

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

Tuesday, April 12, 1927.

Senate called to order by the President.

Prayer by the Rev. William R. Wood of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House the following order:

Ordered, the Senate concurring, that a recess committee, consisting of eleven members appointed as follows: one member appointed by the Governor, one member from the Senate, appointed by the President of the Senate, one member appointed by the minority leader of the Senate, two members from the House, appointed by the Speaker of the House, one member appointed by the minority leader of the House, two experts, one on engineering and one on finance, appointed by the Governor, President of the Senate and Speaker of the House jointly, one member appointed by the Master of the State Grange, one member appointed by the State Chamber of Commerce, one appointed by the Hydro-Electric Companies of the State of Maine, be named, whose duties shall be to consider the matter of the exportation of electricity from the state and ascertain the further development and utilization of the water power resources of the state in order best to conserve the public interest and to accomplish the efficient and complete development of such resources. In making such investigation, the committee shall examine and consider the reports and information made or obtained by other committees commissions and departments as the result of investigation relating to water power; but the commission may make such further and additional investigation as it may deem necessary. Said committee shall report the result of its investigation, with its recommendations, to a special or next regular session of legislature. Any vacancies in said committee shall be filled by the respective officers appointing the same. Said commission is authorized to employ counsel, auditors, engineers, stenographers and such clerical

assistance it deems necessary. Said commission shall serve without compensation but shall be reimbursed its actual expenses. It is further ordered that the expense of such investigation shall be paid from funds in the State Treasury not otherwise appropriated or from the State contingent fund.

In the House, House Amendment "A" rejected, and order subsequently indefinitely postponed.

In the Senate, on motion by Mr. Oakes of Cumberland, tabled pending consideration.

From the House: An Act to amend the charters of all corporations making, generating, selling, distributing and supplying electricity. (S. D. 6)

(In the Senate March 30th, passed to be engrossed.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Oakes of Cumberland, tabled pending consideration.

From the House: An Act to amend the charters of Maine corporations incorporated for transmission of electricity and to limit the rights of foreign corporations authorized to do business in Maine for similar purpose. (S. D. 261)

(In Senate, March 30, passed to be engrossed.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Oakes of Cumberland tabled pending consideration.

From the House: An Act to create a Commission to investigate and to negotiate a compact, regarding water power and electricity in New England. (S. D. 262)

(In Senate, March 30, passed to be engrossed as amended by Senate Amendment "A.")

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Oakes of Cumberland, tabled pending consideration.

From the House: An Act to consolidate the general superintendence, management and control of the State Prison, the Reformatory for Men and Reformatory for Women, under one board of trustees. (S. D. 185)

(In Senate, April 4, majority report of the Committee on State Prison, reporting "ought not to pass", accepted.)

In the House, minority report, "ought to pass," accepted, and the bill passed to be engrossed, in non-concurrence.

In the Senate, on motion by Mr. Morrison of Franklin, tabled pending consideration.

From the House: An Act to provide for the safety of life and property and to create a Board of Boiler Rules which shall formulate rules and regulations for the safe construction, use and operation of steam boilers; to provide for the enforcement of the rules and regulations of the Board of Boiler Rules; to provide for the inspection of steam boilers and the fees to be charged therefor; and to provide a penalty for the violation of the provisions of this Act. (S. D. 343)

(In Senate, April 8, passed to be engrossed.)

In the House, Report "A", of the Committee on Judiciary, reporting "ought not to pass," accepted in non-concurrence.

In the Senate, on motion by Mr. Slocum of Cumberland, that body voted to insist and ask for a committee of conference and the President appointed as members of such a committee on the part of the Senate: the Senator from Cumberland, Senator Slocum, the Senator from Somerset, Senator Smith and the Senator from Franklin, Senator Morrison.

The following resolves were received and on recommendation by the committee on reference of bills were referred to the following committee:—

Appropriations and Financial Affairs

By Mr. LORD of York, Resolve in favor of Henry Wass, clerk of the Committee on Maine Publicity. (S. P. 649)

By Mr. PERKINS of Penobscot, Resolve in favor of Herman Martin, Jr. Clerk of the Committee on State School for Boys, State School for Girls, and State Reformatories. (S. P. 650)

Bills in First Reading

An Act relating to the protection of moose. (S. D. 382)

Resolve in favor of the Reformatory for Women for maintenance and other purposes. (S. D. 379)

An Act relating to the taking of square tailed trout in the county of York. (S. D. 380)

Resolve in favor of the State Reformatory for Women for the erection of a detention building. (S. D. 381)

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

Reports of Committees

Mr. CASE, from the Committee on Sea and Shore Fisheries, submitted its final report.

Mr. PERKINS, from the Committee on State School for Boys, State School for Girls and State Reformatories, submitted its final report.

Mr. BRAGDON, from the Committee on Temperance, submitted its final report.

The reports were severally read and accepted.

Orders of the Day

The President laid before the Senate, An Act relating to the practice of osteopathy, (S. D. 366), tabled by Mr. Mitchell of Aroostook on April 11th pending passage to be engrossed and today assigned.

Mr. MITCHELL of Aroostook: Mr. President, I would move that this bill be indefinitely postponed.

Mr. FOSTER of Kennebec: Mr. President, is the motion debatable?

The PRESIDENT: It throws the entire question open for debate.

Mr. FOSTER of Kennebec: Mr. President and members of the Senate, I am somewhat embarrassed in the situation as it presents itself, having thought that the distinguished Senator from Aroostook, Senator Mitchell would, at this stage of the proceedings, support his motion by any argument that he has in reference to the matter.

The fact is that this is a matter that was presented and referred to the Judiciary Committee and it is before this body, the majority report having been signed by all but three members of that committee.

Again, Mr. President, am I em-

barrassed from the fact that the one who headed the majority report, the late lamented Senator Carter, a personal friend of mine, was to support the majority report on the floor of the Senate.

The matter is before us, however, in a new draft. The changes in the bill, as originally presented to the committee allow osteopaths to practice obstetrics and to use anesthetics or drugs and antiseptics as required. The bill removes the present restrictions against the present practice of obstetrics as now outlined in our statutes. In other words, it gives our state practically the same law on the subject as is the law in 40 of the 48 states of this Union. The hearing on this bill was widely advertised and largely attended. It occupied a part of two days in its consideration. The proponents of the measure were there in large numbers and two osteopathic college professors of national reputation appeared in its favor. The opposition to the measure was voiced by only one person, he a medical man, and a member of this legislature. Speaking for himself and the other medical men of this legislature, he said that he was most friendly to osteopathy, he recognized its efficiency and worth, but only thought that the present time was an inopportune occasion to pass the measure and he "feared", using his own words, that "it was not the opportune time to grant them their request." No evidence, Mr. President, whatever, in the way of facts was presented by those unfavorable to this bill. It was stated and not contradicted by the opposition, that osteopaths are well equipped by their education and training in the osteopathic colleges of today to officiate in cases of this sort and that the enactment of the law would be a blessing to the women and coming children of the state. Statistics were presented to show that the osteopaths by their board of examination, are as fully complete and rigorous in their examinations in the subjects of obstetrics as are given by any other state by the medical colleges. This was proven by an independent compilation for the work required in medical and osteopathic colleges. The osteopaths lead in the number of hours given to the study of

obstetrics by 196 to 190, and in the total of some 30 subjects they lead 4755 to 4495 and in only three subjects in this independent compilation, are the osteopaths second.

The public hearings before the legislative committees, it seems to me, are the proper places to discuss the merits or the demerits of a measure like this. In a case like this, however, the medical men declined to debate the matter or to meet osteopathic physicians on professional discussion before that committee. Now if there was or is really an anxious motive to reveal the truth in this matter, why was not that a proper place to discuss it? It is hardly fair to make statements, as I imagine will be made, or allegations to those who can not answer, except as laymen. It is currently reported that there will not be much longer any opposition to granting this privilege asked.

In every session of the legislature for the last eighteen years any measure that has been presented by the osteopathic physicians of our state, has been opposed by the medical men. And they are doing the very same thing today.

It is possible that we do not all exactly understand the large and increasing number of osteopath physicians in this country and our state. The city of Chicago has 120 practicing osteopathic physicians. New York, 95; Philadelphia, 80; Boston, 70, and so on. In our own state, Portland leads with 15 active physicians of this school. There are six in this state and 75 in the State of Maine.

A friend of mine, a leading osteopath in this county, told me, the other morning, that when he came into this state from Michigan about 14 years ago, to practice this profession, there were only 15 practicing osteopathics in the entire state.

I believe fully, Mr. President, and Senators, that this legislature, by passing this motion, should allow the women of our state free choice as to whether or not they will employ an osteopath or physician of some other school in child birth.

We are inviting into this state people from all over the country to make their homes with us. One inducement would be to so frame our laws that they may earn their live-

lihood and practice their profession without undue restrictions. We ought not longer to tolerate a condition wherein young osteopathic physicians, with the very best qualifications are not allowed to render the service which they are wholly qualified to perform.

As I stated before, the bill only asks that the same opportunity be given in Maine to the osteopathic profession as is now granted in 40 states in this Union.

I say, give the osteopaths half a chance and the public will do the rest.

Mr. MITCHELL of Aroostook: Mr. President, with your permission I am going to follow these lines very closely because I do not wish to make any statement which I may have to explain later.

In a very few moments I would like to explain my objections and the objections of the medical men of the state to the present Osteopathic Bill.

In the first place, we realize that osteopathy is a recognized science, that the practitioners of that particular branch of the healing art are fully qualified, with possibly a few exceptions, to treat patients, according to their standards, with at least the average amount of success.

Now it is a fact that the great difference between the practice of medicine, and the various other forms of treatment, as practised by osteopaths, chiropractors, naturo-paths, Christian Scientists and others, is in the field of *Materia Medica* and Therapeutics, or the use or non-use of drugs. Orthodox medicine believes, and the belief is almost universally acknowledged, that drugs in proper doses and scientifically administered produce certain desired results. Osteopathy heretofore has not acknowledged or in any way advertised the fact that drugs are in any way necessary in the treatment of any of the ills that flesh is heir to. Now we have always believed, and it has been brought out in the hearing, on this bill that in the institutions connected with the Kirksville school, that the use of drugs is resorted to in obstetrics, and that the graduates of that school have some smattering knowledge in the use of anaesthetics.

The use of anaesthetics is probably the greatest blessing that medical science has conferred on the human race—powerful for good, but

also powerful for evil. Powerful for good if scientifically administered, and a death dealing poison if placed in the hands of those incompetent to use them, which leads to my main question. Shall this legislature give to the osteopaths the right to use these potent drugs without an examination by someone qualified, to test their knowledge of *Materia Medica*? Or shall this legislature permit osteopaths to practice obstetrics and limit them to the use of ether, chloroform and antiseptics, when the more highly educated osteopath informs me that unless he is allowed to use ergot, nitroglycerine, pituitrin, strychnine and morphine, all drugs that may be needed to save a human life in an emergency, that he will absolutely refuse to even consider treating these cases, should this bill become a law.

And again, obstetrics is truly a part of surgery, as experienced obstetricians will testify that from 8 to 15 per cent of all cases require either surgical interference at the time of child birth or be left to more serious and dangerous complications with the attendant suffering and expense.

Osteopaths are forbidden to practise surgery in this state, and this bill does not make any provision for this absolutely necessary procedure. In fact I think the bill says that they may practise surgery without the use of instruments. Now, if any one can suggest a way to sew up a tear without a needle or do any cutting without a knife, a pair of scissors or a broad-axe, or something, it would be worth having the matter explained.

Is it fair or right to the public to permit people to handle the most sacred and serious events in the life of every one of us without the sanction of law or justice or to tell me as an eye surgeon that I may remove a portion of an eye, but if I go beyond the iris I shall be criminally liable? Ladies and gentlemen, this is not even good common sense. And here is my position, and I want to make this plain and publicly for future reference, should anyone so desire.

Give the osteopaths of this state who are qualified and can pass the examination, and I believe a majority of the recent graduates are fully qualified, absolute permission to practice obstetrics, use any and all drugs that may be necessary for the

health and safety of the patients and practice surgery in any of its forms that they may desire. An unlimited license, granted to them by a joint board of osteopaths and physicians, if you please, similar to the law now in force in Massachusetts and very many other states. The provision of the act can be arranged by a joint committee of physicians and osteopaths, and at which, as a member of the state legislative committee of the Maine Medical Association, I will guarantee a fairness in deliberation and a whole-hearted attempt on the part of organized medicine to adjust details to the satisfaction of the osteopaths.

This proposition receives the endorsement of the president and other officers of the State Medical Society, and I feel sure will be highly satisfactory to the osteopaths. Maine needs her osteopathic physicians. The requirements for admission and the training in the practice of medicine makes the cost of a medical education almost prohibitive, with a gradual decrease in the number of physicians and a great many communities without help of any kind. Why, if you have a boy you wish to send through medical school, it costs eight to ten thousand dollars to give him an education. If you want to send him through the osteopathic profession, it costs four or five thousand. What would any boy do? Naturally he will take the short cut to medicine. The medical law in this state compels him to study seven years before he can graduate but he can practice osteopathy after four years of study.

I feel that the plan outlined above will be fair to osteopathy, fair to the people of the state and fair to the legislature and will be an assured fact before the meeting of the next legislature.

I sincerely hope that my motion to indefinitely postpone will prevail.

Mr. FOSTER of Kennebec: I was present, Mr. President, at this hearing and not from the distinguished senator, Mr. Mitchell of Aroostook, or any others of the profession did I hear any such suggestion as he has made here. It is exactly along the line as I stated before, the attitude of the medical men for the last nineteen years in opposing anything and everything that the osteopaths have asked for. Now, the proposition as

made by him to us is simply to defer the matter two years more, and he raises the question whether or not it is safe, when forty states of this union have said it is safe, in regard to the use of drugs by osteopaths. I am wondering if the senator has seen the new copy of this bill.

Mr. MITCHELL: Mr. President, I will say that I quoted from it.

Mr. FOSTER: (continuing) Drugs are permitted to be used under this bill for all except internal uses. They are allowed to be used by surgeons and osteopaths in their work. Now, as I said before, no attempt is made to answer the technical terms or phrases of medical men. I do, however, believe that any of us are able to read this measure understandingly and when this new draft gives the osteopaths the privilege of using anaesthetics and antiseptics I am sure that it means all the drugs that any M. D. would be required to use in his work. Surgery has a very necessary and important place in the practice of either a medical man or an osteopath but in the osteopathic course the importance of being able to avoid surgery is stressed, knowing that if recovery can be made without surgery the risks are decreased and the recovery is more satisfactory.

A great many letters have come to me, since this measure was introduced, asking for my support. Probably a dozen or fifteen letters have been received. With your permission I will read just one in full: "I am writing to put myself on record in favor of granting to Osteopaths the right to practice Obstetrics. In recent years these doctors have been obliged to take the state examination in the subject. When they have done so and have passed, it is but fair to allow them to practice for the sake of those who prefer their methods to those of the M. D.'s.

"I, and other members of my family have had much benefit from Osteopathy and I have friends who have had pre-natal and delivery care which has resulted in normal births and healthy babies. Since child-birth is largely dependent for its success on structural normalcy let us give those who specialize in that very thing a chance."

Another letter closes with this sentence: "Will you please vote to give the women of the state the right to choose their own physicians?"

Mr. MITCHELL: Mr. President,

may I ask the Senator from Kennebec, Senator Foster, a question.

The PRESIDENT: The Senator from Aroostook, Senator Mitchell, wishes to ask the Senator from Kennebec, Senator Foster, a question through the Chair and he may do so.

Mr. MITCHELL: I would like to know where that osteopathic physician practised who attended the case referred to in this letter.

Mr. FOSTER: He practised in this county in the city of Waterville.

Mr. MITCHELL: And I would also like to ask if he attended this obstetrical case in this county?

Mr. FOSTER: I will say, Mr. President, that he is the chairman of the Independent Board of Osteopathic Examiners.

Mr. MITCHELL: The Senator did not answer the question. The question is in what state he practised?

Mr. FOSTER: I will answer through the Chair that he is a graduate of the Kirksville College in Michigan.

Mr. MITCHELL: The Senator did not understand my question. I asked what state he practised in.

The PRESIDENT: Will the Senator from Aroostook, Senator Mitchell, ask his question again through the Chair?

Mr. MITCHELL: I would like to know, Mr. President, in what state this osteopath practised to whom the Senator from Kennebec, Senator Foster, referred, who attended this particular obstetrical case.

The PRESIDENT: The Senator from Kennebec, Senator Foster, may answer if he wishes.

Mr. FOSTER: I will say, Mr. President, answering the Senator from Aroostook, Senator Mitchell, that I think he did not understand the letter. The letter is not from a physician.

Mr. MITCHELL: I understand that it is not, Mr. President.

Mr. FOSTER: The letter is from a lady who said she had a friend who had had this pre-natal and delivery care.

Mr. MITCHELL: I would like to ask, Mr. President, where, in what state?

Mr. FOSTER: I will answer, Mr. President, that it was in this state, in this county, in the city of Waterville. I will be glad to let the Senator see the letter if he wishes.

The PRESIDENT: Does the Sen-

ator from Aroostook, Senator Mitchell, wish to see the letter?

Mr. MITCHELL: No, Mr. President, but I understand the law does not allow them to practise obstetrics in this state. That is why I was anxious to see if this was a fake letter.

Mr. HOLMES of Androscoggin: Mr. President, just in order that it may not appear in the records that no one outside of a member of the medical profession will endorse the motion of the Senator from Aroostook, Senator Mitchell, I will say, at least for the record, that I do and I think that the motion of the Senator from Aroostook, Senator Mitchell, ought to prevail and that his position is sound. I was interested in the statement of the Senator from Kennebec, Senator Foster, to the effect that a large number of states now permit osteopaths to practise obstetrics but before, Mr. President, I would feel that I could allow that argument to prevail with me I would like to know what kind of laws they have which may possibly correspond to this proposed law because it does seem to me that the osteopaths would really want this law. It seems to me that it is a queerly drafted bill and if there were no other reason I would feel that the bill should be voted against—that is, that it should be disposed of by a motion to indefinitely postpone—if for no other reason than that it says that osteopaths may use anaesthetics and antiseptics but does not authorize them to use drugs for internal remedial purposes. How any osteopath—if that should become a law—would dare to take one of those cases I do not know.

I am not one of those who believe that the medical profession—I mean the old fashioned profession that goes back to such great men as Roger Bacon, the Dominican Friar of St. Thomas, and others, and even further back into ancient days—I am not one of those who believe that that medical profession stands in the way of progress and enlightenment or is a close corporation striving to keep legitimate practise away from other learned men. On the contrary, the legislature of this State has in passed years slowly, carefully and laboriously erected bulwarks to protect the public health and it seems to me that if this bill were to be-

come a law it would be a taking down of the bars and a step backward.

For those two reasons, if for no others, I shall vote for the motion of the Senator from Aroostook, Senator Mitchell.

Mr. MAHER: Mr. President, it is with extreme reluctance that, owing to certain physical inhibitions at the present time, not being in the best of shape, that I attempt to say even a word in support of the majority report. It was contemplated that this phase of the question from the standpoint of the committee would be presented, and presented in the most effective manner, but things over which we had no control have made that impossible and I merely arise lest the committee, of which I am a member and which gave an overwhelming majority report in favor of this measure, should be misconstrued in its attitude if silence were maintained.

It seems to me that this is "much ado about nothing"—and I mean that seriously. I remember when this first hospital measure was introduced that there was considerable opposition and it did not result in affirmative action. And then at another session a modified proposition was made and after most strenuous objections upon the part of men who conscientiously opposed it from their angle and who saw the thing in quite a different light than the proponents—and I think they acted from unselfish motives and they were men of the very highest experience who thought it would be a mistake—after an extended hearing there was finally a compromise agreed upon which was, I think, to permit the establishment of a board of osteopathic examiners who should, under the present law as it is now framed, issue certificates to those duly qualified after examination but which provided that they should not be authorized to practise surgery in any of its branches. I remember full well that after the committee had gone that far and it had been supposed that a compromise which was reliable and effective and satisfactory had been involved, there was then suggested another amendment, in addition to the precluding of surgery, which would cut off the practise of obstetrics. And so, with the elimination of surgery, internal medicine and obstetrics, the osteo-

paths were allowed to take an examination and administer to the needs of those who relied upon and sought their services.

Now, at this session they come here and in perfect good faith ask to have that inhibition with reference to obstetrics eliminated. Now, I said at the beginning that this is "much ado about nothing"—not that I make light of childbirth. Childbirth is not a disease. There is not a doctor here who will say so. There is not a man here who will say that there is anything of disease about childbirth. It is absolutely a pathological condition, absolutely. The normal, proper condition of childbirth was such as when the Indian woman stepped aside from the ranks and gave birth to her child and then resumed her place in the procession. That was normal motherhood and that was obstetrics in the ideal and right way. To be perfectly sure, civilization, with its conventions, has made that which was a pathological condition, more or less fraught with danger, but I am glad to say that if no other contribution is made to the physical well-being of womanhood by this so-called jazz age I think that before long the medical profession will recognize that there is a decided tendency in the modern adaptation of womanhood to remove many of the conditions which have made against normal child bearing.

Why, up until a comparatively short time ago, Members of the Senate, there was no necessity for any one to be licensed to assist in the delivery of women. We all know of the midwife who did valiant service and I have no doubt is doing it today in certain sections of Maine. How many of us, perhaps, even in the cities, have had personal experience in this matter of observing obstetrics to know that the chief work in connection therewith is discharged by the nurse in attendance, assuming that things are normal and right?

Of course you do have a condition, I assume—there was a certain question brought out at the hearing—you might have a condition, of course of heart collapse where you would need internal medicine. You do have conditions, of course, of tear that needs to be repaired. It is a surgical condition. You do have a condition of

mal-delivery which of course would need instrumentation, but under this act I can not see that there is any burden put upon the public, in view of the magnanimous fair and dignified statement of my eminent friend from Aroostook, Senator Mitchell, whose judgment on most things I am ready to take, having seen him only recently with reference to a bad throat which I have myself. But in view of his attitude, and I think he bespeaks the attitude of the medical profession today, there is a getting away from that aloofness in associating—whatever the term is—fraternizing with the osteopath. In the old days, of course that barrier was there. A regular practitioner could not, of course, see eye to eye. If a patient was being attended by an osteopath I think probably he could not see that he could come in as a consultant, but I infer—and I dare say it is a fact—from the statement of the Senator from Aroostook, that that condition is passing.

If a condition of mal-delivery is found and there is indication that there is need of surgical treatment, I have not a doubt but that surgical treatment will be ready and at hand by any of the general practitioners who are sought to come in. For the repairing of tears, of course that is not a matter that is done then. Everybody knows that. The laceration, that is not repaired at the time. There may be minor things which are attempted, but I think I can safely say that I would be willing to ask any medical man if 90 or 95 per cent of the tears and lacerations are not in perfectly good practice repaired in from six weeks to six months or even longer. That doesn't have to be done at that time.

Now I am inclined to think that this is a fact. I will not take much time. The practice of obstetrics is not a branch that men who have reached the years and practice of our conferees care very much about. As I observe it, obstetrics is the job of the young fellow just out of medical school. It is pretty hard to get Dr. W. or Dr. N. or Dr. M. out at four o'clock in the morning to attend an obstetrical case. It is not done unless it should happen to be some of their old families who have come up with them all through the years.

There is nothing of danger in this

bill. Every doctor knows it. You are permitting men and women, under this bill, who have taken a four year course, who have passed the most intensive examination, who have answered questions that medical gentlemen here today will admit are entirely comparable with the tests of the regular practitioners—and I say regular, meaning the allopathic branch and not homeopathic—have passed an examination which is entirely competent with that passed by any physician or surgeon or doctor in the State of Maine, and you are permitting them under this act, after that four years of work and after that examination, to do what the midwife has done all over this state and all over this country, and which I have not a doubt, if we are correctly informed in regard to the sparsity and difficulty of obtaining medical service and doctors in some of the remote outlying sections of this state, is being done today. If I thought there was anything here that was unfair to the people of Maine, I never would have voted for the report and if I had thought for one instant that there was anything in this act that interfered with or was unfair to that great profession, the members of which have been my most intimate friends from boyhood, I would be the first to oppose it because I believe and know that the highest type of citizenship in the state of Maine, the highest type of citizenship you can find in the country, is represented by those men who are with us at birth and see us out at the end.

I hope that this bill will not be indefinitely postponed.

Mr. MINER of Washington: Mr. President and members of the Senate, I am sure that the medical profession approached this subject with reluctance not that they are timid of any of the points brought out by the proponents of this measure because we know whereof we speak, and are persuaded that if the members of the Senate look into the matter and understand it fully, completely, we will have practically no opposition. The matter of bringing this subject before the Senate rather than before the committee in argument has been referred to. I might say, in passing, that the principal matters brought before the committee were from New Jersey and

Massachusetts and not from Maine. Our argument was supported almost wholly by Maine physicians of the homeopathic berth who is now on an equality, in every particular, according to our standards, in the State of Maine. We thought this a very reasonable position to take and we will leave it to this Senate if it were not fair.

Without prolonging this matter, as I believe it is very carefully gone into from many points, but I would like to review for a moment, if you please, a few things which I think we ought to review in duty to our profession.

If you will look back, you will find that in 1620, a physician, the first on this American continent qualified in the practice of medicine and surgery, set foot on the American soil, a registered, qualified physician and I would like to say that matters of importance along the allopathy line were continued from that date until about 35 years ago, if I remember my date correctly, when the medical practice act was brought before the people. That act was framed so carefully and so particularly, not for the physicians but for the people of the State of Maine by way of protection, that they even said that a student graduating from the Maine Medical School should not be examined to see whether he was qualified to practice in the State of Maine or not, by a professor of that college, guarding in every possible way this idea that no man or woman should be allowed to practice in the State of Maine unless he was a qualified man in every particular.

A few years after that our friends of the homeopathic branch of our profession came into existence to such an extent in America, and efficiently that they were recognized in this State, when they qualified in materia medica and in other subjects, they were willingly and graciously admitted with the allopathy to practice under the medical act in this State.

And although it was before my time, I know the physicians said that they welcomed the homeopathic branch of the medical profession with open arms because they were needed at that time, as more physicians are needed now. They were admitted on absolutely equal terms when they qualified with the curricula of the medical profession in the way as is at present outlined.

It was my pleasure five years ago to propose and work for, and see elected, a homeopathic physician as pres-

ident of the Maine Medical Association. We were all pleased with his tenure of office. I say this, to show you that as soon as homeopathic physicians, osteopathic physicians, chiropractors, naturopaths, or any other cults, prepare themselves so as to comply with the demands of their profession, we are more than pleased to admit them and the osteopaths know it.

Reference has been made to medicine. Somebody has said that the bill was carelessly drawn. They can not use internal drugs but may use ether. I want to ask any person here, with ordinary intelligence if ether, administered in the ordinary way is not an internal drug.

I recognize in obstetrics, not a disease. I agree with the senator from Kennebec. Senator Maher, it is purely a physiological process and in that way I disagree with his remarks. Perhaps his nomenclature was wrong because of his not being particularly familiar with the terms. Obstetrics, if practiced by qualified physicians carefully and without accident is not a pathological disease as he claims, it is purely physiological and that is the end we are trying to obtain, that all obstetrical work be physiological and no pathology connected with it. That is why we recommend drugs to sterilize, to clean—antiseptics is the word I am thinking of—that is why we recommend it to keep out pathology. We claim that any physician whether he be osteopathic or otherwise, must positively know antiseptics, he must positively know the nature of such drugs as strychnine, ergot, pituitrin and digitalis or any other of those drugs. We put ourselves on record as requiring those things, we are willing to admit it.

I think that I have covered the points that I wish to. I hope that I have made myself clear and the conclusion is this, that we, as physicians, welcome with open arms, the osteopaths or chiropractors or any other physicians who are qualified to practice their profession, knowing and believing that obstetrics is a surgical disease in many, many instances and that it is a physiological process, that demands internal, medical treatment in a great many instances, and we, as a class are not willing to sit idly by as custodians of the health program of this State, representing the majority party, and allow people to come in and practice the healing art without the proper qualifications.

The PRESIDENT: The question is

on the motion of the Senator from Aroostook, Senator Mitchell that Senate Document 266, An Act relating of the practise of osteopathy, be indefinitely postponed.

A viva voce vote was doubted

Mr. FOSTER: Mr. President, I ask for a yea and nay vote.

The PRESIDENT: A yea and nay vote is asked for. As many as favor taking a yea and nay vote will rise and stand in their places until counted. Those opposed will then rise.

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

The PRESIDENT: A yea and nay vote is ordered. The chair will explain for the purpose of expediting business that as many as favor indefinite postponement, the motion of the Senator from Aroostook, Senator Mitchell, will answer "yes" when their names are called. Those who are opposed to indefinite postponement will answer "no" when their names are called. The Secretary will call the roll.

The Secretary called the roll.

Those voting "yes" were: Senators Allen, Bragdon, Case, Crafts, Drake, Dunbar, Dwinal, Granville, Holmes, Miner, Mitchell, Morrison, Oakes, Pinkham, Roberts, Spear, Woods—17.

Those voting "no" were: Senators Buzzell, Foster, Harriman, Lord, Maher, Morrison, Smith, Slocum, Speirs—9.

Absent: Senators Bond, Douglas, Perkins.

The PRESIDENT: Seventeen senators having voted in the affirmative and nine in the negative the motion to indefinitely postpone prevails.

The President laid before the Senate, House report from the Committee on Judiciary, majority report "ought to pass", minority report "ought not to pass", On Act relating to advertising signs along public ways (S. D. 11) tabled on April 5th by Mr. Lord of York pending consideration and today assigned; and on motion by that senator the report was retabled and tomorrow assigned, pending further consideration.

The PRESIDENT: The Chair hopes now that the senators will do all in their power to clear this calendar.

On motion by Mr. Granville of York the Senate voted to take from the table House Report from the Committee on Taxation "ought not to pass" on An Act to raise the excise tax on corporations organized for making, generating, selling, distributing and supplying electricity (H. D. 46) tabled on March 30th by that senator pending consideration.

Mr. GRANVILLE of York: Mr. President, I yield to the Senator from York, Senator Roberts.

Thereupon, on motion by Mr. Roberts of York the report of the committee "ought not to pass" was accepted.

On motion by Mr. Nickerson of Waldo, the Senate voted to take from the table, House report from the Committee on Ways and Bridges on Resolve in favor of the town of Troy (H. P. 807) tabled on April 12th by that senator pending acceptance of the report; and on further motion by the same senator the report of the committee "ought not to pass" was accepted.

On motion by Mr. Mitchell of Aroostook, the Senate voted to take from the table, Resolve in favor of the Pownal State School for additions and improvements (H. D. 305) tabled on March 31st by that senator pending second reading.

Mr. MITCHELL of Aroostook: Mr. President, I yield to the Senator from Cumberland, Senator Speirs.

Mr. SPEIRS of Cumberland: Mr. President, I move that it be retabled.

The PRESIDENT: Does the Senator object to the resolve having its second reading?

Mr. SPEIRS: Not at all, Mr. President.

Thereupon, the bill received its second reading.

The PRESIDENT: The Senator from Cumberland, Senator Speirs, now moves that this matter be retabled.

Mr. FOSTER of Kennebec: Mr. President, I would like to ask if the Senator from Cumberland, Senator Speirs, will assign a date.

Mr. SPEIRS: I cannot do that now, Mr. President, as I might take it off tomorrow or might do so later.

Mr. FOSTER: Without debating

the question, Mr. President, which I understand is not debatable—

The PRESIDENT: The motion to table is not debatable.

Mr. FOSTER: Mr. President, I would like a date certain for the consideration of this matter.

The PRESIDENT: The Senator from Kennebec, Senator Foster, may again ask the Senator from Cumberland, Senator Speirs, if he will assign a date.

Mr. SPEIRS: I will assign Friday, Mr. President.

The PRESIDENT: The Senator from Cumberland, Senator Speirs, assigns Friday next and moves that the matter lie upon the table.

Mr. FOSTER: Doubted, Mr. President.

The PRESIDENT: The question of assignment is debatable but not the question of tabling.

Mr. FOSTER: Then, Mr. President, a statement on my part as representing the Appropriations Committee at this time is in order?

The PRESIDENT: It is in order if the Senator confines himself to the matter of the date of assignment.

Mr. FOSTER: My purpose in asking the Senator to assign a date, Mr. President, was simply this, that this wholesale tabling of matters is deferring materially the adjournment of this legislature. This specific matter has to do with our new construction and with the whole program as outlined and agreed to by this Senate in Republican caucus the other day. Speaking for the Appropriations Committee who brought to the attention of the Senate the program I feel very strongly that these matters should not be delayed. We ought to have a much earlier assignment than Friday on this matter, not later than tomorrow.

The PRESIDENT: Will the Senator from Cumberland, Senator Speirs, amend his motion.

Mr. SPEIRS: Mr. President, I have quite a large number of scholars coming from Westbrook tomorrow and I thought perhaps that might interfere somewhat with what I have to do here and so I put it off until Friday but there may be changes come about that might put this forward a little further.

Mr. FOSTER: Mr. President, it would seem to me that the urgent business of this session is of more

importance than the visitation of any young people who may see fit to call upon the Senator from Cumberland (Senator Speirs) and I do hope that he will name a date not later than tomorrow to consider this matter.

Mr. SPEIRS: Mr. President, I do not see that I can do that because I have got to see other people in regard to this matter and I cannot see them either today or tomorrow.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Speirs, that this matter be laid upon the table and specially assigned for Friday next. As many as favor the motion will rise and stand in their places until counted. Those opposed will then rise.

The motion to table thereupon failed of passage.

The PRESIDENT: The question is now on the passage to be engrossed.

Thereupon, the resolve was passed to be engrossed.

On motion by Mr. Granville of York, the Senate voted to take from the table, House report from the Committee on State Prison, majority report "ought to pass in new draft," minority report "ought not to pass" on resolve in favor of the prison commission (H. D. 615) tabled on April 2nd by that Senator pending acceptance of either report.

Mr. GRANVILLE of York: Mr. President, I yield to the Senator from Franklin, Senator Morrison.

Mr. MORRISON of Franklin: Mr. President, I desire to yield the floor to the Senator from Aroostook, Senator Pinkham.

Thereupon, on motion by Mrs. Pinkham of Aroostook, the majority report "ought to pass in new draft" was accepted in concurrence.

Mr. OAKES of Cumberland: Mr. President, may I ask the effect of that majority report "ought to pass in new draft?" Perhaps the Senator from Aroostook, Senator Pinkham, could state it for me in a moment.

The PRESIDENT: The Senator from Aroostook, Senator Pinkham, may answer if she wishes.

Mrs. PINKHAM of Aroostook: Mr. President, I do not understand which is the bill referred to.

The PRESIDENT: The Chair will say, for the purpose of expediting business that the Secretary will read the new draft which the Chair be-

Heves will answer the question of the Senator from Cumberland, Senator Oakes.

Mrs. PINKHAM: I understand now, Mr. President, and I will explain for the benefit of the Senator from Cumberland, Senator Oakes. This new draft cuts down the amount three hundred dollars because of the fact that that amount was collected for the guards during the time they were suspended and was given to them. This has the approval of the committee.

Mr. MAHER of Kennebec: Mr. President, is this House Document 615?

The PRESIDENT: The Senator is correct.

Mr. MAHER: Resolve in favor of the prison commission. I would like to ask the Senator from Aroostook, Senator Pinkham—if I am not confused by the title of the resolve—if this is not the resolve to pay the guards who were discharged down there for the time they were out.

Mrs. PINKHAM: I will say, Mr. President, through the Chair that the Senator is correct.

Mr. MAHER: And what is the status, Mr. President?

The PRESIDENT: The Chair will state that we have accepted the majority report which is "ought to pass in new draft."

Mr. MAHER: And what is the next step, Mr. President?

The PRESIDENT: The next step is automatically the first reading unless there is a different motion made.

Thereupon, on motion by Mr. Maher of Kennebec, the resolve was tabled pending first reading.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, An Act relating to transfer from subdivision of a department appropriation to another (S. D. 325) tabled on April 12th by that Senator pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Woods of Penobscot, the Senate voted to take from the table, An Act in relation to building and lot in Bangor known as the Bangor State Arsenal (H. D. 389) tabled on April 12th by that Senator pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, Resolve in favor of Western Maine Sanatorium for construction of annex to reception room (S. D. 204) tabled on April 5th by that Senator pending adoption of Senate Amendment A.

Mr. SPEAR of Cumberland: Mr. President, I now move against the adoption of Senate Amendment A.

The PRESIDENT: The question is on the adoption of Senate Amendment A. Is it the pleasure of the Senate that the amendment be adopted?

Mr. SPEAR: No, Mr. President, my motion is against the adoption.

The PRESIDENT: Does the Senator wish to move the indefinite postponement of Senate Amendment A?

Mr. SPEAR: Yes, Mr. President. I so move.

The PRESIDENT: The Senator is in order.

Mr. CRAFTS of Piscataquis: Mr. President, may we have the amendment read?

The amendment was read by the Secretary.

Mr. SPEAR: I desire to explain to the members, Mr. President, that the reason this amendment was first introduced was to put the fund over from the coming year to the next year. Now, as I understand the program that has been outlined by the Appropriations Committee, there will be a new order introduced in a short time making all funds available for this year. Therefore this amendment is not necessary.

The PRESIDENT: The question is on the indefinite postponement of Senate Amendment A.

Thereupon, Senate Amendment A was indefinitely postponed.

Mr. SPEAR: I now move, Mr. President, that this matter take its usual course.

Thereupon the bill was passed to be engrossed.

The PRESIDENT: This being an emergency matter it requires the affirmative vote of two-thirds of the entire membership of this Senate. The question is now on the final passage. Those who favor the final passage of this resolve under the emergency clause will rise and stand in their places until counted. Those opposed will then rise.

Twenty-six senators having voted in the affirmative and none in the

negative the resolve was finally passed.

Mr. GRANVILLE of York: Mr. President, may I approach the Chair?

The PRESIDENT: The Senator may.

(Thereupon, Senator Granville conferred with the President.)

The President, by unanimous consent and under suspension of the rules, laid before the Senate, Senate report from Joint Committee on Public Utilities, Interior Waters and Judiciary, majority report "ought not to pass," minority report "ought to pass in new draft," on An Act relative to right to erect and maintain mill dams, etc. (S. D. 62) tabled on April 5th by Mr. Carter of Androscoggin, pending acceptance of either report; and the President recognized the Senator from Cumberland, Senator Oakes.

Thereupon, on motion by Mr. Oakes of Cumberland, Senate Document 62 was retabled and tomorrow assigned.

On motion by Mr. Harriman of Kennebec, the Senate voted to take from the table, An Act in favor of the Bath Water District (S. D. 367) tabled on April 12th by that Senator pending passage to be engrossed as amended by Senate Amendment A.

Mr. HARRIMAN of Kennebec: Mr. President, I have talked with the proponents of this measure and it is perfectly agreeable to them to move the indefinite postponement of Senate Amendment A, and I so move.

The PRESIDENT: The Chair will state for the benefit of the Senator that the records show and the Chair was of the opinion, that Senate Amendment A has already been adopted. A motion to reconsider the vote whereby Senate Amendment A was adopted is in order and is the proper procedure if the Senator wishes to kill the amendment.

Mr. HARRIMAN: Then, Mr. President, I move that we reconsider our former action whereby Senate Amendment A was adopted on the last legislative day.

The motion to reconsider prevailed; and on further motion by the same Senator Senate Amendment A was indefinitely postponed.

Thereupon, on further motion by

the same Senator the bill was passed to be engrossed.

On motion by Mr. Miner of Washington, the Senate voted to take from the table, Resolve in favor of Wallace W. Yates (S. D. 202) tabled on April 2nd by that Senator pending consideration; and on further motion by the same Senator the resolve was indefinitely postponed.

The PRESIDENT: The Chair at this time recognizes the Senator from York, Senator Granville, on An Act relating to the licensing of operators of motor vehicles, trailers or tractors (H. P. 1134).

Mr. GRANVILLE of York: Mr. President, I yield to the Senator from Somerset, Senator Smith.

The PRESIDENT: The Chair would suggest that first the senator from York, Senator Granville, withdraw his motion to table, made yesterday, under suspension of the rules and by unanimous consent.

Mr. GRANVILLE: I so move, Mr. President.

Under suspension of the rules, unanimous consent was given to Senator Granville of York to withdraw his motion to table.

Thereupon, on motion by Mr. Smith of Somerset, that senator was given unanimous consent to withdraw Senate Amendment A.

On motion by Mr. Smith of Somerset

Recessed until 4.30 o'clock this afternoon.

After Recess

Senate called to order by the President.

On motion by Mr. Mitchell of Aroostook, out of order and under suspension of the rules, it was

Ordered, that there be recalled to the Senate from the engrossing department, resolve in favor of the Pownal State School for additions and improvements (H. D. 305).

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

From the House: Resolve in favor of the Maine State prison for main-

tenance and current expenses (H. D. 594).

(In the Senate, April 8th, passed to be engrossed in concurrence.)

In the House, passed to be engrossed as amended by House Amendment A in non-concurrence.

In the Senate, on motion by Mr. Morrison of Franklin, the resolve and amendment were tabled pending consideration.

From the House, out of order and under suspension of the rules, the following order:

Ordered, the Senate concurring, that the Maine development commission, when and if created by this Legislature, be and hereby is instructed to call a convention composed of one hundred citizens of Maine who shall be selected by the Maine development commission as representative of every important field of enterprise in Maine, for the purpose of making a survey of economic conditions in Maine, and of preparing suggestions and recommendations for the use of the Maine development commission, and others.

The Maine development commission shall effect the temporary organization of the convention, and shall lay before the convention the following subjects for consideration:

Agriculture, banking, labor, industry, water resources, forestation, power, transportation, and any other subjects; and the convention may consider other matters upon its own initiative.

The members of the convention shall serve without pay. The expenses of reporting the deliberations of the convention and of publishing its report shall be paid out of the funds appropriated for the Maine development commission.

In the House read and passed.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending consideration.

From the House: The majority of the committee on legal affairs, on bill an act to grant a new charter to the city of Old Town (H. D. 112) reported that the same ought not to pass.

(Signed) MORRISON
DWINAL
LAUGHLIN
FULLER
BLAISDELL
GOODWIN
McCART

The minority of the same committee, on the same subject matter, re-

ported the same in a new draft, under the same title (H. P. 1289) and that it ought to pass.

(Signed) HOLMES
SARGENT
LITTLEFIELD

In the House, majority report accepted.

In the Senate:

Mr. MORRISON of Franklin: Mr. President, I move that the majority report of the committee be accepted.

Thereupon, on motion by Mr. Holmes of Androscoggin, the bill and both reports were tabled pending acceptance.

House Bills in First Reading

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

Resolve in favor of international bridge over St. John River, Madawaska, Maine—Edmundston, New Brunswick, for a combined immigration and customs office (H. D. 632).

Resolve in favor of procuring testimonials for the purpose of marking the unmarked graves of the Soldiers of the Revolutionary War (H. D. 628).

Resolve in favor of Opportunity Farm for assistance in obtaining a supply of pure water (H. D. 627).

Resolve in favor of the University of Maine (H. D. 624).

An Act to regulate the hunting of wild birds on the waters of Merry-meeting Bay (H. D. 623).

An Act to increase the salaries of the County Commissioners of York County (H. D. 635).

An Act to increase the salary of the Treasurer of York County (H. D. 634).

An Act relating to the salary of the clerk of courts of Sagadahoc County (H. D. 633).

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

The following resolves were received out of order and under suspension of the rules and on recommendation by the committee on reference of bills were referred to the following committee:—

Appropriations and Financial Affairs
By Mr. Slocum of Cumberland, Resolve in favor of Francis J. Cayouette as clerk and stenographer of Military Affairs Committee. (S. P. 651)

By the same Senator, Resolve in

favor of John Curry as messenger and Sergeant at Arms of the Military Affairs Committee. (S. P. 652)

Reports of Committees

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

Mr. Crafts, from the Committee on Inland Fisheries and Game, on bill An Act relating to marketmen's licenses (S. D. 221) reported the same in a new draft, under the same title (S. P. 655) and that it ought to pass.

The report was accepted and the bill was laid upon the table for printing under the joint rules.

Mr. Speirs from the Committee on Education, presented report of that Committee on the following resolves:

Resolve in favor of Anson Academy. (H. P. 78)

Resolve in favor of Aroostook Central Institute. (H. P. 127)

Resolve in favor of Berwick Academy, in the town of Berwick, in the county of York. (S. P. 213)

Resolve in favor of Blue Hill—George Stevens Academy for maintenance. (H. P. 225)

Resolve in favor of Bridgewater Classical Academy. (H. P. 126)

Resolve in favor of Bridgton Academy for general maintenance and deficit. (S. P. 85)

Resolve in favor of Cherryfield Academy. (H. P. 75)

Resolve in favor of the Eastern Maine Institute for maintenance. (H. P. 223)

Resolve in favor of Erskine Academy at China. (H. P. 838)

Resolve in favor of East Corinth Academy. (H. P. 842)

Resolve in favor of East Corinth Academy. (H. P. 581)

Resolve in favor of Freedom Academy for maintenance and repair. (S. P. 105)

Resolve in favor of Fryeburg Academy. (S. P. 4)

Resolve in favor of Gould Academy. (H. P. 10)

Resolve in favor of Hampden Academy, in the town of Hampden. (S. P. 76)

Resolve in favor of Hartland Academy for maintenance. (H. P. 167)

Resolve in favor of Higgins Classical Institute. (H. P. 338)

Resolve in favor of Leavitt Institute for general maintenance. (H. P. 171)

Resolve in favor of the Lebanon

Academy, at Lebanon. (H. P. 1157)

Resolve in favor of Lee Academy for maintenance. (H. P. 222)

Resolve in favor of Limington Academy for general maintenance and repairs. (H. P. 221)

Resolve in favor of Lincoln Academy at Newcastle. (H. P. 462)

Resolve in favor of Litchfield Academy. (H. P. 840)

Resolve in favor of the Maine Central Institute at Pittsfield. (H. P. 518)

Resolve in favor of Monmouth Academy, Monmouth, Maine, for maintenance, repairs and equipment. (H. P. 168)

Resolve appropriating funds to Monson Academy. (H. P. 170)

Resolve in favor of Nasson Institute for maintenance. (H. P. 128.)

Resolve in favor of trustees of North Yarmouth Academy. (S. P. 1.)

Resolve in favor of Oak Grove Seminary for equipment and furniture. (S. P. 192.)

Resolve in favor of Oak Grove Seminary for maintenance (S. P. 191.)

Resolve in favor of Parsonsfield Seminary for general maintenance. (H. P. 169.)

Resolve in favor of Patten Academy, for repairs and maintenance. (H. P. 226.)

Resolve in favor of the Pennell Institute at Gray. (H. P. 448.)

Resolve in favor of Ricker Classical Institute at Houlton. (H. P. 519.)

Resolve in favor of the Somerset Academy at Athens. (H. P. 841.)

Resolve in favor of St. Joseph's Academy and College for Women, Deering, Portland, Maine. (H. P. 227.)

Resolve in favor of Robert W. Traip Academy. (H. P. 459.)

Resolve in favor of Washington Academy. (H. P. 520.)

Resolve in favor of Westbrook Seminary. (S. P. 77.)

Resolve in favor of Wilton Academy at Wilton. (H. P. 517.)

Resolve in favor of Wiscasset Academy. (H. P. 839.)

Reporting the same in a new draft, under the title of "Resolve in favor of several academies, institutions, seminaries and colleges for maintenance, repairs, and improvements. (S. P. 656.) and that it ought to pass.

On motion by Mr. Speirs of Cumberland, the report was accepted and

the resolve was tabled for printing under the joint rules.

Mr. Oakes, from the Committee on Judiciary, on bill An Act to amend the Workmen's Compensation Act (S. D. 187) reported the same in a new draft, under the same title (S. P. 653) and that it ought to pass.

(On motion by Mr. Smith of Somerset, tabled pending acceptance of the report and printing ordered.)

Mr. Holmes, from the Committee on Legal Affairs, on bill An Act validating acts and deeds valid except for certain irregularities and omissions. (S. D. 160) reported the same in a new draft, under the same title (S. P. 654) and that it ought to pass.

The report was read and accepted and the bill laid upon the table for printing under the joint rules.

Mr. Smith, from the Committee on Claims, submitted its final report.

Mr. Morrison, from the Committee on Legal Affairs, submitted its final report.

Mr. Slocum, from the Committee on Military Affairs, submitted its final report.

Mr. Morrison, from the Committee on State Prison, submitted its final report.

The reports were severally read and accepted.

Passed to be Enacted

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

An Act to provide for the exportation of surplus power. (S. D. 259.)

Orders of the Day

Mr. MINER of Washington: Mr. President, under suspension of the rules and with the unanimous consent I wish the privilege of resuscitating Senate Document No. 87.

The PRESIDENT: The Chair will state for the benefit of the Senators that this is an act to establish a uniform license law for summer camps and it was referred to the committee on legal affairs and there have been two "ought not to pass" reports on it, it having been re-committed once. The Senator from Washington, Senator Miner, now asks for the privilege of the rules being suspended and that this body

reconsider the vote whereby they accepted the last "ought not to pass" report. Is this the pleasure of the Senate?

The motion to reconsider prevailed.

Mr. MINER: Mr. President, if in order, I would like to say a word of explanation.

The PRESIDENT: The Senator is in order if he wishes to rise to a point of personal privilege for explanation and the Chair recognizes him.

Mr. MINER: Mr. President, I will say that we have had all the sections of this bill struck out and have inserted in place thereof this document known as Senate Amendment A to Senate Document No. 87. I move that it take its regular course.

The Chair will state that the gentleman must necessarily first move to substitute the original bill for the report.

Mr. MINER: I so move, Mr. President.

The motion to substitute prevailed.

Thereupon, under suspension of the rules the bill received its two several readings.

The PRESIDENT: The Senator from Washington, Senator Miner now moves the adoption of Senate Amendment A:—

"Senate Amendment A to Senate Document No. 87. Amend by striking out all sections and inserting in place thereof the following:

STATE OF MAINE

In the year of our Lord One Thousand Nine Hundred and Twenty-seven.

An Act to establish a Uniform License Law for Summer Camps.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. No person, corporation, firm or co-partnership shall conduct, control, manage or operate, directly or indirectly, any over night or recreational camp, or roadside eating or lodging place, which is located outside the compact portions of cities, towns and plantations and which is operated only a part of each year, unless the same shall be licensed by the public health council.

Sec. 2. The public health council is empowered to license, overnight and recreational camps, and roadside eating and lodging places which are located outside the compact por-

tions of cities, towns and plantations, and which are operated only part of each year.

Sec. 3. Such licenses shall be issued by the public health council under such terms and conditions, and such fees for licenses not exceeding five dollars may be charged, as may be approved by the governor and council.

Sec. 4. Any person, corporation, firm or co-partnership violating the provisions of section one shall be fined not more than one hundred dollars.

Thereupon Senate Amendment A was adopted.

The PRESIDENT: Is it the pleasure of the Senate that the bill as so amended now be passed to be engrossed?

Mr. OAKES of Cumberland: Mr. President, I move that the bill lie on the table pending printing.

The PRESIDENT: Does the Senator mind allowing it to be passed to be engrossed and then later looking it over, for the purpose of expediting business?

Mr. OAKES: Not at all, Mr. President. I withdraw my motion to table.

Thereupon, the bill as amended by Senate Amendment A was passed to be engrossed.

Mr. OAKES: Mr. President, I now move that it lie upon the table pending printing. I would like to have it on the table.

The PRESIDENT: The Chair will state for the benefit of the Senator that the idea of the Chair was that it would go to the other branch for engrossing if they saw fit to engross it and the Senator, if he objected to it might very properly catch it, so to speak, when it returned for final passage, it being then in perfectly printed form. Does the Senator from Cumberland, Senator Oakes, care to withdraw his motion to table?

Mr. OAKES: I withdraw it, Mr. President.

On motion by Mr. Smith of Somerset, the Senate voted to take from the table, the report of the committee on judiciary "ought to pass in new draft" on an act to amend the workmen's compensation act (S. D. 187) tabled earlier in today's session by that senator pending acceptance of the report.

Mr. SMITH of Somerset: Mr.

President, I now move the acceptance of the report of the committee without printing.

The PRESIDENT: Does the senator wish the bill to have its several readings without printing of the new draft? The Chair had in mind the acceptance of the report and then the bill would automatically lie on the table for printing. Does the senator object to that?

Mr. SMITH: No, Mr. President.

The PRESIDENT: The senator from Somerset, Senator Smith, now moves that the report of the committee on judiciary "ought to pass in new draft" on the workmen's compensation act be accepted. Is this the pleasure of the Senate?

The motion to accept the report prevailed.

The PRESIDENT: The bill now lies on the table for printing under the joint rules.

The PRESIDENT: The Chair at this time informs the senator from Aroostook, Senator Mitchell, that there is in the possession of this body a matter recalled from the engrossing department, the resolve in favor of the P'ownal State School for additions and improvements (H. D. 305).

Thereupon, on motion by Mr. Mitchell of Aroostook, the Senate reconsidered its former action whereby this resolve was passed to be engrossed; and on further motion by the same senator the resolve was indefinitely postponed.

The PRESIDENT: The Chair at this time reads to the Senate a letter addressed to the Honorable President and Members of the Senate, as follows:

To the Honorable President and Members of the Senate:

I wish to take opportunity, while the Senate is yet convened, to express my deepest appreciation of the courtesy with which you met my husband living, and of your expressions of sympathy visible and sincere which you have given me at his death. The many tender and intimate things which I might say to you individually, formally, I cannot; but nevertheless, I feel them, and in your friendship find strength and peace.

Madam Carter joins me in thus expressing our mutual satisfaction in the evident respect Senator Carter was held by you, and in the respect

you awarded his memory, we take comfort.

I am,

Respectfully,

CLAIRE S. CARTER.

April eleventh
1927

On motion by Mr. Holmes of Androscoggin, out of order and under suspension of the rules, it was

Ordered, the House concurring, that House Document 515, An Act to make the chairman of the Androscoggin County Commissioners a full time office with the duty of superintendent of buildings and to increase his salary to fifteen hundred dollars, be recalled from the engrossing department to the Senate.

On motion by Mr. Miner of Washington, the Senate voted to take from the table an act relating to the State department of health (S. D. 225), tabled by that senator on April 11th pending passage to be engrossed.

Mr. MINER of Washington: Mr. President, I now wish to offer Senate Amendment A and move its adoption.

The secretary read the following amendment:

"Senate Amendment A to Senate Document No. 225 An Act Relating to the State Department of Health.

Amend by striking out Sections 1, 2, and 3, and inserting in place thereof the following:

Sec. 1. Section eight of chapter one hundred ninety-seven of the public laws of nineteen hundred seventeen, as amended by chapter one hundred seventy-two of the public laws of nineteen hundred nineteen, as amended by chapter one hundred sixty-two of the public laws of nineteen hundred twenty-one, as amended by chapter two hundred seventeen of the public laws of nineteen hundred twenty-three, is hereby further amended by striking out the words "fifty-three" and inserting in place thereof the words "fifty-eight," so that said section, as amended, shall read as follows:

Sec. 8. The sum of fifty-eight thousand dollars shall be annually appropriated for the purposes set forth in sections one to six inclusive, and section seven of this act.

Sec. 2. Section thirty-seven of chapter nineteen of the revised statutes, is hereby amended by adding after the word 'state' in the twelfth line thereof, the words, 'except that the public health council subject to the approval

of the governor and council may fix charges when deemed advisable or necessary,' so that said section, as amended, shall read as follows:

Sec. 37. The state board of health shall appoint a director of such laboratory, who shall hold that position at the pleasure of the board. He shall keep a record of all specimens without unnecessary delay, and do such other work, and make such other investigations relating to the public health as said board may from time to time direct. He shall annually in the month of January make a full report to the board of all matters pertaining to the laboratory, and shall make such other and special reports as the board may require. The kind and amount of the work he shall do and the compensation therefor shall be fixed by said board. The services of the laboratory and all investigations therein made shall be free to the people of the state, except that the public health council subject to the approval of the governor and council may fix charges when deemed advisable or necessary."

Mr. MINER of Washington: Mr. President, as the amendment is long, I will explain it.

The PRESIDENT: The Senator may explain it to the Senate.

Mr. MINER: The original act for the Health Department asks for \$105,000. The Health Committee, after going over the matter, recommended \$129,000, an uplift of \$24,000. After consulting with the Appropriations and Financial Affairs Committee, we have decided to deduct from that amount.

This amendment calls for a \$5,000 set-up instead of \$24,000, thus reducing the amount \$19,000. This received the approval of the Commissioner of Health, the Health Committee, and it was taken in to the Governor and it also received his hearty approval.

To make up for the reduction, a certain fee is to be charged subject to the will and wish of the Public Health Council for tissue work and water analyses by that department, at a very nominal fee.

I move the adoption of this amendment.

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

On motion by Mr. Holmes of Androscoggin

Adjourned until tomorrow morning at ten o'clock.