

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**ERRATA:**

**The following errata are  
inserted because one or more pages  
in this session day have errors  
noticed and corrected here.**

### ERRATA.

Page 39, for Long Monson Pond read Long Mousam Pond.

94, after the words "Probation Officers" omit the words "relating to State Detectives."

105, 302, 316 and 333, for State Prison read State pension.

118, 146, 165 and 170, for supplementary associations read supplementary assessments.

168, for Coolidge River read Cambridge River.

174, for \$50 read \$50,000.

182, for Oakland read Oakfield.

185, for Rines road read Kineo road.

219, for Mineral Spring Co. read Merrill Springer Co.

226, for investigation of vital statistics read registration of vital statistics.

243, for town of South Portland read town of Southport.

309, for town of Wales read town of Wells.

325, for foreigners read coroners.

343, for Bed Cambridge River read Dead Cambridge River.

360, for boys read buoys.

377, for Corners Knob read Conary's Nub.

377, 462, 496, for Prescott read Trescott.

379, for Pittsburg read Phippsburg.

462, 496, for Chronological read Pomological.

494, for Township E read Township 2.

510, 538, for Central Railroad Co. read Jonesport Central Railroad Co.

520, for Penobscot Electric Co. read Penobscot Bay Electric Co.

525, for Colcord read Concord.

544, 556, for town of Brewer read town of Bremen.

551, 587, for Monmouth Ridge Sanitary Association read Monmouth Ridge Cemetery Association.

646, for Androscoggin Valley Company read Androscoggin Valley Railroad Company.

648, for Central Fire Insurance Co. read Central Maine Fire Insurance Co.

654, 670, for Jimmy pond read Jimmy brook.

655, 671, for Straw's Island read Swan's Island.

667, for transmitted in Maine read transacted in Maine.

677, 698, for municipal court in town of Portland read municipal court in town of Farmington.

687, for Trusett read trustee.

700, for pension members of Building Commission read pension members of Fire Department.

788, for Howard read Howland.

835, for Chapter 138 of the Public Laws of 1905 read Chapter 138 of the Public Laws of 1895.

844, for bridges of municipal officers read duties of municipal officers.

928, for identifying animals read identifying criminals.

974, for Herbert A. Bradford read Herbert A. Lombard.

1022, for Stonington Trust Company read Stonington Water Company.

1064, for Biddeford read Portland.

1244, for Daniel's Pond read Donnell's Pond.

1275, for Acatous Lake read Nicaotous Lake.

1313, for establish read abolish.

**SENATE.**

Tuesday, March 16, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Clark of Gardiner.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

An Act relating to mercantile and bank credits.

Also: An Act relating to the circulating of false stories affecting banks. (These papers were by the Senate referred to the Committee on Mercantile Affairs and Insurance. The House having non-concurred, and having referred the same to the Committee on Judiciary, on motion by Mr. Hastings of Oxford, the Senate voted to recede and concur with the House in their reference to the Committee on Judiciary.)

Resolve in favor of the Penobscot Tribe of Indians. (This resolve was by the Senate passed to be engrossed as amended by Senate Amendment A. The House passed the resolve as amended by Senate Amendment A and also as amended by House Amendment A. On motion by Mr. Reynolds of Kennebec, The Senate voted to reconsider the vote whereby it passed the resolve to be engrossed; House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.)

Resolve for the publication of the railroad map of Maine. (This resolve having passed to be engrossed in the Senate without reference to a committee, in the House was referred to the Committee on Railroad and Expresses.)

Mr. BAXTER of Cumberland: Mr. President: For the reason that the only advantage to be gained by the passage of the foregoing resolve was that the map might be ready for the use of members before the adjournment, and because that is defeated by its reference to a committee, I move that the Senate recede and concur with the House.

The motion prevailed.

An Act to authorize the construction and maintenance of a highway in the

tidewaters of York River. (This act having been referred, the report submitted thereon recommended that it be referred to the Committee on Legal Affairs. By the Senate this report was accepted. The House non-concurred with the Senate, refusing to accept the report. On motion by Mr. Gowell of York, the Senate voted to insist and that a Committee of Conference be appointed.

**Read and Assigned.**

An Act to amend the charter of the City of Auburn.

An Act authorizing the City of Bangor to levy assessments for street improvements. (This bill was returned from the House recommitted to the committee. On motion by Mr. Baxter of Cumberland, the Senate voted to concur in its recommitment.)

An Act authorizing the plantation of Monhegan to issue bonds to raise money to pay the cost of building a town landing.

An Act to amend Chapter 183 of the Public Laws of 1907 relating to time of payment of members of the government.

An Act to abolish the office of State printing.

An Act relating to police court of the City of Belfast.

Resolve in favor of a monument for the late Commodore Samuel Tucker at Bremen, Maine.

An Act to incorporate the Northeastern Insurance Company.

Resolve authorizing the land agent to make a deed for the purpose of curing defects in the title to Dog Fish Island in the Penobscot Bay.

An Act to amend Paragraph 20 of Section 1 of Chapter 116 of the Revised Statutes of 1903 as amended by Chapter 120 of the Public Laws of 1905, relating to sea and shore fisheries. (In the House this bill was amended by the adoption of House Amendment A.) (On motion by Mr. Staples of Knox, the bill with the amendment were tabled pending the adoption of the amendment.)

A communication was received from the Secretary of State as follows: "To the President of the Senate and Speaker of the House of Representa-

tives. Gentlemen: In accordance with the requirements of Section 4, Chapter 1 of the Revised Statutes, I have the honor to notify you that the public acts, a list of the titles of which is hereto appended, have been approved by the Governor:

An Act to amend Section 1 of Chapter 116 of the Revised Statutes which provides for the salary of \$300. for teacher at the Maine State Prison, and \$200 for chaplain.

An Act to require motor boats to be provided with mufflers in certain cases.

An Act to amend Section 20 of Chapter 41 of the Revised Statutes of 1903, relating to sea and shore fisheries.

An Act authorizing towns and cities to elect fish wardens in certain cases.

An Act to amend Section 17 of Chapter 41 of the Revised Statutes of 1903 as amended by Chapter 49 of the Public Laws of 1907, relating to sea and shore fisheries.

An Act to provide for retiring and pensioning prison officers.

An Act to amend Sections 1, 2, 4, 5, 6, 7, 8, 9, 12, and 13 of Chapter 112, Public Laws, 1907, relating to highways.

An Act to amend Section 48 of Chapter 40 of the Revised Statutes, relating to the hours of labor of women and children.

An Act to amend Chapter 18 of the Revised Statutes relating to the State Board of Health.

An Act to exempt certain public bonds from taxation.

An Act to amend Section 4, Chapter 144, of the Revised Statutes, relating to insane hospitals.

An Act to provide for a close time on Hungarian partridges, so called.

An Act authorizing the Governor to issue his proclamation to prevent the use of firearms in the forests during a dangerously dry time.

An Act to amend Section 37, of Chapter 81 of the Revised Statutes, relating to the removal of unworthy attorneys.

An Act to amend Chapter 42 of the Public Laws of 1907, entitled "An Act to prevent desertion and non-support of families."

An Act to provide anti-toxin by the

local boards of health for diptheria and other contagious diseases.

An Act to amend Chapter 77 of the Public Laws of 1905, relating to sea and shore fisheries.

An Act to amend Section 49 of Chapter 15 of the Revised Statutes, relating to public schools.

An Act to provide for the compensation of justices of the Supreme Judicial Court of Superior Court who shall resign after 10 years' service at the age of seventy years.

An Act to amend Section 16 of Chapter 15 of the Revised Statutes, relating to Public Schools.

An Act to amend Section 34 of Chapter 41 of the Revised Statutes as amended by Chapter 125 of the Public Laws of 1907, relating to bait barrels.

An Act to change the names of railroads and other corporations.

An Act to extend the privileges of secondary instruction to youths resident in unorganized townships.

A communication was received from the Secretary of State transmitting the annual report of the University of Maine for the year ending July 1, 1908. (On motion by Mr. Knowlton of Piscataquis, the same was referred to the Committee on Education.)

On motion by Mr. Wyman of Washington, it was

Ordered, the House concurring, that the Governor and Council cause to be compiled in convenient form, the Inland Fish and Game Laws, Public, private and special, including all such laws passed by this legislature, and a digest of the decisions upon the same, and that ten thousand copies be printed for general distribution, and the Governor is authorized to draw his warrant for the payment of the same on the amount appropriated for operating the fish hatcheries and feeding stations for fish and for the protection of fish, and fines and license fees received for the protection of game.

#### Statement of Facts.

Ten thousand copies of these laws have been ordered printed by each legislature for several sessions. They have all been distributed. There is a great call from the people for these

laws, not only from our own State but from other states as well.

#### Read and Assigned.

An Act for the prevention of tuberculosis among cattle.

An Act relating to the issuance of capias by magistrates.

An Act relative to school outhouses.

An Act to authorize the construction of a bridge across the Ogunquit River, in the town of Wells.

Resolve in favor of the Town of Smyrna, appropriating \$258.64 to reimburse the town of Smyrna for money paid out on account of State paupers.

An Act to amend chapter 88 of the Public Laws of 1907, entitled "An Act to encourage the compiling and teaching of local history and local geography in the public schools."

An Act relating to the Probate Records of Cumberland County.

An Act to amend chapter 40 of the Revised Statutes and chapter 46 of the Public Laws of 1907 relating to the employment of minors in manufacturing or mechanical establishments in this State.

"An Act to amend Chapter 509 of the Public Laws of 1885 relating to the Commissioners of Cemeteries and Public Grounds," (On motion by Mr. Baxter of Cumberland, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

#### Reports of Committees.

Mr. Baxter, for the Committee on Judiciary, on "Resolve proposing an amendment to the Constitution of the State of Maine, providing for the election on Tuesday next after the first Monday in November biennially of governor, senators, representatives and other officers now required to be elected on the second Monday of September biennially," reported that same ought not to pass.

Mr. Hastings, for the same Committee, on "Order of the legislature relating to whether there is any plain and adequate method now existing by law whereby towns and plantations may take land on which to erect public school houses and for yards and play grounds in connection with such school houses, and for enlarging the yards and playgrounds of existing school houses,"

reported that no legislation is necessary as the subject matter is already incorporated in a bill before the Senate.

The same Senator, for the same Committee, on "Joint resolution and memorial to Congress from the State of South Dakota, in relation to polygamy," reported that same be placed on file.

Mr. Looney, for the same Committee, on Bill "An Act to incorporate the Penobscot Bay Water Company," reported same in new draft under same title and that it ought to pass.

#### Passed To Be Engrossed.

An Act to regulate fishing in Medomac river and its tributaries in the towns of Union, Washington, Appleton and Liberty.

An Act to prohibit the use of boats or launches of any kind propelled by steam, naphtha, gasoline or electricity, or any other mode than the ordinary sailboat or rowboat in chasing, hunting or gunning any sea birds or other water fowl in the inland waters of the State.

An Act prohibiting the depositing of sawdust and other mill waste in Jackson Mill stream and Joe Weeks' mill stream in Lincoln county.

An Act relating to the powers of the board of prison and jail inspectors.

Resolve in favor of the town of Mount Chase.

An Act to amend Section 13 of Chapter 15 of the Revised Statutes relating to public schools.

An Act authorizing the Maine Missionary Society to change its corporate name.

An Act authorizing and empowering Albert C. Page and Roger G. Leonard to erect and maintain a boom and piers in the Passadumkeag river.

An Act to prohibit the use of firearms fitted with any device to deaden the sound of explosion.

Resolve in favor of Adelbert F. Williams.

Resolve in favor of the Northern Telegraph Co.

An Act relating to corporations.

Resolve in favor of Macwahoc plan-

tation for \$100 on account of State road constructed in the year 1907.

Resolve in favor of the town of Frenchville for \$145.75 to be paid to the town of Frenchville on account of State road constructed in 1908.

Resolve in favor of Kingman in the county of Penobscot and Frenchville in the county of Aroostook.

An Act to authorize the Sebasticook Power Company to issue additional bonds.

An Act legalizing the assessment and commitment of taxes in the city of Ellsworth for the years 1903 and 1904.

An Act to amend Section 45 of Chapter 123 of the Public Laws of 1905, as amended by Chapter 43 of the Public Laws of 1907, entitled "An Act for the protection of children."

An Act to provide for a fire and police commission for the town of Skowhegan.

An Act to amend Section 7 of Chapter 99 of the Revised Statutes relating to judgments in bastardy cases.

An Act to incorporate the Woodland Light and Water Company.

An Act to amend Section 88 of Chapter 84 of the Revised Statutes relating to empanelling of traverse jurors.

An Act relating to the fees of the city clerk and treasurer and collector of Portland.

An Act to amend Section 1 of Chapter 96 of the Private and Special Laws of 1905.

An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, entitled "An Act creating the Fort Fairfield Village Corporation," as amended by Chapter 303, of the Private and Special Laws of 1905, and as amended by Chapter 116 and by Chapter 210 of the Private and Special Laws of 1907.

An Act to regulate the hunting of ducks and other water fowl in Bluehill Bay and Eggmoggin Reach, so called.

An Act to regulate fishing in Pierce pond, so called, in Somerset county.

An Act to amend Section 1 of Chapter 407 of the Private and Special Laws of 1903, as amended, relating to fishing in Hayden lake, so called, in the town of Madison, in Somerset county.

Resolve in favor of the town of Old Orchard for abatement of taxes for the years 1907 and 1908.

Resolve in favor of Israel H. Cross of Lincolnville.

An Act to amend Section 11 of Chapter 93 of the Acts and Resolves of 1878, relative to the establishment of a municipal court in the town of Portland.

An Act to incorporate the Union Cemetery Improvement Company.

An Act to amend Chapter 15 of the Revised Statutes in relation to education. (On motion by Mr. Looney of Cumberland, this bill was tabled pending its second reading.)

An Act to amend Section 89 of Chapter 4 of the Revised Statutes relating to right to take land for parks, squares and public libraries. (On motion by Mr. Hastings of Oxford, this bill was tabled pending its passage to be engrossed.)

An Act to amend Sections 69 and 70 of Chapter 8 of the Revised Statutes relating to the taxation of collateral inheritances. (On motion by Mr. Gowell of York, this bill was tabled pending its passage to be engrossed.)

#### Passed To Be Enacted.

An Act relative to the appointment of school physicians.

An Act relating to pleading a discharge in bankruptcy.

An Act to amend the charter of the Bangor Railway & Electric Co.

An Act relating to the Waterville & Fairfield Railway & Light Co.

An Act to prohibit expectation in certain public places and conveyances.

An Act to extend the charter of the Penobscot Bay Railroad Co.

An Act to authorize the Northern Telegraph Co. to increase its capital stock.

An Act to authorize the plantation of Portage Lake to erect, maintain and control a wharf in Portage Lake in the county of Aroostook.

An Act to extend the charter of the Winter Harbor & Eastern Railway Co.

An Act to amend Section 1 of Chapter 356 of the Private and Special Laws of 1907 entitled "An Act to regulate the taking of white perch in Lake



Sebasticoock, in the town of Newport, county of Penobscot, and its tributaries."

An Act to incorporate the Maple Grove Electric Co.

An Act to extend and amend the charter of the Cornish Water, Light & Power Co.

An Act to prohibit the swelling of scallop meats by artificial means.

An Act to correct a clerical error in An Act approved Feb. 19, 1909, entitled "An Act to extend An Act entitled 'An Act to incorporate the Baker and Spencer Brook, Dam & Improvement Co.'"

An Act to amend Section 1 and Section 3 of Chapter 60 of the Revised Statutes relating to the duties of the commissioner of agriculture.

An Act to amend Sections 94, 96 and 97 of Chapter 15 of the Revised Statutes of 1903 providing for the schooling of children in unorganized townships.

An Act additional to Chapter 128 of the Revised Statutes relating to malicious mischiefs and trespasses.

An Act to change the name of Moose pond to Great Moose lake.

An Act to prohibit seining smelts in certain parts of Casco bay.

An Act to amend Section 43 of Chapter 32 of the Revised Statutes relating to Pleasant river in Washington county.

An Act to prohibit the throwing of sawdust and other mill waste into Kimball brook, Shin brook and Sebocis river tributaries in the east branch of the Penobscot river, also Fish stream, a tributary to the Mattawamkeag river.

An Act to extend the charter of the Sagadahoc Trust Co.

An Act to amend Chapter 43 of the Public Laws of 1907 entitled "An Act for the protection of children."

An Act to extend the charter of the Searsport Trust Company.

An Act to regulate the taking of fish from Lower Kezar pond, in Fryeburg, Oxford county, Maine.

An Act to authorize and empower Leone R. Cook and others, trustees, to convey certain interests in real estate to the inhabitants of the town of Yarmouth.

An Act to regulate fishing in Belgrade stream in Kennebec county.

An Act to amend Chapter 260 of the Private and Special Laws of 1887 relating to the powers of the Dover and Foxcroft village fire company, the name of which was changed to Dover and Foxcroft Water District, by Chapter 11, Section 1, of Private and Special Laws of 1903.

An Act to regulate ice fishing in Pattie's pond in Winslow, in Kennebec county.

An Act to shorten the time of possession required for bringing suits to quiet title to real estate.

An Act to extend the charter of the Bluehill Trust and Banking Company.

An Act creating a close time on muskrats in certain tributaries to Lake Sebasticoock from May 1 to March 15 of the following year.

An Act to prohibit ice fishing in Ware pond in Lee in Penobscot county.

An Act to amend Section 1 of Chapter 61 of the Special Laws of 1907 relating to the lobster industry within two miles of the shore of Monhegan Island.

An Act to regulate fishing in a portion of Sandy River stream, Franklin county.

An Act to authorize and empower the Guilford Manufacturing Company to erect and maintain piers and booms in the Piscataquis river.

An Act to extend the charter of the Kezar Falls Water Company.

An Act to regulate fishing in Molridgewock pond and stream, also the inlet to said Molridgewock pond, Oxford county.

An Act to render valid the doings of the Monmouth Ridge Cemetery Association.

An Act additional to and amendatory of Chapter 29 of the Private and Special Laws of 1887 entitled "An Act to incorporate the Kennebec Light and Heat Co."

An Act relating to the taxation of street railroads.

An Act providing for the better protection of the people of the State of Maine from the disease known as tuberculosis.

An Act relating to the taxation of steam railroads.

An Act to incorporate the Hiram Water, Light and Power Co.

An Act to incorporate the Fore River Shore Line.

An Act to incorporate the "R and T. Cement Railroad."

An Act relating to the Carrabasset Dam Co.

An Act to incorporate the Wood Stream Improvement Co.

An Act to authorize the town of Thorndike to remove bodies from abandoned cemeteries.

An Act to regulate fishing in the tributaries of Worthley pond in Peru, in the county of Oxford.

An Act amending and additional to Chapter 61 of the Revised Statutes relating to marriage and the registration of vital statistics.

An Act to amend Section 85 of Chapter 15 of the Revised Statutes relating to the payment of teachers' services.

An Act to amend Section 13. Paragraph 2, of Chapter 9 of the Revised Statutes relating to the taxation of personal property.

An Act additional to Chapter 144 of the Revised Statutes providing for the recovery of money improperly paid by the State for the support of insane paupers.

An Act to regulate fishing in Little Big Wood pond, Somerset county.

An Act authorizing the payment of an annuity by the city of Portland to John Cousens.

An Act to amend Section 115 of Chapter 15 of the Revised Statutes relating to appropriations for a Normal school.

An Act to incorporate the trustees of an academy under the name of Nasson Institute.

An Act to extend the time in which the Maine Title Guarantee Company is authorized to commence business.

An Act to amend Section 28 of Chapter 15 of the Revised Statutes, relating to the duties of the municipal officers of towns.

An Act to amend Chapter 32 of the Revised Statutes, relating to inland fisheries and game and to correct certain clerical errors therein.

An Act to amend Section 89 of Chapter 184 of the Public Laws of 1907, relating to the compensation of selectmen.

An Act to amend Section 2 of Chapter 159 of the Public Laws of 1905, relating to the compensation of certain State officers.

An Act to amend Section 3 of Chapter 129 of the Revised Statutes as amended by Chapter 40 of the Public Laws of 1905, regulating the sale of milk and cream. (Tabled on motion of Mr. Rounds of Portland.)

An Act relative to school buildings.

An Act to regulate the length of trout which may be taken in certain ponds in Oxford county.

An Act to amend Section 10 of Chapter 57 of the Revised Statutes relating to the establishment and support of free public libraries.

An Act to amend Section 2 of Chapter 159 of the Public Laws of 1905 relating to the compensation of certain state officers. (On motion of Mr. Boynton of Lincoln, this bill was tabled, pending its passage to be enacted).

An Act to authorize the City of Portland to retire and pension members of Building Commission. (On motion by Mr. Baxter of Cumberland, this bill was tabled pending its passage to be enacted.)

An Act to authorize and ratify the appointment of Portland City Hall Building Commission. (On motion by Mr. Baxter of Cumberland, this bill was tabled pending its passage to be enacted.)

An Act for the protection of deer in Cumberland County. (On motion by Mr. Baxter of Cumberland, this bill was tabled, pending its passage to be enacted.)

### Finally Passed.

Resolve in favor of Lee Normal Academy.

Resolve in favor of D. H. Lambert, secretary of the committee on Indian affairs.

Resolve in favor of a monument marker on the battle ground of Cedar Mountain, Virginia.

Resolve to provide for repairs of road leading from Roach River to the Grant farm.

Resolve in favor of Wilton Academy.

Resolve in favor of Lincoln Academy.  
Resolve in favor of the town of Caribou.

Resolve in favor of the town of Williamsburg.

Resolve in favor of the plantation of New Canada, Aroostook county.

Resolve in favor of the town of Roxbury for \$123.75 to be paid to the town of Roxbury on account of permanent road constructed in the year 1908.

Resolve in favor of the town of Abbot, for \$140 to be paid to the town of Abbot on account of State road constructed in the year 1907.

Resolve in favor of Eugene A. Holmes, county attorney for Aroostook county.

Resolve in favor of the Maine Insane hospital for kitchen, bakery and dining room.

Resolve in favor of the Eastern Maine Insane hospital for fireproof building.

Resolve in favor of the enlargement of the State House or the erection of a suitable State office building adjacent thereto.

#### Orders of the Day.

On motion by Mr. Staples of Knox, Senate Document No. 321, "Bill to tax steam railroads;" also Senate Document No. 365, "Majority report, Legal Affairs Committee, "ought not to pass," on Bill to protect the State against paying judgments obtained against certain officers, Minority, same Committee, on same bill, "ought to pass," were taken from the table; and on his further motion, were re-assigned for consideration, Thursday, March 18.

On motion by Mr. Hamilton of York, Senate Document No. 272, "Bill, to amend law about State Superintendent of Schools," was taken from the tables.

The same Senator moved that the bill be indefinitely postponed.

Mr. HAMILTON of York: Mr. President and Senators: I wish to call attention to this bill. I know some think it is not well to object or to discuss a question after it has been reported by a committee, but I do not think so. We report bills from a committee according to the evidence

which comes before us in the Committee room, and it is like a bill of indictment presented to the House and the Senate for them to determine whether or not it is proper for them to pass, and not for the committee. Certainly I am always glad, as a member of any committee, to have the bills questioned and discussed.

This bill creates a new officer in the department. Many years ago, I knew and was quite familiar with the school superintendent. He then received \$800 a year and his clerk hire was \$200. It went along in that way for some time, and then the salary of the superintendent of schools was increased to \$1500 and the clerk hire to \$1000.

Through Mr. Stetson's time, for 10 or 12 years, I don't remember how long, that remained \$1500 for the salary of the superintendent of schools and \$1000 for clerk hire. Now, as everybody knows, Mr. Stetson was an earnest worker in his department and he accomplished very much for the schools of the State of Maine; and, while he was criticised for some things in his department, yet, his work will always remain as a monument to his worth and no hand of scandal can deface or pluck the laurels from his brow. Two years ago, the Legislature increased the salary of the superintendent from \$1500 to \$2500 dollars. That was quite a bounce. Now, his salary remains, if not the largest, as large as in any one of the departments. It is beyond what the Governor's used to be. He gets \$2500. It does not stop there; that is not all he gets. He gets by the Revised Statutes \$500 more, and that really makes his salary \$3000 and the clerk hire \$1000. In this bill he asks for his clerk to be a deputy at a salary of \$1500. You understand his clerk gets a thousand dollars, and he asks now that his clerk become a deputy and for that he is to receive a salary of \$1500. He does not stop there. It is a very—I won't say delusive—but it is a bill that needs a little construction. It means that they shall have clerk hire not to exceed in addition \$1000. Now, he has got his salary up to \$3000; his deputy's salary \$1500—you reckon it—and then he has got

clerk hire in here again, not to exceed \$1000.

Now, he can put two clerks in there, ladies that used to be in there, for \$500 a year—and it is quite a good salary—if he chooses. And what is very peculiar about this thing, is that there is not an additional duty to be performed to what there was to be performed 10 years ago—not an additional duty is imposed upon the superintendent of schools but what existed when it was \$1000 or \$1200—not at least since he has had the \$2500—not an act with which he is burdened that he has not always performed. I remember in discussing the question of assistant attorney general, the attorney general said that he should do what he could, but they had imposed upon him certain extra duties and he needed assistance. No extra duties have ever been imposed upon the school superintendent, for which he asks a deputy today and an increase of \$500 over the salary of the clerk, amounting to \$1500, and then two clerks or one clerk not to exceed \$1000.

I tell you, senators and Mr. President, it is quite an expensive department, the way that he has it now and with the duties that he has to perform. There is absolutely \$3000, and \$1500 that he asks for a deputy and \$1000 for clerk hire, and it makes all together \$5500. Now the expenses of a deputy would be over a thousand dollars, and printing over \$2000, and it would be about \$9000 that that department right underneath us here costs.

I do not wish to say anything—indeed I am the last person that would stand in the way of progressive education or in the way of education in any way, because I have always felt the need of it, and do now, but I do believe that there is a limit in all of these matters. We want a great many things that we cannot have. He may want a deputy. He may want not want to do his own business. He may want someone to do it for him. That is the style now. But, here he comes, against what we all understand to be the rule, and asks that his department shall have a new office, that of a deputy, at an expense of \$1500 a year—because it provides in

the bill for clerk hire at one thousand, in addition.

As I said before, I have no feeling against the department and would do everything possible, even to voting money which I thought was unreasonable, but I think this beyond reason and there should be a limit; and I ask all the Senators to carefully examine that bill as it is drawn, its operation and how much it is going to cost the State, and to ask themselves if they want to establish a new office in that department.

Mr. KNOWLTON of Piscataquis: Mr. President: It seems to me that if ever a bill was drawn that shows right on the face of it just what it means, this bill does. I am reminded of a text in scripture "that the wayfaring man, though a fool, cannot err therein." It is plain on the face of it. There is no cat in the meal. You can see in a moment whether you want to do this or not.

The Senator says that ten years ago he was familiar with school matters. This is the 20th century. The times have changed within 10 years immensely. The assertion was made that there were no more duties to be performed than there were 10 years ago. Well now, Mr. President and Gentlemen, I will just read to you briefly what our present State superintendent has to do:

He must receive and tabulate returns from town and school authorities. Upon the accuracy of these returns the State disburses a million and a quarter dollars annually.\* The examination of more than three thousand returns is involved together with comparisons with returns of other years and reports of towns.

Has direction of teachers' county institutes.

Has direction of teachers' summer schools, five in number.

Has charge of schools in unincorporated townships, 75 in number.

Has direction of State examination of teachers.

Acts as trustee under the law for nine different State institutions, a duty which should involve personal visits to the total number of 27 each year.

Inspection for approval of the courses of study over two hundred secondary schools, high schools and academies and visitation of those concerning which complaint of inferior work is made.

The duty is imposed of giving public addresses in the State. Acting under this direction of the law the superintendent addressed 78 public meetings in 72 different towns and cities.

Channel for payment of bills on all school accounts.

Called upon to advise school officials, teachers and public on matters relating to school law, plans, methods and policies.

Should visit schools of the State to become familiar with conditions. In one year visited the schools of 102 towns.

Other duties specified in law, but impossible of tabulation. To these bills now before the Legislature impose a large number of additional duties.

Mr. President, I am impressed by the foregoing that we are distributing over the State, in the common schools and academies and the high schools, a large amount of money to which fact, Senators, I want especially to call your attention. The State Superintendent as no other sources of information in regard to academies and high schools, except that sent in by reports. Well, I am a believer in humanity in general and very optimistic in regard to human honesty. But, when we come to consider carefully that thousands of dollars are sent all over the State of Maine on the strength of the reports sent in by committee men and trustees, and when it is so easy to ease one's conscience and to get a five hundred dollar appropriation where strict justice would keep it out, I think the time has come when we should have these schools inspected; and that is what this deputy is for, so that the State Superintendent can send out all over the State a man deputized by himself, or to go himself, and discover whether or not these schools are proper ones to receive State aid. These schools send in their reports to the superintendent, as being of pauper grade we will say, and the statement is made and the money is distributed on their statement. I apprehend, Senators, that

the deputy, or Mr. Smith himself, visiting these schools, would discover that they were not proper recipients of State aid. It provides for a man, employed by the State, to go out and see that the State's money is properly expended. We are wasting money today. No private corporation, Mr. President, would think of sending the amount of money we do with no inspections, but upon the reports which come in. It would be like a manufacturer sending out a lot of men and taking their report for whether or not they had done their duty.

It seems to me that there is nothing more just than this. The State Superintendent does receive \$2500 I am aware, but that was established before Mr. Smith was appointed, and as to the amount of work done in that office, any Senator here can satisfy himself that it is immense. Go down there any day or any hour of the day and you will find them exceedingly busy; and these schools ought to be visited.

Two years ago I advocated a State Board of Education for the simple reason that this work might be done. Massachusetts knows something about education and how to get it; and that State has a State Board of Education, and **there are deputies that go out over the State of Massachusetts.** I taught there once, and one night a gentleman called at my door and came in, and we had a pleasant time until I found out who he was. He was a deputy from the department and the next day he came into my school and examined my classes, went to the trustees and examined their books, and when he left he knew precisely whether that school was one that should properly receive State aid.

I am certainly opposed to raising one dollar of money here this winter that is not necessary; but I certainly feel that it would be very unwise policy for the State of Maine to spend the amount of money that it does a day upon these educational matters and not personally discover whether or not that money was properly paid; and there are no other sources from which to do so excepting the reports. And I ask if you gentlemen would be satisfied to have a million of dollars of yours scattered all over the State in business, and you

know nothing about it except what the agents themselves might sent in to you in the way of reports. I appeal to the Senators to look at this carefully and to say if they are ready today to deprive the State of Maine of aid, and she certainly is in need of it, for the taking care of her money and in taking care carefully of the best products she has in this wide world, her boys and her girls.

Gentlemen, I am not talking about something I am not acquainted with. My life has be spent with the boys and the girls, and in these very schools that I mention. I taught a school once that got \$500 from the State for the three years before I was there, and while I was there it did not receive \$500 from the State and the year after I left it did. Some of you might possibly have in your mind the fact that it was on account of my being there. It was because I would not certify that certain things were true, which were not true. It is a matter of economy, Gentlemen, and I do hope that this resolve will pass and that we may put our State in a condition so that she may know where-of she has and how she stands on the books of her finances.

Mr. HAMILTON: Mr. President: The Honorable Senator from Piscataquis has read a lot of duties assigned to the Superintendent of Schools. We pay him \$3000 a year to discharge those duties which he has read. They are the same duties which are set down in the Revised Statutes, and none have been added to them since this man was appointed, just as I stated before.

This bill does not carry any additional duties. We expect, for \$3000 that the schools are to be inspected by this man. We expect some work from him. He is getting more than any farmer is worth in my town today—more money—three thousand dollars a year and his expenses; and he ought to work. He should do just what the statutes require him to do, and no more; and there is not a thing in that bill, which I said is peculiar, which imposes any duty on him except what is imposed by the Revised Statutes. No new duty has been imposed upon this man since the salary was raised from \$1500 to \$2500, and to-

day he is asking you for those same duties, fifteen hundred dollars more.

I submit it to you, if it is not creating a new officer to do the duties which the statute imposes upon him, and pays him \$3000 a year to do. You give him a new officer to do it, and forsooth, he can sit down here in his office and have somebody do it.

Now, that is not true education—that isn't progress. It is progress backward. I do not know of anyone in any department in this State House that receives \$3000 salary for the performance of their duties. If he performs his duties he will do just what the Senator from Piscataquis describes as his duties, and we are not paying him to travel around the State to the churches, and everything else—not by any manner of means. It is for him to attend to the duties which the Statute prescribes; and he can do it, and not place an additional man in his place at an additional \$1500.

I will call your attention again to this bill—to the way it is drawn. He is to have \$1500 for what?—to do the duties which the statute requires of him. It has been the policy of this Legislature that we should not create any new offices, and that we should not enlarge or diminish the salaries. Two years ago his salary was established. Let it remain. He has a big salary—\$3000. Let him have it, and let him do the duties of that office on that salary. He has a sufficiently big salary to do it; and with these remarks I submit it to you.

Mr. MILLIKEN of Aroostook: Mr. President: Will the senator from York permit a question?

Mr. HAMILTON: Certainly.

Mr. MILLIKEN: I understand the senator from York to state that the superintendent receives \$3000 a year and his expenses. Now, in my opinion, the senator is wrong—not intentionally—I think he is mistaken; and I would ask how he arrives at that conclusion?

Mr. HAMILTON: With pleasure. If the senator will turn to the statute, he will find that the superintendent has \$500 a year voted to him in 1907, for the purpose of examining teachers

and, as the gentleman is familiar with the statutes, he is familiar with that. I think the section is on Page 222—and that makes \$1500.

Mr. KNOWLTON: If you will permit me, I will help answer the question. The salary in this new bill is established at \$2500 per annum.

Mr. HAMILTON: And in addition to that, I say that he has \$500 to which I have called your attention, for the examination of teachers, which comes in as a part of his duties—he has \$500 and expenses.

Mr. MILLIKEN: Mr. President: I have been accused of more or less injustice with regard to a good many things at this session but I think no one has accused me of being unjust in the matter of raising of salaries.

On the general proposition, as to whether or not this Legislature shall adopt the policy of raising no salary and interfere with no salary, and make no change, I have nothing to say at this time. I do want to raise my voice in feeble protest against the position taken by the senator from York, which is to the effect that the committee on education has been fooled, or that somebody has been trying to work a scheme on them.

When I go into the committee room of the committee on legal affairs, I tremble and how to the superior wisdom of my friend from York, who is chairman of the committee, because I do not know much about the questions that come before that committee for solution, not being a lawyer. I have tried, however, in common with other members of the committee on education to learn something about the affairs of the department of education; and I think I know that the superintendent of schools for this State receives in fact, \$2500 a year for his services—in full for all services, and that he receives \$500 for clerk hire which is expended in his office by the employment of a clerk, and \$1000 for the employment of another clerk. I think I know what the effect of this bill is—and at any rate the intention of the bill—and if it is not carried out by the bill, an amendment might be offered by the senator to carry out that in-

tenion. The intention of the bill is, I would say, to give him, instead of \$1000 for this clerk whom he asks may be made his deputy, \$1500, and to give him, instead of \$500 for clerk hire, \$1000, making the total increase for the department \$1000, charging \$500 each to the salary of clerk and \$500 for clerk hire.

The senator is mistaken in the assumption that no extra duties are imposed upon this department. If he has noticed the bills coming through here, some of them already passed, and some on their way through, at this session, he will have seen that very important and very laborious extra duties are imposed on this department, the principal one being, as pointed out by the chairman of the committee, of the annual examining and certifying to the condition of the various schools of this State that receive State aid. I am not going into this matter any further than to say that the new duties imposed are such that, in the opinion of the committee, it is not good business—it is not wise to undertake to get a man to serve as deputy superintendent—and he must serve as such, whatever name you call it by—at a salary less than would be offered to any superintendent of schools in the State. In our opinion it is not wise—it is not good business to undertake to do this thing with the force of clerks now available. As I stated a moment ago, I have not anything to say as to the general proposition, if the position shall be taken by this Legislature that, regardless of conditions—regardless of new duties, or anything of that sort, no salaries shall be raised or changed, or that the clerical force of no department shall be increased. That is beside this question. But upon the question that the committee has been fooled, and that there is no reason for this change, I must differ from the senator from York; and I want to call his attention to the very eloquent speech that was made in this Senate last Friday by the senator from York in which he accused my distinguished friend, the senator from Knox of sitting on the coat-tail of progress, and frantically shouting woe.

Mr. STAPLES of Knox: Mr. Presi-

dent: Perhaps the senator from Aroostook will say that I am sitting on the coat-tail of progress when I oppose this bill. I have always been a friend of education, and during all of my life I have been connected with the schools a great deal, both as a teacher and as a superintendent; but I must say that, in my judgment, the schools in the State of Maine have not made but very little progress for the last 10 years. Twenty years ago the schools in our rural districts were very much further advanced, under better discipline, than they are today. The great trouble with our present school system, and the advancement of our schools is the lack of interest of the people in the cause of education; and one of the reasons, in my judgment, is that the control of the schools has been taken away from the people. I stand here and say that, take the State as a whole, the cause of education has deteriorated—gone back—under this system that we have. Three thousand dollars from the State of Maine, as the senator from York has said, is a good salary for any man. Any of us are willing to work every day in the year for that amount of salary. He cannot work more than 365 days if he works on Sundays.

I am opposed to the raising of salaries. I have nothing to say against Mr. Smith. I do not believe it is necessary for him to go into our country towns to examine the schools. I think that, and more, that this superintendent of the State of Maine, should not nothing about the real workings of the country schools. The more they keep away from them, the better the schools will be. That is my experience.

To give him a clerk—a deputy clerk—to go over this State and visit the country schools is a most ridiculous proposition. How much benefit do you think the schools of my county would receive from a man who gets \$1500 a year and expenses coming down through there and going in and looking over those schools. Just think of it. When the salary of the superintendent has been fixed, I can find a hundred men in the State of Maine, who are just as well qualified as he is and who will be glad to take it at its pres-

ent salary and to do the work. But it is one of the fads, it seems, of this Legislature that every man who holds office wants an increase or an extra clerk. I do not know much about the increased work of the department. A great many laws have been placed on our statute book, making the superintendent do certain things that would be better left undone for the betterment of the schools. We have too much red tape for the schools—too many offices. If you leave it to the towns you will find that the schools will be better off than they will be if interfered with by outside parties. If you let them alone and let the people of the towns and their officers control them, you will have a grade of schools to be proud of for 20 years to come in the State of Maine. That is from my personal knowledge. I do not think it is for the interest of education to have this new office created. I believe that the superintendent, with the clerk that he already has, can perform all the duties of the department.

Mr. KNOWLTON of Piscataquis: Mr. President, I certainly, if I wanted profound legal advice, would go to the senator from Knox.

Mr. STAPLES: Thank you, sir. You will get it.

Mr. KNOWLTON: I should pay more than \$3 a day for it too, but I do claim that I know more about the educational matters than he does. I think you would do about the same kind of work in my class that I should do in your law office.

There is a condition of things existing today that did not exist when the venerable senator and myself were boys. I do not ask that this new man be empowered to visit the town schools, but to visit those schools where the State is sending out money and where there is fraud perpetrated against the State today; and I do not say it is intentional fraud. You know, gentlemen, how easy it is when we are examining some scholars, to discover whether they belong to the High school grade or not—how easy it is to get, when our sympathies are all in favor of it, a boy off our hands, and when we are jingling our purse, how easy it is to



call it 30 when 29 would have been nearer the truth.

I think, gentlemen, that this is not a matter of wasting money. It is one of those wise resolves that prevents the waste of money. One senator has said that they had been raising the salary of the superintendent—not since he had been in office. And he was put in the office after the administration of the previous man, and his duties are additional duties. The senator from York says, let him do his duties. He cannot do them. It is an utter, sheer impossibility. The duties increase as opportunities and time go on. The teacher in school today is required to teach things he never dreamed of 25 or 30 years ago. This is a day when practical education is demanded and we are obliged every day to teach electricity and all those things that we did not know anything about when I was a boy. Our schools have to be of that order and the whole arrangement of the school system is in the order of the 20th century. Do we want to go back to the old "Deestrick" system, as they call it, when we used to board around, and I ate buckwheat cakes and molasses for breakfast every morning, and when I had to send half the children home occasionally to have their faces washed, and sometimes they would come home smelling a little of brimstone? By no means. This is a day when these things have to be looked after by all means, and it takes money and time to look after them, and this new office that has been mentioned—it is not a new one, it simply helps to carry out what hitherto has been established and what the State of Maine established. It is simply, gentlemen, the proposition: Will you spend a million dollars or more blindly or spend it under the direction of a man skilled in its distribution?

The pending question being upon the motion of Mr. Hamilton, the senator from York, that Senate Document No. 272, be indefinitely postponed, the yeas and nays were called for and ordered; and the vote being had, resulted as follows: Those voting yea were Messrs. Colcord, Donigan, Gowell, Hamilton, Hill, Howes, Kellogg, Lowe,

Macomber, Reynolds Shaw Smith Staples, Wyman (14). Those voting nay were Messrs. Baxter, Boynton, Eaton, Emery, Hastings, Irving, Knowlton, Looney, Milliken, Minott, Mullen, Theriault, Warren, Wheeler, Wyman (14).

So the motion to indefinitely postpone was lost.

On motion by Mr. Knowlton of Piscataquis, the bill was passed to be engrossed.

On motion of Mr. Hastings of Oxford, Senate Doc. No. 365, bill to amend law about sentence in criminal cases, was taken from the table; and, on further motion by the same Senator, the same was re-assigned for Tuesday, March 23.

On motion of Mr. Looney of Cumberland, House Doc. No. 510, bill, to set Fred Thornton off from Cushing, to Thomaston, was taken from the table; and, on his further motion the bill took its second reading, and was passed to be engrossed.

On motion by Mr. Donigan of Somerset, Senate Doc. No. 240, bill to increase the salary of the physicians and chaplains of the Insane hospitals, was taken from the table.

Mr. DONIGAN of Somerset: Mr. President: I want to register my vote against the increase of any salaries this year. I have before me, and will read a letter from Gov. Fernald to Mr. Burleigh, and relates to an increase of salary amounting to \$2100 for two years, or \$4200. Gov. Fernald says: "I have before me a resolve increasing the salary of the judge of the Superior court for Kennebec county from \$2500 to \$3000. Early in the session I indicated my position on this matter and believe it to be an inopportune time to increase the salaries of any of the county or State officials. I still maintain that belief."

Mr. President, I fully believe this will pass. The tendency has been this morning, and for sometime past, to increase salaries to almost anyone who wants them. This I think, was to be expended under the supervision of the Trustees of the Insane hospitals; and I, for one, think the Insane hospitals for the last two years have made a mistake, and have, in the estimation of a

good many people over-run on their expenditures. I do not see how anyone can explain it, so as to ask for this increase, and I, for one, shall not vote for it. I move that it be indefinitely postponed.

Mr. EATON of Washington: Mr. President: I do not understand that this is for an increase of salaries, but it provides for an emergency, in case there should be extra physicians called to that institution. As you know, in 1910 there was a large increase of inmates there, and there might be a need for more physicians; and, in case there should be a cause for the giving up of any physicians there, it might be necessary, in order to get the necessary parties to go there, to increase the salaries, and this is to provide for such a state of things.

Mr. MACOMBER of Kennebec: Mr. President: I think the Gentleman from Somerset entirely misapprehends the intent of this resolve. There is no disposition, so far as I know—so far as I understand it, to increase the salary of anybody connected with the insane hospital. Dr. Sanborn is now receiving a salary of \$2000 a year, and there never has been a proposition to increase it. In fact, I have heard him say, many times, that he would not accept an increase under any circumstances and, as the Senator from Washington has explained, Dr. Sanborn is getting to be an old gentleman, and is likely to have to go out, and that will make it necessary that a new physician be put in his place. It has been the aim of the trustees to try to improve in every way the conditions at that hospital, as well as at the hospital at Bangor; and it was with the idea that, within the next two years, it might be necessary to go out into other states to find a superintendent who could not be hired for \$2000, to have this fund in case of such an occasion arising, so that we could pay whatever we were obliged to pay. It is just the same with the assistant physicians. No one proposes for a moment to increase their salary at all. On Jan. 1, 1910 there will go into those two institutions three or four hundred additional patients. I think it stands to reason that the same number of physicians cannot attend to this additional number of patients; and

if we have to have their assistance, it is necessary to have salaries for them, and this money is to be appropriated entirely for that purposes. If any additional physicians are required, additional expenditure will result, and if not, the money will revert to the treasury. It is not a matter of increase of salaries at all.

Mr. DONIGAN: Mr. President: This states additional compensation for physicians and chaplains; and as I take it, that means that this money is to be raised and spent within the next two years. Now, it seems to me that we have already appropriated \$180,000 for the wing at Bangor and \$200,000 for the feeble minded institution, which will take a great number of these insane hospital patients, as I understand it, and I believe the Senator from Kennebec told me so himself. I do not see the need of expending or appropriating this amount of money. The explanation of the Senator has not changed my mind in the least, although I think the Senate will pass this, as it is passing other appropriations, but I register my vote against it.

Mr. STAPLES: Mr. President: I hope and pray that Dr. Sanborn, that very eminent gentleman in the medical profession, will live to occupy his position for many years. It seems to me that we should not cross a bridge until we reach it. They say that these funds are intended to meet an emergency in case that in two years from now there should be a vacancy and somebody else should be hired. Let's wait until that time comes. The Senator from Kennebec, I think, will agree with me that under present conditions there is not much danger of there being a vacancy for the next two years. Every man in the State of Maine almost wants his salary raised and says it is an emergency matter. They are all having emergency matters for the purpose of having their salaries raised. Now, I do not believe there is any emergency existing over there at the hospital, or in the matter which we have been discussing this morning. Let's wait until the time arrives, and then the good people of the State of Maine, if you have to hire another superintendent, will do what is required as they believe in our beneficiary

institutions. There is no emergency for it now, and I am opposed to the raising of any salaries.

I thought four years ago when we went over this State and expended thousands and thousands of dollars to investigate the question of salaries of the different officers, that we had got things settled for a long time. Two years ago after that, they came in wild for this increase of salaries; and they have got almost insane over this matter at the present time. I am opposed to this and am opposed to raising any salaries in the State of Maine, Mr. President, until you take property alike, and then they can do it, but not until then.

Mr. MILLIKEN of Aroostook: Mr. President: My excuse for troubling the Senate again with this matter, is that it is in my department and in that, if in anything, I am perhaps qualified as an expert. I want to say that my own belief has been, and is, that no salary should be raised and that no expenses of any department should be increased unless there is a special reason existing in the department, by way of additional duties, for such increase. I think I have consistently maintained that position.

My friend, the senator from Kennebec, did not agree with me on the matter just proposed, but that is no reason why I should disagree with him on this matter. I believe absolutely this is a case where the appropriation asked for is justifiable and it seems to me it is unworthy of this Senate to be stampeded in the matter by the general belief which we all have that salaries should not be increased.

I hope the motion of the senator from Somerset will not prevail.

The question being put upon the motion of the senator from Somerset, Mr. Donigan, that the resolve be indefinitely postponed, the yeas and nays were called for and ordered; and the vote being had resulted as follows: Those voting yea were: Messrs. Colcord, Donigan, Emery, Hamilton, Hill, Lowe, Smith, Staples (8). Those voting nay were: Messrs. Baxter, Boynton, Eaton, Gowell, Hastings, Howes, Kellogg, Knowlton, Looney, Macomber, Milli-

ken, Minott, Mullen, Reynolds, Shaw, Theriault, Warren, Wheeler, Wyman (19).

So the motion was lost.

On motion by Mr. Eaton of Washington, the resolve was finally passed.

On motion by Mr. Shaw of Kennebec, Senate Doc. No. 314, An Act to provide for the State examination and certification of all teachers of public schools" was taken from the table.

Mr. SHAW of Kennebec: Mr. President: I tabled this Act simply that I might know more about it, and investigate it, as to some of the matters that I thought existed. It struck me as An Act that would create a hardship, perhaps, upon many of our bright young high school girls that are teaching in some of the smaller schools, and are earning money that they may pursue their studies at the higher schools and academies. It also creates a board of two additional examiners, in addition to the State superintendent, to examine these teachers.

Any teacher, after 1911 must possess a State certificate in order to be eligible to teach school in this State. As many of you senators know we have small schools in our rural towns, and it is quite difficult to procure teachers. Some of the high school girls who have finished their high school course, make the best teachers we can get for those schools. It would be difficult, however, I believe, for them to pass a State examination, such as the State superintendent might prescribe. It would also be difficult for the towns to hire teachers, or find teachers to teach those schools, and if this class of teachers were cut out so, it would add very materially to the cost of teaching, and still would bring about additional advantages or results, simply because many of our small schools contain from eight to 15 small scholars, and those teachers are simply able to teach them, although we could not get a teacher holding a State certificate to teach, without practically doubling the expense of teaching; and it was for that reason that I wished to hear this matter discussed. I certainly am not opposed to education in any way, or to the raising of the standard of the schools. I had

to work my own way to get what little education I got; and I am certainly in favor of anything that is along the line of advancement; but I do not wish to see this class of our bright young girls and boys handicapped in any way, so that they would be cut off from deriving the revenue which they otherwise might derive if allowed to teach in the schools.

The bill also carries, I see, an additional expense—a sum is appropriated for 1909—\$1000, and for 1910 \$1500. That would not be a very material point—\$2500, but still it is to be taken into consideration. We have just passed to second reading, An Act increasing the salary of the Assistant School Superintendent, and also added an additional amount for clerk hire; and if we add this matter, we shall vote to add two additional examiners to this Board and raise \$2500 further to carry on the work. So, while I will refrain from making any motion, it does seem to me, that this might work a hardship to our smaller rural schools, of which, of course there are a great many of the State of Maine.

Mr. KNOWLTON of Piscataquis: Mr. President: I am not aware of the condition of things existing at the present time, as I have been temporarily absent.

The PRESIDENT: The Senator from Kennebec, Mr. Shaw, moved to take from the table Senate Document No. 314, "An Act to provide for the State examination and certification of all teachers of public schools." There is no motion pending before the Senate for consideration.

Mr. HAMILTON of York: Mr. President: I move that it be indefinitely postponed.

The PRESIDENT: The Senator from Piscataquis has the floor.

Mr. HAMILTON: I understood the Chair to state that there was no motion before the Senate.

Mr. KNOWLTON: I intended to make a motion if it had not been for the intense activity of the Senator from York. He is younger than I am.

I do think this is a matter of tremendous importance and I move that Friday next be assigned for discussion of the subject. I certainly think, Mr.

President, that there can be nothing before this Senate of so vital importance as this particular one thing. Shakespeare says: "He who steals my purse, steals trash," but he who steals time, the only time of a boy or girl who is being educated, steals life itself. There are tides in the affairs of men that taken at the flood lead on to—success. Those tides never return. Consequently, I certainly feel assured that no subject can be of so much importance to the State of Maine. I assert further that teaching that is unworthy of the name has a harmful effect upon the student that he can never recover from. So, I move, Mr. President, that the subject be laid upon the table and be assigned for Friday.

The motion to lay upon the table was put.

Mr. HAMILTON of York: Mr. President: I am opposed to the motion to lay this matter upon the table for Friday. We want to get home soon for the State's sake. We have got the platter about licked clean. There are only a few bones left and we are coming where we, in our duty as representatives of the State and for the State, ought to go home; and I, for one, want to go home, and I am opposed to the motion because we want to get through these matters and get the thing over and go home.

Mr. MILLIKEN of Aroostook: Mr. President: Upon the question of postponement until Friday, I want to say simply one thing; the Committee on Education seems to be having something of a field day this morning, and I would like to have the presence and assistance of the Senator from Hancock, who is very fully informed on this subject, and I hope that the motion of the Senator from Piscataquis will prevail.

Mr. HOMILTON: Mr. President: I can hardly see how the Senator from Aroostook is so much interested and afraid that his ability should be questioned, or that his interest should be questioned. A man that is sincere in an act is almost bold, but a man who is insincere is always creeping away. Nobody questions but he is honest. No one questions his ability, but he has not the monopoly of the abil-

ity of this Senate because the Senator from KNOX is here. Neither has the senator from Piscataquis a monopoly of the school teaching, because I had the privilege—and it was the only thing I ever made a success of—of teaching for 14 or 15 years and have been superintendent of common schools within the last two years. So that he does not have a monopoly of that, and I am very glad that he has not.

The question was put upon the motion of the senator from Piscataquis, Mr. Knowlton, that the consideration of the matter be postponed until Friday, and the motion was lost.

Mr. MILLIKEN of Aroostook: Mr. President: As I understand it, the pending question now is upon the passage of the bill—or will the Chair kindly inform me what the pending question is?

The PRESIDENT: The bill was tabled pending its second reading.

Mr. MILLIKEN: I wish to move that the bill take its second reading, and before that motion I wish to say a word. Reference has been made to the expensive hardship this bill might cause the small towns of the State. I live in a small town myself and am from a county made up largely of small towns, and no one can be more interested in the welfare of the small towns than I try to be. It is precisely, Mr. President, for the benefits of the small towns, as I see it, that this bill is framed. Any of us who have ever had to do with school matters in small towns and have observed the way in which those school matters are managed, knows that there is need of just exactly such legislation as is proposed in this bill. The situation in the State at the present time is precisely this: That the State is spending towards a million dollars a year in the encouragement of education, and yet, a theory is prevailing that the property and not the population should be the expense of education, since education helps to protect property. That money has been distributed in such a way that the small towns where the school population is larger in proportion to the property than in the large towns, get the benefit in the distribution.

This condition exists in many small towns which have taken money from the State for this purpose. They are not sufficiently careful in scrutinizing the qualifications of the teachers they hire to teach the boys and girls in those small towns. It is this condition that this bill seeks to remedy, I submit to you, not by any drastic or inelastic provision, but by placing with the State superintendent of schools, the discretion as to who is qualified in this State to teach the boys and girls and who is qualified to receive the money which the State is spending. I apprehend that some objection might be raised to this bill on the ground that it takes away discretion in the towns. I have heard that objection raised to many questions in this session. The answer to that objection—the easiest and first answer—is that the State is spending this money and it is our duty as representatives of the State, to take proper measures to see that it is properly spent. Now, it may not have been called to the attention of the members of the Senate, although the committee on education is very familiar with the fact, that there are at the present time in this State approximately 2000 teachers teaching in our common schools and receiving less than \$200 a year. The proposition in this bill is to guard further than guarded now the interests of the boys and girls that go to school in the small towns, and that attend the common country schools; and I submit to you, gentlemen, that whether there are eight or 80 pupils in the schools, each one of these pupils has a right, so far as we can guarantee them that right, to have proper education, proper teaching, and if the educational system of this State is to be slighted anywhere, it should not be slighted in the small towns and the small schools, because a large proportion of the students—the boys and girls, who go to these schools, receive there the total of all the education they receive. We all know that to be true and it is on the theory that too lax supervision exists now as to the qualifications of those teachers; that it is the duty of the State, while furnishing large ap-

propriations of money, to watch those teachers.

I should be glad to go into this question more fully, but do not wish to take your time unnecessarily. I want to say that my judgment, and the judgment of those interested in educational matters is, that this bill has been framed with great care and is intended to, and I believe will, meet to some extent this need.

Mr. DONIGAN: May I ask a question?

Mr. HAMILTON: Mr. President, I rise to a point of order. I made a motion that the bill be indefinitely postponed. That motion was seconded. I believe—I don't know much about the rules—

The PRESIDENT: I did not understand the senator to make the motion to indefinitely postpone.

Mr. HAMILTON: I certainly made that motion.

The PRESIDENT: The senator from Arcostook had the floor and was about to make a motion. Does the senator from York desire to make that motion now?

Mr. HAMILTON: I make that motion now.

The question was put upon the motion of Mr. Hamilton of York, that the bill be indefinitely postponed.

Mr. STAPLES: Mr. President and fellow senators, I am opposed to this bill for three reasons, and I think they are good and sufficient ones. I am pained every day to see what liberties are given to the towns of our State and taken away from them and lodged in other parties away from those towns. It is not American; it is not right; it is not according to our theory of government. We have in this State our common schools and many of their rights have been taken away from them. We have superintendents who are capable of examining their teachers and giving us in our country towns the best results that can be had. We have fair schools, and if those are to be cut out—those in our country towns—by a board of examiners appointed by the Governor, it will be a great detriment in my judgment to our country schools and to our country towns and will be another stab at their enthusiasm and desire to get an education. Schools are successful as you can enthuse in the minds of the scholars the importance of education.

Towns will take an interest when they are told that they have some authority to take care of the schools of the town, and if you take this matter from the towns you will find the schools will go down 25 per cent. in this State.

Another thing to be considered is that this calls for an appropriation of \$2000, and that the Governor shall appoint somebody as parties to examine. If you give this clerk and superintendent of common schools a salary of \$1500, pray tell me why in Heaven's name the superintendent of schools, with the corps that you have surrounded him with, is not capable of examining these teachers without appointing another commission which will perhaps be as bad as the Sturgis commission? I do not believe in it and I stand here to protest against it in behalf of the common schools of our towns. I know that on account of taking away from the towns certain control of the schools that the schools have gone down and you are doing the worst thing you can do, and I plead for these teachers in our country towns, that they shall not be ostracized in this way. I plead for the cause of education and for the common rights of the common people in all of our towns, and for that reason I am in favor of indefinitely postponing this bill.

Mr. KNOWLTON of Piscataquis: Mr. President, which is of the more value: One teacher unqualified that needs a little bread and butter, or 25 or 40 scholars being mis-instructed for a whole year? In this whole matter, Mr. President, there is an idea involved of great value to us. Why, over in the House the other day they made a committee—a State committee as I understand it—to see about barbers, and examiners to see if they were proper men to shave people. We have also a State committee who examines another class of men who also are malicious people. They are engaged in shaving people for admission to the bar. We have a State committee to examine men to see if they shall be druggists. Why not, then, have a State board to examine men and women who are to teach our children? Why, I have had the light of experience in this matter. I have a certificate now—I look at it once in a while—a town committee man gave me,

and he signed the name of the town with a little—either a, b or c—and a few years ago we had a county supervisor, and I was one of the county supervisors from Piscataquis county—and this illustrates the condition of things pretty well—I went to the towns to examine the teachers in the spring and I found a teacher perfectly unqualified to teach as a girl possibly could be—16 years old; and I told the committee man that he must not hire her—I hadn't any authority but told him simply in an advisory way. At the end of three weeks I came around there and the girl was teaching school. I went home and took dinner with a prominent citizen and says to him—"What in the world induced \_\_\_\_\_ to put that girl in the school, and he said, "Don't you say a word; that girl was owing me for a cow and \_\_\_\_\_ was owing me for a cow, and that is how the thing came around." We want to eliminate this whole cow business from the educational line.

Now in this law, it says "Provided any person who has never taught, not holding a State certificate, may be granted a temporary teacher's permit for a period not exceeding one year"—those dear girls, and I allow nobody to regard them as dearer than I do—

Mr. STAPLES: Years ago.

Mr. KNOWLTON: I am at that period when I notice a change—those dear girls shall have a chance, and what this law contemplates is this: That there shall not be in the educational lines, the same thing take place that takes place in our country places. I know country town after town, where the grandmother taught that school—she never went outside of the town and she learned to pronounce the Straits of Gibraltar and lots of other words and taught her daughter to pronounce them in the same way. It is to avoid that eternal heredity of ignorance that this law was placed before you senators. I can see no hardship in it. It says that, any person who was taught any length of time, any person a graduate of a normal school, academy, etc., shall be granted certificates anyway, and that all of those young girls who want to go out and teach shall have a certificate good

for a year. And not until 1911 will this law take effect. There is no person in the world more interested in the boys and girls that want to be teachers than I, but I regard that boy or girl as doing a great damage to herself if she undertakes to make the noblest calling under heaven hers that has not qualified herself to be a success and does not fit herself to occupy the position in which I believe, if she is to be successful, the very God of her nature calls her.

Mr. SHAW of Kennebec: Mr. President and Senators: It seems to me as though the law establishing school unions covers this whole question. It is working very satisfactorily in this State, where several small towns unite and employ a superintendent to supervise the schools, the State doubled the amount appropriated by every town, and a union of two or three towns brings up quite a salary, so that they are employing very competent men; and the schools are being raised to a better standard. I think it is along that line that they ought to be pushed, and it would meet all the requirements favored by this bill. As the senator from Aroostook said, the common school is where the boy and girl often get their whole education. I live in a town where there is a great deal of difference in the schools. In a village school this might apply. In our rural schools, part of them would require a little better education—a little better teacher, a teacher such as a normal graduate or a college graduate, but in some of the other smaller schools, where they are from eight to ten years old, studying the primer and the Third Reader, some teacher who could not get a State certificate would be just as competent, as a teacher who had a State certificate and who would require double the pay. Also, in some of our small towns, they are raising about all the money they can by taxation for the schools, and are running schools for twenty weeks and they could hardly afford teachers who would require double the pay, such a teacher as would be qualified to procure a State certificate. You will increase the expense very materially, and I cannot see that

you are going to derive a benefit in that particular class of school.

Mr. HAMILTON of York: Mr. President: I supposed always, though I knew the fact, that I lived west of Scarboro flats, and that York county was only a bunter between this State and New Hampshire; but I am proud now that I live there, and out of the State when I hear described the ignorance and want of education and want of knowledge from the old schoolmaster who has taught in the eastern part of the State so long. If I am correctly informed, the girl of which he speaks was one of his pupils; and I should say, from what he said, that all those he has talked with are incapable of performing the duties under the Statute of examining the teachers, that they were also his pupils. In our part of the State we have no such conditions existing. Let us see just what this bill is, and what it means. It means that the Governor shall appoint two persons recommended by the superintendent as a school committee to travel around and examine the teachers. We vote, in our towns about \$1.25 a head of the people for our common schools, beside what we get from the State. We think, under the statutes, that we are capable of selecting and examining our teachers. We believe it. I look on one side of me and there is a graduate who lives upon a farm, and the other way, in the same house, two girls, graduates from the normal school; and so I look all over the town, and I find these normal school graduates. That is only the average of our county. Have we not there people who are capable of examining our teachers and saying how we should spend our money, because besides the money which comes from the State is the money we have raised independently and is our own. I am opposed to this bill on general principles. Just as sure as there is a Heaven, if you deprive us of the last vestige of right and authority in our town to manage our schools, you might just as well pull down the schoolhouses. If we are not to have the responsibility, where is our interest, as men or as a town? A gentleman came to examine our institu-

tions years ago, and while he was successful, all know the character upon which he relied. He went first to Washington, into the House of Representatives, and they were discussing some important matters; and he says, surely it is not here that lies the great success of the people of the United States. He went into the Senate, and they were discussing the qualifications of men for different positions, and he said: It is not here that I find the great success of the people of the United States. He went and saw the President and his cabinet, and they were talking over some unimportant matters as to the officers of the District of Columbia, and financial affairs; and he said: It is not here that I find the cause of the great success of the United States. He came into New England, and visited the towns; and he says: I find the towns the great cause. Here you have municipalities, and you have your school districts—you have your towns, and you run your own affairs; and you never can stave up a nation supported as it is by so many municipalities with the intelligence which they have, and with the responsibility it gives them, so long as that exists. Now you are going to have in our country towns another interest in the public schools—You have got to take the examination. You have got to take teachers who have a certificate, and yet how is one to know of the qualifications of the teacher for the particular school. The town is the best judge of that. The statute gives us that right now, and as I say, we are responsible for our schools. When you take that away, the interest of the school, which is the great thing, will rapidly deteriorate, as they have—as has been said—for the last 10 years; and that is the fact in our rural districts. They may take about two scholars there. There is just as many as there ever were—but it is the system of today of teaching which I wish to talk about. It is the system of modern times which is causing the deterioration in our common schools, and will cause it to increase if you pass this bill. If you pass it, in 10 years from now the schoolhouses will rot down, and you



might just as well tear them down. We get together at our town elections in town meetings for a purpose. What for? We vote money for our schools. We are interested. We boom it way up. Why? We elect our school superintendent and school committee. We elect a supervisor of schools. You take that privilege away from us, and you take away the essential prop that supports and maintains our successful rural schools. I have lived in rural towns all the days of my life. I have been connected with the schools in some ways about all of my active life; and I know something about them. I know something about our section of the State. I never had, in my life to contend, or to meet with such a state of affairs as the gentleman from Piscataquis describes in that part of the State. I hope I never shall. If I do, we will have missionaries; but I am taking it as we find it up there. Now, while we have these men and women abundantly who are able to examine our teachers, and our schools we feel an interest in them, because we have them—because they are our's and because we have a responsibility in the town, and with that responsibility comes individualism, not this agitation which they bring to us ready-made—not this education—this automatic education, instead of an education that draws out the best part of the boys and girls, that he has spoken of—not that sort of melancholly—I don't-know-what-you-would-call-it education—mollycoddle education—but men and women and individualism—men and women of intelligence—that is what we get, and that is what we have and we are interested to get. The principle is detrimental to the interests of the rural schools of Maine. It takes away all the interest we now have left. It leaves us in the hands of the superintendent of schools of the State—centralizes it, and we are nobody. You may send certified teachers to those rural schools as much as you please, there will never be interest in them, because the people do not take an interest in them. The teachers we get there do what? Why, they associate. They are leaders. They bring the chil-

dren to the Sabbath school—they attend the church. But, you send these automatic teachers, and they are not down on the earth. They do not work there. We don't want them. You cannot grind a pewter scythe so it will swish in the grass. You cannot make a good axe out of pewter. It has got to have a metal that will stand. You may polish it as much as you please, but the man that wields the scythe will grow weary before half a day's mowing, and the man that wields the axe, with a metal so controlled, will soon find himself with but the handle in his grasp, because it will bend and break. You cannot automatically make teachers. You have got to have the real thing, and it is no matter where they are educated if they are the real thing. I could cite cases and cases within my own observation of teachers that never attended the normal schools, who are as great teachers now, as when they started.

Now you cannot hire any person in our town unless he holds that certificate. You can hire no person in any place in the State unless he holds that certificate—provided, however, that, if a person who has never taught, not holding a certificate, may be granted a temporary teaching permit for a period not exceeding one year upon examination by the superintendent of schools in which said teacher is to be employed. She can teach one year only and is then to stop entirely, unless we are to get a teacher who has been examined by this board. She can teach one year, and then her duties are to cease, and she cannot teach any more until she is examined by the State committee? Now, is that reasonable? Is that a good, sensible bill? I ask you all to carefully read the bill.

Then you come to the \$2500. We have already \$500 for that purpose.

The bill further goes on to repeal all laws and parts of laws inconsistent with the bill; and that, instead of carrying \$2500 would carry \$3000, because there is already \$500 provided for in the statute for the purpose of examining teachers, which this bill does not repeal, as it is not inconsistent with this act. It is inconsistent, but this is

additional to it, so that we would have that amount of money expended. Is it proper to deprive the towns of this right, and to put the expenditure of the money which we have raised in our towns into the hands of parties over whom we have no control? Who is to dismiss the teachers in the schools where they come with these certificates? Who is to have control of them? Who is to say whether they are teaching a proper school, or not I leave you to say—under this bill. We cannot remove them. We have nothing to do with them. They can teach as they please, and we have no power to discharge them.

competent, as a teacher who had a State

I think this is the most important bill that we have before us. This bill leads us to inquire whether the common schools in the rural districts shall live to continue the great work they have already done, or whether they shall be entirely crushed out. That is the only question this bill brings up. Twelve years ago, this same bill—I do not think there is the cross of a “t” or the dotting of an “i” of difference in that from this, was in the House. It was then voted down, and I supposed it would never again, or any such radical measure as this ever would be undertaken to deprive the rural districts and towns of the right to control their schools, hire their teachers, examine their teachers, and to look after their interests.

This bill will take away that interest and lead to our schoolhouses going to pieces and our educational institutions which are on the basis of our schools will fall.

Mr. MILLIKEN of Aroostook: Mr. President: The senator has referred to the rights of towns. About that I want to say only this: That no town has a right to take the money of the State and use it in hiring teachers that are not qualified to teach. I want to say further that this bill, if it should be enacted in the law, will not prevent towns from hiring teachers that are qualified to teach. The only emergency that could arise is the one provided for by the exceptions.

The senator has referred to his town; and his town is fortunate in being an

exception in many respects to the general rule, and on that point, the general principle applies that applies to all else, namely, that the law does not affect those above its level, it applies to those who are below it. The law against stealing does not affect the great majority of mankind who do not care to steal; and this law, if it shall be enacted, will affect only those towns that now hire teachers not qualified to teach.

Now on the question, whether this is radical, or new. In the first place, take a provisional view of it. This is only applying to the profession of teaching what is now applied to other professions like the law, etc. It is only applying to that profession the guaranty of the State that those engaging in it shall have the best privileges. There is in this case an element which does not exist in other professions, namely the fact that the State pays a large proportion of the wages of these teachers. On that phase of the question, I want to call your attention to this: that it is simply in line with the policy of the State in other things; for instance, the State road law provides that the State gives money to the towns for the use of the towns in making roads, and the roads must be made to conform to standards that will be set up by the State Department. The State says to the towns, in effect you have this money for roads; you spend it in any way you choose, but your road is subject to the approval of the State Department, and you must spend it in such a way that the result will be satisfactory and you do not have the money from year to year to use in an indiscriminate way. The same is true in the appropriations made here for bridges, if a general bridge bill is enacted; and the State will demand that a certain standard shall be maintained. That is what this bill means, and all it means. The simple proposition is that the State shall say to these towns who had hired incompetent people: you shall no longer use the money of the State for the hiring of people to teach in your schools who are not competent. The teachers who are teaching may be hired with the same freedom and discretion, but the State requires that the teacher shall be competent. I will say that it

was the general opinion of everybody who appeared before this committee that a reason for this bill existed, and I think the Senator from Knox knows that reason exists. There are school superintendents who are working today who cannot sign their own names, but who sign with a cross.

Mr. STAPLES: Doesn't that come from Aroostook County?

Mr. MILLIKEN: I will not say as to that. That condition of things exists and this whole question of the examination of teachers without the authority of the State is responsible for it. Of course, it is true that a large majority of the towns like that where the Senator from York lives, are above the standard required, but this simply requires that the teachers shall be in fact what they pretend to be, namely, qualified teachers.

Mr. HAMILTON: Mr. President: As I read it the statute now requires that the teachers must submit to an examination. By whom? By the local superintendent. What else? He says the State has no control. They must make their returns to the State. They must conform to certain requirements which the State makes, just the same as is required of road commissioners. They have their blanks furnished them and cannot have any money from the State unless they conform to the laws of the State. Not a dollar of this money can they draw—they can spend their own money as they please. They cannot spend the State's money for any other thing but must use it in accordance with the statutes which tell you how it shall be used; and gives authority to the towns to use it in that way; and if they do not use it in that way, they cannot receive any money under the statutes. So the State is protected in every respect, particularly in the matter of the money which the State expends; and so are we then protected in the use of the money which we vote to expend. We are both protected by the law as it now stands; and as it now stands, the law seems to me a system perfect in itself.

The pending question being upon the motion that the bill be indefinitely postponed, the Yeas and Nays were called for and ordered; and the vote be-

ing had resulted as follows: Those voting Yea were Messrs. Boynton, Colcord, Donigan, Emery, Hamilton, Hill, Howes, Kellogg, Lowe, Mullen, Reynolds, Shaw, Smith, Staples, Wheeler, Wyman (16). Those voting Nay were Messrs. Baxter, Eaton, Gowell, Hastings, Irving, Knowlton, Looney, Macomber, Milliken, Minott, Theriault, Warren (12).

So the motion prevailed and the bill was indefinitely postponed.

On motion by Mr. Baxter of Cumberland, Senate Documents Nos. 378 and 379, "Senate Amendment A to bill about construction and maintenance of bridges," were taken from the table.

Mr. BAXTER of Cumberland: Mr. President, I shall simply bring this bill before the Senate for consideration and shall say but one or two words in regard to it. This question of bridge legislation was presented, I believe, the first week of the session, and several new drafts of bills have come in from time to time. This bill which I offer is an amendment, and an entirely new draft, and provides for a county bridge bill. The bill has been very carefully drawn and provides that all bridges 25 feet and over shall be constructed and maintained, two-thirds at the expense of the county and one-third at the expense of the town. One of the objectionable features to the Donigan bill, in my opinion, was that it removed all the responsibility from the towns. This bill leaves the law as it is at present, and leaves the responsibility upon the individual towns. The necessity for a bridge bill is, to my mind, quite apparent. The valuation of the State, of the different towns of the State, varies so much that small towns with small valuations are not able to construct the bridges which they really need for the accommodation of people in those towns and for the people in the rest of the State who pass through those towns; and therefore, I think it would be wise legislation to pass a county bridge bill. I think that the members of the Senate are thoroughly posted on this bridge legislation and I shall not go into any details in regard to it. I therefore, Mr. President, move that Senate Amend-

ment A to Senate Document No. 208 be adopted.

The PRESIDENT: The Chair informs the Senator from Cumberland that the pending question is upon the first reading of the bill. The minority report was, some time ago, substituted for the majority report; and the matter made no further progress. Does the senator move that it take its first reading at the present time?

Mr. BAXTER: I do not quite understand, Mr. President. This is Senate Amendment A. I think the minority report which was adopted in place of the Donigan bill is amended by this amendment; but whatever is in order, I should like to make that motion.

Mr. DONIGAN of Somerset: Mr. President, I want to say in regard to his reference to my bill, that after they have played with my bill and the other bills during the whole session, they have come back to almost the same as my bill—only not taking it from the towns and cities in the same proportion. My bill provided for the cities, counties and towns to pay one-third each; and after it was recommended to the committee, it comes back to the Senate with Amendment A, which places it just the same with the exception of taking one-third for the town, which I believe is right, because that gives two-thirds for the county and one-third for the towns. Now I am going to vote for this bill in the hope that sometime we shall get a bill fit to present to the people of the State of Maine.

The question being upon the motion by Mr. Baxter of Cumberland that the bill take its first reading, the motion prevailed, and the bill was read once.

The same senator thereupon moved the adoption of Senate Amendment A.

Mr. MULLEN of Penobscot: Mr. President and senators, I think I explained the position up in Penobscot county a few days ago in regard to our bill which has since been amended. The amendment does not change the sentiment of our county at all. This bill involves other matters besides the host of building bridges. It is a new departure. It is presented without giving a hearing to any county people,

even county commissioners, taxpayers and residents of the county who have neither been heard nor know anything about it except what they got from the bill itself. The Sargent and Donigan bills were heard with a full hearing; but this bill, which is absolutely knew, as the senator from Cumberland has stated, never has been heard at all, which would go to show that the bill, when first propounded, was only a substitute for the Sargent or the Donigan bill; and hence never was seriously considered, or would be after those bills were out of the way. Any estimates that we may make or have made in regard to what this bill will or will not accomplish would be guesswork at this time. Certain it is that if the county is to building large bridges, as well as small ones, the counties and towns having to pay the same, this would either have to be done or they would have to go before the bridge commissioners now, inasmuch as the city of Bangor and Penobscot county has several bridges and they are very sure to be disturbed over the passage of this bill. There is no doubt that if the bill can be passed, they would accomplish much along those lines, but it should be to my mind, a State bill and not a county bill. The same cities already have bridge districts—Bangor and the other cities which I could mention; and it is plain to be seen that the bill might suit one county and not suit another at all; I will ask the senators to vote no on this bill.

The PRESIDENT: The pending question is upon the motion of the senator from Cumberland, Mr. Baxter, that Senate Amendment A be adopted.

Mr. STAPLES: I have an amendment which I wish to offer. (Amendment submitted.)

The PRESIDENT: The Chair will inquire of the senator from Knox, whether this is a second amendment to the bill, to the minority report, or whether it is an amendment to the amendment A?

Mr. STAPLES: Senate Amendment A has not been printed and I should suppose my amendment to be an amendment to the bill.

The PRESIDENT: Being an amend-

ment to the bill, it will not be acted upon until Senate Amendment A has been disposed of.

Mr. HASTINGS of Oxford: Mr. President: May I inquire if Senate Amendment A has been printed.

The PRESIDENT: Senate Amendment A has been printed and it is No. 379.

Mr. HASTINGS: This is practically a new bill. The amendment strikes out everything after the enacting clause.

The question being upon the adoption of Senate Amendment A, the yeas and nays were called for, and ordered, and the vote being had resulted as follows: Those voting yea were Messrs. Baxter, Boynton, Donigan, Eaton, Howes, Irving, Looney, Milliken, Minott, Theriault, Warren, Wyman (12). Those voting nay were Messrs. Colcord, Emery, Gowell, Hamilton, Hastings, Hill, Kellogg, Lowe, Macomber, Mullen, Reynolds, Shaw, Smith, Staples (14).

Mr. WHEELER of Cumberland: Mr. President: I am paired with the senator from Hancock, Mr. Walker. Senator Walker if present would vote no; I vote yes.

So the motion to adopt Senate Amendment A was lost.

The question being upon the adoption of Senate Amendment B offered by Senator Staples of Knox, the yeas and nays were called for and ordered; and the vote being had resulted as follows: Those voting yea were Messrs. Boynton, Donigan, Hamilton, Irving, Milliken, Staples, Theriault, Wyman, (8). Those voting nay were Messrs. Baxter, Colcord, Eaton, Emery, Gowell, Hastings, Hill, Howes, Kellogg, Looney, Lowe, Macomber, Minott, Mullen, Reynolds, Shaw, Smith, Warren, Wheeler, (19).

So the motion was lost.

Mr. Hamilton of York thereupon moved that the bill be indefinitely postponed.

The PRESIDENT: The Chair will state the position of the matter a little more fully. There are two reports: Majority and minority reports, the majority reporting the Donigan bridge bill so called; the minority reporting also another bill. It was voted to

substitute the minority for the majority report. The bill reported by the minority has taken its first reading; amendments have been offered which have been voted down. The next step in its progress would be assignment for a time for second reading; and pending its assignment of a time for second reading, the senator from York, Mr. Hamilton, moves that the matter be indefinitely postponed.

Mr. Theriault of Aroostook moved that when the vote be taken, it be taken by the yeas and nays.

Mr. HAMILTON of York: Mr. President: I do not want to appear here and object to everything that comes in. I am reminded of an extract from the writings of the senator from Piscataquis, which is this: "That the butterfly is brilliant but he has no mind; he flutters through this world with his head right on behind." It seems that we are like the lightning bug and have the headlight on behind and are not looking ahead to get results. Take this bill, what earthly good does it do the county or town in the county. Take the first section of the bill. We have in the town, we will say, a good iron bridge, well-built. This actually exists. It costs nothing to repair it. Just about where this bridge is there is an old bridge and I have no doubt they have got to repair it and they have \$1800 for a sinking fund laid away and could build that bridge, in this town where the bridge is situated. Is it equitable to go up and take the bridge and repair it in the next town? I submit that to you as a matter of equity. This bill says bridges over 30 feet. It does not say anything about the depth or about the position; and you and I know that a bridge that is not over 15 feet might cost as much to build as a bridge 25 feet, it may be 35 feet between abutments and it would cost more than either of the bridges which are over 25 feet. They say it is over tidewater here. But you do not say how much shall be tide-water nor how deep the stand shall be—how deep the abutments would be.

The bill is inequitable and wrong. I come next to the building of the

bridge; the selectmen and municipal officers petition for the building of a bridge. The selectmen and town commissioners go on, and if they do not grant the petition, we cannot go to the courts as we ordinarily do in the bight of it. We have got to go to the commissioner of State roads, and then the two commissioners in adjacent towns and there, at the end it results in a disagreement and the State road commissioner is the final arbiter—the court of last resort.

Again, while a bridge now in existence, the county takes graciously and the town is left to repair it; but when the county builds that new bridge, who is to repair it? Who is responsible if an accident occurs—if it is faulty in its construction, and goes down and someone gets injured? Where does the responsibility come from the time that starts to be built as a new bridge under the jurisdiction of the county? The town had nothing to do with it. They built the bridge and charged the town one-third value. The town has no right to take care of it. Who is responsible? Is it the town or the county? It would not be fair for the town because it had nothing to do with the building of the bridge. This great arbiter—this "I am"—issues a judgment against a man and he has got to pay it. I am opposed to the bill because it creates a new board, and a way different from the way we have always been learned to go and which has always been a good way.

I object to it also for another reason. We start in to repair these bridges, we will say in our county; and it is purely a county matter; and we don't want it up in our county. We repair and rebuild and they pay two-thirds and the town one-third in the repair. Now this is our money—all this money comes out of the same pod. It is a good deal like a man giving his wife a \$10 hat at Christmas so that she will be very nice at New Years and give him a box of cigars. It is the same \$10. It all comes out of the same pocket. It is the county's money and it is the town's money, and the town pays the tax. What is the difference? We are apt to look at this

thing as if we were to get something without seeing where it comes from.

We do not repair our bridges with the care we should use if the county is going to pay two-thirds. It is going to be an expensive thing. It is simply a county matter and for the county to determine and I feel like the gentleman from Somerset county that these bills are bastards of his. They are clipped off from his; and if we are going to have a bill I certainly should be in favor of the Donigan bill. It is not called for in our county. And we should feel that we were wrongfully representing our constituents did we vote for it. I do not believe you have any right to legislate for York county and to handle its money to build its bridges. It is the very thing which they don't want.

Mr. WYMAN of Washington: Mr. President: I can hardly understand the consistency of the senator from York. His words had hardly got cold when he said that the appropriations for schools could be managed best where the State furnished two-thirds and the towns a small portion, by having the cities and towns manage the expenditure—but he cannot apply it to bridges. He also lays great stress on the depth. What has depth to do with it. I will say for his information that 29 states have a county bridge bill. His own county now is contributing this year some \$18,000 to the support of bridges. It is a generous act on the part of York county and I presume by what he has said here that he advocates that and I must commend him for it.

Mr. HAMILTON: Mr. President: I am glad that he recalled that matter. We have always been willing in York county to help everybody else. If we had the money in York county that we have voted for the counties in the east, we would have paved roads, macademized roads and bridges with monuments over them.

Let me say further that I take the same position on this that I do on the school law and the road law, and that with the road law on the trend it is now, in 19

years there will be no town roads, nor roads through the towns.

When you make your towns prosperous you make your State prosperous.

I am opposed to it for the reason that we want each town to care for its own business, build its own bridges and be responsible to the people for their bridges, and be responsible to the State whoever passes over them. And we don't want anyone else to interfere in our town matters.

The pending question being on the motion of the senator from York that Senate Document 378, minority report "An Act relating to the construction and maintenance of bridges," be indefinitely postponed, the yeas and nays having been called for, were ordered; and the vote being had resulted as follows: Those voting yea were Messrs. Colcord, Emery, Gowell, Hamilton, Hastings, Hill, Howes, Kellogg, Lowe, Macomber, Mullen, Reynolds, Shaw, Smith, Staples (15). Those voting nay were Messrs. Baxter, Boynton, Donigan, Eaton, Irving, Looney, Milliken, Minott, Therriault, Warren, Wheeler, Wyman (12).

So the motion prevailed, and the bill was indefinitely postponed.

On motion by Mr. Milliken of Aroostook Senate Document No. 351, "An Act to amend the Private and Special Laws pertaining to appointments to the police department of the city of Portland," was taken from the table.

Mr. MILLIKEN: Mr. President, I want to say just a word about this bill, and the next one which I shall in a few moments take from the table. I do not wish to run in opposition against the measures that my friend, the Senator from Cumberland, has introduced. I do not wish to present any amendments to either of these bills. I simply want to say, in objection, that the reason I tabled the bill and the reason why I feel obliged to vote against it in its present form is simply this:

These two bills propose to introduce into the Portland city government practically this proposition: That certain officials shall have a life tenure of office, or a tenure during good behavior. I am opposed to it for two reasons. I think it is a doubtful thing for the Republican

Legislature to provide that certain officials shall have a life tenure of office; and second, I do not believe except in cases of emergency in a change of the city government of any city which gives the people a chance to vote on such a proposition. I have no motion to make; but I want to be regarded as against the two bills in their present form.

Mr. BAXTER of Cumberland: Mr. President, the remarks of the senator from Aroostook, Mr. Milliken, would seem to call for some reply, although he has not made any motion in regard to these bills; and although it is late, I should like a few moments to explain it. These bills relate to the tenure of office of the city electrician of Portland, the chief of police and two captains of police. The Portland delegation, consisting of seven members of the House and two of the Senate, have attempted at this session of the Legislature to give unusual opportunities to the citizens of Portland to be heard in purely local matters. Instead of referring those matters to the judiciary of the legal affairs committee, as has been done in the past with similar bills, we have had them referred to the Portland delegation and in Portland have advertised public hearings and given everybody an opportunity to be heard on them. We spent three whole days there in hearings on these bills and others of a similar nature. Everybody interested, whether he could afford the time and money to come to Augusta or not, was given an opportunity in the Board of Trade rooms, one of the most public places in the city, to express his views on those matters. Upon these two matters there was no difference of opinion. The city electrician and the chief of police are perhaps the most important officers of the city as regards the public safety. Everybody who appeared at those hearings favored the passage of those bills.

Now, we appreciate the interest which the senator from Aroostook, Mr. Milliken, takes in our local affairs, and we are glad he is here to watch out for such things in our behalf, but as there is a unanimity on the part of the two senators from Portland in this respect it hardly seems necessary for the Senate to take any action. The bills are 351 and 352; and there are two other bills which

will come along of a similar nature. He has referred to these as giving these officials life appointments. That is not so. They can be removed for inefficiency or other cause, at any time, by the mayor and board of aldermen; and, if in order, I move that these two bills be given their second reading and passed to be engrossed.

Mr. MILLIKEN: I would like to ask that a yea and nay vote may be taken, simply that I may vote against the bill.

Mr. LOONEY of Cumberland: Mr. President: I am very glad, as my colleague has said, that the distinguished senator from Aroostook has taken such an active and intelligent interest in the affairs of the city of Portland. From his remarks I judge that he knows much more about his own locality than he does in regard to the interests or the wants of the city of Portland. Although my friend from Aroostook is very well versed in matters pertaining to education, I judge from his remarks that there is one branch of education that he knows very little about; and that is municipal education. All students of municipal affairs know that the trend of the times is to emancipate purely local matters from politics, and that the bane of American politics, and especially the bane of municipal politics, is the dragging and debauching of purely municipal and administrative matters in the mire of politics.

We have felt that in Portland, as other municipalities have; and while I believe that officers, like the members of the city council, the mayor and other offices which determine the policy of the city government, should be elected by the people, I do believe that purely administrative offices should be emancipated from politics and that in that way we obtain better officials and have purer and better politics.

The city government of Portland unanimously voted in favor of these bills; and as far as I could learn, all of the clergymen of Portland—all of the school teachers of Portland—all of those who desire better and cleaner politics in Portland, desire these bills, although my friend, the senator from

Aroostook, who knows nothing about politics, is opposed to the bill.

Mr. MILLIKEN: I would ask the senator of the people of Portland would in his opinion, vote for these bills if given an opportunity?

Mr. LOONEY: My answer is this: The people of Portland sent us here for the purpose of acting upon these and other matters as we deem best; and they would regard us as cowards if we shirked our responsibility or put them on the shoulders of others. So far as I know, there is no referendum on this matter and the only question upon it is in the brain of the senator from Aroostook, who knows nothing about Portland matters.

Mr. DONIGAN of Somerset: I would like to ask if the Democratic element in Portland would be in favor of the same thing, and whether he would be in favor of having it apply to all the offices in Portland, including the mayor?

Mr. LOONEY: I cannot tell.

Mr. DONIGAN: It seems to me that it comes with ill-grace from Portland under a Republican administration to ask for these changes.

Mr. LOONEY: Personally I am in favor of municipal government and my belief is my own irrespective of party affiliations.

Mr. DONIGAN: If the Democratic party desired it, would the senator still be in favor of it?

Mr. LOONEY: I certainly would. The only reason why I am in favor of the bill relating to janitors in the city of Portland is this: Because at every election these poor men are hounded to death by men of both political parties, for the purpose of corrupting politics in the city; and the only way we can have clean politics in Portland is to divorce entirely these offices from politics.

Mr. MILLIKEN: If I had presumed to set up against the judgment of the senators from Portland my own judgment as to what is good for the city of Portland, I should deserve censure; but my position in this matter is simply this; and so far as that position goes, I think I have a right to my opinion and to express it; and that



is that this change is a radical change. It may be good for the city of Portland, and it may not; but the people of the city of Portland should have a right in my opinion to say whether they want it or not. The only thing that called this to my attention was the fact that four years ago we had presented to us a proposition for remodelling the charter of the city of Portland. It was argued with great force by most of the Portland delegation at that time that it should be given to the people to have a chance to vote on it. A majority of the House took the view that the people of Portland should have a chance to say whether they wanted to adopt that change or not; and the bill was passed in that form, and as we all know the bill was afterwards defeated and the provisions of the charter were accepted.

The pending question being upon the passage of the bill to be engrossed, the Yeas and Nays were called for and ordered; and the vote being had resulted as follows: Those voting Yea were Messrs. Baxter, Eaton, Emery, McGwell, Hamilton, Hastings, Hill, Howes, Kellogg, Knowlton, Looney, Macomber, Minott, Mullen, Reynolds, Shaw, Smith, Warren, Wheeler, Wyman (20). Those voting Nay were Messrs. Boynton, Donigan, Lowe, Milliken, Staples, Theriault (6).

Senate Document 351, "An Act to amend the Private and Special Laws pertaining to appointments to the Police Department of the City of Portland, thereupon took its second reading and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Senate Document No. 352, "An Act to make permanent the tenure of office of the City Electrician of the City of Portland," was taken from the table.

MR. MILLIKEN: The matter having been decided on the discussion of the first bill. I do not wish to make any motion on this bill, or to ask the Senate to go through the form of voting.

On motion by Mr. Baxter of Cumberland, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Looney of Cumberland, the Senate reconsidered the vote

whereby it passed to be enacted Senate Document No. 261, "An Act to amend Chapter 8 of the Revised Statutes relating to the Board of State Assessors;" and on his further motion, the bill was tabled.

On motion by Mr. Baxter of Cumberland, House Document 457, "An Act to extend the charter of the Cumberland Trust Company," was taken from the table; and on his further motion, the same took its second reading and was passed to be engrossed.

On motion by Mr. Hastings of Oxford, House Document No. 487 was taken from the table, Senate Amendment A adopted; statement of facts submitted; and the bill as amended took its second reading and was passed to be engrossed.

On motion by Mr. Howes of Somerset, Senate Document No. 385, "Bill relating to persons travelling from place to place and selling liquors," was taken from the table; and was referred to the committee on temperance.

On motion by Mr. Macomber of Kennebec, Senate Document No. 421, "Bill to define kinds of insurance in Maine and rules thereof," was taken from the table, and referred to the committee on mercantile affairs and insurance.

On motion by Mr. Hamilton of York, House Document No. 512, "Bill to amend tuition law in secondary schools" was taken from the table; and passed to be engrossed.

On further motion by the same senator, Senate Document No. 329, "Resolve for Western State Normal School," was taken from the table; and took its second reading. On motion by Mr. Milliken of Aroostook, the resolve was tabled pending the furnishing of a statement of facts.

On motion by Mr. Wyman of Washington, Senate Document No. 183, "Resolve for Medway bridge," was taken from the table; and on his further motion was finally passed.

On further motion by the same senator, bill to aid in building a highway bridge across the east branch of the Penobscot river in the town of Medway, was taken from the table and put upon its final passage.

On motion by the same senator, House Document 452, "Resolve in favor of aid in building a bridge across the Kennebec river at Pishon's Ferry," was taken from the table; and was read and assigned.

On motion by the same senator, House Document No. 363, "Resolve in favor of the town of Island Falls in the county of Aroostook, in aid of building a bridge across the west

branch of the Mattawamkeag river," was taken from the table; and was read and assigned.

On motion by the same senator, House Document No. 345, "Resolve in aid of bridge across the Aroostook river in the town of Masardis in Aroostook county," was taken from the table; and was read and assigned.

On motion by Mr. Irving of Aroostook, the Senate adjourned.