

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

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HOUSE

Wednesday, Feb. 23, 1921.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Kincaid of Gardiner.

Record of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on legal affairs reporting "ought to pass" on bill "An act to amend sub-vision VII of Section 64, Chapter 86 of the Revised Statutes, relating to property exempt from attachment and execution.

Came from the Senate with the report read and accepted, and the bill indefinitely postponed.

In the House, on motion by Mr. Hussey of Blaine, it was voted to concur with the Senate in the indefinite postponement of the bill.

First Reading of Senate Bills

Senate 67: An act to amend Section 2 and Section 8 of Chapter 55 of the Private and Special Laws of the State of Maine, enacted in the year 1903, entitled "An act to incorporate the Squirrel Island Village Corporation."

Senate 66: An act to validate the incorporation of Libby, McNeill and Libby and to amend its corporate purposes.

Senate 64: An act amendatory of Section 7 of Chapter 117 of the Revised Statutes, relating to compensation of judges upon retirement.

From the Senate: Report of the committee on library reporting "ought to pass" on resolve to appropriate money for the purchase of a history of the town of Williamsburg.

The SPEAKER: At this time the Chair calls the attention of the gentlemen of the House to suggestion No. 13 on Page 54 of the Legislative Hand Book, "No act or resolve involving an appropriation can be en-

grossed unless it bears the following endorsement: 'Examined and recorded by the committee on appropriations and financial affairs.'" The Chair suggests that members interested in a measure, and the House chairmen of the committees who are passing such resolves, should take it upon themselves to see to it that this precautionary measure is complied with in each case, and the Chair tables this paper.

From the Senate: Report of the committee on library reporting "ought to pass" on Resolve to appropriate money for the purchase of a history of York.

Tabled by the Speaker of the House in order that Rule 13, Page 54 of the Legislative Hand Book may be complied with.

From the Senate: Report of the committee on library reporting "ought to pass" on Resolve in favor of the State purchasing the alphabetical index of Revolutionary pensioners in Maine.

Tabled by the Speaker of the House in order that Rule 13, Page 54 of the Legislative Hand Book may be complied with.

The SPEAKER: Incidentally, the Chair will ask the members of the House to see to it as a matter of pride that no House Documents arrive at this stage without compliance with suggestion 13 on Page 54 of the Legislative Hand Book.

The following bills, resolves and petitions were received and upon recommendation of the committee on reference of bills, were referred to the following committees:

Mr. WING of Auburn: I desire to present the remonstrance of F. Bartlett & Son and 52 other business houses in the city of Auburn against any change in the present charter of the city of Auburn, and ask its reference to the committee on judiciary.

The motion prevailed.

Agriculture

By Mr. Austin of So. Berwick: Bill "An act to amend Section 11 of

Chapter 46 of the Revised Statutes, as amended by Chapter 74 of the Public Laws of 1919, relating to the furnishing of slips by weighers."

By the same gentleman: Bill "An act to amend Section 10 of Chapter 46 of the Revised Statutes, as amended by Chapter 74 of the Public Laws of 1919, relating to putting coal or coke up in bags or packages."

Appropriations and Financial Affairs

By Mr. Forbes of Paris: Resolve in favor of the Western Maine Sanatorium for repairs and new construction.

On motion by Mr. Holley of No. Anson, this resolve was referred to the committee on State sanatoriums.

Judiciary

By Mr. Clarke of Stonington: Remonstrance of Rev. Eugene V. Allen and 28 others of Stonington against the "Barwise Sunday Bill."

By Mr. Owen of Milo: Remonstrance of W. W. Leonard of Milo and 92 others against same.

By Mr. Bragdon of Westbrook: Remonstrance of Newell E. Whitney of Westbrook and 87 others against same.

By Mr. Cordwell of Westbrook: Remonstrance of Edwina R. Wyer and 29 others against same.

On motion by Mr. Clarke of Stonington, these remonstrances were ordered placed on file.

By Mr. Wing of Auburn: Remonstrance of J. A. Pratt and 30 others; N. L. B. Page and 8 others; C. E. Thurston and 41 others; L. A. McIntire and 26 others; Harry E. Duston and 13 others; M. C. Lawton and 16 others; G. P. Akers and 10 others; Arthur A. Pike and 16 others; Alleck Alexander and 49 others; E. L. Pennell and 9 others; F. E. Kilbourne and 38 others; C. H. Conant and 17 others; K. C. Coombs and 21 others; E. L. Rose and 12 others; Byron Millett and 94 others; F. J. Dyer and 58 others; Guy H. Stevens and 48 others; D. W. Bean and 30 others; H. S. Cann and 18 others; Arthur A. Cooper and 21 others; F. W. Quimby and 4 others; D. B. Morse and 29 others; D. A. Barrell and 29 others; A. C.

Sprague and 28 others; M. A. Robinson and 44 others; Merritt L. Hackett and 135 others; C. R. Williamson and 46 others; O. L. Barker and 22 others; E. M. Woodman and 18 others; A. F. French and 21 others; G. W. Yeaton and 11 others; Reuel W. Smith and 145 others against any change in the present charter of the city of Auburn.

Public Health

By Mr. Hunton of Oakland: Petition of Florence G. Knauff and 12 others, members of the Mothers' Improvement Club of Oakland, in favor of adequate appropriation for the segregation and care of the feeble-minded.

By Mr. Cram of Portland: Bill "An Act relating to the protection of the public health.

Sea and Shore Fisheries

By Mr. Cherry of Eastport: Remonstrance of N. I. Beal and 29 others of Milbridge in the county of Washington, against passage of a nine-inch lobster law.

By the same gentleman: Remonstrance of Elmer Small and 29 others of Buck's Harbor, county of Washington, against same.

By the same gentleman: Remonstrance of W. H. Allen and 13 others of Starboard, county of Washington, against same.

By the same gentleman: Remonstrance of Walter Ramsdell and 19 others of Lubec, county of Washington, against same.

By the same gentleman: Remonstrance of George Manchester and four others of Machias, county of Washington, against same.

By the same gentleman: Remonstrance of O. H. Look and 35 others of Addison, county of Washington against same.

Towns

By Mr. Rogers of Jonesport: Remonstrance of T. L. Norton of Jonesport and 28 others against the division of the town of Jonesport.

By the same gentleman: Remonstrance of E. E. Hinckley of Jonesport and 22 others against same.

By the same gentleman: Remonstrance of F. H. Batson of Jonesport and 39 others against same.

By the same gentleman: Remonstrance of O. W. Look of Jonesport and 30 others against same.

By the same gentleman: Remonstrance of Mrs. G. D. Jenkins of Jonesport and 42 others against same.

By the same gentleman: Remonstrance of Frank S. Alley and 29 others, all of Jonesport, against same.

Ways and Bridges

By Mr. Cherry of Eastport: Petition of J. W. Henward and 18 others in favor of resolve in aid of a road around "Chick Hill" in the towns of Clifton and Amherst.

Orders

On motion by Mr. Murchie of Calais, it was

Ordered, that the Secretary of the Senate be requested to return to the House, bill "An Act relative to providing that the Recorder of the Bath Municipal Court shall be an Attorney-at-Law."

On motion by Mr. Smith of Skowhegan, it was

Ordered, the Senate concurring, that an invitation be and hereby is extended to Professor George F. Swain of Harvard University to address the Eightieth Legislature upon the subject of Water Powers and Water Storage, the lecture to be delivered on Wednesday, March 9, in the hall of the House of Representatives, at 8 P. M.

Mr. DODGE of Portland: Mr. Speaker, I would like to inquire, through the Chair, if there is any expense to the State attached to this lecture?

The SPEAKER: The Chair has no information as to expense for the speaker. Does that answer the question?

Mr. DODGE: So far as the Speaker is concerned, yes. I might ask, through the Chair, of Mr. Smith, if he understands there is any expense attached.

Mr. SMITH: I will advise the gentleman from Portland (Mr. Dodge) through the Chair, that there is no expense.

The order received passage and was sent to the Senate for concurrence.

Mr. Willard from the Committee on Legal Affairs on Bill "An Act to amend Section 3 and Section 5 of Chapter 203 of the Private and Special Laws of 1913 entitled 'An Act to incorporate the Ogunquit Village Corporation.'" reported that the same be printed and recommitted to the Committee on Legal Affairs.

The report was read and accepted and the bill was ordered printed and recommitted to the Committee on Legal Affairs, and 500 copies ordered printed.

Mr. Gardiner from the Committee on Judiciary on Bill "An Act requiring political advertisements to be signed" reported the same in a new draft under same title and that it "ought to pass."

The report was read and accepted and the new draft ordered printed under the joint rules.

Mr. Holley from the Committee on Appropriations and Financial Affairs on bill "An Act relating to the pay of hospital trustees reported that the same be referred to the committee on salaries and fees.

The report was read and accepted.

First Reading on Printed Bills and Resolves

House 166: Resolve in favor of J. Wilbur Day, town of Wesley, county of Washington, for reimbursement for cattle killed by bears while said cattle were pastured on Townships No. 31 and 37, in said Washington County.

House 167: Resolve in favor of the town of Boothbay Harbor for military aid furnished the wife and minor children of Herbert H. Thurston.

House 168: Resolve reimbursing the town of Oakland for money expended on account of mothers with dependent children.

House 169: Resolve in favor of Wil-

son J. Holway of the Forks Plantation, Somerset County, Maine.

House 170: Resolve reimbursing the county of Kennebec for money expended in pursuing insane criminals escaping from Augusta State Hospital.

(Tabled by Mr. Holley of No. Anson, pending second reading).

House 163: Resolve appropriating money for further public instruction in forestry.

House 164: Resolve appropriating money for continuance of white pine blister rust control.

Passed to Be Engrossed

An Act to amend Section 14 of Chapter 16 of the Revised Statutes as amended by Chapter 62 of the Public Laws of 1917 relating to the provisions for heating, ventilating and hygienic conditions in new and reconstructed school buildings.

(Tabled by Mr. Cram of Portland, pending third reading.)

Senate 59: An Act to amend Section 76 of Chapter 82 of the Revised Statutes relative to price of Maine Reports.

House 99: An Act to amend Section 14 of Chapter 2 of the Revised Statutes relating to notice of proceedings for relinquishment to the United States of the title to certain lands.

House 100: An Act authorizing Maine General Hospital to increase number of directors to twenty-four.

House 6: Resolve in favor of Frank S. Wingate for material furnished for the construction of the central school building for Maine State School for Girls.

(Tabled by the Speaker of the House in order that Rule 13, Page 54 of the Legislative Hand Book may be complied with.)

Passed to Be Enacted

An Act to amend Section 16 of Chapter 20 of the Revised Statutes, relating to the inspection of records of poisons sold by druggists.

An Act to amend Section 66 of Chapter 16 of the Revised Statutes,

as amended by Chapter 122 of the Public Laws of 1919, increasing the school age limit.

An Act to amend Section 61 of Chapter eight of the Revised Statutes as amended by Chapter 104 of the Public Laws of 1919, relating to the Maine Forestry District Tax.

The SPEAKER: This bill being an emergency measure, a two-thirds vote of the entire membership of the House is necessary. Those who are in favor of the passage of this bill will rise and stand until counted, and the monitors will return the count.

A division being had,

One hundred and fifteen voting in favor and none against, the bill was passed to be enacted.

Orders of the Day

The SPEAKER: Under orders of the day the Chair presents credentials as follows:

"This is to certify that Wallace Lewy of Peter Dana's Point was elected as the legal representative to the Legislature of 1921 by the Passamaquoddy Tribe of Indians.

(Sgd.) JUSTIN E. GOVE,

Agt. of the Passamaquoddy Tribe of Indians, Perry, Maine, Feb. 19, 1921."

The communication was received and ordered placed on file.

The SPEAKER: The representative of the Passamaquoddy Tribe of Indians is with us and entitled to a seat in our body.

The Chair presents at this time bill "An act providing that the Recorder of the Bath Municipal Court shall be an attorney-at-law."

On motion by Mr. Maher of Augusta, temporarily tabled.

Mr. MAHER of Augusta: Mr. Speaker, do I understand that we are proceeding under orders of the day?

The SPEAKER: We are.

On motion by Mr. Maher of Augusta it was voted to take from the table reports A and B of the committee on Judiciary on bill "An act relating to the appointment of clerks

of the Judicial Courts," tabled by that gentleman, pending acceptance of either report and specially assigned for today; and on further motion by the same gentleman, the matter was re-assigned for Wednesday, March 2.

The SPEAKER: Under the order recently passed all matters tabled and not specially assigned automatically come up for consideration at this time. The Chair presents House Document No. 52, bill "An act to prevent the marriage of persons having syphilis," tabled February 21 by the gentleman from Belfast, Mr. Buzzell, pending second reading.

Mr. BUZZELL: Mr. Speaker and gentlemen of the House: I know that this bill presents a very delicate situation. I speak for myself alone. When this bill was first considered in this House, I well know how it was accepted. Since that time, I have been trying to feel consistent with the action that we took at that time, but I cannot seem to do it. I may be alone, but for the purpose of further consideration I move that the bill be indefinitely postponed.

Mr. CROXFORD of Newport: Mr. Speaker and gentlemen of the House: I sincerely hope that the gentleman's motion from Belfast (Mr. Buzzell) will not prevail. That bill as it is before this House today is speaking for the unborn child. It is for the emancipation of the unborn child, and those of you, who have ever had anything to do or have seen the conditions that are brought about by syphilis, know well what it means. It is a pestilence; it is like a thief in the night; it comes upon us by stealth and no one knows at what moment or at what time it will come into your family or mine. There is not one thing about that bill, gentlemen, that is not open and above board. It has been stated by some in this House that it might create complications and that it might do this and it might do that; but, gentlemen, go back for a moment and look at your prohibitory law, and see if you would have it removed from your Statute books. It is not perfect, but has it not answered some of the conditions that prevail and exist in our

State today? Would you have it removed? Again I say to you, gentlemen, I trust that the gentleman's motion from Belfast (Mr. Buzzell) will not prevail, for if we go back it is retrogression. The gentleman from Bar Harbor (Mr. Phillips) is not seeking for personal aggrandizement, but he is the father, he is the Puritan father who came before this Legislature in 1919 with a bill that started this ball rolling. It is for clean living and it is for the cleanliness of the children of this State. Seriously consider, gentlemen, before you vote for the measure, as the gentleman from Belfast (Mr. Buzzell) has said. I submit to you that you should consider this matter in all fairness, bearing in mind that the eyes of the women of the State of Maine are upon you, and they demand of this present Legislature that their children shall be born well, and every child has a right to be born well, and you as members of the House of Representatives have no right to deny them.

Mr. PHILLIPS of Bar Harbor: Mr. Speaker, I will not enter into any further argument in regard to this bill beyond telling you a circumstance which happened in my practice not many moons ago. A young woman whose parents I have known all my life, nearly, went to New York to teach a deaf and dumb school of small children. She came home and married, and came to me not two months ago with a sore on her lip, unmistakably something that I traced as coming from one of those children who was in the habit of kissing her mornings when she came into the schoolroom. Her husband today, in a letter which I have, is praying for two things: One is that their unborn child shall be dead, the other that this bill goes through.

Mr. HINCKLEY of So. Portland: Mr. Speaker, it seems to me that the nature and effect of this disease are too well known at this time to need any discussion. I think that every member of this House recognizes this fact, that no man or woman has a moral right to contract marriage under these circumstances; and if they

have not the moral right, they should not have the legal right. I certainly hope that the motion of the gentleman from Belfast (Mr. Buzzell) will be defeated, and that this bill will become a law.

Mr. BUZZELL: Mr. Speaker, I wish to say just a few more words on this subject. I do not care to get excited, but I do want to express myself clearly how I feel regarding this proposed law. I have no horrible example that I wish to present for your consideration, but I want to tell you what we have for a law today, and I agree with the gentleman from So. Portland (Mr. Hinckley) that this is a law today in the State of Maine. "No person having syphilis shall marry until he has a certificate from the attending physician or physicians that he is cured of syphilis. The State Board of Health is hereby empowered to make regulations prescribing the method to be employed," etc. "Physicians shall keep a record of these cases and shall notify the health officer of the intention of persons so affected to marry." I have heard something of the conditions of our State so far as this disease is concerned. My point is, that this law will be inoperative, that it will not meet the conditions, that it will not be enforced. I recognize the fact that some law is needed to control the situation. We have a law now which says that no person having syphilis shall marry until he has a certificate. That is the law, but what are we doing with this law? Let me read what is proposed by this new law: "The clerk shall deliver to the parties a certificate specifying the time when such intentions were entered with him; and shall be delivered to the minister or magistrate before he begins to solemnize the marriage; but no such certificate shall be issued to a male under twenty-one, or to a female under eighteen years of age, without the written consent of their parents or guardians first presented, if they have any living in the State; nor to a town pauper when the overseers of such town deposit a list of their paupers with the Clerk." And now comes in the proposed amend-

ment: "And no such certificate shall be issued to any person until each of the parties wishing to be married shall file with the clerk a certificate under oath by a physician in this State, stating that he or she is free from syphilis; and for an intentional violation of the foregoing prohibitions, or for falsely stating the residence of either party named in such certificate, such clerk forfeits twenty dollars."

Let us make a slight analysis of this law! "And no such certificate shall be issued to any person until each of the parties wishing to be married shall file with the clerk a certificate under oath by a physician in this State." A person in Kittery desiring to be married may go to Fort Kent and find some doctor up there, or some imaginary doctor, and get a certificate. Who is going to question whether the certificate was actually made by a doctor or not, and, if made, who is going to enforce the law? Are we not making one more law because it appeals to sentiment, because of a horrible example set forth and set up here for us to look at? We can almost conceive how that person looks. We all realize the condition of that person, but are we not adding just one more law to that Statute book that is bound to be nothing but a perplexity to all of us. That is the idea. Now is this going to do any good? We have this law now that says they shall not get married. This goes one step farther and says what they must do to get married. After they are married what are you going to do? Supposing a young man, a poor boy, is keeping company with a rich girl and they desire to be married, as most all couples do at that stage of the game, and he is not free from taint. Can you not conceive how that young man for the paltry sum of thirty dollars might find some physician in the State of Maine—I do not say all—who would not only frank him through the marriage ceremony, but take him clean and clear to the grave? There is your situation.

Now I am trying to look at this

proposition fairly. I am not allowing sentiment to swerve me one way or the other. I will be in favor of some bill that will accomplish something. If you want to go down here and hire or buy an island in the ocean and segregate these people so we won't be obliged to come in contact with them, so we will not be obliged to look at them, I will be in favor of that as soon as we can work out some proposition that is workable, but why do we want to load up our Statute book, a book that is so fast growing that every lawyer in the State of Maine will soon be obliged to have a chore boy to lug it around for him.

Now let us go a little further! This law provides a penalty for the clerk. It says nothing about the physician. I wonder what we will do with the physician provided he gives a certificate that he has passed the young man or the young woman when he should not pass him or her? What are we going to do with him? We are going to punish the poor clerk and we are going to let the physician go scot free: Is that fair? Is not sentiment running away with you?

One more thing I wish to call to your attention, and that is this: Suppose, for instance, there are people who have boys and girls and they are coming to the marriageable age and they make a contract, and they say that the State of Maine has made a law which provides as this law provides. I do not believe that I want my girl or boy—it is barely possible they know something about the characteristics and the traits and the season of wild oat sowing of their own children—and I say I guess I will take one hundred or two hundred dollars from my pocket and send them to Rhode Island and have them married there. They will come back here and live and how much good has your law done? It will take care of the poor girl and poor boy who has to be married here, but the rich parties can go on their honeymoon first. I am in favor of Maine people being married in the State of Maine first and going on their honeymoon afterwards. I think it is a fine idea. I say that

this is my position and I say this in the face of the way in which this bill was accepted in the House. It is not because I want to be on the popular side that I am expressing my views here, but because I believe they are right.

Mr. HINCKLEY of So. Portland: Mr. Speaker, just a word! The reason for this bill at the present time, and the change in the law is simply because it has been found during the past two years that the old law has not worked out in a practical manner. I think we will all recognize the fact that under the law at the present time any magistrate, whether he be clergyman or a justice of the peace or notary, must have a certificate from the clerk before he can perform the marriage ceremony. If that be true, that is the place to stop the thing right there, and a city clerk or town clerk should not be permitted to issue the certificate, saying to the magistrate "You go ahead and marry" until sufficient evidence has been presented to him that these people may legally be married under the laws of the State. That is the purpose of this law. It is not lumbering up our statute book at all; it is a practical thing, and I say it is the right thing. I cannot see any argument against it, Mr. Speaker and gentlemen, and I want to say this, that I cannot conceive—I do not believe that there is any man or any woman in the State of Maine who has spent his or her time in pursuing their studies until they get a degree from the medical school who is low enough and cheap enough to issue any certificate in a case of this kind, knowing what the results may and possibly will be, unless they know that their ground is a correct one.

Mr. GERRISH of Lisbon: Mr. Speaker, there is one fundamental principle here that I wish you would all consider, and that is that the diagnosis of this condition is difficult. I have seen the best specialists in the country waver and not know exactly what was what; and the diagnosis as shown by the Wasserman reaction, which I understand is only ninety per cent. efficient, I think

in that case it will be a great injustice to the other ten per cent. I trust that the motion of the gentleman from Belfast (Mr. Buzzell) will prevail.

Mr. COLE of Eliot: Mr. Speaker and gentlemen, all we have to do is look across the river and see how our Insane Hospital is filled up with patients who are there as a result of this disease. If we can save the condition of our boys of the future, even if some mistakes may be made, it seems to me that it is worth our while.

Sometimes, however, when a law is made obligatory upon a class of people, those people who have the enforcement of that particular law under their control are apt to take advantage as time goes on, and I have in my mind a poor country boy who works on a farm and saves a few hundred dollars, looking forward to the time when he can buy a little cottage somewhere and perhaps continue his work of farming, he is going to marry a girl who also works on a farm and she has been saving her little dollars in order to get married, but this law stares them in the face because the medical trust in that locality has said this is something that is compulsory and our fee is one hundred dollars. Now, if that is a good law and if all the people of the State believe in the law and believe that they owe something to humanity, it seems to me that there should be some fee fixed for such an examination; and therefore, Mr. Speaker, I offer House Amendment A, section 2, to the effect that the fee for such medical examination shall not exceed five dollars.

The SPEAKER: The gentleman from Eliot, Mr. Cole, offers House Amendment A to House bill No. 52, to amend by adding thereto section 2, as follows:

"Section 2. The fee for such medical examination shall not exceed five dollars."

Mr. ROUNDS of Portland: Mr. Speaker, it seems to me that this is lumbering up the matter a little more. It will only cost five dollars for 10 per cent. of the citizens of

Maine to go over to New Hampshire, and you can get there and be back in three hours, and nobody would know that you had ever married for months afterwards; so it seems to me that it is unnecessary for us to lumber the matter up any more, and I think the whole business ought to be postponed.

The question being on the adoption of House Amendment A, and a viva voce vote being taken,

The amendment was lost.

Mr. PHILLIPS of Bar Harbor: Mr. Speaker, and gentlemen, there was a law passed here two years ago which takes care of the punishment of a physician for illegally giving a certificate and also leaving this matter in the hands of the State Board of Health to determine.

The SPEAKER: The question before the House is on the motion to indefinitely postpone House Doc. No. 52, Bill, an Act to prevent the marriage of persons having syphilis. All those in favor of the motion to indefinitely postpone will say aye; those opposed, no.

A viva voce vote being doubted,

A division was had, and 55 voting in favor and 63 against,

The motion to indefinitely postpone was lost.

On motion by Mr. Hinckley of South Portland, the bill received its second reading and was assigned for tomorrow morning for its third reading.

The SPEAKER: The Chair will present for consideration of the House, House Doc. No. 21, Joint order relative to the fuel situation in Maine, tabled by the gentleman from Portland, Mr. Murray, pending its passage.

Mr. BUZZELL of Belfast: Mr. Speaker, the gentleman from Portland, Mr. Murray, is absent at this time, and I do not know just what action the House wishes to take in regard to this matter at this time. Out of deference for the gentleman from Portland, Mr. Murray, I will move that the matter be re-tabled.

The SPEAKER: Will the gentleman from Belfast, Mr. Buzzell, add to

his motion an assignment to a definite time at which this matter may be taken up? And the Chair will take this opportunity of making this suggestion, that he can see no reason why this House may not be ready to adjourn after four weeks of real work.

Mr. BUZZELL: In view of the suggestion of our Speaker, I will now move for the indefinite postponement of this order.

The motion prevailed, and the order was indefinitely postponed.

The SPEAKER: The Chair will present next for the consideration of the House the report of Legal Affairs Committee on Bill relating to fees of jurors, tabled pending motion to substitute bill for report, on motion by Mr. Brewster of Portland.

On motion by Mr. Brewster of Portland, the bill and accompanying report were recommitted to the committee on legal affairs.

The SPEAKER: The Chair next presents for the consideration of the House, Order inviting Hon. T. F. Callaghan to address the House, tabled pending passage on motion by Mr. Buzzell of Belfast.

Mr. BUZZELL: Mr. Speaker and gentlemen of the House, this order was tabled by me January 27. In the meantime, I have written to Mr. Callaghan and in reply he has informed me that we have at our disposal in the Auditor's office the same information which he has. That was my idea at the time I tabled this order, and therefore I now move the indefinite postponement of this order, and I will not at this time read in to the record these letters which I have here which would simply lumber up our records.

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

The SPEAKER: The Chair presents for the consideration of the House, report of State Auditor and report of the Highway Department relative to garage, House Doc. No. 66, tabled pending further consideration on motion by Mr. Ricker of Poland.

Mr. RICKER: Mr. Speaker, I now

move that these reports be referred to a joint committee composed of the committee on judiciary and the committee on ways and bridges.

The motion was agreed to.

The SPEAKER: The Chair presents for the consideration of the House, House Amendment A, to joint order relating to appointment of a committee for investigation of legislative enactments relating to expenditures of money by departments of State, House Doc. No. 82, tabled pending adoption on motion by Mr. Maher of Augusta.

Mr. MAHER: Mr. Speaker, I yield to the gentleman from Portland, Mr. Brewster.

Mr. BREWSTER: Mr. Speaker, with the consent of the House I will ask that permission be granted for me to withdraw my proposed amendment.

A viva voce vote being taken,

Permission was granted for withdrawal of the amendment.

Mr. Cram of Portland then moved that the original order of February 9th, looking to the investigation of all legislative enactments, have a passage.

The motion was agreed to.

The SPEAKER: The Chair presents for the consideration of the House, Bill, An Act relating to teachers' pensions, House Doc. No. 24, tabled pending first reading on motion by Mr. Varney of Jonesboro.

On motion by Mr. Varney, the bill received its first and second readings and was assigned for tomorrow morning for its third reading.

The SPEAKER: The Chair presents for the consideration of the House, Order relating to superintendent of buildings numbering doors, tabled pending adoption on motion by Mr. Buzzell of Belfast.

Mr. BUZZELL: Mr. Speaker, for the information of the House, I would say that I have just been informed that the superintendent of buildings says that he has made provision to take care of this subject matter and that we will all have the benefit of this effort in the near future; therefore, I move the indefinite postponement of this order.

The motion was agreed to.

The Speaker: The Chair presents for the consideration of the House, Bill, An Act relating to school house lots acquired by condemnation, House Doc. No. 112, tabled pending its passage to be engrossed on motion by Mr. Maher of Augusta.

Mr. Maher then yielded to the gentleman from Oakland, Mr. Hunton.

On motion by Mr. Hunton of Oakland, the bill was passed to be engrossed.

The SPEAKER: The Chair presents for the consideration of the House, Order requesting investigation as to the expenditure of money presented by the gentleman from Portland, Mr. Rounds, and tabled by the gentleman from Belfast, Mr. Buzzell, pending its passage. The Chair will recognize the gentleman from Portland, Mr. Rounds.

On motion by Mr. Rounds, the bill was again tabled and specially assigned for consideration tomorrow morning.

The SPEAKER: The Chair presents for the consideration of the House, Report of the committee on Public Utilities on bill, An Act regulating the licensing of poles erected in streets, highways and public ways, and fixing the license fee, House Doc. No. 36, tabled pending acceptance of the report, on motion by Mr. Rounds of Portland.

On motion by Mr. Rounds, the report was again tabled and specially assigned for consideration tomorrow morning.

The SPEAKER: The Chair presents for the consideration of the House, Resolve in favor of Horace Nelson, tabled pending reference to a committee, on motion by Mr. Phillips of Orrington.

On motion by Mr. Phillips of Orrington, the resolve was referred to the committee on appropriations and financial affairs.

The SPEAKER: The Chair presents for the consideration of the

House, Bill, An Act to amend Chapter 10, Section 1 of the Revised Statutes, relating to poll tax, House Doc. No. 61, tabled pending commitment to Committee on bills in third reading, on motion by Mr. Small of Brewer.

Mr. Small of Brewer yielded to the gentleman from Washburn, Mr. Story.

Mr. STORY: Mr. Speaker and gentlemen, the purpose of this bill is to increase the poll tax rate to five dollars. I will say that the State of Massachusetts increased its poll tax from \$2.00 to \$5.00 and Vermont and New Hampshire increased their poll tax rates from \$3.00 to \$5.00. Under the terms of this proposed bill, it is left to the people of our State to say what increase we will make, to see if we will increase the poll tax from \$3.00 to \$5.00 in this State so that the poll tax payers will help pay the burden of the great tax which we have to pay. It seems to me, Mr. Speaker and gentlemen that the young men of our State should be perfectly willing to pay a poll tax at this rate, and should be willing to stand their proportional part of the great burden in taxes which we have to pay. I therefore move that the bill receive its third reading.

Mr. CRAM of Portland: Mr. Speaker, my understanding from a rather hurried examination of this bill shows that this makes the law not optional with the municipalities but absolute in its terms. The poll tax must be \$5.00. My recollection of the statute, which I am unable at this time to read, is that it is now optional. In the city of Portland, we have a poll tax of \$2.00; it was changed some years ago to \$3.00 to \$2.00, and in other municipalities it is even now \$3.00. I certainly feel that this measure should be changed and that it ought not to be fixed definitely for the whole State. However, I have no objection to its being made optional and not exceeding \$5.00, and for that purpose, I would like to offer House Amendment A.

The SPEAKER: While this amendment is being prepared the House might proceed with the other matters on the calendar.

The SPEAKER: The Chair presents for the consideration of the House, Bill, An Act relating to the Bangor Police Department, House Doc. 117, tabled pending third reading, on motion by Mr. Chalmers of Bangor.

On motion by Mr. Chalmers of Bangor, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents for the consideration of the House, communication from the State Auditor transmitting list of salaries of different departments of State, tabled pending further consideration, on motion by Mr. Maher of Augusta.

Mr. Maher yielded to the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS: Mr. Speaker and gentlemen, this bill or this order was put in by me some time ago so that every gentleman in this House and every person in the State might know what prices were being paid to the men employed by the State of Maine. The work has been done by the State Auditor and now the matter has been stopped pending action of this House, and in this amendment I have tried to have a substitution of 4000 copies printed instead of 1000. Now I think that every gentleman in this House and every tax-payer throughout this State wants to know what each one is getting. It has been said that on account of the expense it would be too much of an expenditure. I don't know just what the expense would be. Some say it is going to be up as high as \$900, but even if it is \$900, when you get home and that report is shown to your constituents, you will come back here and we will save \$9000 by having this report made. No doubt it will show quite an increase from the year 1909 in the salaries which are paid in all the different departments. I think you all know that at this time there are over 90 bills in here now for increases of salary.

Now, Mr. Speaker, and gentlemen, we have been asked to retrench and I think it is time we started. There

were 35 in this House who came before our committee last week, heads of departments, and it was stated before our committee that a great many clerks were getting more than the heads of departments, and it is a shame that the clerks in this Legislature should be paid more than the heads of some of our departments; and it is all handed down from an old law, and a great many of the departments have never been increased, but through the agency of the Governor and Council last year or two years ago, in 1919, by bill No. 215, this was made elastic, and the Governor and Council have made increases. One man has been raised on February 18th, 1920, \$1000, and dating it back thirteen months and a half. Now, gentlemen, that does not look right. I know you all want to get home, and I also know that when you get home you will want to know and to be satisfied in your own minds that you acted wisely in this matter. I have only cited this one instance, but if I had the time I could cite a number of instances where the same thing has been done, and I think it is time we put a stop to these things, and for this reason I would like to have this order passed as amended, providing for the printing of 4000 copies.

The SPEAKER: Does the Chair understand the gentleman from Portland, Mr. Rounds, to state that it is estimated that it will cost \$900 to print 1000 copies?

Mr. ROUNDS: Mr. Speaker, I will say that I have been told so. Other gentlemen say it will cost from \$300 to \$400. I don't know myself why it will cost so much. I notice in the statement that the smallest group of items comprised something like nine lines, and the largest somewhere around 47 lines. Now we would say that it will cost \$10, which was larger than any of the printers in this House said it should be, and we have then something like 42 pages, making \$420; and if we are paying \$900 it looks to me as if somebody should look into our printing contract, because it will bankrupt the

State if we should let things go on in that way, to let our printing go on in the manner in which it is being done now. Now, I for one want to see this matter printed, and my constituents want to see it printed, and I think it is time we had it done.

The SPEAKER: The Chair will state for the benefit of the gentleman from Portland, Mr. Rounds, and others, that the estimate of the Superintendent of Public Printing is that it will cost between \$900 and \$1000 to print this voluminous report.

Mr. McILHERON of Lewiston: Mr. Speaker and gentlemen of the House, you are all aware of my opposition to increasing the expenditure for printing, and you know how anxious I am that this Legislature and the people of the State of Maine should know the exact truth in regard to the expenditure of the State's money, the money that they pay into the treasury of our State in the way of taxation.

My suggestion would be this: Instead of going to the expense of printing this very extensive report, I would suggest that we bring the heads of the different departments who have the authority to spend the State's money, to bring them here before this Legislature so that the members of this House and the Senate can go back to their constituents and tell them where the money has gone and give a record of it. I would suggest that each man who is empowered with the spending of the State's money be called before this Legislature and asked to give an account of where he has spent the money which was appropriated for his department and how it has been spent. I have heard it rumored around the streets of this city that the highway department pays men who were born and bred in the State of Maine, good honest, farmers' boys—that the highway department pays them a less amount per day than they were paying for help which was imported into the State of Maine. It seems to me, Mr. Speaker and gentlemen, if these

boys from our own State can do an equal day's work, it is perpetrating an injustice on the citizens of the State of Maine to pay them less per day than is paid to help that is imported into our State to work on our highways. I say that we should have an open book in regard to the financial transactions of this State by the men who are authorized to spend the money, and not to go ahead and print up a measure such as this and put it in our pockets and say to ourselves that it is too long to read, and I can't tell you, but it is a lot of money. Gentlemen, I advise you to bring the heads of departments in here and see what they have to say in defense of the expenditures which are made in their departments.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Rounds, that 4000 copies of this communication be printed, instead of 1000. Those in favor of that motion will say aye; those opposed, no.

A viva voce vote being doubted,

A division was had, 87 voted in favor and 17 against.

So the motion prevailed.

The SPEAKER: The Chair presents for the consideration of the House the amendment to House Doc. No. 61, Bill, An Act to amend Chapter 10, Section 1, of the Revised Statutes relating to poll tax, the amendment being offered by the gentleman from Portland, Mr. Cram, which amendment is as follows:

"House bill No. 61, An Act to amend Chapter 10, Section 1, of the Revised Statutes, relating to poll tax, is hereby amended by adding to the word 'be' in said line, the words 'not exceeding' so that the last clause of said section shall read 'which said poll tax shall be not exceeding five dollars.'"

The question being on the adoption of the amendment,

Mr. Story of Washburn moved that the bill and amendment, pending the acceptance of the amendment, be

laid upon the table until tomorrow morning.

The motion was agreed to.

The SPEAKER: The Chair presents for the consideration of the House, communication from the Highway department relative to location and mileage of highways, etc., tabled pending its further consideration on motion by Mr. Hinckley of South Portland.

Mr. Hinckley then moved that this communication be referred to the joint committees on judiciary and ways and bridges.

The motion was agreed to.

The SPEAKER: The Chair presents for the consideration of the House, report of the committee on Judiciary on bill, An Act relating to prohibiting business on Sunday, otherwise known as the Barwise bill, House Doc. No. 28, tabled pending the acceptance of the report on motion by Mr. Maher of Augusta.

Mr. Maher then moved that this report be again tabled and be specially assigned for consideration on Tuesday of next week.

The motion was agreed to.

The SPEAKER: The Chair presents for the consideration of the House, report of the committee on Sea and Shore Fisheries on Bill, An Act relating to the use of trawls and nets within certain waters, tabled pending the acceptance of the report. The Chair will table this matter temporarily pending the appearance of the gentleman from South Portland, Mr. Thomas.

Mr. HINCKLEY of South Portland: Mr. Speaker, in order to save time I may say that I know the ideas of the gentlemen from South Portland, Mr. Thomas, and if it is permissible, I will move that this matter be again tabled and be specially assigned for consideration on Tuesday of next week.

The motion was agreed to.

The SPEAKER: The Chair pre-

sents for the consideration of the House, Report of the committee on State lands and forest preservation on resolve authorizing the land agent to sell Lot No. 85 in Moro Plantation, tabled pending the acceptance of the report, on motion by Mr. McIlheron of Lewiston.

Mr. McIlheron then yielded to the gentleman from Augusta, Mr. Viles.

On motion by Mr. Viles, the report was accepted.

The SPEAKER: The Chair presents for the consideration of the House, Report of the committee on State lands and forest preservation on resolve authorizing the land agent to sell Lot No. 93 in the town of St. Agatha, tabled pending the acceptance of the report on motion by Mr. McIlheron of Lewiston.

Mr. McIlheron then yielded to the gentleman from Augusta, Mr. Viles.

On motion by Mr. Viles, the report was accepted.

The SPEAKER: The Chair presents for the consideration of the House, Report of the committee on State lands and forest preservation on resolve authorizing the land agent to sell certain lost in Dennistown Plantation, tabled pending acceptance of the report, on motion by Mr. McIlheron of Lewiston.

Mr. McIlheron yielded to the gentleman from Augusta, Mr. Viles.

On motion by Mr. Viles, the report was accepted.

The SPEAKER: The Chair presents for the consideration of the House, Bill, An Act relating to inmates escaping from the Reformatory for Women, House Doc. No. 129, tabled pending its second reading on motion by Mr. Towne of Madison.

Mr. SMITH of Skowhegan: Mr. Speaker, with the consent of the gentleman from Madison, Mr. Towne, I will move that this bill be given its second reading at this time.

The motion was agreed to, the bill received its second reading and was assigned for tomorrow morning.

The SPEAKER: The Chair pre-

sents for the consideration of the House, Report of the committee on judiciary on Bill, An Act to repeal the law authorizing a divorce from the bonds of matrimony, House Doc. 46, tabled pending the acceptance of the report on motion by Mr. McIlheron of Lewiston.

On motion by Mr. McIlheron, the report was again tabled and specially assigned for consideration on Friday of this week.

The SPEAKER: The Chair presents for the consideration of the House, Bill, An Act for the improvement of sanitary conditions in school building toilets, Senate Doc. No. 31, tabled pending commitment to committee on bills in third reading on motion by Mr. Bragdon of Perham.

Mr. Bragdon of Perham moved that this bill be referred to committee on bills in third reading.

Mr. Forbes of Paris moved that the bill be tabled and be especially assigned for consideration for tomorrow morning.

The motion was agreed to.

The SPEAKER: The Chair presents for the consideration of the House, Bill, An Act relating to fishing in Kennebago Stream, House Doc. No. 145, tabled pending its third reading, on motion by Mr. Weeks of Fairfield.

On motion by Mr. Weeks, the bill was again tabled and specially assigned for consideration on Tuesday of next week.

The SPEAKER: The Chair presents for the consideration of the House, Bill, An Act to authorize the American Realty Company to construct and maintain a dam across the

St. John River, House Doc. No. 14, tabled pending its passage to be enacted, on motion by Mr. Buzzell of Belfast.

On motion by Mr. Buzzell, the bill was again tabled and specially assigned for consideration tomorrow morning.

Mr. MURCHIE of Calais: Mr. Speaker, I move to take from the table the bill which was recalled from the Senate this morning, relating to the recorder of the municipal court of Bath.

The motion was agreed to.

Mr. MURCHIE: Mr. Speaker, I want to ask leave of the House to withdraw this bill. I will say that the bill bears an endorsement purporting to have been introduced by me. This is not a fact, and I have not heard from the parties who are behind the bill. This bill purports to regulate local affairs in the town of Bath at the instigation of Washington County. I understand the situation is that this measure has never reached a committee and that it will be proper for this House to finally dispose of the measure without having it go to the Senate, and therefore I ask the consent of the House to withdraw the bill.

Mr. McIlheron of Lewiston moved that the request be granted.

The motion was agreed to, and consent was given for the withdrawal of bill, An Act providing that the recorder of the Bath municipal court shall be an attorney at law.

On motion by Mr. Cole of Eliot, adjourned until tomorrow morning at 10 o'clock.