

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

SENATE.

Friday, March 19, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. McKenney of Gardiner.

Journal of the previous session read and approved.

On "Bill, An Act to authorize the construction of a highway in the tide-waters of York River," the President announced as a Committee of Conference on the part of the Senate, Senators Gowell of York, Macomber of Kennebec and Baxter of Cumberland.

Papers from the House disposed on in concurrence.

House Bills Read and Assigned.

An Act to provide a bounty on bears in Washington county. (House Amendment A adopted in concurrence.)

An Act to extend the charter of the Kittery Electric Light Co.

Resolve in favor of screening Taylor lake, in Androscoggin county.

Resolve in favor of screening Estes lake, so-called, situated partly in the town of Sanford and partly in the town of Alfred, in York county.

Resolve in favor of a screen at the outlet of Messalonskee lake, or Snow pond, so-called, in Kennebec county.

Resolve in favor of screening Worthley pond, so-called, in the town of Peru in the county of Oxford.

Resolve in favor of screening Toddy pond in the town of Orland in Hancock county.

Resolve in favor of screening Biscay pond, so-called, in the town of Damariscotta in Lincoln county.

Resolve in favor of screening Spring River lake, situated partly in Washington county and partly in Hancock county.

The following resolve was received and referred:

Appropriations and Financial Affairs.

By Mr. Milliken of Aroostook: Resolve in favor of Clerk to the joint special Committee on Salaries and Fees.

The following order was received from the House:

Ordered, the Senate concurring, that when the Senate and House adjourn,

they adjourn to meet on next Saturday morning at 8.30 o'clock.

The Senate concurred in the passage of this order.

Reports of Committees.

Mr. Baxter, for the Committee on Judiciary, on Bill "An Act relating to the circulation of false stories affecting banks," reported same ought not to pass.

The same Senator, for the same Committee, on Bill "An Act to amend Section 51 of Chapter 79 of the Revised Statutes" (relating to civil causes), reported same ought not to pass, as the subject matter is covered by another bill.

Mr. Hastings, for the same Committee, on Bill "An Act relating to mercantile and bank credits," reported same ought not to pass.

Mr. Hamilton, for the Committee on Legal Affairs, on Bill "An Act to regulate and establish uniform terms of installing telephones in railroad depots, in Somerset County," reported same ought not to pass.

Mr. Knowlton, for the Committee on Education, on "Annual Report of the University of Maine, for the year ending July 1, 1908," reported that same be placed on file.

Mr. Wyman, for the Committee on Inland Fisheries and Game, on "Petition of Alanson Rose and others, to authorize the building of a screen at the outlet of Allen Pond in Androscoggin County," reported that the same be referred to the Commissioners of Inland Fisheries and Game, as the subject matter of said petition comes under their jurisdiction under the law.

Mr. Mullen, for the Committee on Forest Preservation and Water Supply, on Bill "An Act to provide for a commission to investigate the condition of the forests of the State of Maine, and to recommend such laws for their preservation and increase as they deem necessary," reported same ought not to pass.

The foregoing reports were accepted.

Mr. Baxter for the Committee on Judiciary, On Bill "An Act to amend Section 19 of Chapter 57 of the Revised Statutes relating to towns receiving devises and gifts for public

libraries," reported that same ought to pass.

The same Senator, for the same Committee, on Bill "An Act to amend the charter of the City of Augusta with reference to the Augusta Municipal Court," reported that same ought to pass.

The same Senator, for the same committee, on Bill "An Act to amend Section 13 of Chapter 131 of the Revised Statutes, relating to detectives," reported that same ought to pass.

Mr. Hastings, for the same Committee, on Bill "An Act relating to inspectors of meters," submitted same in new draft under same title.

The same Senator, for the same Committee, on Bill "An Act to amend Section 159 of the Special Laws of 1903, relating to the Young Woman's Christian Association of Portland, Maine," reported that same ought to pass.

The same senator, for the same committee, on Bill "An Act to amend Chapter 401 of Private and Special Laws of 1889, relating to Waterville Trust Company," reported same ought to pass.

The same Senator, for the same Committee, on Bill "An Act to amend an act authorizing the county commissioners of Cumberland County to erect a county building in Portland," reported same ought to pass.

The same Senator, for the same Committee, on Bill "An Act relating to the Bodwell Water Company of Old Town, Maine," reported same ought to pass.

Mr. Hamilton, for the Committee on Legal Affairs, on Bill "An Act to authorize courts to suspend or continue for sentence on probation, and to provide for the appointment of probation officers," reported that the same ought to pass.

Mr. Staples, for the same Committee, on Bill "An Act to amend Chapter 30 of the Revised Statutes, relating to apothecaries and the sale of poisons," reported same ought to pass.

The same senator, for the same committee, on Bill "An Act to repeal Section 3 of Chapter 143 of the Revised Statutes, as amended by Section 1 of Chapter 120 of the Public Laws of 1907,

relating to the State School for Boys," reported same ought to pass.

Mr. Gowell, for the same Committee, on Bill "An Act to facilitate the identification of criminals," reported same ought to pass.

The same Senator, for the same Committee, on Bill "An Act to establish the Old Orchard park system," submitted same in new draft under same title.

Mr. Irving, for the committee on appropriations and Financial Affairs, on Bill "An Act relating to the transfer of certain trust funds of the Maine Industrial School for Girls to the State Treasury," submitted same in new draft under same title.

Mr. Mullen, for the Committee on Military Affairs, on "Resolve in favor of Jefferson C. Smith of Waterville, Maine, State Secretary of the Young Men's Christian Association," reported same ought to pass.

Mr. Wyman, for the Committee on Inland Fisheries and Game, on Bill "An Act to prohibit fishing in the tributaries of Big Rattlesnake and Panther Ponds in the County of Cumberland," and also "An Act to regulate ice fishing in Big Rattlesnake and Panther Ponds in the County of Cumberland," submitted same in new draft under title of "An Act to regulate fishing in Big Rattlesnake Pond and Panther pond, and the tributaries to same."

The same Senator, for the same Committee, on "Resolve to amend a resolve passed for the purpose of establishing a fish hatchery in Knox County," reported same ought to pass.

Mr. Warren, for the Committee on Forest Preservation and Water Supply, on Bill "An Act to exempt growing white pine from taxation," submitted same in new draft under same title.

The foregoing reports were accepted and the bills and resolves were tabled to be printed under joint rules.

Majority report from the Portland delegation, on bill "An Act to abolish the common council and increase the membership of the board of aldermen of the city of Portland," submitting the same in new draft under title of "An Act to abolish the common coun-

cil and increase the membership of the board of aldermen of the city of Portland, with referendum attached.

(Signed)

LOONEY,
REDLON,
BAXTER,
KAVANAUGH.
TRUE,
MARSHALL,

Minority report from the same delegation, on the same bill, that same "ought not to pass."

(Signed)

ROUNDS,
BIGELOW,
BEYER.

The majority report was accepted and the bill recommended by said report was tabled for printing under the joint rules.

Read and Assigned.

Resolve in favor of the State School for Boys.

An Act to amend the charter of the Portland Water District.

An Act to provide for the better collection of inheritance taxes.

An Act in relation to the records of the supreme judicial court.

An Act to amend Chapter 116, Section 1, Revised Statutes, relating to the payment of salaries of public officers.

Bill, "An Act to amend An Act relating to the police court of the city of Rockland." (In this matter the Senate having non-concurred with the action of the House and called for a committee of conference, and a committee of conference having been appointed and joined by the House, the committee of conference agreed that the bill, together with the accompanying report, be recommitted to the committee on legal affairs; and the same was so recommitted by the Senate).

At this point Senator Shaw of Kennebec was called to the Chair and presided.

Passed To Be Engrossed.

An Act to amend Section 19 of Chapter 15 of the Revised Statutes relating to the purchase of secondhand school books for schools.

An Act to incorporate the Belfast and Liberty Electric Railroad Co.

An Act to ratify, confirm and make valid the organization of the Mexico Water Co. and authorize it to issue bonds and extend its plant.

An Act to amend an act entitled "An Act to incorporate the city of Old Town."

An Act to amend the charter of the Messalonskee Electric Co.

An Act to authorize and empower Joseph Dresser to remove the remains of certain deceased persons from his farm in Cape Elizabeth to the public cemetery.

An Act to regulate the taking of eels in Taunton bay, town of Franklin.

An Act to amend Paragraph V, of Section 20, of Chapter 18 of the Revised Statutes, relating to bylaws of local Boards of Health.

An Act to regulate fishing in Indian River stream, so-called, in the towns of Jonesport, Addison and Columbia Falls, in the county of Washington.

An Act relating to the catching of smelts in Damariscotta river, bays and tributaries.

An Act to amend specification 10 of Section 6 of Chapter 9 of the Revised Statutes, relating to the exemption from taxation of lands set apart for the production of forest trees as amended by Chapter 169 of the Public Laws of 1907.

Resolve in favor of Alexis O. Robbins to reimburse him for contested elections in Fort Kent class.

Resolve in favor of the town of Dexter.

An Act relating to the transportation of animals.

An Act to create a cemetery corporation for the city of Rockland.

An Act in addition to Chapter 19 of the Revised Statutes, relating to contagious diseases among cattle.

An Act in relation to political caucuses in the city of Old Town.

An Act amendatory of Section 20 of Chapter 30 of the Revised Statutes, relative to the poisoning of animals.

Resolve, in favor of the county of Penobscot.

Resolve, in favor of town of Dexter.

Resolve, in favor of the town of Nobleboro.

Resolve, in favor of State aid for the support of the Eastport bridge.

Resolve, in favor of the county commissioners of Franklin county for the repair and permanent improvement of the road from Madrid line through letter E. Plantation and Sandy River Plantation.

Resolve, in favor of the town of Dennysville.

Resolve, in favor of the town of Perham.

Resolve, in favor of the town of Rangeley.

An Act to amend Section 56 of Chapter 15 of the Revised Statutes relating to the conveyance of pupils in secondary schools.

Resolve for the Publication of the Railroad Map of Maine.

An Act to amend Section 42 of Chapter 15 of the Revised Statutes, as amended by Chapter 101 of the Public Laws of 1907, relating to payment of superintendents of towns comprising school unions.

An Act to incorporate the Penobscot Bay Water Co. (On motion by Mr. Hastings of Oxford, this bill was tabled pending its second reading.)

An Act relating to the scaling of logs. (On motion by Mr. Milliken of Aroostook, this bill was recommitted to the committee on judiciary.)

An Act additional to Chapter 135 of the Revised Statutes relating to witnesses in criminal proceedings. (On motion by Mr. Gowell of York, this bill was tabled pending its second reading.)

Resolve in favor of the town of Dexter. (On motion by Mr. Walker of Hancock, this resolve was tabled pending its second reading.)

An Act to amend Section 13 of Chapter 117 of the Revised Statutes as amended by Chapter 66 of the Public Laws of 1907, relating to the per diem attendance of expert witnesses. (On motion by Mr. Hastings of Oxford, this bill was tabled pending its second reading.)

An Act to amend Section 23 of Chapter 114 of the Revised Statutes as amended by Chapter 2 of the Public Laws of 1907, relating to the relief of

poor debtors. (On motion by Mr. Staples of Knox, this bill was tabled pending its second reading.)

An Act establishing rules and regulations for Portland harbor. (On motion by Mr. Baxter of Cumberland, Senate Amendment A was adopted, and as amended the bill took its second reading and was passed to be engrossed.)

Resolve in favor of Parker Pineo. (On motion by Mr. Milliken of Aroostook, this resolve was tabled pending its second reading.)

A communication was received from the secretary of State transmitting the report of the commissioner of highways for the State of Maine for the year 1908. On motion by Mr. Howes of Somerset, the same was referred to the committee on State lands and State roads.

On motion by Mr. Baxter of Cumberland, the Senate voted to reconsider the vote whereby it passed to be enacted bill, "An Act to amend Chapter 509 of the Public Laws of 1885, relating to commissioners of cemeteries and public grounds;" and on his further motion the Senate voted to reconsider the vote whereby the bill was passed to be engrossed. On further motion by the same senator, Senate Amendment A was adopted and the bill as amended was passed to be engrossed.

The PRESIDING OFFICER: The Chair will state that we have before the Senate, the so-called Eaton resolve. It has been denied a final passage in the House, and also denied a final passage, as amended, in the House; and comes before the Senate in that form.

On motion by Mr. Eaton of Washington, the same was tabled.

Passed To Be Enacted.

An Act to ratify, confirm and make valid the organization and incorporation of the Winslow Cemetery Association.

An Act in respect of foreign corporations.

An Act to incorporate the Vinalhaven Water Co.

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

An Act to amend the charter of the trustees of Hebron Academy.

An Act to incorporate the Woodland Light and Water Co.

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

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

An Act to amend Section 48 of Chapter 8 of the Revised Statutes relating to taxation of insurance companies.

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

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

An Act to authorize the county commissioners of Cumberland county to create a sinking fund for the purpose of paying the bonded debts of said county.

An Act to set off from the town of Cushing, in Knox county, Fred Thornton, with his poll and estate, and annex him with his poll and estate to the town of Thomaston, in said Knox county.

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

An Act to authorize the Bar Harbor and Union River Power Co. to acquire the property and franchises of the Ellsworth Power Supply Co.

An Act to amend Chapter 192 of the Private and Special Laws of the State of Maine for the year 1907, relating to the Brunswick Electric Light & Power Co.

An Act to amend Chapter 492 of the Private and Special Laws of 1855, entitled "An Act to incorporate the Maine Medical Association," and to confirm the reorganization of said association.

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 Chap-

ter 210 of the Private and Special Laws of 1907.

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 amend Section 1 of Chapter 96 of the Private and Special Laws of 1905, to prohibit depositing refuse matter upon the banks of the Aroostook river in Fort Fairfield Village Corporation.

An Act to amend Section 1 of Chapter 407, of the Private and Special Laws of 1905, as amended, relating to fishing in Hayden lake, so-called, in the town of Madison, Somerset county.

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 Farmington.

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

An Act authorizing the location of a dam built by Edward S. Marshall of York, under license of the municipal officers of said town.

An Act to amend Section 64 of Chapter 15 of the Revised Statutes, relating to the tuition of pupils in secondary schools.

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

An Act relating to the Bodwell Water Power Co. of Old Town, Me.

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

An Act to amend the charter of the Island Ferry Co.

An Act to incorporate the Maine Boiler Inspection Co.

An Act to incorporate the Bodwell Power Co.

Finally Passed.

Resolve, in aid of a bridge across the Aroostook river in the town of Masardis, in Aroostook county.

Resolve for the preservation of the archives of the State of Maine.

Resolve, in relation to the early York deeds.

Resolve, in favor of Henry H. Hastings, chairman.

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.

Orders of the Day.

On motion of Mr. Staples of Knox, House Document No. 551, "An Act to prohibit the taking of scallops in West Penobscot bay from April 1 to Oct. 1 of each year," was taken from the table.

Mr. STAPLES: Mr. President: I would say that this is an emergency bill—not for money, but for time. On the coast of Maine, in Penobscot bay, the scallops are fast being killed out on account of the continuous work which is done there. All the large scallops, they tell me, have been taken and they are now preying upon the smaller ones. There are a great many people interested in this matter; and they ask for an emergency clause to **provide that this act shall take effect at the present time, instead of waiting for three months, because if the scallop fishermen are allowed to operate for the next three months, it will virtually destroy the scallop fishery upon our coast. Therefore we desire to put in an emergency clause providing that the act may take effect in time to save the scallops from being destroyed this season.**

On motion by Mr. Staples of Knox, Senate Amendment "A" was adopted, and as amended the bill took its second reading and was passed to be engrossed.

On motion by Mr. Macomber of Kennebec, Bill "An Act amendatory to Chapter 17 of the Revised Statutes, relating to the practice of medicine, surgery and dentistry," was received; and on his further motion, the same was tabled for printing without reference to a committee.

On motion by Mr. Looney of Cumberland, House Document 453, "An Act to establish the Kingman municipal court," 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 the same senator, Senate Document No. 400, "An Act to

amend Chapter 15 of the Revised Statutes in relation to education," 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. Hastings of Oxford, Senate Document No. 423, "An Act to incorporate the Penobscot Bay Water Company," 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. Smith of York, House Document No. 574, "Resolve in favor of Robert Palmer of Moro in the county of Aroostook," was taken from the table; and on his further motion, the same was indefinitely postponed.

On motion by Mr. Staples of Knox, House Document No. 537, "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," was taken from the table.

Mr. STAPLES of Knox: Mr. President I tabled that bill because I was opposed to any increase of salary, but upon investigation, I withdraw any objection I may have made.

The PRESIDENT: The pending question is upon the adoption of House Amendment A.

On motion by Mr. Staples of Knox, House Amendment A was adopted. The pending question being upon the second reading.

Mr. MILLIKEN of Aroostook: Mr. President: As this is a question of increase of salary, I confess I should like to hear an explanation from somebody in regard to the matter. I do not wish to oppose the increase if it is necessary.

Mr. STAPLES: I would say, Mr. President, that I supposed the chairman of that committee would be present today. His explanation would be more satisfactory to the Senate than mine, as he knows so much about it; and I move that the bill lie upon the table.

Mr. BOYNTON of Lincoln: Mr. President: In the absence of the chairman of the shore fisheries committee, I will say that this matter was fully

heard before that committee, and the committee were unanimously of the opinion that this salary should be granted, for if there was one officer in the State who had made his department worthy of a higher salary, and who was a valuable man to the State, it was the commissioner of inland fisheries.

Mr. MILLIKEN: I would like to ask the senator from Lincoln, or someone who knows, whether there are new duties or an increase of duties to account for the proposed increase of salary.

Mr. WALKER of Hancock: Mr. President: I would say that the committee on shore fisheries had this matter under consideration, and after listening to the explanations offered, and taking into consideration all the testimony, they unanimously reported in favor of this increase. A careful perusal of the report of the commissioner of sea and shore fisheries reveals the work and a great deal of information in regard to it and the legislation that has already gone through will necessarily involve much more work; and we feel that the increase should be given.

Mr. DONIGAN of Somerset: Mr. President: I would like to ask if there was not a bill asking for an additional clerk for this department.

Mr. WALKER: No—not in this case. That bill was reported "ought not to pass."

Mr. HAMILTON: Mr. President: I would like to inquire just how much is the proposed increase.

Mr. BOYNTON: Mr. President: The increase of the salary is from \$1500 per year to \$2000.

Mr. HAMILTON: Mr. President: On the seashore of the county near where I have been for the last four or five years we might as well be without a commission as with one. We have no watch there that has ever enforced the law for the last 10 years. Once in a while a boat will come in and they know when the boat comes in and they will get a few lobsters and that is all there is of it. We are worse off on the shore of York county than they were before we had any law at all, because the honest men are

driven away; and what they throw out, these fellows come along and get and sell them. Now if a salary is granted that will help us out there, I am perfectly willing to vote for it; but as it is now, I should be in favor of blotting the whole thing out and going back to the old system, and then all would have a free and equal chance. Now, understand me: The first large appropriation, \$15,000, for sea and shore fisheries, I voted through the House, because it is an important law, because the protection is more important than any of the entire fish and game laws, as it is a protection to the laboring people and a permanent business; but as it is now, as it stands in York county—I don't know about the rest of the State—I am stating the facts. I have tried to have it remedied, but these fellows in the short lobster business say that they can give a hundred dollars and get all of the protection they want. I would like to offer an amendment.

Mr. MILLIKEN of Aroostook: Mr. President, if I understand the matter, the question is upon the motion of the senator from Knox to lay on the table, and I presume we are discussing this matter under unanimous consent. As to the motion itself, to lay on the table, it seems to me that no harm can come from its being tabled for a day or two; and unless there is a special reason for the increase it seems to me we might be in danger of violating the standard we have adopted; and I hope that the motion of the senator from Knox, to lay on the table, will prevail:

Mr. STAPLES: Mr. President, I would add to that motion that it lay on the table and be assigned for next Tuesday. I know nothing about this matter. Senator Wyman has had it in charge and can give all the information which may be wanted in regard to it.

Mr. LOONEY of Cumberland: I was about to submit a few remarks on this bill, being heartily in favor of it, but I will postpone these remarks until the matter comes up by assignment.

The motion prevailed and the bill was tabled and assigned for Tuesday, March 23.

On motion by Mr. Macomber of Kenne-

bec, House Document No. 501, "Resolve in favor of the town of Dresden in aid of the repair and maintenance of bridges," was taken from the table; and on his further motion, the resolves was passed to be engrossed.

On motion by the same senator, House Document No. 62 was taken from the table.

Mr. MACOMBER of Kennebec: Mr. President, the situation of this bill is, that it was originally passed by the Senate; went into the House and was amended by Amendment A, which provided for a bank holiday on February first and came back to the Senate, and the amendment was accepted; it went back to the House, and in some way they have attached another amendment which provides for Columbian day as a holiday. When it is or what it is, I do not know; but it seems to me that we have holidays enough; and I move that House Amendment A be stricken from the bill. I hope the Senate will vote down that amendment and that will leave the bill as it originally passed the Senate.

The motion prevailed, and the Senate non-concurred with the House in the adoption of House Amendment A.

The same senator thereupon moved that the Senate insist on its action that the bill be passed to be engrossed as amended by Senate Amendment A, and the motion prevailed.

Mr. WARREN of Cumberland: Mr. President, pending the passage of the bill to be engrossed I wish to state that I do not know just where this bill originated, and that it has gone thus far on its passage without any action on my part. I have no doubt but that the motive for this bill is good.

By reason of his humble birth, of his great love for the common people, of his almost prophetic vision, of the skill and patience with which he guided the nation through the time of its greatest trial, of his death blow to slavery, and his tragic death, Lincoln will always be entitled to stand alone in history. No one other than Washington is entitled to stand beside him; and for this reason I am glad that the Senate has rejected the House amendment which has come to us. The name of Columbus is to be honored, but he is not entitled to stand beside Lincoln. It

is not his right. We know not through what crises our nation may pass, or what other men may come forward as able, as wise, as unselfish as Lincoln, but they never will be entitled to stand with him. His place in history will be unique. I would stand second to none in my reverence and love for Abraham Lincoln, but his record has been made and his memory is safe, far beyond, to use his own words, our poor power to add to or detract, enshrined not only in the hearts of men, not only of our own nation, but of every race and creed and color. Wherever and whenever men are banded together in the cause of right, of justice, of liberty, his name will always be held in reverence and his star shine bright and clear out of the mists of the past. The best way for us to honor the memory of Lincoln is to do our work with the same spirit of faithfulness that he did his, that of us it may not be said as was said of one of old: "These people do honor me with their lips, but their hearts are far from me."

This bill, however, provides that February 12 shall be observed by all teachers and pupils in all the public schools of the State as Lincoln day, the study and exercises to relate entirely to the life, character and acts of Abraham Lincoln. I wish to ask if this is not laying too heavy a tax upon the teachers and scholars of our schools? A few of you, with me, had the privilege of listening, a few weeks ago, to a service in memory of Lincoln at the State School for Boys. It was a service that did credit alike to the heads and hearts of the teachers and the scholars of that school; but it was evident that they had been preparing for it for weeks, and it was only for one brief hour.

Could the schools of our State have a service of this kind, for all day and every year, and all schools of every grade, from the Primary up to the High school graduates? Would it not be a task instead of a pleasure? Would not the instruction be trite and commonplace? Would it not fall of its purpose, and a day be lost? Would not one of two things come about: Either that the schools would meet for a brief hour in the morning to cover the law, and then be dismissed, and we have another holiday alongside of Washington's birthday, and another day lost out

of our schools? Or, if it is not that, would there not be text books—Lincoln text books—for there are always people ready to write and sell text books—and would not those text books contain stories he never told and sayings he never said and things he never did? And, with the tendency that we always find to idealize, if not to deify our great men of the past, as it has been with Washington, would it not be true that they would try to make of him another kind of man who with majestic tread walked this earth, and not one of the common people whose pride and glory it will ever be that he, for all his greatness, was one of them? I believe that it would fail of its purpose.

Again, it costs the State of Maine about two millions and a half for its public schools, including that which is contributed by the State and that which the municipalities raise on their own account, including schoolhouse repairs, text books and the whole cost of running our schools. If we were to divide that by the average number of days of the public schools we would find that it costs the State of Maine about \$15,000 a day to run its public schools. This bill practically asks of us that we make an appropriation of \$15,000 for this purpose, not only for this year, but an increasing sum as the expenses of our schools increase, for each and every year. If this is once embodied in our statutes, who can take it out? Who is there that will be bold enough to ask for the elimination of Washington's birthday, with its tar-buckets and its tin horns? Does it serve its purpose—with its overworked story of the cherry tree? Does it do us any good? Does it do the memory of Washington any good? Would this do the memory of Lincoln any good?

Further than this, it is a tax upon the precious time of our scholars—their birthright, which although they may not always appreciate, and their parents and teachers may not always appreciate, is it not our business here, in sober thoughtfulness, to make the most of this school time for the scholars. It is a school tax of two-thirds of one per cent. upon their precious school time, which is to them worth more than money.

We already have more holidays than we ought I think, and I have noticed a tendency to shorten the school time to a lesser number of weeks in the year, a lesser number of days in the week, a lesser number of hours in the day and to stop schools for fairs and conventions and all that sort of thing, which we ought not to encourage.

Our schools are not for ourselves; they are for the future, and our future will be largely what our public schools make it. We ought to be very thoughtful and very cautious in what we do in that matter. The memory of Lincoln needs nothing of this kind. It is not of him, of ourselves, but of our children that we should think. If the bill, aside from this, contains any merits in the matter of bank holiday, I would like to say that the bill, as I see it, eliminates the first day of January as a bank holiday; and that, I think, we would like to retain; and if I understand it aright, the bill has been amended to make that a bank holiday, but if the bill fails I understand it will drop back to where it is now, and the first of January will be a bank holiday; and if there is nothing in the bill to save, further than that, I shall vote against its passage to be engrossed.

Mr. HAMILTON of York: Mr. President: As I remember this bill, it was before the committee on legal affairs. We heard it discussed there a long time and I took somewhat the same position that the senator from Cumberland does on school holidays, and there are three or four days taken by the schools for holidays. And I object to this for the reason that as it now stands it turns the scholars out upon the street for a day and it takes a day or two to get them back. I know our school superintendents do have this trouble, and I speak of the days when they have a teachers' convention in the county. Then it costs the State \$15,000, as he says.

As I understand the measure, Lincoln day was not to be a school holiday, but it was designed in that bill that that day was to be a day of patriotism—that they were to read the life and discuss the life of Abraham Lincoln that day and that it was not

to be an absolute holiday, but schools were to be kept during the day, and in that day a special course should be pursued with reference to the character and life of Lincoln and all the surroundings that led up to his being a great man; and for that reason I was in favor of the bill.

Mr. KNOWLTON of Piscataquis: Mr. President: This bill is too indefinite. I am heartily in favor of the bill, provided I know exactly what the bill means; but I cannot tell whether or not this may be true: That a school may be called together on that day and they may have a few exercises in honor of Lincoln and the school then dismissed and the scholars running around the street and making it a holiday per se. If that is the idea of the bill, I object to it. If the bill means, or if it can be changed so as to mean a recommendation that on that day the exercises shall pertain mostly to the life and character of Lincoln, I am heartily in favor of it; and therefore, Mr. President, I move that the bill lie upon the table. I think we can fix that bill better than it is now, so that we can know exactly whether it is a holiday or whether it is a day of exercises.

The motion prevailed, and the bill was tabled.

On motion by Mr. Gowell of York, Senate Document No. 422, "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," was taken from the table.

Mr. GOWELL: Mr. President: I had this bill tabled because I understood that another bill was pending before this Legislature which covered a part of the same subject matter, but upon investigation, I find there is no conflict whatever between the two bills; and I now move that the bill take its second reading and passed to be engrossed.

The motion prevailed. The bill took its two several readings and was passed to be engrossed.

On motion by Mr. Baxter of Cumberland, there was taken from the table "Report of the judiciary committee

'ought not to pass' on bill relating to the Portland Bridge District." On further motion by the same senator, the report was accepted.

On further motion by the same senator, there was taken from the table "Report of the same committee 'ought not to pass' on bill about evidence of actions for libel." On further motion by the same senator, the report was accepted.

Mr. HAMILTON of York: Mr. President: Day before yesterday, in the morning, the minister prayed that we should be true to the interests of the State of Maine. I am afraid that he was a little late for his prayer to avail. I laid upon the table some bridge bills, for two reasons. One of the reasons was that I did not believe that we ought to take the money of the State of Maine and put it into bridges in different sections of the State. I know and full well understand that it is all in the State of Maine, and that what is for the interest of us all; but it seems to me that this matter is going rather too far and I find that my objections are regarded as a sort of boyish or petulant freak. Another reason is that in most of these resolves you pay to the town so much money for a road. Now the senator from Knox thinks that they might sometimes use that for political purposes. There is no string to it. There is no return to be made to anybody, but simply the town's receipt for this money and you don't know where it is to be expended. The senator from Arcostook calls attention to business methods and the way of doing business, and he has rather taken charge of that, so the State may know about it. Now how is the auditor to know anything about it? The money is simply drawn from the State and no return is required to be made. Even the great Sir I Am—the State road commissioner—they skip right over him. I submit if that is a proper way to do business. The towns may all be honest and may expend this money just where it is voted, but there is no return to be made and this money is paid out in the whole sum to the town and they can do with it just what they please and no returns are to be made to the State and there is no way

of knowing how the money is used or for what purpose. I call the attention of the Senate to that fact; and I now move that House Document 368, "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," be taken from the table.

Mr. MILLIKEN of Aroostook: Mr. President, I move that House Document No. 368 pass to be engrossed.

The senator from York having issued a sort of general challenge to me, I want to read a part of the resolve. I understood the senator to imply that these resolves provided only in a general way. The resolve reads:

"Resolved, That the sum of two thousand five hundred dollars be and hereby is appropriated for the purpose of assisting said town of Island Falls in the construction of a steel bridge across said West Branch of the Mattawamkeag river, and that the same be paid when the county commissioners shall certify to the Governor and Council that said bridge has been completed at a cost not less than five thousand dollars."

I am ready to argue that question if the Senate desire, but I think the senator from York is somewhat in the position of the darkey who attended the dance. The dance being in full progress and everything going along nicely, he suddenly got out in the middle of the floor and proclaimed in a loud tone of voice: "This dance am stopped." Proceedings immediately ceased and someone wanted to know what the trouble was about. Having secured quiet, the darkey then said: "This dance may now go on, I only wanted to show my authority." I do not think the Senate is really opposed to this resolve.

Mr. DONIGAN of Somerset: Mr. President, I want to state as a member of that committee that in every case I think there has been a statement of facts accompanying these resolves carrying appropriations for bridges and highways and that in every case they are under the supervision of the commissioner of highways, or somebody appointed by the Governor and Council; and in every case, while I

was in the committee, we looked them over very carefully and turned down a lot of matters that we were asked to appropriate money for; and those that we did not turn down were under supervision as I have stated.

Mr. HAMILTON: I want to say in the beginning that this is a business proposition. Replying to the negro dance story, I may say that I have never known the time when Aroostook county stopped dancing. Now if they will stop dancing, I will withdraw all objections to it and we will cut the strings of the fiddle and stop the proceedings.

On motion by Mr. Milliken of Aroostook, House Document 368 was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document No. 306, "Resolve in favor of road for town of Brownville to Katahdin Iron Works," was taken from the table.

Mr. HAMILTON: This is simply a plain resolve as I stated. If there is anything there I wish to beg Senator Donigan's pardon.

Mr. DONIGAN of Somerset: Mr. President, In looking that one over I find there is net; and I beg the pardon of the senator from York. In every case when I was there, I thought we had arranged for such a provision that they should be under the supervision of the commissioner of highways and most of them were, and I thought they all were.

Mr. KNOWLTON of Piscataquis: I will say to the senator from York in explanation that there was originally a bill put in which contained such a provision relating to this matter, but it traveled so far up hill and down hill that it is entirely thrown out and a new one is prepared. If the senator will let that lie on the table for another day or two, I will move to take it up and fix it or to have it indefinitely postponed.

Will the senator name a day for its consideration?

Mr. HAMILTON: I do not care to do so, I am done with this today.

On motion by Mr. Knowlton of Piscataquis, House Document 306 was tabled.

On motion by Mr. Hamilton of York,

House Document No. 377, "Resolve in favor of the towns of Solon and Embden in Somerset county," was taken from the table.

Mr. DONIGAN of Somerset: This resolve is under the supervision of the selectmen of the towns of Solon and Embden and also under the supervision of the county commissioners of Somerset county.

Mr. HAMILTON: I would inquire how the State is to know when the money was expended. They pay out the whole sum and I submit it is not a business proposition. They pay out three, or four, or five hundred dollars and there is nothing to be sent in; and if something was to be sent in, it would not be a business way to do business. It is a slack way.

On motion by Mr. Howes of Somerset the bill took its second reading and was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document 452, "Resolve in favor of aid in building a highway bridge across the Kennebec river between the towns of Fairfield and Clinton in the

counties of Somerset and Kennebec," was taken from the table.

Mr. HAMILTON: Mr. President, I think you will find in this matter that the bill provides that returns be made to the Governor and Council.

On further motion by the same senator, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document No. 502, "Resolve in favor of the towns of Edmunds and Dennysville in the county of Washington," was taken from the table. On motion by Mr. Donigan of Somerset, the resolve took its second reading and was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document No. 505, "Resolve in favor of building bridges on the road as traveled from the Northeast Carry on the West Branch of the Penobscot river to Chesuncook Lake," was taken from the table. On motion by Mr. Knowlton of Piscatauis, the resolve was passed to be engrossed.

On motion by Mr. Howes of Somerset, the Senate adjourned.