The same senator then moved that the Senate insist and a committee of conference appointed.

The motion was agreed to and the Chair then appointed on such committee on the part of the Senate Messrs. Babb of Cumberland, Emerson of Aroostook and Butler of Franklin.

On motion by Mr. Peacock of Washington, it was

Ordered, that bill An Act to amend Section 36 of the Revised Statutes as enacted in Chapter 258 of the Public Laws of 1917 and providing for the construction of third class highways,

now in the hands of the Governor, be recalled to the Legislature.

Mr. PARENT of Androscoggin: Mr. President, I move that we reconsider the vote whereby H. D. 277 was re-committed to the committee on appropriations and financial affairs.

Mr. GRANT of Cumberland: Mr. President, I understand that he wants that for the purpose of looking into it. He may have the opportunity in the hands of that committee, to save time.

Mr. PARENT: Before it is recommended, I would like that privilege.

The motion was agreed to, and on further motion by the same senator the matter was laid on the table and especially assigned for consideration next Wednesday morning.

On motion by Mr. Metcalf of Piscataquis, it was

Ordered, the House concurring, that the resolve appropriating money for the erection of a fish screen at the outlet of Sebago lake, now in the hands of the Governor, be recalled and delivered to the Senate.

On motion by Mr. Grant of Cumberland, it was

Ordered, the House concurring, that Resolve providing for aid in the payment of premiums awarded by the Eastern Maine State fair, and Resolve making an appropriation to assist, encourage and develop the poultry industry of Maine, now in the hands of the Governor, be recalled to the Senate for the purpose of making amendments thereto.

Mr. GANNETT of Kennebec: Mr. President, I move that we take from the table H. D. 38, Resolve to reimburse cities and towns for money expended for the support of depend-

ent families of the members of the National Guard.

The motion was agreed to.

The same senator then offered Senate Amendment A for the purpose of correcting an error.

#### Senate Amendment A

Amend H. D. 333 by inserting after the word "paid" in the first line the following words: "out of funds for war purposes," and by striking out "\$33.14" and inserting in place thereof "\$133.43" in the ninth line.

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

The PRESIDENT: The Chair desires to congratulate the Senate upon the splendid work of the morning, and I would love to congratulate the chairmen of the various committees if they would get in a good many reports today. It is absolutely essential, senators, that we give these matters our undivided attention for the next few days if we expect to adjourn during the month of March. And while the Chair has no objection to spending part of April in Augusta at the Capitol, I am sure that we all desire to get to our business at the earliest possible moment. May I ask you to co-operate with the Chair as far forth as possible in expediting the matters now before us. The Chair suggests that the chairman of each committee get from the secretary of the Senate and the clerk of the House the bills so that they can get the titles assigned for consideration at the earliest possible moment. It is unnecessary further for the Chair to say that there are several ways that the bills can be disposed of.

On motion by Mr. Walker of Somerset,

Adjourned.