

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

AUGUSTA
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1919

SENATE

Friday, March 28, 1919.

Senate called to order by the President.

Prayer by Rev. T. J. Winslade of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: H. D. 418, Resolve authorizing the Governor and Council to pay all outstanding bills for material furnished and labor in the construction of Stevens cottage at Skowhegan for the Reformatory for Women.

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

In the House, House Amendment A to Senate Amendment A was adopted.

The secretary read House Amendment A to Senate Amendment A.

Mr. DAVIES of Cumberland: Mr. President, I think that the senator from York, Senator Deering, had that matter in charge, and as he is not in his seat this morning I move that it lie on the table.

The motion was agreed to.

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

In the House this bill was indefinitely postponed and they voted to adhere.

Mr. DAVIES of Cumberland: Mr. President, that bill, as I remember it, was presented by Senator Deering, and I therefore move that it lie on the table.

The motion was agreed to.

From the House: S. D. 166, An Act to amend Chapter 26 of the Revised Statutes as amended by the Public Laws of 1917, relating to the registration and operation of motor vehicles.

In the Senate this bill passed to be engrossed.

In the House, House Amendment A was adopted.

The House amendment was read by the secretary.

Mr. RICKER of Hancock: Mr. President, unless there should be some objection I should move the indefinite postponement of this bill. However, I will move the bill be tabled.

The motion was agreed to.

Mr. DEERING of York: Mr. President, I move we take from the table out of order for the purpose of having the bill before the House this morning, and by the request of a member of the House who says they are expecting to finish some other bills in connection with it. It is Senate Document 257, An Act to amend certain sections of Chapter 45 of the Revised Statutes, relating to the licensing of persons engaged in the lobster fisheries. I move that it be taken from the table under suspension of the rules.

The motion was agreed to and the pending question being the passage of the bill to be engrossed as amended by Senate Amendment A, on motion by Mr. Deering, the bill was passed to be engrossed in concurrence as amended by Senate Amendment A.

From the House: Report of the committee on appropriations and financial affairs, ought to pass in new draft, on Resolve making an appropriation to assist, encourage and develop the poultry industry in the State of Maine.

The report was accepted in concurrence.

The PRESIDENT: If there is no objection the Chair will state that this Resolve will be given its two several readings at this time under suspension of the rules and passed to be engrossed.

There being no objection the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on appropriations and financial affairs, ought to pass in new draft, on Resolve providing for aid

in the payment of premiums awarded by the Eastern Maine State Fair.

The report was accepted and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the same committee, ought to pass, on H. D. 496, Resolve in relation to the celebration of the 100th anniversary of the admission of Maine into the Union.

The report was accepted in concurrence and on motion by Mr. Grant of Cumberland, the rules were suspended and the bill was given its two readings and was passed to be engrossed in concurrence.

From the House: Report of the committee on banks and banking, ought to pass in new draft, on H. D. 500, An Act to amend Chapter 298 of the Public Laws of 1917, relating to small loan agencies.

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

From the House: Report of the committee on banks and banking, ought to pass, on An Act to amend Section 60 and 61 of Chapter 9 of the Revised Statutes, relating to the taxation of savings banks.

The report was accepted in concurrence and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on banks and banking, ought to pass, on H. D. 498, An Act to amend Section 78 of Chapter 52 of the Revised Statutes, relating to loans made by trust companies.

The report was accepted in concurrence and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on claims, ought to pass, on H. D. 467, Resolve in favor of the State auditor; H. D. 466, Resolve in

favor of the commissioners of pharmacy; S. D. 468, Resolve in favor of the board of veterinary examiners.

In the House the report was accepted with the exception of House Bill 467, Resolve in favor of the State auditor, which was amended by the adoption of House Amendment A.

In the Senate, House Amendment A to H. D. 467 was adopted in concurrence, and the several bills under suspension of the rules were read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on interior waters, ought to pass, on Resolve appropriating money in aid of navigation on Rangeley lake, Mooselucmeguntic lake, and Cuscutic lake.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on judiciary, ought to pass, in new draft, on H. D. 492, An Act to incorporate the Belfast Water District.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on judiciary, ought to pass in new draft, on H. D. 449, Resolve in favor of Frank Williams, administrator of the estate of Nicola DiNora, late of Boston, State of Massachusetts.

The report was accepted in concurrence, House Amendment A was adopted in concurrence, and under suspension of the rules the bill was passed to be engrossed as amended in concurrence.

From the House: Report of the committee on legal affairs, ought to pass in new draft, on H. D. 501, An Act to amend Section 13 of Chapter 6 of the Revised Statutes, relating to

penalty for violation of provisions in regard to conduct of primary elections.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on legal affairs, ought to pass in new draft, on H. D. 489, An Act to amend certain sections of Chapter 92, relating to the filing of claims against estates of deceased persons.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on legal affairs, ought to pass in new draft, on H. D. 490, An Act to amend Section 6 of Chapter 5 of the Revised Statutes, relating to ineligibility of members of boards of registrations as candidates for elective office.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on legal affairs, ought to pass in new draft, on H. D. 491, An Act to amend Section 3 and 6 of Chapter 260 of the Public Laws of 1917, entitled "An Act to establish a superior court in the county of Androscoggin."

The report was accepted in concurrence.

Mr. DAVIES of Cumberland: Mr. President, I rise for the purpose of making an inquiry. I understood the title of the bill was An Act for the purpose of establishing a superior court in the county of Androscoggin.

The PRESIDENT: You are correct.

The SECRETARY: This is an amendment of the original act.

Under suspension of the rules the

bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on legal affairs, ought to pass in new draft, on H. D. 488, Resolve in favor of Francoix X. Belleau of Lewiston, in the county of Androscoggin.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on library, ought to pass in new draft, on H. D. 494, Resolve authorizing the State librarian to purchase for the State 100 copies of the history of the town of Norway after same are printed.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed.

From the House: Report of the committee on library, ought to pass in new draft, on H. D. 495, Resolve providing for the purchase of 100 copies of the centennial history of Presque Isle.

The report was accepted in concurrence, and under suspension of the rules the bill was passed to be engrossed in concurrence.

From the House: Report of the committee on mercantile affairs and insurance, ought to pass, on 486, An Act relating to life insurance, and providing for the validity of written orders by beneficiary directing payment of sums for funeral expenses.

On motion by Mr. Grant of Cumberland, the Senate concurred with the House in the indefinite postponement of this bill.

From the House: Report of the committee on public health, ought to pass, on H. D. 90, An Act amendatory and additional to Section 121 of Chapter 18 of the Revised Statutes, relating to public health.

House Amendment A adopted in concurrence, and under suspension of the rules the bill was given its two readings and was passed to be engrossed in concurrence.

From the House: Report of the committee on public health, ought to pass, on H. D. 439, An Act amendatory and additional to Section 23 of Chapter 130 of the Revised Statutes, relating to offenses against the public health, safety and policy and requiring dealers in cigarettes to post in their stores, shops or places of business a placard upon which shall be printed a copy of Section 23 of Chapter 130 of the Revised Statutes prohibiting the sale of cigarettes to minors.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

From the House: Report of the committee on State sanatoriums, ought to pass in new draft, on H. D. 497, Resolve in favor of the Bangor Anti-Tuberculosis Association, Bangor, for the care and treatment of persons affected with tuberculosis.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed.

From the House: Report of the committee on State lands and forest preservation, ought to pass in new draft, on H. D. 499, An Act to provide for the acceptance by the State of gifts of land and for the establishment of a State park and forest within the State of Maine.

The report was accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed.

From the House: Report of the committee on temperance, ought to pass, on H. D. 397, An Act to amend Chapter 294 of the Public Laws of 1917, relating to seizure and forfeiture of vehicles carrying intoxicating liquors.

This bill came from the House indefinitely postponed.

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

From the House: Report of the committee on ways and bridges, ought to pass in new draft, H. D. 472, resolve containing 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 Ft. Kent, Maine, and St. Francis, N. B."

House Amendments A and B were adopted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

Message from Chief Executive

To the Honorable Senate:

I have carefully examined Senate Document No. 214, An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relating to compensation of inspectors, and respectfully return the same herewith without my approval.

This act proposes to increase the per diem of steamboat inspectors from \$4.00 to \$5.00. The State now spends in inspecting steamboats and motorboats about \$7.00 for every dollar received in fees. This is due partly to the low fee charged and partly to the absurd and ridiculous requirement that two men be sent for each inspection, one to inspect the hull and one the boiler. I have tried in vain to secure a reasonable increase in fees for inspection and an amendment to the statutes so that one competent inspector could be allowed to inspect both the hull and the engine. In the circumstances I cannot approve the proposed increase to a total cost of \$10.00 a day and the traveling expenses of two men.

(Signed) CARL E. MILLIKEN
Governor.

Dated at the Executive Chamber
March 28, 1919.

The PRESIDENT: The pending question is shall this bill become a law notwithstanding the objections of the Governor? Those voting yes vote for the bill to become a law without the approval of the Governor; those voting no sustain the veto.

The secretary called the roll. All senators present voted no, as follows:

Messrs. Ames, Baxter, Butler, Chick, Clement, Cobb, Davies, Dearth, Deering, Emerson, Folsom, Googin, Grant, Gurney, Holt, Lewis, Lord, Metcalf, Peacock, Ricker, Stanley, Thombs, Thornton, Walker,—24. Absentees: Messrs. Babb, Creighton, Gannett, Gordon, Parent, Tuttle,—6.

And the veto was sustained.

Upon his name being called in the above roll-call, Mr. Davies of Cumberland, spoke as follows:

Mr. PRESIDENT: May I inquire if the senator is in the Chamber who presented this bill?

The PRESIDENT: He is.

Mr. DAVIES: May I ask who it is?

The PRESIDENT: Senator Chick of Kennebec.

Mr. DAVIES: Might I inquire of Senator Chick through the Chair something in relation to the merits of the bill, Mr. President?

The PRESIDENT: The Senator from Kennebec hears the inquiry of the senator from Cumberland and will please answer through the Chair.

Mr. Chick: I simply wish to say that I introduced this bill by request.

Mr. DAVIES: Mr. President, I vote no.

Communication from the Chief Executive

Gentlemen of the Seventy-ninth Legislature:

At the very time when the victory of national prohibition is being celebrated and Maine is rightly hailed as the pioneer in this great welfare movement, we are in grave danger of stumbling into a pitfall which will bring us into unenviable notoriety throughout the country.

For lack of precise definition regarding the percentage of alcohol in non-malt alcoholic beverages, our courts have held the question whether such a beverage was intoxicating to be in each instance a question of fact. In the case of non-malt liquors containing less than three per cent of alcohol proof of actual intoxication has been required in order to show the beverage to be intoxicating

liquor. In practice such evidence is always extremely difficult to secure especially in search and seizure cases and the result has been immunity for purveyors of various "near-beers" containing less than three per cent of alcohol.

The places where such beverages are sold are often centers for distribution of stronger intoxicants whenever these can be smuggled into the state. The sale of such beverages, even if confined strictly within the ostensible limits of "near-beer" tends to create the appetite for alcohol among boys and young men who would not otherwise acquire it.

So far as I know, Maine is now the only "dry" state which permits the sale of beverages containing so large a per cent of alcohol. In my address at the opening of the session I confidently appealed to you to take action which would make the definition of intoxicating liquors in this respect harmonize with that of other dry states and the federal government. The New Hampshire Legislature has just refused to legalize the sale of beer containing as much as two and three quarters per cent alcohol. You have had before you a bill defining the percentage of alcohol in intoxicating liquors. I hope that the unfavorable action taken on this bill in both branches may be reconsidered and the standard of our Maine law be brought up to that of our neighboring state of New Hampshire.

Dated at the Executive Chamber March 28, 1919.

(Signed) CARL E. MILLIKEN,
Governor.

The PRESIDENT: The Senate hears the message of the Governor. What is your pleasure?

Mr. DAVIES of Cumberland: Mr. President, I move that the Senate record a vote of thanks to his Excellency the Governor for his message and that the same be printed.

A viva voce vote being taken, the motion was agreed to, and the message was ordered printed.

Sent down for concurrence.

Communication from the Farm Lands Loan Commission:

Jan. 1, 1919.

To the Honorable Members of the 79th Legislature Assembled:
Gentlemen:

In accordance with Chapter 303 of the Public Laws 1917, Section 11, the Farm Lands Loan Commissioners are hereby directed to ascertain the true standing of the permanent school fund and the Passamaquoddy Indian Trust Fund, and to report to the present Legislature assembled, the feasibility of setting aside the above named funds.

PASSAMAQUODDY INDIAN TRUST FUND.

We have gone into the matter of the Passamaquoddy Indian Trust fund and find that the net amount of this fund is \$99,759.20. This amount has been carried as a liability against the State on both the auditor's and the treasurer's books and, therefore, will not require any change in that principal.

PERMANENT SCHOOL FUND.

After a careful investigation of the Permanent School fund we find that the principal of this fund, as of Jan. 1, 1918, should be \$484,189. This would necessitate a change on the records of the Auditor's and Treasurer's books. The amount which is now being carried is \$482,994.25.

We do not believe at the present time it to be feasible to set aside the actual cash in the State Treasury for the above funds.

Herewith, attached necessary detail of the report of this investigation.

Very truly yours,

(Signed) CARL E. MILLIKEN,
AUGUSTUS O. THOMAS,
JOHN A. ROBERTS,
ROY L. WARDWELL.

Mr. FOLSOM of Somerset: I move that this report be accepted and sent down for concurrence.

Mr. DEERING of York: Mr. President, I thought I understood from the report as read that it was necessary for us to take some action in regard to separating those funds.

The PRESIDENT: The Chair would inform the senator from York, Senator Deering, that his Excellency simply wanted this to become a matter of record.

Orders

On motion by Mr. Baxter of Sagadahoc, it was

Ordered, that when the Senate adjourns it adjourned to meet at 8 o'clock Saturday morning, March 29.

Committee Reports

Mr. Grant for the committee on appropriations and financial affairs, on Resolve, in favor of the bank commissioner for the administration and enforcement of Sections 11 to 23, inclusive, of Chapter 40 of the Revised Statutes, reported same ought to pass.

The same senator for the same committee, on An Act relating to appropriations for the department of labor and industry, reported same ought to pass.

Mr. Emerson for the same committee, on An Act to authorize the director of sea and shore fisheries to employ necessary clerks, reported same ought to pass.

The reports were accepted and the bills tabled for printing.

Mr. Grant for the same committee, on Resolve appropriating money to carry on the work of a state board of children's guardians, reported same ought not to pass.

The report was accepted and sent down for concurrence.

Mr. Walker for the committee on education, on An Act to establish the State University of Maine and to provide for its maintenance (Senate No. 212), submitted the accompanying joint order:

Ordered, that whereas the 79th Legislature has under consideration a measure to establish the State University of Maine and to provide for its maintenance and the time of the Legislative session remaining is too short for due investigation and consideration of the measure, therefore,

Ordered, the House concurring, that a special committee of seven be appointed, two by the President of the Senate, three by the Speaker of the

House, and two by the Governor, and that said committee be directed to investigate the desirability of such a measure and report to the next Legislature by bill or otherwise.

And that the bill be referred to the next Legislature.

The report was accepted, and on motion by Mr. Deering of York, the order was tabled.

Mr. Deering for the committee on judiciary, on 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 (Senate No. 220), submitted the same in a second new draft under the same title, and that it ought to pass.

Mr. FOLSOM of Somerset: Mr. President, in view of the fact that this new draft is acceptable to all parties concerned, I move that the rules be suspended and the bill given its two readings and passed to be engrossed.

The motion was agreed to and the bill was read twice and passed to be engrossed.

Mr. Davies for the same committee, on An Act to amend Section 87 of Chapter 2 of the Revised Statutes, relating to the state auditor, submitted the same in a new draft under the same title and that it ought to pass.

On motion by Mr. Davies of Cumberland, tabled pending acceptance of the report.

Mr. Davies for the same committee, on joint resolution relating to League of Nations, reported same be placed on file.

The report was accepted and sent down for concurrence.

Mr. Grant for the committee on salaries and fees on the following bills:

The PRESIDENT: Unless there is objection on the part of the Senate, this being a long report, it will be tabled for printing.

Mr. FOLSOM of Somerset: Mr. President, I will say that that report covers a large number of bills which are taken care of by a new draft, as

I remember it, and it would seem to me that the report might be accepted and the bills go along under suspension of the rules.

The PRESIDENT: That is for the Senate to say, if they wish to act on such an important matter without the bills before them. There are 43 bills, making many changes.

On motion by Mr. Ames of Washington, the report with accompanying papers was tabled.

The report, continued:

Bill, An Act to amend Paragraph 2 of Section 40 of Chapter 117 of the Revised Statutes, increasing the salary of clerk of courts in Androscoggin county.

Bill, An Act to amend Paragraph 2 of Section 45 of Chapter 117 of the Revised Statutes, as amended by Chapter 153 of the Public Laws of 1917, increasing the amount of clerk hire in the offices of the register of probate and clerk of courts in Androscoggin county.

Bill, An Act to amend Paragraph 2 of Section 39 of Chapter 117 of the Revised Statutes, increasing the salary of the register of probate of Androscoggin county.

Bill, An Act to amend Section 43 of Chapter 117 of the Revised Statutes, increasing the salary of the register of deeds for the county of Androscoggin.

Resolve, to amend Section 38 of Chapter 117 to increase the compensation of the judge of probate of Aroostook county. (House No. 92).

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, to increase the clerk hire in certain county offices in Aroostook county. (House No. 60).

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relative to clerk hire in the office of the register of deeds of the Northern District.

Bill, An Act to increase the annual salary of the register of deeds for Aroostook county, Southern Registry. (House No. 62).

Bill, An Act to amend Section 37 of Chapter 117 of the Revised Statutes, as amended by Chapter 194 of the Public Laws of Maine of 1917, relating to county attorneys.

Bill, An Act to amend Section 44 of Chapter 117 of the Revised Statutes, relating to county treasurers of Cumberland County.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in County offices, as amended by Chapter 194 and Chapter 245 of the Public Laws of 1917.

Bill, An Act to amend Section 45, Chapter 117, Revised Statutes 1916, relating to the salaries of clerks in the office of Register of Probate for Cumberland County.

Bill, An Act to amend fourth Paragraph of Section 45 of Chapter 117 of the Revised Statutes, as amended by Section 2 of Chapter 194 of the Public Laws of 1917, and as amended by Chapter 242 of the Public Laws of 1917, relating to clerk hire in the county offices in Cumberland county.

Bill An Act to amend Section 42, of Chapter 117 of the Revised Statutes, relating to compensation of county commissioners of Cumberland county.

Bill, An Act to amend the fifth Paragraph of Section 45 of Chapter 117 of the Revised Statutes, increasing the amount of clerk hire in the Franklin County Registry of Deeds.

Bill, An Act to amend Section 43 of Chapter 117 of the Revised Statutes, to increase the compensation of the Register of Deeds of Hancock County. (House 75.)

Bill, An Act relative to the salary of the Judge of Probate of Kennebec County.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in the county offices of Hancock County.

Bill, An Act to increase temporarily the salary of the clerk of courts of Kennebec county.

Bill, An Act to increase temporarily the allowance for clerk hire in the office of the clerk of courts of Kennebec County.

Bill, An Act relative to the salary of the Register of Probate of Kennebec County.

Bill, An Act relative to the allowance for clerk hire in the office of Register of Probate of Kennebec County.

Bill, An Act to amend Section 43 of Chapter 117 of the Revised Statutes relating to the salary of the Register of Deeds for Kennebec County.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, increasing the clerk hire in the office of Register of Deeds of Kennebec County.

Bill, An Act to amend Section 39 of Chapter 117 of the Revised Statutes Increasing the Salary of the Register of Probate for Knox County.

Bill, An Act to amend Section 38 of Chapter 152 of the Public Laws of 1917, relating to the compensation of judges of probate of Knox County.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to clerk hire in county offices of Knox County.

Bill, An Act to amend Section 40 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to the compensation of clerks of courts of Knox County.

Bill An Act to amend Section 43 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to the compensation of registers of deeds of Knox county.

Bill An Act to amend Section 39 of Chapter 117 of the Revised Statutes, increasing the salary of the register of probate for the county of Lincoln.

Bill An Act to increase the salaries of the register of deed, register of probate and clerk of courts for two years (House No. 76) of Lincoln county.

Bill An Act to amend the ninth paragraph of Section 45 of Chapter 117 of the Revised Statutes and Chapter 223 of the laws of 1917, increasing the amounts to be paid for clerk hire in the county offices of Lincoln county.

Bill An Act to amend Section 40 of Chapter 117 of the Revised Statutes,

relating to salaries of clerk of courts, Penobscot county.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to salaries of clerk hire in the office of clerk of courts in Penobscot county.

Bill An Act to amend Section 37 of Chapter 117 of the Revised Statutes, in relation to the salary of the county attorney of Penobscot county.

Bill An Act to determine the amount to be paid for clerk hire in the county of Penobscot.

Bill An Act to increase the salary of the register of probate of Piscataquis county and to increase the apportionment for clerk hire in the office of said register of probate.

Bill An Act to increase and equalize the salaries of the several county officers in the county of Penobscot.

Bill An Act to increase the salary of the clerk of courts of Piscataquis county and to increase the apportionment for clerk hire in the office of said clerk of courts.

Bill An Act to increase the salary of the register of deeds of Piscataquis county, and to increase the apportionment for clerk hire in the office of said register of deeds.

Bill An Act to increase the salary of the judge of probate of Piscataquis county.

Bill An Act to increase the salary of the county attorney of Piscataquis county.

Bill An Act to increase the salary of the treasurer of Piscataquis county.

Bill An Act to increase temporarily the salaries of the county officials of the county of Sagadahoc.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes relating to clerk hire in county offices of Sagadahoc county.

Bill An Act to amend Section 38 of Chapter 117 of the Revised Statutes, as amended by Chapter 192 of the Public Laws of 1917, relating to salary of judge of probate of Somerset county.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in the office of the register of deeds of Waldo county.

Bill An Act to amend Paragraph 15, Section 45 of Chapter 117 of the Revised Statutes, relative to clerk hire in the office of register of probate in Waldo county (House No. 77).

Bill An Act to increase the salary of the clerk of courts of Washington county.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relative to the salaries of clerks in the office of the register of deeds, register of probate and clerk of courts of Washington county.

Bill, An Act to increase the salary of the register of deeds in Washington county.

Bill, An Act to amend Section 44 of Chapter 117 of the Revised Statutes, temporarily increasing the salary of the treasurer of the county of Washington.

Bill, An Act to amend Section 41 of Chapter 117 of the Revised Statutes increasing the salary of the sheriff of Washington county.

Bill, An Act to amend Sections 40 of Chapter 117 of the Revised Statutes, relating to compensation of the clerk of courts of York county.

Bill, An Act to amend the last paragraph of Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in York county.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes increasing the amount for clerk hire in the registry of deeds of York county.

Bill, An Act increasing the salary of the judge of probate of York county.

Submitted the same in a new draft under the title of Bill, An Act to increase salaries of certain county officers and amount of money allowed for clerk hire in certain county offices, and that it ought to pass.

The following committees submitted their

Final Reports

Agriculture.
Banks and Banking.
Education.
Inland Fisheries and Game.
State Lands and Forest Preservation.

Mr. Davies from the same committee, on An Act to provide for the attendance of witnesses before the Governor and Council, reported same ought not to pass.

Mr. Death for the same committee, on An Act to amend Section 55 of Chapter 91 of the Revised Statutes, relating to trustee process, reported same ought not to pass.

Mr. Butler for the same committee, on An Act to amend Section 21 of Chapter 117, relating to the salary of the commissioner of agriculture, reported same ought not to pass.

The same senator for the same committee, on An Act to amend Section 39 of Chapter 117 of the Revised Statutes, increasing the salary of the register of probate for the county of Somerset, reported same ought not to pass.

The reports were accepted and sent down for concurrence.

The same senator for the same committee, on An Act to amend Section 11 of Chapter 117 of the Revised Statutes, relating to the salaries of stenographers of Cumberland and Kennebec superior courts, as amended by Chapter 249 of the Public Laws of 1917, reported same ought to pass.

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

The same senator for the same committee, on An Act amending Section 20 of Chapter 118 of the Revised Statutes, increasing the fees of town clerks in certain instances, reported same ought not to pass.

The same senator, for the same committee, on petition of George W. Gower and 25 other attorneys of Somerset county, relating to the salary of judge of probate in said county, reported same be placed on file.

The reports were accepted and sent down for concurrence.

Finally Passed

Resolve, in favor of Edward R. Parent, in payment of witness fees, counsel fees, and disbursements made by him in the contested senatorial election case from Androscoggin county.

Resolve, in favor of Dr. Henry L. Irish, in payment of witness fees,

counsel fees and disbursements made by him in the contested senatorial election case from Androscoggin county.

Passed to Be Enacted

An Act relating to schooling in unorganized territory.

An Act to amend Section 37 of Chapter 55 of the Revised Statutes, relating to authorization of issue of stocks, bonds and notes by public utilities.

An Act to amend Sections 11, 25 and 26 of Chapter 41 of the Revised Statutes relating to itinerant vendors.

An Act to amend Chapter 193 of the Private and Special Laws of 1917, entitled, An Act to create the Auburn Sewerage District and transferring to it the sewer system of the city of Auburn.

An Act to amend Section 16 of Chapter 118 of the Revised Statutes, increasing the registration fee of dealers in securities and their agents or salesmen

An Act to amend Section 46 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of certain fur-bearing animals.

An Act to amend Chapter 42 of the Private and Special Laws of 1866, relating to Martin's Point bridge.

An Act to provide for the licensing of the sardine packers, to improve the quality of fish used for sardines and to establish standards of measures for sardine herring.

An Act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce.

An Act to create the Maine Water Power Commission.

Additional papers from the House: Resolve for the maintenance and improvement of the state park in Augusta.

In the House that body adopted House Amendment A.

On motion by Mr. Grant of Cumberland, the vote was reconsidered whereby this resolve was passed to

be engrossed, and on further motion by the same senator, House Amendment A was adopted in concurrence, and the resolve was passed to be engrossed in concurrence.

An Act to amend Section 21 of Chapter 83 of the Revised Statutes, as amended by Chapter 66 of the Public Laws of 1917, relating to temporary loans by county commissioners.

In the House, House Amendment A was adopted and the bill was then indefinitely postponed.

On motion by Mr. Walker of Somerset, the bill was tabled.

Today Assigned

The PRESIDENT: The Chair lays before the Senate the Veto message of His Excellency the Governor, in relation to the Fleming resolve, and the accompanying statement of the clerk of the House relative to the action of said House, and also the document printed on the motion of the senator from Cumberland, Senator Davies. The pending question before the Senate is, shall this bill become a law, the objection of the Governor to the contrary notwithstanding?

Mr. DAVIES: Mr. President, I desire to incorporate in my remarks, S. D. 258, which was printed to become a part of H. D. 346. The claimant under this resolve seeks to recover a certain sum of money which he alleges to be due him for building a State highway near the town of Wiscasset, and the committee to which the resolve was referred reported favorably on a resolve carrying with it an appropriation of approximately \$2100. This sum was made up of an item of \$1170.25 due under a written contract, the accrued interest thereon, and various small disbursements which were made by the claimant outside the contract which it was agreed should be paid to him.

It will occur to the Senate that this resolve was submitted to a committee of 10 members of the Senate and House, and they reported favorably after hearing all the testimony, having an opportunity to see the witnesses and to weigh the truth and the probability of the testimony offered.

I do not think that it is going to interfere with the pleasant and cordial relations which exist between the Legislature and the Governor if we pass this resolve over the Governor's veto. I feel, Mr. President, that the information on which the Governor based the facts set forth in his veto may have been gathered from the attorney general's office without time on his part for a full hearing.

The Governor's acute sense of right and wrong always common to his nature would forever debar him from withholding from this claimant one single dollar which might be due him. It would appeal to me, Mr. President, that the committee would be in a better position to know precisely what the facts are in relation to this claim, and I hope that the vote of the Senate will be to sustain the action of the House and to overthrow the veto of the Executive.

The PRESIDENT: The passage of this bill over the Governor's veto requires a two-thirds vote of all members elected to this body. Those voting yes vote to pass the bill over the veto; those voting no vote to sustain the veto.

The secretary called the roll. Those voting in the affirmative were Messrs. Ames, Babb, Baxter, Chick, Clement, Cobb, Davies, Deering, Folsom, Gannett, Googin, Grant, Gurney, Holt, Lewis, Lord, Metcalf, Parent, Peacock, Ricker, Stanley, Thombs, Thornton, Walker—24. Those voting in the negative were Messrs. Eutler, Dearth and Emerson—3. Absent, Messrs. Creighton, Gordon and Tuttle—3.

Twenty-four senators having voted in the affirmative and three in the negative, the bill became a law notwithstanding the objection of the Governor.

The PRESIDENT: The Chair lays before the Senate Joint order relative to appointment of committee to examine certain manuscripts and report to next legislature, tabled by the senator from Cumberland, Senator Davies, pending passage of order.

Mr. DAVIES: Mr. President, I

have considered with some degree of care, at least, the subject matter of this order, and my conclusion is that there is not time in the present session of the Legislature to do the work which the order aims to accomplish and do it properly and to the satisfaction of the Legislature and the State. Therefore I move that the matter be indefinitely postponed.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 481, An Act to amend Section 32 of Chapter 67 of the Revised Statutes, concerning probate appeals, tabled by the senator from Aroostook, Senator Thornton, pending passage to be engrossed.

The PRESIDENT: The Chair lays before the Senate H. D. 465, majority report ought not to pass, and minority report, ought to pass in new draft, on An Act to grant a new charter to the city of Waterville, tabled by the senator from Cumberland, Senator Davies, pending acceptance of either report.

Mr. DAVIES: Mr. President, I move that the bill and the two reports lie upon the table and be especially assigned for next Tuesday.

The PRESIDENT: The Chair will ask the Senator if he is aware of the automatic table order by which it will come off next Monday afternoon.

Mr. DAVIES: I was quite mindful of that, Mr. President, but under unanimous consent I think perhaps it might be done unless there is objection on the part of the Chair?

The PRESIDENT: I have no objection except I hate to deviate from the rule.

Mr. DAVIES: I desire to conform to the suggestion of the Chair and I move it lie upon the table.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 319, An Act relating to inspection and recount of ballots cast at primary elections, tabled by the senator from Aroostook, Senator Thornton, pending second reading.

Mr. THORNTON: Mr. President, there is some objection to this bill which we are trying to arrange by an amendment and we are not yet able to agree. I move it lie on the table.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 479, An Act authorizing the Penobscot Development Company to construct and maintain booms and piers in the Aroostook river in the town of Ashland, tabled by the senator from Aroostook, Senator Thornton, pending second reading.

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

The PRESIDENT: The Chair lays before the Senate H. D. 451, An Act to exempt certain public bonds from taxation, tabled by the senator from Sagadahoc, Senator Baxter, pending assignment of time for second reading.

Mr. BAXTER: Mr. President, I yield to Senator Dearth.

Mr. DEARTH of Penobscot: Mr. President, I move that it be retabled. The reason is that there is another bill on its way, and the disposition of this bill depends largely upon the final disposition of the other bill.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 482, An Act to amend Section 3 and Section 12 of Chapter 36 of the Revised Statutes relating to marking packages of agricultural seeds, tabled by the senator from Cumberland, Senator Gurney, pending first reading.

Mr. GURNEY: Mr. President, some amendments that may be satisfactory to all parties are in process of preparation, and I move it be tabled.

The motion was agreed to.

Mr. DAVIES of Cumberland: Mr. President, before that motion is put, I have conferred with the senator from Cumberland, Senator Babb, who is very much interested in the bill, and he seems to think that it will be

quite impossible to come to any conclusion on the amendments that will be satisfactory to both sides, and I wonder if the senator from Cumberland, Senator Gurney, would object to proceeding at the present time.

Mr. GURNEY: Mr. President, may I suggest that we have just extended to the senator from Cumberland the courtesy of tabling matters, I think several this morning, that he wished to have tabled. I do not think he has any authority to say that any amendments would not be acceptable without any knowledge as to what those amendments are; he cannot anticipate the nature of them. The fact is that this bill came into the Senate yesterday and since that time I have not had an opportunity to confer with the seedmen who asked me to have it forwarded. I shall see them to-morrow. I desire to conform absolutely to the requirements that may be satisfactory and just to all, and for that reason I ask to have the matter tabled that I may present them the first of the week.

Mr. DAVIES: Mr. President, I just desire to say in this connection that I have not moved to table any bill for the purpose of amending it. I now make way for Senator Babb.

Mr. BABB of Cumberland: Mr. President, it seems at this late hour of the session that we ought to be cleaning off some of these things. Here is a bill that has come from the agricultural sections of the country and it is something that is not stringent. If I were to read some of the requirements that are placed upon seed dealers in other states of the United States you all would see how reasonable the amendments are that we are asking for this. You are aware that half of the states in the Union are requiring the seed dealers who deal in seeds to place in a conspicuous label on the packages of seeds sold percentages of purity. When would you be willing to table it for?

The PRESIDENT: The motion was made and passed that the bill lie on the table. The motion would be reconsideration.

Might the Chair add that it cannot too strongly urge that as many of

these matters as possible be taken care of at the earliest possible moment so that we may hurry the work along as fast as possible.

The PRESIDENT: The Chair lays before the Senate, report of the committee on legal affairs, ought to pass, on bill, An Act relating to the term of service of the city treasurer and collector of the city of Portland, tabled by the senator from York, Senator Lord, pending acceptance of report.

Mr. LOED: Mr. President, I have not had the opportunity to confer with some people who are interested in that matter,—I will agree that it shall be disposed of next Monday afternoon if it may be retabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, S. D. 252, An Act amendatory of and additional to Chapter 12 of the Revised Statutes relating to indexes in registries of deeds, tabled by the senator from York, Senator Lord, pending passage to be engrossed.

Mr. LORD: Mr. President, this matter has been before the Senate before and was recommitted; the new report, if I read it correctly, only postpones the date at which the bill should take effect. It does not remove the objectionable features. I therefore move that it be indefinitely postponed.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 103, An Act to authorize the attorney general to appoint a tax attorney and to prescribe his duties and powers, tabled by the senator from Penobscot, Senator Thombs, pending printing under joint rules.

Mr. THOMBS: Mr. President, as I explained to the Senate yesterday, this particular matter is embraced in and surrounded by another bill which is on its passage through the two houses, and until it has passed the scrutinizing eyes of the House I desire that this remain here. I haven't any doubt but that this matter may be indefinitely postponed at the

next session. I move that it be tabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 212, Report of committee of conference on bill, 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, tabled by the senator from York, Senator Lord, pending acceptance of report.

On motion by Mr. Lord, the Senate voted to accept the report, and on further motion by the same senator the Senate adopted the amendment of the conference committee, and the bill as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate H. D. 463, Report of committee on public utilities, ought not to pass, on bill, An Act to amend Section 2 of Chapter 56 of the Private and Special Laws of 1895, as amended by Chapter 203 of the Private and Special Laws of 1903, relative to water supply of Boothbay Harbor, tabled by the senator from Lincoln, Senator Lewis, pending acceptance of report.

Mr. LEWIS: Mr. President, I move that we concur with the House and substitute the bill for the report of the committee on public utilities.

Mr. President and fellow Senators, this bill is to amend the water charter of the town of Boothbay Harbor. The town of Boothbay Harbor for the last ten or fifteen years has been supplying a summer colony known as Squirrel Island, which is situated 5,293 feet in a direct line from low water to low water from Spruce Point in the town of Boothbay Harbor. The object of this bill is to amend the charter so that the charter or franchise rights will stop at the end of Spruce Point. The object of this bill is not to deprive Squirrel Island of a water supply; it only allows the town of Boothbay Harbor to withdraw to Spruce Point. It provides in the bill that Boothbay Harbor be authorized

to supply water to the Squirrel Island Village Corporation at Spruce Point. This case has been once heard by the Public Utilities Commission, which has ordered the town of Boothbay Harbor to lay an additional pipe from the end of Spruce Point to connect with this system on Squirrel Island which is owned by the Squirrel Island Village Corporation. I want to say in all fairness to the Commission that they did not have before them at that time all the evidence in the case.

The town of Boothbay Harbor has 2000 inhabitants. Were it not of the utmost importance to the people whom I have the honor to represent, and if I were to do an injustice to anybody, even to one individual, I would not stand here today.

The town of Boothbay Harbor in the year 1895 had no water system. The people down there occasionally had contagious diseases on account of impure water: They sought to interest private capital in giving them a water supply. A company of gentlemen came down there, looked the situation over and said there was not a dollar in it. They obtained a charter from the Legislature of this state and bonded the town. They went to the limit. The town is bonded for \$6000 above its debt limit. In 1903 Squirrel Island desired to have water. A great many people there knew that it would be folly for the town to go over there, but an article was inserted in the town warrant for that year and lobbied through the town meeting, and they did vote to go to Squirrel Island. They did not furnish, during the first eleven years, any water to Squirrel Island except by contract. They simply connected with it at the water's edge and went there under a contract for one year. Then a contract was made for ten years, gentlemen, by the selectmen, who had no authority to make such a contract, and under that contract Squirrel Island for the last ten years has received water from the town of Boothbay Harbor at \$3 a faucet when the people at Boothbay Harbor have paid \$5 for the same service. They have

had free fire protection at Squirrel Island, for which they have not paid a cent.

I want to say to you now gentlemen, that when that contract was made there was no public utilities commission in existence. It did not come into existence until 1913. This contract contained provisions that I wish to read in order that there may be no misunderstanding: "The town of Boothbay Harbor shall continue in possession and control of the system of pipes and tanks at said Squirrel Island, belonging to the party of the second part, during the ten years before mentioned."

Now the only remedy they have is to come to this Legislature, gentlemen, and obtain justice. The question is, how are we going to pay for this pipe from the end of Spruce Point to Squirrel Island? The town of Boothbay Harbor is above its debt limit. There is only one way they can get this money to put this pipe across there, and that is to raise it by taxation. The Squirrel Island Village Corporation has its corporate charter under which they have the same right to obtain water as Boothbay Harbor. Squirrel Island receives back, under that charter, from the town of Southport 75 per cent of the amount raised by taxation by the town of Southport on Squirrel Island. Squirrel Island is 43 per cent of the total valuation of the whole town of Southport, and this year they received back from money raised for town purposes, to be expended on the island, or for any other purpose they see fit, \$2300. They can handle the proposition, gentlemen, much more easily than the town of Boothbay Harbor. It does not seem to me just and right, gentlemen, that Boothbay Harbor should have to put a new pipe in. They have already laid a new six inch pipe to Spruce Point, and it does not seem right that they should be compelled to lay a new pipe from Spruce Point to Squirrel Island parallel to the one already laid.

The town of Boothbay Harbor needs a new high school building, but it is

impossible for them to obtain it. They have gone beyond their limit. I hope, gentlemen, that you will see fit to substitute the bill for the report.

Mr. FOLSOM of Somerset: Mr. President, this bill was before the committee on public utilities twice. A report, ought not to pass, was finally signed by every member of the committee, and I feel that a statement of fact should be made at this time with respect to the merits as well as the legal questions which are involved.

I have absolutely no interest in this matter except a desire to have the rights of all parties to the controversy which caused the introduction of this act fully protected.

The town of Boothbay Harbor is one of three municipalities in this State which owns its own water system. I mean by that that there is no water district formed there at the present time. There are only two other towns but that have water districts. The water system supplies water to Boothbay Harbor, to Southport and to Squirrel Island. The pipes to Southport and Squirrel Island are service pipes and are shut off in the winter. The only expense to the town of Boothbay Harbor, so far as up-keep is concerned with reference to Squirrel Island, would be the matter of expense of keeping the pipe from the point known as Spruce Point to Squirrel Island, and shutting off the water at the proper time in the fall and turning it on again in the spring.

Prior to 1903 the island had a very inadequate supply of water pumped by a windmill. I think. The town of Boothbay Harbor put in its water system and made a contract with Squirrel Island to furnish them water at a certain rate for a period of 10 years. At the end of that time no further contract was made, whether because the parties could not agree or for some other reason I do not remember now, but they continued to furnish water to the people of Squirrel Island. During this period of 10 years the people on that island had invested quite a large sum of money, probably \$40,000 or \$50,000, in installing an up-to-date pipe line and building in a cement reservoir and va-

rious other things which go along with a system of this nature. This cost the town of Boothbay Harbor not a cent.

Sometime after the expiration of this contract the pressure on Squirrel Island became inadequate and the town authorities were requested to ascertain the cause, and it was found that the pipe which is laid across the harbor for about a mile beneath the water had a leak in it. That was repaired and still the pressure was inadequate. The Squirrel Island people could not get relief and they petitioned to the public utilities commission to have the town of Boothbay Harbor compelled to furnish them with adequate pressure. The matter was fully heard, as I understand it, before the public utilities commission. As the members of this Senate know, the lawyers especially, the public utilities commission is not in the habit of founding its decisions upon any inadequate amount of testimony; that is to say, they usually go into the facts very deeply.

They ordered the town of Boothbay Harbor to maintain the water supply to Squirrel Island, and to lay a new pipe from Spruce Point to Squirrel Island. And this pipe has been purchased and paid for by the town of Boothbay Harbor, and all that it is necessary now to do is to lay that pipe across from Spruce Point to the island. The cost, as I remember it, of laying the original pipe across was about \$1200. It was found in trying to get a contractor to lay this pipe across the harbor that no one would undertake the job unless some additional sum was added to the actual cost on account of the extra hazard which would be incurred in laying this pipe across this distance of about a mile. So that the cost of laying that would probably be from \$5000 to \$7000, if done by some separate contractor. If the town of Boothbay Harbor saw fit to attempt to lay it as it was formerly laid the probable expense would not be, assuming that they had no accidents, more than \$200. Now, as I said, the town of Boothbay Harbor was ordered by the public utilities commission, after full hearing, to lay this pipe. They bought the pipe and the only proposition which now con-

fronts them is the expense of laying it across there, and some citizens of that town, and especially the proponent of this bill, conceived the idea that they could come to this Legislature, get us to reverse the action of the public utilities commission, and thereby get by the laying of that pipe from Spruce Point to Squirrel Island.

The PRESIDENT: Will the senator defer for just a moment? The Chair notes the presence in the Senate chamber of the floor leader of the House, and the Chair invites him to a seat at his side.

(Mr. Barnes accepted the invitation and took his seat amid applause.)

Mr. FOLSOM (continuing): The contract made between the town of Boothbay Harbor and the Squirrel Island people called for the payment, as I remember it, of a rate of \$3 per faucet. During the continuation of that contract that amount was paid. When the contract expired the authorities at Boothbay Harbor increased the rates, as I will show later, and thereby very greatly increased the revenue which they were receiving from Squirrel Island. And in the case of the fifteen years which elapsed from 1903 to 1918, the people of Squirrel Island paid the town of Boothbay Harbor \$15,561.70, which was an average of \$1,035 per year approximately. From the time that contract expired until 1918 the town of Boothbay Harbor so increased its rates to the people of Squirrel Island that in 1918 they derived a revenue of \$1,700.

Now the pumping—taking the statement of the proponent of this bill—the pumping cost the town of Boothbay Harbor an average of \$300 a year or thereabouts for the fifteen years, a total of \$4,500. The original investment to get this water on Squirrel Island was \$3,000; the interest on that \$3,000 for fifteen years \$2,700, making a total of \$10,200, to the people of Boothbay Harbor, which, as you see, included all overhead charges, leaving them a balance of \$5,361.70 return on their investment of \$3,000. Now I allude to this particular fact, because it has been said that this proposition was putting the

town of Boothbay Harbor into bankruptcy. That is absolutely untrue. Now that \$5,361 and a little more, a few hundred dollars more, has been invested in this new pipe.

So that as a result of the town of Boothbay Harbor supplying Squirrel Island with water for fifteen years, they have paid for the original cost; they have paid the expense of pumping; they have paid the interest on the original investment, and they have bought the pipe, new pipe with which to renew the system. So that as a matter of investment today, when the town of Boothbay Harbor lays that pipe across to Squirrel Island, they have got an investment from which they will derive an income, based upon last year's figures, of \$1,700 a year. Including the extra hazard say the outside cost of this is \$7,000, they will be getting a return of \$1,700 a year upon an investment of \$7,000. If that is a situation which involves bankruptcy, why it is a new proposition to me.

Now the people of Boothbay Harbor of course have all the year round service and the people of Squirrel Island have summer service. The people of Boothbay Harbor pay on an average \$17 a year for all the year round service, and the people of Squirrel Island pay \$18.50 for just the summer service. So that the people on the island are paying more for their service by an average of \$1.50 a year than the people of the town are paying for their year's service.

Now if the gentlemen who are interested in this bill want to know how they can show that they are not going into the hole, I think any business man can tell them. I allude again to the statement that this is putting the town of Boothbay Harbor into bankruptcy. As a matter of fact it appeared in the evidence before this committee that the town has made no charge for its hydrant service. It has made, as you see by these figures, small charges for its all-the-year round service, and I say that had they kept a proper system of books, had the town on its books been charged with a proper amount for hydrant services, for instance,

and all those various things, it would be shown that this water system is a paying proposition.

Now it has also been said that this town is beyond its debt limit, owes so much money that it cannot do what is required of them by the decree of the public utilities commission. The only debt, or practically the only debt which the town of Boothbay Harbor owes is the debt it incurred in installing this very water system, and as I remember, there is a bill pending or has been passed whereby a water district may be formed, bonds issued, and the town as a municipality be entirely relieved of its indebtedness, and the water district or water system will then take the burden, a proper set of books will be kept and the town of Boothbay Harbor will be a great deal better off than it thinks it is.

I have here a schedule of the rates, but I do not think it is necessary to go into this. It simply confirms my statement that the rates charged the Squirrel Island people are more than those which are charged for all the year round service to the town itself. I have tried to explain this so the Senate would be in full possession of the facts, and I hope the motion of the Senator from Lincoln to concur with the House will not prevail.

The PRESIDENT: The pending question is on the motion of the senator from Lincoln, Senator Lewis, that the Senate concur with the House in substituting the bill for the report.

A viva voce vote being taken, the motion was lost.

On motion of Mr. Folsom the report of the committee was accepted.

The PRESIDENT: The Chair lays before the Senate, majority report of the committee on public health, ought to pass, and minority report of same committee, ought not to pass, on H. D. 464, An Act to amend Sections 40, 41, 42, 43, 47 and 48 of Chapter 16 of the Revised Statutes, relating to medical inspection of school children, tabled by the senator from Cumberland, Senator Gurney, the pending question being the adoption of Sen-

ate Amendment A to the majority report ought to pass.

Mr. GURNEY of Cumberland: Mr. President, I yield to the senator from Aroostook, Senator Thornton.

Mr. THORNTON of Aroostook: Mr. President in the absence of Senator Gordon, I move that the bill lie on the table.

The motion was agreed to.

Orders of the Day

Mr. GRANT of Cumberland: Mr. President, I desire to ask the unanimous consent of the Senate that I may introduce a resolve out of order, and I would say in explanation that there was an error made in the hospital resolve that went through, and this is intended to correct the figures. Inadvertently the resolve was passed and was signed by the Governor, this simply makes a correction.

The motion was agreed to and the senator presented resolve to amend a resolve in favor of the Augusta State hospital in the construction of a new building for patients.

The resolve was received and on further motion by Mr. Grant, under suspension of the rules the resolve was given its two readings and was passed to be engrossed and sent down for concurrence.

Mr. Grant of Cumberland: Mr. President, I desire to ask the unanimous consent of the Senate that I may introduce another resolve out of order, and in explanation would say that this resolve carries an appropriation of \$40,000 for erecting and equipping a new building for the returned soldiers inflicted with tuberculosis. I want to say that we have learned since our budget hearings of the necessity of this matter; that about one and one-half percent of the soldiers returning have this disease, and unless we make some provision they must return to their homes and spread the disease further. We feel that there is imperative need for a resolve of this kind at this time.

Unanimous consent was granted and the senator presented Resolve authorizing the construction of a building for the care of tubercular soldiers, sailors and marines.

On further motion by the same senator the rules were suspended and the resolve was read twice, passed to be engrossed and sent down for concurrence.

Mr. DAVIES of Cumberland: Mr. President, I rise for the purpose of inquiring. Yesterday there was tabled on my motion An Act relative to the exemption of certain kinds of personal property, and with it there was an amendment which I offered, and they were both tabled. I do not find them on the calendar this morning, and I wonder if by inadvertence or otherwise the bill and amendment have been left out.

The PRESIDENT: The Chair would state for the information of the senator that the secretary has checked out all the bills in his record, and it would be necessary to recheck them in order to discover in regard to this matter.

Dr. DAVIES: Mr. President, I do not care to suggest that that be done, but the able and vigilant secretary will remember that yesterday such a bill was printed and I presented an amendment and moved that both be tabled until I could confer with the senator from Aroostook, Senator Tuttle, the chairman of the committee on agriculture, in regard to the amendment. The record of yesterday I think will disclose that I am correct. The only purpose of the inquiry and statement is to be sure of not losing track of the bill and amendment; nothing further.

The PRESIDENT: May the Chair suggest that the matter be allowed to rest until later?

Mr. DAVIES: Yes, Mr. President.

The PRESIDENT: Thank you.

On motion of Mr. Ames of Washington, adjourned until tomorrow morning at 8 o'clock.