

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Monday, April 11, 1927.

Senate called to order by the President.

Prayer by the Rev. H. B. Haskell, of Gardiner.

Journal of previous session read and approved.

Bills in First Reading

An Act to amend Section 5 of Chapter 95 of the Revised Statutes of 1916, in relation to mortgages of real estate. (S. D. 372)

Resolve in favor of the Commissioners of Pharmacy of the State of Maine. (S. D. 373)

Resolve to celebrate the Two Hundredth Anniversary of the Battle of Lovewell's Pond. (S. D. 374)

Resolve in favor of General Mark L. Hersey. (S. D. 375)

An Act relating to the compensation of the Judge of Probate for Sagadahoc County. (S. D. 376)

An Act conferring authority upon municipal officers to enforce the laws and the rules and regulations relating to trucks upon the highway. (S. D. 377)

(Under suspension of the rules the foregoing bills and resolves were also given their second reading and passed to be engrossed.)

On motion by Mr. Foster of Kennebec, the Senate voted to give consent to that Senator to introduce out of order and under suspension of the rules the following bill:

"An Act to apply surplus funds toward State construction." (S. P. 674)

Mr. FOSTER of Kennebec: Mr. President, in support of my motion I wish briefly to explain the purport of the pending measure. The whole new construction program is linked up with this measure. It provides for taking care of the several appropriations for new construction of the various State institutions, such as the State university, hospitals, sanatoriums, reformatories, and schools which have been and may hereafter be authorized by this Legislature. Now, the amounts by which the ac-

tual income of the State for the two years ending June 30, 1927 and June 30, 1928, exceeds the current expenses of the said two years, together with the balances of unexpended appropriations in non-continuing accounts which exist on the same date is used, except so much as may be required to pay the then outstanding bills for which said appropriations as relate to the issue and payment of bonds, loans or special funds, shall, as soon as ascertained, be carried to special accounts designated to special purposes by the said several resolves. It is an emergency measure and as we all understand has the approval of the Governor and Council and the unanimous endorsement of your appropriations Committee.

Mr. HOLMES of Androscoggin: Mr. President, if the bill is not too long, I should like to have it read, as it is something entirely new to me.

The PRESIDENT: The Senator is in order and the secretary will read the bill.

(Thereupon, the bill was read by the Secretary.)

Mr. HOLMES of Androscoggin: Mr. President, would the Chair kindly inform me whether or not, if printing were ordered of that now, whether or not it would be printed and ready on our desks tomorrow so that no delay of account would be caused by tabling?

The PRESIDENT: The Chair could not vouch for the printing. The Chair would make this suggestion and only a suggestion, that the Senator from Androscoggin, Senator Holmes may allow the bill to go on, if he cares to, and allow it to be passed to be engrossed in this body without reference to a committee. After it has been passed to be engrossed it will necessarily follow the same procedure in the House, and then after it is engrossed and in the intervening time, the Senator from Androscoggin, Senator Holmes shall have all the opportunity possible to look over the bill in the body.

Mr. HOLMES: I thank you, Mr. President, and I will not make any motion to table.

Thereupon, on motion by Mr. Foster of Kennebec, the rules were suspended and the bill had its two several readings and was passed to be engrossed without reference to a committee.

Reports of Committees

Mr. Case, from the Committee on Sea and Shore Fisheries, on Resolve in favor of the purchase of an engine and equipment for the Department of Sea and Shore Fisheries (S. P. 326) reported that the same ought not to pass.

Mr. Perkins, from the Committee on State School for Boys, State School for Girls and State Reformatories, on bill An Act in reference to the State School for Girls and the State School for Boys (S. P. 179) reported that the same ought not to pass.

The reports were severally read and accepted.

Mr. Crafts, from the Committee on Inland Fisheries and Game, on bill An Act relating to the protection of moose (S. P. 215) reported the same in a new draft, under the same title (S. P. 645) and that it ought to pass.

Mr. Lord, from the same Committee, on bill An Act relating to the size of fish and weight of catch limited (S. P. 383), with petition in favor of the same (S. P. 504), reported the same in a new draft, under the title of An Act relating to the taking of square tailed trout in the county of York (S. P. 646) and that it ought to pass.

Mr. Perkins, from the Committee on State School for Boys, State School for Girls and State Reformatories, on Resolve in favor of the Reformatory for Women for maintenance and other repairs (S. P. 160) reported the same in a new draft, under the same title (S. P. 644) and that it ought to pass.

The same Senator, from the same Committee, on Resolve in favor of the State Reformatory for Women for the erection of a detention building (S. P. 201) reported that the same ought to pass.

The reports were severally read and accepted and the bills and resolves laid upon the table for printing under the joint rules.

Passed to be Engrossed

An Act relating to the capacity of milk bottles and jars. (S. D. 368)

(On motion by Mr. Morrison of Franklin, tabled pending passage to be engrossed.)

Resolve in favor of a feeding station for fish at the outlet of Sebago Lake, in the county of Cumberland. (S. D. 369)

Resolve for screening certain lakes and ponds in the state. (S. D. 370)

An Act relating to primary elections. (S. D. 371)

Orders of the Day

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act to provide compensation of the Justices of the Supreme Judicial Court (H. D. 499) tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be enacted; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be enacted.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relating to fees of witnesses (H. D. 534) tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be enacted; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be enacted.

The President by unanimous consent and under suspension of the rules, laid before the Senate, Resolve to appropriate funds for construction, etc., of air port at Augusta (H. D. 567) tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Resolve in favor of town of Caribou for reimbursement of moneys expended in defending five five actions at law (H. D. 553), tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous con-

sent and under suspension of the rules, laid before the Senate, Resolve in favor of town of New Vineyard for reimbursement for damage done by bears killing sheep (H. D. 554), tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Resolve in favor of B. E. Lurchin compensating him for storage of dynamite and exploders in his building (H. D. 563), tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Resolve in favor of Malcolm B. O'Brien for compensation due for labor performed for the State (H. D. 564), tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Resolve to reimburse town of Webster for support of Paul Pomeroy and wife, State paupers (H. D. 556), tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Resolve in favor of town of Hiram for refund of taxes erroneously paid (H. D. 557),

tabled on April 5th by Mr. Carter of Androscoggin, pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules laid before the Senate, Resolve in favor of George Grant of Bangor compensating him for personal injuries in collision with a moose (H. D. 566) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules laid before the Senate, Resolve in favor of the town of Robbinston for reimbursement for money expended on road (H. D. 561) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules laid before the Senate, Resolve in favor of the town of Kennebunkport for reimbursement for services and money expended in caring for James Ford (H. D. 562) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules laid before the Senate, Resolve in favor of the town of Leeds for reimbursement for money expended in rebuilding bridge (H. D. 565) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be

engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules laid before the Senate, Resolve in favor of Trustees of University of Maine (H. D. 555) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the resolve was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relating to the salary of the county attorney, Franklin county (H. D. 574) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act to make chairman of Androscoggin county commissioners full time office (H. D. 515) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relating to increasing the salary of the recorder of the Western Hancock Municipal Court (H. D. 573) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of An-

droscoggin, the bill was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relating to the salary of the county attorney, Hancock county (H. D. 572) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act to increase the salary of the register of deeds, Oxford County, western district (H. D. 560) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relative to the increase in salary of the judge of Presque Isle Municipal Court (H. D. 558) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed as amended by House Amendment A; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be engrossed as amended by House Amendment A.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Resolve in favor of Central Maine Sanatorium for construction and equipment of nurses' home (S. D. 211) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be engrossed as amended by Senate Amendment A; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the bill was passed to be

engrossed as amended by Senate Amendment A.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relating to the pay of jurors (H. D. 437) tabled on April 5th by Mr. Carter of Androscoggin pending passage to be enacted; and the President recognized the Senator from Androscoggin, Mr. Holmes.

Mr. HOLMES of Androscoggin: Mr. President, I move that the bill be passed to be enacted.

Mr. GRANVILLE of York: Mr. President, I arise to a point of inquiry. The other day we passed an act raising the pay of jurors which was referred to the Committee on Judiciary. Is this that same act or is it the one that was referred to the Committee on Salaries and Fees?

The PRESIDENT: The Chair answered that question on Friday last. In the opinion of the Chair—and this is from memory only—this is the one which was referred to the Judiciary Committee.

Mr. GRANVILLE: And, Mr. President, I thought that the Chair was mistaken.

The PRESIDENT: The Chair will now say that this is the bill which is referred to the Committee on Salaries and Fees.

Mr. GRANVILLE: And the one passed the other day was the one referred to the Judiciary Committee, and this raises the per diem six dollars?

Thereupon, on motion by Mr. Granville of York the bill was tabled pending passage to be enacted.

Mr. HOLMES of Androscoggin: Mr. President, I think I can help now to clear up the confusing situation in regard to these bills by moving that the Senate reconsider its action taken on the last legislative day on House Document 535, a bill raising the pay of jurors. I make this motion for the purpose of moving to adhere to our action, which if we so vote will end that measure.

The PRESIDENT: The Senator from Androscoggin, Senator Holmes, moves that we reconsider the vote taken on the last legislative day whereby this matter was sent to the

House. Is this the pleasure of the Senate?

The motion to reconsider prevailed.

Mr. HOLMES: And if my recollection of the record is correct, Mr. President, the House voted to indefinitely postpone. Therefore, I now move that the Senate adhere to its former action.

The motion to adhere prevailed.

On motion by Mr. Granville of York, the Senate voted to take from the table, An Act relating to the pay of jurors (H. D. 437) tabled a few minutes ago by that senator pending passage to be enacted and on further motion by the same senator the bill was passed to be enacted.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, House report from the Committee on Judiciary "ought to pass" in a new draft, Resolve authorizing James H. Kerr of Rumford to bring suit at law against the state. N. D., H. D. No. 438, (H. D. 227) tabled on March 31st by Mr. Carter of Androscoggin pending passage to be enacted; and the President recognized the Senator from Androscoggin, Senator Holmes.

On motion by Mr. Holmes of Androscoggin, the report was accepted; and on further motion by the same senator the rules were suspended and the resolve received its two several readings.

Thereupon, on further motion by the same senator the resolve was tabled pending passage to be engrossed.

On motion by Mr. Woods of Penobscot the Senate voted to take from the table, Resolve in favor of the Augusta State Hospital (S. D. 153) tabled on April 5th by that senator pending consideration; and on further motion by the same senator the rules were suspended and the Senate reconsidered its action whereby this resolve was finally passed. On further motion by the same senator the Senate then reconsidered its action whereby the resolve was passed to be engrossed.

The same senator then offered Senate Amendment A as follows and moved its adoption:—

"Senate Amendment A to Senate Paper 26, Senate Document 153, entitled 'Resolve in favor of the Augusta State Hospital for maintenance for the fiscal years 1928 and 1929'. Amend said resolve as amended by House Amendment A by striking out the figures \$165,340 in the first column at the end of the first paragraph and inserting in place thereof the figures \$157,340. Also by striking out the figures \$167,196 in the second column at the end of the first paragraph and inserting in place thereof the figures \$159,197. So that said paragraph as amended shall read as follows: For personal services, namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment July 1st, 1927 to June 30th, 1928, \$157,340; July 1st, 1928 to June 30th, 1929, \$159,197."

Thereupon, Senate Amendment A was adopted and the resolve as so amended was passed to be engrossed.

On motion by Mr. Woods of Penobscot, the Senate voted to take from the table, Resolve in favor of Bangor State Hospital (S. D. 152) tabled on April 5th by that Senator pending consideration. On further motion by the same senator the rules were suspended and the Senate reconsidered its former action whereby the resolve was finally passed. Thereupon, under suspension of the rules, on further motion by the same senator the Senate reconsidered its former action whereby the resolve was passed to be engrossed.

The same senator then presented Senate Amendment A as follows and moved its adoption:—

"Senate Amendment A to Senate Document No. 152. Resolve in favor of the Bangor State Hospital.

Amend said resolve as amended by House Amendment A by striking out the word 'seventeen' in the eighth and twelfth lines of the first paragraph and inserting in place thereof the word 'ten'; also by striking out the figures '117,000' at the end of the first paragraph in both the first and second year and inserting in place thereof the figures '110,000'; also further amend said Resolve by striking out the words 'nine hundred fifty dollars and forty cents' in the eighth and ninth lines of the second paragraph and inserting in place thereof the words 'eight hundred and seventy

dollars' and by striking out the words 'seven hundred ninety-three dollars' in the thirteenth line of the second paragraph and inserting in place thereof the words 'three hundred and eighty-four dollars and fifty-six cents'; also by striking out the figures '140,950.00' in the first column and the figures '142,792.00' in the second column at the end of the second paragraph and inserting in place thereof the figures '140,870.00' and '142,384.56'; further amend said resolve by striking out the words 'nine hundred nineteen dollars and ninety-six cents' in the twelfth and thirteenth line of the third paragraph and inserting in place thereof the word 'dollars'; also by striking out the words 'fifty-one thousand five hundred ninety-one dollars and fifty-six cents' in the sixteenth and seventeenth lines of the third paragraph and inserting in place thereof the words 'fifty thousand'; also by striking out the figures '50,919.96 and \$51,591.56' at the end of the third paragraph and inserting in place thereof the figures '50,000.00' and '\$50,000.00' so that said resolve as amended shall read as follows:

"Resolved: That there be, and hereby is, appropriated for the Bangor State Hospital:

"For personal services, namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment for the year July first, nineteen hundred and twenty-seven to June thirtieth, nineteen hundred and twenty-eight, the sum of one hundred ten thousand dollars, and for the year July first, nineteen hundred and twenty-eight to June thirtieth, nineteen hundred and twenty-nine, the sum of one hundred ten thousand dollars (1927-28: \$110,000.00. 1928-29: \$110,000.00.)

"For maintenance; namely, for all articles of food, wearing apparel, heat, light and power, farm and industrial activities, for printing reports of said institution up to date, and parole or community services for the year July first, nineteen hundred twenty-seven to June thirtieth, nineteen hundred and twenty-eight, the sum of one hundred forty thousand eight hundred and seventy dollars, and for the year July first, nineteen hundred and twenty-eight, to June thirtieth, nineteen hundred and twenty-nine, one hundred and forty-two

thousand three hundred eighty-four and fifty-six cents. (1927-28: \$140,-870.00. 1928-29: \$142,384.56.)

"For repairs and equipment; namely for all labor, materials and supplies required for upkeep of automobiles, buildings and grounds, household furniture and fixtures, office furniture, surgical instruments, machinery and tools, pipe and fittings, insurance, farm equipment, and live stock, and all other proper charges for the year July first, nineteen hundred and twenty-seven, to June thirtieth, nineteen hundred and twenty-eight, the sum of fifty thousand dollars, and for the year July first, nineteen hundred and twenty-eight to June thirtieth, nineteen hundred and twenty-nine, the sum of fifty thousand dollars. (1927-28: \$50,000.00. 1928-29: \$50,-000...)

"For interest on the Robie Amusement Fund, for the year July first nineteen hundred twenty-seven to June thirtieth, nineteen hundred and twenty-eight, the sum of one hundred and sixty dollars, and for the year July first, nineteen hundred and twenty-eight to June thirtieth, nineteen hundred and twenty-nine, the sum of one hundred and sixty dollars. (1927-28: \$160.00. 1928-29: \$160.00.)

Thereupon, Senate Amendment A was adopted and the resolve as so amended was passed to be engrossed.

The President, by unanimous consent and under suspension of the rules, laid before the Senate, An Act relating to the state department of health, (S. D. 225), tabled on March 31st by Mr. Carter of Androscooggin, pending enactment; and the President recognized the Senator from Washington, Senator Miner.

Thereupon, on motion by Mr. Miner of Washington, the rules were suspended and the Senate reconsidered its former action whereby this resolve was passed to be engrossed; and on further motion by the same Senator, the bill was tabled pending passage to be engrossed.

The President laid before the Senate, An Act to provide for the completion of vital records of the state, (H. D. 568), tabled on April 8th by Mr. Miner of Washington, pending consideration, and today assigned.

Mr. MINER of Washington: Mr.

President, I yield to the Senator from Aroostook, Senator Bragdon.

Mr. BRAGDON of Aroostook: Mr. President, this is the celebrated grave-yard bill that we have heard quite a lot about in several recent sessions of the legislature and at the time this was advertised for hearing, I appeared against it for the reason that it contained the provision that I mentioned on the last legislative day in regard to sending an agent out from a state department here to complete this record if it was not done by the town clerk to the satisfaction of the department, and charging the bill up to the town. When this came before us last Friday from the House it had voted to indefinitely postpone the measure and I assumed that it was on account of its containing the same provision, and as you realize, matters are going so rapidly at the present time that there is very little time to look up such matters as they come along, so I moved to concur with the House in the indefinite postponement, but after the matter was tabled I had an opportunity to look up the matter and I found that the committee had remedied that provision that was objectionable to me, so I have no further objection to the bill and I ask leave to withdraw my motion for the indefinite postponement in concurrence.

The PRESIDENT: If the Chair is not in error, the Senator from Aroostook, Senator Bragdon, at the suggestion of the Chair, withdrew that motion on Friday last. There is no pending motion before the Senate. The status of the bill now, as the Chair understands is: the House has indefinitely postponed and the Senate has passed to be engrossed. The proper motion if the Senate wishes for the bill to go on, is to insist upon its former action and ask for a committee of conference. If the Senate wishes to kill the bill, the motion to indefinitely postpone should be renewed.

On motion by Mr. Bragdon of Aroostook, the Senate voted to insist and ask for a committee of conference; and the President appointed the following Senators as members of such committee on the part of the Senate: Senators: Miner of Washington, Mitchell of Aroostook and Bragdon of Aroostook.

The PRESIDENT: Are there any other matters which any Senator feels he can take from the table?

On motion by Mr. Drake of Sagadahoc, the Senate voted to take from the table, An Act relating to liability insurance premiums, (H. D. 291) tabled on April 8th by Mr. Drake of Sagadahoc, pending consideration; and on further motion by the same Senator, the bill was indefinitely postponed in concurrence.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table An Act relating to advertising signs upon public high-ways, (S. D. 347) tabled by that Senator on April 8th pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Smith of Somerset, the Senate voted to take from the table An Act relating to apothecaries and the sale of poisons, (S. D. 361) tabled by that Senator on April 8th pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Smith of Somerset, the Senate voted to reconsider its former action whereby, An Act relating to licensing operators of motor vehicles, trailers or tractors, (H. P. 1134) was passed to be engrossed.

Mr. SMITH of Somerset: Mr. President, I would now like to offer an amendment, if in order, and I move its adoption.

The PRESIDENT: The Senator is in order.

(The Secretary read the following amendment:)

Senate Amendment "A" to House Paper 1134, "An Act Relating to the Registration of Trucks."

"Amend section thirty-four in section one of said bill by striking out after the word 'licenses' in the twelfth line thereof the following: 'The provisions of this section shall, however, be operative as to an owner and operator of such vehicle only to the extent that under the laws of the state or country of his residence, like exemptions and privileges are granted to owners and operators of like vehicles registered under the

laws of this state; and the secretary of state shall determine what states and countries grant similar privileges and the extent of the privileges so granted; and his determination shall be final,' so that said section as amended shall read as follows: 'Sec. 24. The provisions of this relative to the registration of motor vehicles, tractors and trailers, and the granting of operators' licenses shall not apply to a motor vehicle, tractor or trailer owned by a non-resident, other than a foreign corporation doing business in this state, or to a non-resident operator other than the operator of any such vehicle belonging to a foreign corporation doing business in this state, provided that the owner of such vehicle and its operator have complied with the provisions of law of the state or country of his residence relative to the registration of such vehicles, and the granting of operators' licenses. Nothing in this act shall be construed to permit a non-resident vehicle having a weight in excess of or equipped contrary to that allowed a similar resident vehicle, to be operated on the ways of this state.

"But no public vehicle owned or operated by a non-resident shall be operated on the public ways of this State as a vehicle engaged in the business of livery or for hire, or as a jitney, within this State, and no motor truck or trailer having a rated carrying capacity of more than one ton and owned or operated by a non-resident, shall be operated on the highways of this State, except and until it has been registered under the laws of this State and made to comply with the by-laws and ordinances of municipalities wherein it is operated, in the same manner as may be required of like vehicles owned, operated and registered in this State, and all operators of the same shall be licensed in like manner as residents of this State are required to be licensed.

"If any non-resident owner or operator of any such vehicle shall continue its operation within this State after the expiration of the term permitted him by this act he shall comply with the provisions of statute pertaining to the registration of motor vehicles by resident owners and licensing of operators thereof.

"Provided further that the secretary may issue to public utilities operating in this State for a nominal fee, a special permit for vehicles engaged in

emergency repair work in this State provided such vehicles are registered in some other state and have attached thereto registration plates and are driven by persons licensed to operate in this or some other state."

Thereupon, on motion by Mr. Granville of York, the bill and amendment were tabled, pending adoption of Senate Amendment "A".

On motion by Mr. Smith of Somerset, the Senate voted to take from the table Senate Report from the committee on claims, "ought to pass in new draft" on resolve in favor of Bath Water District (S. D. 367), tabled by that senator on April 8th pending acceptance of report; and on further motion by the same senator the report was accepted.

Thereupon, on further motion by the same senator, the rules were suspended and the resolve received its two several readings.

The same senator then offered Senate Amendment A as follows, and moved its adoption:

"Senate Amendment A to resolve in favor of the Bath Water District: Amend Senate Paper 618 by striking out in the second line thereof, the words five thousand dollars and inserting in place thereof the words seven thousand five hundred dollars."

Thereupon, on motion by Mr. Harriman of Kennebec, the resolve and amendment were tabled and tomorrow assigned, pending adoption of Senate Amendment A.

On motion by Mr. Crafts of Piscataquis, the Senate voted to take from the table an act to prohibit plug fishing in Great Pond, of the Belgrade chain of lakes (S. D. 300), tabled by that senator on April 8th pending consideration.

Mr. CRAFTS of Piscataquis: Mr. President, would the Chair enlighten me as to the status of this bill?

The PRESIDENT: The Chair will state that the House has indefinitely postponed in non-concurrence, the Senate having passed to be engrossed, as amended.

Thereupon, on motion by Mr. Crafts of Piscataquis, the bill was indefinitely postponed in concurrence.

On motion by Mr. Smith of Somerset, the Senate voted to take from the table Resolve to reimburse the town of Prentiss for poultry killed by dogs and wild animals (H. D. 456), tabled by that Senator on April

8th, pending motion to indefinitely postpone.

Mr. SMITH of Somerset: Mr. President, I yield to the Senator from Penobscot, Senator Perkins:

Mr. PERKINS of Penobscot: Mr. President, I sincerely hope that the motion to indefinitely postpone this bill will not prevail. This bill received earnest, calm and just consideration by the Committee on Claims and passed with a unanimous report, and we, of Penobscot County felt it was a very just claim. The town of Prentiss had paid to a number of its citizens who had lost hens by the depredations of foxes and other wild animals, a sum of money, and some few years have passed and I feel that if anything was wrong, it was the law whereby the town officials innocently felt that by paying to these individuals a sum of money, they would be reimbursed by the state. The town of Prentiss is a very poor town and has a very high tax rate and has no industries and we feel that the report of the committee should be accepted and I sincerely hope the motion to indefinitely postpone will not prevail.

Mr. HARRIMAN of Kennebec: Mr. President, as a member of the Claims Committee, I will say that what the Senator from Penobscot, Senator Perkins has said, is true, that the committee did pass a unanimous report "ought to pass" but things have developed very fast to some extent in the claims situation this year and it may seem strange to you as it did to us, that no claim was opposed at the time of its hearing. This claim with the rest was not opposed and the committee felt perhaps this claim should pass, but it seems that this claim is something over ten years old and if the selectmen of the town of Prentiss had been on the job, so to speak, and if they had paid this claim and presented it to the state in proper shape, they would have received the money long ago. It is through carelessness and neglect on their part that this claim has not been presented before and it seems that several avenues have been opened to the Committee this year. It seems we have already had over four times in values, the amount of claims presented this year than have been presented in other years, and I

feel that the biggest majority are not claims but are bills, hard luck bills which the town and people have been up against and they are only too glad to get reimbursed and this is a good avenue for them, and if the State wishes to reimburse the town of Prentiss under the circumstances, I have no objection, but it seems to me that this is going too far and is establishing a precedent, and I hope the motion to indefinitely postpone will prevail.

Mr. PERKINS: Mr. President, I sincerely believe at this time that the State of Maine should pay its honest obligations. I feel that whether or not it is establishing a bad precedent, the State of Maine is in a position to uphold and enforce its laws. Now if there was no opposition that developed before that committee and after giving it the consideration that the committee did give it, and after being thoroughly advertised in the papers, I can not see any reason why this Senate should reverse the unanimous report of that committee. We all know that the selectmen are in these little, small country towns, and in the most instances, they are honest, conscientious citizens and are working for almost less than nothing, and I want to say to you right here that in the town of Prentiss and other small towns, the selectmen do make a good many mistakes and it would seem the higher up they go, the more mistakes they make, and I would say the motion to indefinitely postpone is not a fair and just motion.

Mr. OAKES of Cumberland: Mr. President, may I ask the Senator from Penobscot, Senator Perkins, if this is the type of claim that would ordinarily be paid directly by the State if it had been presented to the State by the people who had lost the poultry?

The PRESIDENT: The Senator may reply through the Chair.

Mr. PERKINS: I would say that it is, Mr. President.

Mr. OAKES: I would say Mr. President, that the document reads 'poultry killed by dogs and wild animals'. Does the State pay for poultry killed by wild animals?

Mr. PERKINS: It does, Mr. President.

Mr. WOODS of Penobscot: Mr. President, I understand that no one disputes that this is a just claim. I can not see why the small town of

Prentiss should suffer. As I understand, this claim is a just claim, and simply because the selectmen of Prentiss were perhaps remiss in their duties, it seems to me is no argument why the State should not pay the claim. I am very much in favor of the claim being paid.

Mr. SMITH of Somerset: Mr. President, during the year 1917 and 1918 it was a law of the state that persons having poultry killed by dogs and wild animals should be reimbursed by the town and the town, in turn, by the State. Later on, or about four years ago this law was changed. However, this is, in the opinion of the committee, a just claim and it is simply due to the fact that the selectmen of this little town failed to make in time a proper notification of claim for the bill. Now then, if we are to commence economy, let us begin with some of the larger towns and cities. The little town of Prentiss has a tax rate of sixty-seven mills. This one thousand dollars means more to them than one hundred thousand dollars would to some of our larger municipalities. I very much hope that the motion made by the Senator from Penobscot Senator Perkins, will prevail.

Mr. HOLMES of Androscoggin: Mr. President, I wish to support the motion of the Senator from Penobscot, Senator Perkins.

The PRESIDENT: The question is on the motion of the Senator from Kennebec, Mr. Harriman, which is to indefinitely postpone. As many as favor indefinite postponement will say "aye" and those opposed, "no."

A viva voce vote being had

The motion to indefinitely postpone failed of passage.

Thereupon, on motion by Mr. Perkins of Penobscot, the resolve was finally passed.

On motion by Mr. Woods of Penobscot, the Senate voted to take from the table An Act relating to bounty on porcupines or hedgehogs, (H. D. 439), tabled by that Senator on April 1st, pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Foster of Kennebec, the Senate voted to take from the table Resolve in favor of the State Park Commission, (H. D. 548),

tabled by that Senator on April 5th pending passage to be engrossed.

Mr. FOSTER of Kennebec: Mr. President, I wish to offer Senate Amendment A, and move its adoption:

The Secretary read the following amendment:

"Senate Amendment A to House Document 548, entitled 'Resolve in favor of the State Park Commission.' Amend said resolve by striking out the words and figures 'five thousand dollars' in the third line and inserting in place thereof the words and figures 'two thousand dollars' and further amend said resolve by striking out the words and figures, 'four thousand eight hundred' in the fourth and fifth lines and inserting in place thereof, the words and figures 'three thousand' so that said resolve as amended shall read as follows: Resolved that there be and hereby is appropriated for the State Park Commission for the improvement of the State Park in Augusta, the sum of two thousand dollars for the fiscal year ending June thirty, nineteen hundred twenty-eight and three thousand dollars for the fiscal year ending June thirty, nineteen hundred twenty-nine. The expenditure thereof to be under the direction of the Governor and Council."

The motion to adopt Senate Amendment A prevailed; and on further motion by the same Senator, the resolve as amended was passed to be engrossed.

The President laid before the Senate, An Act to regulate the trapping of fur bearing animals, (S. P. 144) which, on the last legislative day was passed to be engrossed; and on motion by Mr. Crafts of Piscataquis, the Senate reconsidered its action whereby the bill was passed to be engrossed, and on further motion by the same Senator, House Amendment A was adopted and the bill as so amended was passed to be engrossed.

On motion by Mr. Foster of Kennebec, the Senate voted to take from the table, Senate Report from the Committee on Judiciary, majority report, "ought to pass in new draft," minority report, "ought not to pass" on An Act relating to the practice of Osteopathy, (S. D. 366) tabled by that Senator on April 8th pending

acceptance of report; and on further motion by the same Senator the majority report, "ought to pass," in new draft was accepted.

Thereupon, the bill was given its two several readings under suspension of the rules and on motion by Mr. Mitchell of Aroostook, the bill was tabled pending passage to be engrossed, and tomorrow assigned.

On motion by Mr. Miner of Washington, the rules were suspended and the Senate reconsidered its action whereby it accepted the report of the committee "ought not to pass" on resolve in favor of Wallace W. Yates, of Grand Lake Stream, Washington county, Maine (S. D. 202), and on further motion by the same senator, the resolve was tabled pending consideration.

Further paper from the House disposed of in concurrence.

On motion by Mr. Woods of Penobscot, recessed until 7.30 o'clock.

After Recess

Senate called to order by the President.

Additional papers from the House, out of order and under suspension of the rules, disposed of in concurrence.

On motion by Mrs. Allen of Penobscot, the rules were suspended and the senators were allowed to smoke.

From the House: The majority of the committee on State prison, on resolve in favor of prison commission (H. P. 1088) reported the same in a new draft, under the same title (H. D. 615) and that it ought to pass.

(Signed) HEATH
PINKHAM
BREWSTER
CARLETON
VARNUM
STURGIS

The minority of the same committee, on the same subject matter, reported that the same ought not to pass.

(Signed) MORRISON
BOSTON

In the House, the majority report was accepted.

In the Senate, the bill and reports

were tabled by Mr. Granville of York pending acceptance of either report.

House Bills in First Reading

(Out of order and under suspension of the rules.)

An Act relating to the grading of apples. (H. D. 618.)

Resolve to provide for the payment of interest on Kennebec Bridge Bonds during the period of construction of said bridge and until tolls and rentals of said bridge shall become available therefor. (H. D. 610.)

An Act relative to the War Bond Sinking Fund. (H. D. 611.)

An Act relating to compensation for injuries received by State Employees. (H. D. 612.)

..Resolve in favor of Simon Soctomah, representative of the Passamaquoddy Indians to the Eighty-third Legislature. (H. P. 1292.)

Resolve in favor of Laurence Mitchell, representative of the Penobscot Indians to the Eighty-third Legislature. (H. P. 1294.)

Resolve in favor of the Chaplains of the House of the Eighty-third Legislature. (H. P. 1295.)

An Act for the protection of black bass in the inland waters of the State. (H. D. 613.)

Resolve in favor of a fish screen at the outlet of Messalonskee Lake, in the town of Oakland, County of Kennebec. (H. D. 619.)

Resolve to provide for the revision of the Statutes (H. D. 622).

An Act granting the right of eminent domain to electric power companies doing a public utility business (H. D. 614).

An Act relating to front lights on motor vehicles and tractors (H. D. 621).

(Under suspension of the rules the foregoing bills and resolves also received their second reading and were passed to be engrossed.)

An Act relating to compensation of Judges of Probate (H. D. 590).

Came from the House, passed to be engrossed as amended by House Amendment "A".

In the Senate, under suspension of the rules the bill was also given its second reading, House Amendment A was adopted and the bill as so amended was passed to be engrossed in concurrence.

An Act relating to the mill tax highway fund (H. D. 592).

(Under suspension of the rules the

bill was also given its second reading and was passed to be engrossed.)

Reports of Committees

(Out of order and under suspension of the rules.)

The majority of the Committee on Military Affairs, on bill An Act to assist the Posts of the American Legion in the erection of buildings for Headquarters (S. D. 193) reported that the same ought not to pass.

(Signed) PERKINS
MANSFIELD
ROBIE
CHASE
HALE
BUKER
BARTLETT

The minority report of the same Committee, on the same subject matter, reported the same in a new draft, under the title of An Act to assist the units of patriotic associations in the erection of buildings for headquarters and for armory purposes (S. P. 648) and that it ought to pass.

(Signed) SLOCUM
DRAKE
COLE

(On motion by Mr. Granville of York, the majority report was accepted.)

Mr. Woods from the Committee on Insane Hospitals, submitted its final report.

The report was read and accepted.

Passed to be Enacted

(Out of order and under suspension of the rules.)

An Act to Change the Closed Time on Deer in Hancock and Washington Counties. (S. D. 39.)

An Act Relating to Transfer from Sub-division of a Department Appropriation to Another. (S. D. 325.)

(On motion by Mr. Spear of Cumberland, tabled pending passage to be enacted.)

An Act to Amend the Revised Statutes, Relating to the Employment of Children. (S. D. 318.)

An Act to Amend Chapter Two Hundred and Nine of the Public Laws of Nineteen Hundred and Twenty-five Relative to Zoning Ordinances. (S. D. 322.)

An Act Relating to State School Fund and Especially Relating to High

School Tuition by Non-resident Students. (S. D. 326.)

An Act to Authorize the Treasurer and County Commissioners of York County to Procure a Loan and Issue Bonds of Said County Therefor for the Purpose of Erecting Additions to the Court House. (S. D. 316.)

An Act Relating to Clerk Hire in the Office of the Register of Probate of Aroostook County. (S. D. 327.)

An Act to Increase the Salary of the Clerk of Courts in Franklin County. (S. D. 328.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to the salary of the Register of Probate of Franklin County. (S. D. 329.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to the Salary of the Clerk of Courts of Knox County. (S. D. 330.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act to Increase the Salary of the County Attorney of Sagadahoc county. (S. D. 331.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to the Salary of the Treasurer of Knox County. (S. D. 332.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to the Salary of the Register of Deeds for Sagadahoc County. (S. D. 333.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relative to the Abolishment of Grade Crossings. (S. D. 334.)

An Act Repealing Certain Inheritance Tax Laws as to Non-Resident Decedents. (H. D. 126.)

An Act Creating a City Planning Board for the City of Rockland. (H. D. 141.)

An Act to Create a Fish and Game Sanctuary Within the Limits of Property of the Dover-Foxcroft Water District, in the Town of Guilford, County of Piscataquis. (H. D. 193.)

An Act in Relation to the Building and Lot of Land in Bangor Known as Bangor State Arsenal, Being Public Land and owned by the State. (H. D. 589.)

(On motion by Mr. Woods of Piscataquis, tabled pending passage to be enacted.)

An Act Relating to the Tenure of Office of the Chief Engineer and Members of the Fire Department in the City of Biddeford. (H. D. 476.)

An Act to Amend the Charter of the Union Mutual Life Insurance Company as Amended by Chapter 526 of the Private and Special Laws of 1889. (H. D. 579.)

"An Act Relating to the Salary of the Judge of Probate for Oxford County." (H. P. 612.) (H. D. 581.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

"An Act Relating to the Compensation of Judge of Probate in York County." (H. P. 892.) (H. D. 582.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act to Amend the Charter of the Bangor Gas Light Company by an Increase in its Capital Stock. (H. D. 583.)

An Act Relating to the Increase of the Salaries of the County Attorney and the Assistant County Attorney for the County of Cumberland. (H. D. 586.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to the Salaries of the County Commissioners of Franklin County. (H. D. 587.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to Clerk Hire in the Office of the Register of Probate in Waldo County. (H. D. 588.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to the Increase of the Salary of the County Attorney for York County. (H. D. 589.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act to Increase the Salary of the Judge of Probate of Hancock County. (H. D. 591.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to Clerk Hire in the Office of the County Treasurer of Kennebec County. (H. D. 593.)

(On motion by Mr. Holmes of An-

droscoggin, tabled pending passage to be enacted).

An Act Relating to Fishing in the Tributaries to Upper Shin Pond and in the Tributaries to Sebobeis River, in the County of Penobscot. (H. D. 597.)

An Act Relating to Fly Fishing in the Tributaries to the South Branch and West Branch of the Penobscot River Down as Far as Norcross, in the County of Penobscot, and in the Tributary to the East Branch of the Penobscot River Down as Far as Grindstone in the County of Penobscot, and in the Tributaries to the Allagash River and in the Tributaries to the St. John River Down as Far as St. Francis, in the County of Aroostook. (H. D. 598.)

An Act to Establish the Legal Length Limit of Square-tailed Trout and Land-Locked Salmon in Cumberland County. (H. D. 599.)

An Act Relative to the County Commissioners of Cumberland County. (H. D. 585.)

(On motion by Mr. Holmes of Androscoggin, tabled pending passage to be enacted.)

An Act to Prohibit Hunting with Dogs in the Town of Verona in the County of Hancock. (H. D. 600.)

An Act Reducing the Fishing License Fee for Non-Residents and Relating to Ice Fishing by Non-Residents (H. D. 602).

An Act Relating to Ice Fishing in Cochnewagon Pond, in Kennebec County (H. D. 604).

An Act Relating to Protection of Fur-bearing Animals (H. D. 609).

An Act Relating to the Sale and Possession of Jacklights or Lights Fitted for Use in the Hunting of Game in the Night Time (H. D. 606).

(On motion by Mr. WOODS of Penobscot, tabled pending passage to be enacted).

Finally Passed

(Out of order and under suspension of the rules).

Resolve in Favor of the Pownal State School for Additions and Improvements (S. D. 169).

Resolve in Favor of the Maine State Agricultural Society for the State Stipend for Nineteen Hundred and Twenty-six (S. D. 257).

Resolve, appropriating money for the Compilation and Publication of Data Concerning the Resources of the State (S. D. 270).

Mr. SPEAR of Cumberland: Mr. President, I move that this resolve lie on the table.

Mr. DOUGLAS of Hancock: Mr. President, will the Senator assign a time?

Mr. SPEAR: I will assign Wednesday morning, Mr. President.

Mr. DOUGLAS: I doubt it, Mr. President.

The PRESIDENT: The Chair rules that there is no motion before the House except tabling, which shall be now put, the motion for assignment not having been made, unless the Senator from Cumberland, Senator Spear, wishes to amend his motion by moving to table and assign for Wednesday, in which case the assignment is debatable. The Chair hearing no motion to assign, the question is on the tabling. As many as favor tabling this resolve without assignment will rise and stand in their places until counted. Those opposed will then rise.

A division of the Senate was had.

Fourteen senators having voted in the affirmative and two in the negative the motion to table without assignment prevailed.

Resolve, to Appropriate Money for the Purpose of Operating Fish Hatcheries and Feeding Stations for Fish, for the Protection of Fish, Game and Birds and for Printing the Report of the Commission of Inland Fisheries and Game, and for Maintenance of the Maine State Museum and for Other Expenses incident to the Administration of the Department of Inland Fisheries and Game (S. D. 274).

Resolve, Providing for a State Pension for Ivanilla Nute, of Lewis-ton (S. D. 314).

Resolve, in Favor of Mrs. Katie Jesseman, of Monroe for Damages (S. D. 320).

Resolve, in Favor of St. Louis' Home for Boys, at West Scarborough (S. D. 321).

Resolve, in Favor of Henry A. Day, of Bangor, Compensating Him for Loss Sustained in Road Construction upon State Highway (S. D. 323).

Resolve, in Favor of Lloyd F. Sewall of Bangor (H. D. 510).

Resolve, in Favor of Olmstead Brothers, Landscape Architects (H. D. 547).

Resolve, in Favor of Forest City International Bridge Over St. Croix

River Between the Township of Forest City, Washington County, Maine, and the Parish of North Lake, York County, New Brunswick (H. D. 580).

Resolve, in Favor of a Road Leading from Long Pond to Rockwood and from Tarratine to Greenville (H. D. 596).

Resolve, in Favor of Establishing a Feeding Station or Rearing Station for Fish at, or Near, Jackman, in the County of Somerset (H. D. 603).

Resolve, For the Propagation and Distribution of Pheasants (H. D. 605).

Resolve, in Favor of the Construction of a Fishway at Aroostook Falls, on the Aroostook River, in the Province of New Brunswick (H. D. 608).

Orders of the Day

Mr. NICKERSON of Waldo: Mr. President, I move that we reconsider our vote whereby we accepted the report of the Committee on Ways and Bridges, "ought not to pass" on resolve in favor of the town of Troy.

The motion to reconsider prevailed; and on further motion by the same senator the report was tabled pending acceptance.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, An Act relating to pensions for the blind (H. D. 518) tabled on April 8th by that senator pending motion to insist and join a committee of conference.

Mr. SPEAR of Cumberland: Mr. President, what is the pending question?

The PRESIDENT: The pending question is to insist and join a committee of conference at the request of the House.

Mr. SPEAR: I so move, Mr. President, on the part of the Senate.

The motion prevailed and the President appoint as members of such committee on the part of the Senate, the Senator from Cumberland, Senator Spear, the Senator from Sagadahoc, Senator Drake and the Senator from Franklin, Senator Morrison.

On motion by Mr. Woods of Penobscot, the Senate voted to take from the table, An Act relating to compensation of members of the Legislature

(H. D. 450) tabled on March 31st by that senator pending first reading.

Mr. WOODS of Penobscot: Mr. President and members of the Senate, I am going to do the unusual and move indefinite postponement of this bill and in support of that motion I am going to say that I do not expect you to vote with me and I have no expectation that my argument will convince you. I have learned to have great respect for the opinion of others but it seems to me that we should not expect as much pay in public service as we do in private enterprise, that all of us who venture to come here should not expect large salaries and if we are looking for large salaries that we ought to look elsewhere than in the service of the State.

Obviously our democratic colleagues had no idea of being outdone by the majority party as I notice that the democratic House leader introduced this bill and it was reported by the committee "ought not to pass." It seems to me that it would be better for us to make some law to shorten the session of the Legislature rather than to lengthen the salaries of its members. Public service seems to me to be personal sacrifice and those good and loyal men who come here and give their time and their talent in the interest of the people enjoy the confidence and respect of this country and should value it and the privilege of serving the State of Maine far more than any monetary consideration. The manufacturers, the merchants, the business men, the farmers and even the laborers will eventually have to pay the taxes that this raise in salaries necessitates and it seems to be the purpose of this Legislature to raise salaries from the Supreme Court Justices down through the line of State and county officers to jurymen.

Some days ago, I heard at the far end of this corridor, in the House, an eloquent gentleman say, when speaking on the power bill, that the late John Appleton first settled in Dixmont and later moved to Sebec and at that time Sebec was three times larger than it is now. Mr. President, and members of the Senate, do you think that raising the salaries, and the excessive taxation that it requires, will make for the benefit of this State? It may not effect the situation this year or next but in years to come the amount that will have to be paid will be stupendous if this tendency is not checked.

I realize that since the advent of the

automobile it has wrought changes and that we need our roads widened and our bridges strengthened but it seems to me that we should begin to economize somewhere if we are going to keep pace with our sister states. I have been told recently by good authority that some of the large manufacturing corporations are contemplating going where material is nearer, where industrial conditions are better, where freight rates are cheaper. Now, it may be that we need to raise salaries, it may be that we need to raise money for publicity, but it seems to me that our salaries will be higher and we will have better publicity if those busy enterprises are not transferred to the sunny south, and that if the familiar water falls which have turned the giant wheels of industry for generations are needed no more we will have a very serious problem confronting us, even more serious than the one which has confronted us this winter and engrossed so much of our time, that of surplus power.

Mr. President, I am opposed to this whole program of salary raising, I am not in sympathy with this particular legislation and I hope that the bill will not pass.

Mr. MAHER of Kennebec: Mr. President, the very few remarks which I choose to make with reference to the particular motion before us are inspired by no motive except what I think is for the best interests of the State of Maine. Men can reasonably differ upon most major propositions and men can honestly and reasonably differ on this proposition, and I have the deepest regard for the sincerity of purpose of the distinguished senator from Penobscot, Senator Woods. I know that he is doing the thing that he thinks is for the best interests of the State but I can say now—and I mean no invidious reference when I say it—that having been here for five terms and having lived in Augusta where there is no particular expense attached to attending the Legislature, I have had a good opportunity of observing the workings of the present system, and I am not prejudiced by personal consideration because it is no effort to come up here from down town and no particular expense except by being away from business, nor do I ever expect to be a candidate for legislative office again, so I can have no selfish motive. It seems to me, however, that it is misguided economy, that it is not fair to stick to the ar-

chaic system of a quarter century ago, or a half century ago. Conditions have changed since this system was inaugurated.

Legislative matters are increasing and are growing more and more engrossing and we want to call on the very best talent there is in the state. We want to attract the young men, we want to attract more and more the young women into the politics of this state and I do not believe that we should make the legislative branch, which is one of the co-ordinate branches of our government, any more difficult for a man of talent or a woman of talent to participate in, even though they may not be blessed with a more than moderate amount of worldly goods. It is manifest that unless a man is in very comfortable circumstances he cannot come here from any particular distance and spend the winter here either with advantage to the state or with justice to himself and his family upon the miserly stipend of four hundred dollars for four months. It seems to me that there is a manifest disproportion in the salaries of those who now serve the state during the legislative term. The stenographer of the Judiciary Committee gets three hundred dollars—a young girl, and she earns it—and she is employed in another department of this state so that she really is getting more than that. The messenger of our committee—a most diligent young man—gets three hundred dollars and he also has another position in the House, and he earns his money—he gives us service. But both of these young people, the stenographer at three hundred dollars and the messenger at three hundred dollars, receive within a hundred dollars of the amount paid to the men and women who are attempting to serve the state as members of the legislature. The clerk of our committee gets, and has received for a number of sessions, six hundred dollars. Now, think of paying two hundred dollars more to a young clerk of that committee than you do to any member of the legislature! It does not seem to me to be wise economy. It does not seem to me to be good practise and I don't know as I could do any better thing for the state of Maine

and for the young man who can serve his state and who wants to come up here and give to his state the benefit of his thought and his effort and his talent,—and I am here with no further political ambition and currying to no ulterior motive—I do not know that I can perform any greater service to the state of Maine than to say, “Why not let the Legislature of Maine be representative of the cross sections of Maine?” We do not want all our legislators to be prosperous merchants, we do not want them all to be professional men, or men successful in banking. Those are all important but we want all sections of Maine represented and the only way that I can see that we can do that is to make some adequate, reasonable provision in this regard.

It is entirely a matter of indifference to me, personally, what happens to this measure. I think the House—perhaps this should not be taken because I understand that reference to the doings of another branch is not in keeping with parliamentary procedure—it seems to me that it would be perfectly good judgment on the part of this Senate not to fear criticism, not to be niggardly, not to view things entirely from their own angle but to look upon the matter from the view point of the young men and young women who are to follow after and give real service to the state of Maine.

Unless I am mistaken, Mr. President and members of the Senate, this salary was fixed when we had annual session. I think perhaps there has been a slight increase but not very much. You are now here for two years and if you were to get four hundred dollars a year it would not be excessive. I would like to ask the Chair at this point if I am correct in understanding that the pending measure does not affect the salaries of the present members.

The PRESIDENT: It does not.

Mr. MAHER: (continuing). The last session of Congress voted themselves an increase up to ten thousand dollars a year. That is perfectly all right and I have no criticism of it but I would call your attention to the fact that you are members of a co-ordinate branch of our state government and you are functioning on matter of just as

great importance to the state as the national Congress is on matter of national interest and yet many of the members of our national congress are either on a Chautauqua or in highly paid business or professions. It does not seem to me that the miserly stipend of four hundred dollars allowed to members of this state legislature is commensurate with the service which they render. I hope that the motion to indefinitely postpone will not prevail.

Mr. HOLMES of Androscoggin: Mr. President, I am going to support the motion of the Senator from Penobscot, Senator Woods. I hope that his motion will prevail and I realize that in taking this position it might look on the service as though there were a disagreement between the democratic leader in the House, Mr. Lait, whose name is on this bill, and myself. I would not mention that were it not for the fact that the Senator from Penobscot (Senator Woods) has spoken of it. I therefore feel it is wise for me now to say that this measure is not and never was intended as a party measure on the part of the small Democratic minority in this legislature. I never consulted with Mr. Lait with regard to it although he told me he was going to introduce it. It is his own measure and evidently it met with quite a favorable reception in the House. Perhaps he was trying to do a favor to the Republican majority, but when you come to consider that this, if passed and becomes a law would increase the amount to be raised by taxes in one way or another for the running of the Legislature to an amount very nearly as much as what I understand will be the resultant raise if the bill for increasing the salaries of the Judges of the higher courts becomes a law, a measure which I want to say I am heartily in favor of, when you consider that and when you consider also the point made by the Senator from Penobscot, that a large number of increases in salaries of public officials about the state seems to be going through this legislature, I think that we could face our constituents much better, in a much sounder position, by defeating and ending this bill if, as probably it will happen, other increases come

through and become law. There might be a suspicion on the part of those whose minds are always usually suspicious that the legislature was more concerned to raise the salaries of the legislature than to raise other salaries which should justly be raised and in order to get the salaries of the legislature raised, they raised or voted to raise the salaries of others. Now for that reason and for the reason in general that I sympathize with the general position as I understand it of the Senator from Penobscot, for the reason that I feel uneasy when I hear the titles of these various salary resolves read from this desk and do not know this minute whether or not I ought not to oppose every one of those which I have laid on the table tonight. For that reason, I am going to vote for the motion to indefinitely postpone.

The PRESIDENT: The Chair wishes at this time to call the attention of the Senators to the fact that the Chair has been exceedingly lenient in allowing the Senators to discuss members of the lower branch in every way, shape and manner, and the Chair hopes that Senators in the future will refrain from discussing the action of any member of the House in any form or manner, and takes this opportunity, after leniency this evening, to inform them that the Chair will feel obliged in the future to call to order any Senator who deviates.

Mr. WOODS of Penobscot: Mr. President, I wish to ask for a yea and nay vote.

The PRESIDENT: As many as favor "yeas and nays" will rise and stand in their places until counted.

A sufficient number having arisen, a yea and nay vote was ordered.

The PRESIDENT: The question is on the indefinite postponement of bill An Act relating to the compensation of members of the Legislature. As many as favor indefinite postponement upon the motion of the Senator from Penobscot, Senator Woods, will answer "yes" when their names are called. Those who are opposed to indefinite postponement will answer "no". The Secretary will call the roll.

The Secretary called the roll.

Those voting "yes" were: Senators Bragdon, Buzzell, Case, Crafts, Gran-

ville, Holmes, Miner, Mitchell, Nickerson, Perkins, Speirs, Woods—12

Those voting "no" were: Senators Allen, Bond, Drake, Dunbar, Dwinal, Foster, Harriman, Maher, Morrison, Oakes, Pinkham, Slocum, Spear—13.

Absent: Senators Douglas, Lord, Roberts, Smith.

The PRESIDENT: Twelve having voted in the affirmative and thirteen in the negative the motion to indefinitely postpone fails of passage. The question is now automatically on the first reading of the bill unless another motion is made.

Thereupon, on motion by Mr. Maher of Kennebec, the rules were suspended and the bill received its two several readings.

Mr. MORRISON of Franklin: Mr. President, if our salaries are to be raised it seems to me that the compensation of other faithful officials of this legislature should be taken into consideration also and I therefore present the following amendment and move its adoption:—

"Senate Amendment A to House Document 350. Amend by adding at the end thereof the following: 'The messengers of the Senate and of the House shall receive a salary of six hundred dollars.'"

Mr. MAHER of Kennebec: Mr. President, I rise to a point of order, that the amendment is not germane.

The PRESIDENT: The Chair is inclined to think, and rules, that the Senator from Kennebec, Senator Maher, is correct in the point of order. It is a matter which concerns, in the opinion of the Chair, the members of the next and future legislatures.

Mr. MAHER: Mr. President, I move that the bill be passed to be engrossed.

The PRESIDENT: The Senator from Franklin, Senator Morrison will withdraw his motion?

Mr. MORRISON: I will, Mr. President.

The PRESIDENT: The Chair thanks the Senator.

The motion to pass the bill to be engrossed prevailed.

On motion by Mr. Harriman of Kennebec

Adjourned until tomorrow morning at ten o'clock.