

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

roll. Those voting yea were: Messrs. Allan, Boynton, Dodge, Edwards, Farrington, Foss of Androscoggin, Foss of Cumberland, Gowell, Hill, Leach, Mulken, Noyes, Osborn, Staples, Stearns, Theriault, Winslow—17. Those voting nay were: Messrs. Blanchard, Donigan, Fulton, Irving, Kellogg, Milliken, Moulton. Pendleton—8.

So the amendment was adopted.

On motion by Mr. Allan the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, House Document, No. 481, Resolve in favor of H. B. McKenney, was taken from the table.

On further motion by the same senator, the report of the committee on claims, "ought to pass," on this resolve was accepted. The rules were suspended and the resolve was given its two readings and was passed to be engrossed.

On motion by Mr. Irving of Aroostook, Resolve authorizing the State land agent to convey Lot No. 9 in Castle Hill, was taken from the table.

The report of the committee on State lands and State roads was accepted.

The same senator then presented Senate Amendment A and the same was adopted, and the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

On motion by Mr. Irving of Aroostook, the order in relation to the committee appointed to investigate the financial condition of the State, was taken from the table.

On further motion by the same senator, the order was given a passage and sent down for concurrence.

On motion by Mr. Allan of Washington, the rules were suspended and he presented, out of order, Petition of E. F. Hodgkins and others for consolidation of the inland fisheries and game department with the sea and shore fisheries department.

Placed on file and sent down for concurrence.

The following committees submitted their final reports:

Committee on telegraph and telephones.

Committee on manufactures.

On motion of Mr. Boynton of Lincoln,

Adjourned.

## HOUSE.

Thursday, March 23, 1911.

Prayer by Rev. Mr. Hope of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Resolve dividing the State into senatorial districts.

This resolve comes from the Senate passed to be engrossed under suspension of the rules.

The House reconsidered the vote whereby the resolve was referred to a committee, the resolve then received its two readings under suspension of the rules and was passed to be engrossed in concurrence.

### Senate Bills on First Reading.

An Act to incorporate the Clinton Water Company. (Read a third time and passed to be engrossed under suspension of the rules in concurrence on motion of Mr. Mace of Great Pond.)

An Act relating to the taxation of express companies. (Read the third time and passed to be engrossed under a suspension of the rules on motion of Mr. Hastings of Auburn.)

An Act to extirpate contagious diseases among cattle, horses, sheep and swine. (Tabled pending first reading on motion of Mr. Bearce of Eddington.)

An Act ratifying the election, qualification, and doings of the city clerk of the city of Brewer.

This bill comes from the Senate amended by Senate Amendment A.

The vote was reconsidered whereby the bill was passed to be engrossed, Senate Amendment A was adopted, and the bill was then passed to be engrossed as amended in concurrence.

An Act to amend Section 40 of Chapter 47 of the Revised Statutes of Maine.

This bill comes from the Senate amended by Senate Amendment A.

The vote was reconsidered whereby the bill was passed to be engrossed, Senate amendment A was adopted, and the bill was then passed to be engrossed as amended in concurrence.

An Act to amend Chapter 360 of the Special and Private Laws of 1909 to regulate fishing on the Bagaduce river in the towns of Castine, Penobscot and Brooksville in the county of Hancock.

This bill comes from the Senate amended by Senate Amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate Amendment A was adopted, and the bill was then passed to be engrossed as amended in concurrence.

An Act additional to Chapter 144 of the Revised Statutes relating to the insane hospitals.

This bill comes from the Senate with Senate Amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate Amendment A was adopted, and the bill was then passed to be engrossed as amended in concurrence.

An Act to amend Sections 34 and 35 of Chapter 16 of the Revised Statutes relating to conveyance of pews in meeting houses, organized parishes or incorporated churches.

This bill comes from the Senate with the bill substituted for the report of the committee.

On motion of Mr. Peters of Ellsworth the bill was tabled.

An Act authorizing the construction of a wharf into the tide waters of Casco Bay in the town of Cumberland.

This bill comes from the Senate amended by Senate Amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate Amendment A was adopted, and the bill was then passed to be engrossed as amended in concurrence.

An Act to constitute nine hours a day's work of public employes.

This bill comes from the Senate indefinitely postponed.

On motion of Mr. Shea of Eden the House voted to insist and ask for a committee of conference.

The Speaker appointed on the part of the House, Messrs. Shea of Eden, Doyle of Millinocket and Descoteaux of Biddeford.

An Act to incorporate the Clark Power Company.

This bill comes from the Senate amended by Senate Amendment A.

The amendment was adopted and the bill read three times and passed to be engrossed as amended in concurrence.

An Act defining the Maine trunk line of highway through the State.

This bill comes from the Senate indefinitely postponed.

On motion of Mr. Deering of Portland the House voted to insist and ask for a committee of conference.

The Speaker appointed on the part of the House, Messrs. Deering of Portland, Scates of Westbrook and Strickland of Bangor.

An Act to amend Sections 49 and 51 of Chapter 9 of the Revised Statutes.

This bill comes from the Senate with Senate amendment A.

The House reconsidered the vote whereby this bill was passed to be engrossed, Senate amendment A was adopted, and the bill was then passed to be engrossed as amended in concurrence.

Resolve in favor of the Eastern State Normal school.

The following petitions, bills, etc., were presented and referred:

Mr. Sleeper of South Berwick presented resolve apportioning 151 representatives among the several counties, cities, towns and plantations in classes in the State of Maine.

On motion of Mr. Sleeper the resolve was tabled for printing and specially assigned for tomorrow morning.

Remonstrances against the consolidation of the inland fish and game and sea and shore fisheries departments were presented by the following gentlemen and were placed on file:

Mr. Emerson of Island Falls, Mr. Colby of Bingham, Mr. Libby of Oakland, Mr. Ames of Norridgewock, Mr. Drummond of Winslow, Mr. Robinson of Peru, Mr. Campbell of Cherryfield, Mr. Buzzell of Fryeburg, Mrs. Munroe of Brownville, Mr. McCready of Danforth, Mr. Stetson of Lewiston, Mr. Davis of Guil-

ford, Mr. Mace of Great Pond, Mr. Austin of Phillips, Mr. Trafton of Fort Fairfield, Mr. Perkins of Kennebunk, Mr. McCurdy of Lubec.

#### Reports of Committees.

Mr. Davies from the committee on the judiciary, on Bill, An Act establishing a juvenile court within this State and to prescribe the jurisdiction powers, rights, proceedings and practice of such court, and to define the rights, powers and duties of the judge and other officers engaged therewith and to provide for the maintenance thereof, reported that the same ought not to pass, the subject matter having been reported by another bill.

Mr. Peters from the committee on legal affairs reported "ought not to pass" on Bill, An Act relating to courts.

Same gentleman from same committee, on Bill, An Act to correct and protect helpless, neglected and offending children, reported that the same ought not to pass, the subject matter having been reported by another bill.

Mr. Bogue from same committee reported "ought to pass" on recommitment Bill, An Act to extend Chapter 263, Private and Special Laws of 1909, relating to Barrows Falls Light and Power Company.

Mr. Hersey from same committee, on Bill, An Act to incorporate the Rumford Water District, reported the same in a new draft under the title of "An Act to incorporate the Rumford and Mexico Water Districts," and that it ought to pass.

Mr. Goodwin from same committee, on report of the joint special committee appointed by the Legislature of 1909, to inquire into laws regulating juvenile courts, reported the same in a new draft under the title of "An Act to correct and protect helpless, neglected and offending children," and that it ought to pass.

On Motion of Mr. Strickland of Bangor the rules were suspended and he presented an order out of order:

Ordered, the Senate concurring, that resolve entitled "Resolve of the Holy Rosary School at Frenchville in the county of Arostook," reported ought not to pass by the committee on ap-

propriations and financial affairs, be taken from the files and recommitted to said committee.

The order received a passage.

On motion of Mr. Ames of Norridgewock the rules were suspended and he introduced out of order, Bill, An Act to incorporate the Anson Water Company.

Mr. Ames moved that the rules be suspended and that the bill receive its three readings without reference to a committee and be passed to be engrossed.

A division was had and the motion to suspend the rules and receive the bill was agreed to.

The bill then received its three readings and was passed to be engrossed.

#### First Reading of Printed Bills and Resolves.

An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, relating to the compensation of registers of deeds.

An Act to amend Section 34 of Chapter 4 of the Revised Statutes of 1903 of Maine. (Tabled on motion of Mr. Wilson of Auburn.)

#### Passed to Be Engrossed.

Senate Resolve, No. 179, in favor Maine School for Feeble Minded.

Senate Resolve No. 180, in favor of John R. MacDonald.

House Resolve, No. 578, in favor of Wilton Academy.

Senate Bill, No. 58, An Act relating to removal of county attorney by the Governor.

Senate Bill, No. 94, to consolidate management State institutions.

House Bill, No. 122, relating to termination of contracts.

House Bill, No. 667, relating to taxation of personal property.

House Bill, No. 668, relating to seals of notaries public.

House Bill, No. 669, relating to South Paris Village corporation.

House Bill, No. 670, relating to notaries public.

House Bill, No. 671, relating to Kingman Development Company.

House Bill, No. 672, relating to abandoned burying grounds.

House Bill, No. 673, relating to publicity of appropriations.

House Bill, No. 674, to incorporate the Guilford Water Company.

House Bill, No. 675, relating to evidence in libel cases.

House Bill, No. 676, relating to evidence in personal injury cases.

House Bill, No. 677, relating to South Paris Light, Heat and Power Company.

House Bill, No. 678, to provide for analysis of commercial fertilizers.

House Bill, No. 679, relating to insurance companies.

House Bill, No. 680, relating to sale of shares of stock.

House Bill, No. 681, relating to fraudulent evasion of fares.

House Bill, No. 682, relating to distribution of real estate.

House Bill, No. 683, to incorporate Maine Institution of **Music and Arts**.

House Bill, No. 684, relating to fees of witnesses.

House Bill, No. 685, relating to corrupt practices in elections.

House Bill, No. 686, relating to trustee process.

House Bill, No. 687, relating to drains and sewers in Bangor.

House Bill, No. 688, to incorporate the Hermon Water Company.

House Bill, No. 689, to incorporate the Kittery Sewer Company.

House Bill, No. 690, to incorporate Young Men's Christian Associations.

House Bill, No. 691, to amend Chapter 125, Private and Special Laws, 1895.

#### Passed to Be Enacted.

An Act to annex Fryebury Academy Grant in the county of Oxford to the town of Mason in said county.

An Act in relation to employment agencies.

An Act to change the eastern boundary of the town of Anson.

An Act to amend the charter of the Spencer Dam Company.

#### Finally Passed.

Resolve in favor of the town of Waltham.

Resolve in favor of the Maine Seed Improvement Association.

Resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases for the year 1912.

Resolve relating to an equestrian statue of Major General Oliver O. Howard.

Resolve in favor of the highway bridge across the St. John river between Van Buren, Maine, and St. Leonards, New Brunswick.

Resolve in favor of the Maine State Prison.

Resolve for the preservation of the regimental rolls in the office of the adjutant general.

Resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

The SPEAKER: This resolve contains an emergency clause and must receive 101 votes to entitle it to a passage.

A rising vote being taken, 119 voted in favor of the passage of the resolve, and the resolve was finally passed.

An Act to amend Chapter 206 of the Public Laws of 1909, entitled "An Act to consolidate and revise the military laws of the State of Maine."

The SPEAKER: This bill contains an emergency clause and must receive 101 votes to entitle it to a passage.

A rising vote being taken, 110 voted in favor of the passage of the bill, and the bill was then passed to be enacted.

Mr. STRICKLAND of Bangor: Mr. Speaker, I would like to ask unanimous consent of the House to introduce a bill at this time, and I will say in explanation that sometime ago a bill was passed through this Legislature authorizing the cities of **Bangor and Brewer** to build a highway bridge across the Penobscot river. That bridge bill contained a clause which created a **bridge commission or a bridge committee** of **three members**, and the city of **Brewer** was to have one member and the city of **Bangor** to have four members upon that committee. It was the original intention of the parties who introduced the bill that the mayor of the city of **Brewer**, being the only representative upon that bridge committee from that city, should be one of the committee, the mayor of the city of **Bangor** and the other three being in the city government. The only way now, that bill having passed the amendatory stage

—the only way in which the original intention of the parties can be carried out is by the introduction of this bill appointing the mayors of these two cities upon that bridge committee. I move that the bill be received at this time and that it be given its several readings and passed to be engrossed without reference to a committee. I will also say that it is at the request of the mayors of both cities that the bill have a passage at this time.

The rules were suspended, the bill was received and given its three several readings and passed to be engrossed.

(At this point Mr. Strickland of Bangor assumed the chair.) (Applause)

#### Orders of the Day.

Specially assigned: House Bill, No. 163, An Act to consolidate the fish and game departments. (Tabled and specially assigned for this afternoon on motion of Mr. Boman of Vinalhaven.)

Specially assigned: Bill, An Act granting H. L. Gooch the right to maintain a dam.

Mr. TRIMBLE of Calais: Mr. Speaker, that bill together with the amendment offered by the gentleman from Machias, Mr. Bogue, was tabled by me on Tuesday morning and specially assigned for Thursday. On Tuesday afternoon on my motion the House voted to reconsider that action, took the bill from the table, adopted the amendment and gave the bill its first and second readings. This is a part of the official record of the House, as found on Page 176 of the printed record.

The SPEAKER pro tem: The Clerk informs the Chair that the gentleman is correct in his statement.

The bill was then tabled for printing under the joint rules.

Specially assigned: House Resolve, No. 267, in favor of the Maine Central Fair Company.

On motion of Mr. Pattangall of Waterville, the resolve received its second reading and was passed to be engrossed.

Specially assigned: House Resolve,

No. 3, relating to woman suffrage.

The pending question being the acceptance of either report, Mr. Hersey of Houlton moved that the minority report be accepted.

Mr. HERSEY: Mr. Speaker, I hope the House this morning will give the attention to this matter that it deserves and not be the least uneasy because I do not propose to discuss this matter from any political or partisan standpoint, so that you Democrats can sit back in your seats and feel perfectly comfortable while I speak. (Laughter)

This is House Resolve No. 9, proposing an amendment to the constitution of Maine conferring the right of suffrage upon women. It is simply for this Legislature to say whether or not they will do justice to one-half of the people of Maine and allow the male voters of the State of Maine next September to say at the ballot box whether they are willing to confer suffrage upon the women of Maine. We have talked a great deal about the rights of the people, giving the people the right to decide great and public questions, and all that is asked of this Legislature is the same right that you gave early in the session under the resubmission resolve, the right of the people of Maine at the ballot box—I do not say the people of Maine, but the voters of Maine, at the ballot box to say whether they will confer suffrage upon the women of Maine. This bill came into the House and was referred to the judiciary committee, and that committee gave a hearing upon the bill here in this Hall of Representatives. Before that committee composed of 10 lawyers appeared certain women setting forth the justice of their cause eloquently, logically, by argument unanswerable; no one appeared in opposition to that bill, no one will appear, no one can appear, no one can answer their arguments. Why, not even in the committee was there any answer made or any argument made. Ten lawyers said in their committee room, when this matter came up at the executive session—they said simply there would be two reports, they did not divide on party lines; they divided simply by saying: "Well, I think I will sign this

one"; and another said: "I will sign that one in order to bring it before the Legislature," and I say to you that the report of the judiciary committee as it comes before you today is not of any assistance to you and I in determining the question. The question now is to be considered carefully, logically by us and settled as we think it should be settled in accordance with justice.

Now, at the outset I wish to say a personal word on the matter of women suffrage. I always was a suffragist, I was a one, I was bred one and under somewhat peculiar circumstances. My father was one of the pioneers, coming from the city of St. John to Maine, born under another flag. He came to Maine when he was 13 years of age. He could not vote when he became of age because he was born under another flag. He never desired, as far as I know, to vote. He lived on a little farm, dying upon the same farm; he married my mother, an American girl; she was born under the American flag but she could not vote, and she could not vote simply because she was a woman; my father could not vote because he was not born under the Stars and Stripes; they got along all right; my mother did not care to vote and my father did not care to vote, and so they were equal. On the little farm they brought up their children and they lived the humble life, those two toilers and pioneers; my mother worked with my father in the home and in the field; they lived a humble life and they passed in the faith of the fathers to rest." No injustice was done to either. Not so with their children. I was born under the Stars and Stripes, and when I became of age because I was a male and because I was born under the Stars and Stripes I was a voter, entitled to the ballot. Not so with the little blue-eyed woman whom I love to call my wife and who is dearer to me than my own life. She stands by my side today in the battle of life and in the battle for bread, but she can take no part with me in defending our country and our home against the enemies of the country and the home. We were born in the same town. I vote, but she cannot because she is of a different sex; and so I want to take a few moments and talk with you about the inequity and the in-

justice of that which does not make my wife my equal under the laws of the land, and in doing that I am paying my tribute to the women of Maine.

Now, gentlemen, there is no logic in it. The only argument I ever heard was that if a woman asks the privilege of voting then she ought not to be allowed to vote because she asks for it and thereby she becomes bold and unfeminine; and if she does not ask for the vote she ought not to have it because she does not ask for it, and that is the logic that we men put up to the women of the land.

Mr. Speaker, while this Legislature has been in session down there in the beautiful city of Portland the people have had a great celebration, they have done honor to the memory of one of her great citizens, one of the great men of the State, one whose name is placed in the Temple of Fame, the late Thomas B. Reed, a man of great brain, a statesman, one of the men whom Maine delights to honor and to whom the city of Portland has recently paid honor. Thomas B. Reed shortly before his death said:

"If suffrage be a right, if it be true that no man has a claim to govern any other man except to the extent that the other man has a right to govern him, then there can be no discussion of the question of woman suffrage. No reason on earth can be given by those who claim suffrage as a right of manhood which does not make it a right of womanhood also."

You will find arrayed against the cause of woman suffrage, to be sure, many good men; but, on the other hand, you will find that every man who is in favor of the employment of cheap and child labor is also against the cause of woman suffrage; every man who is opposed to education, refinement and the higher civilization is opposed to woman suffrage; every mean, cheap low-down politician is against woman suffrage; keepers of every low-down brothel are against woman suffrage; every interest that is opposed to good government and civilization is against woman suffrage, and when a man places himself against woman suffrage he places himself along with these great in-



terests opposed to a higher and grander civilization.

I have a brief this morning for the women of Maine, and as a lawyer I am going to argue their cause this morning from a lawyer's standpoint. One of the ablest law journals that comes into my office treats woman suffrage as one of the public questions of the day, and I am going to tell you that the law journals of this country are not fanatical nor sensational but they are edited by great men who treat public questions in a cold way, and this law journal of a month ago said this:

"The merits of the general question of woman suffrage undoubtedly appeal more and more strongly to the reason of the people. Most of the arguments against it are obviously based more upon feeling, not to say prejudice, than upon the reason of the matter. The progress of events has placed women in business of almost every kind. They own a very respectable portion of all the property of the country. Some women carry on business of great magnitude. Many of them carry on smaller business enterprises. Women are practising law, practising medicine, filling church pulpits, serving on boards of education and of large state institutions; in short they are doing no small part of the effective public service of the State, as well as of private enterprises. There is little doubt that on many public questions, especially those relating to the interests of the family, of education, of the care of the needy, and to other matters of public morality and decency, the votes of women would materially strengthen the side of progress and right. At any rate, half the population which already represents great property and business interests and is increasingly powerful in its influence upon all public affairs cannot be permanently excluded from the franchise. Some things in the future can be confidently predicted. Few are more certain than the coming of the ballot to women."

And that is from one of the greatest law journals of this country, speaking not as a matter of sentiment but as a matter of

logic and as a matter of business that the ballot must come in justice to one-half of the race.

Now in the evidence which I produce to you this morning I want to produce evidence that cannot be contradicted, the matter of cold evidence from men you must believe and from witnesses you cannot contradict. I produce as my first witness Hon. John D. Long, ex-governor of Massachusetts and ex-secretary of the navy—John D. Long, one of our great governors, one of the great scholars of the age, and of course what he says must carry weight. What does he say? Here is what he says:

"I have never heard an argument against woman suffrage that was not an insult to the intelligence of a 10-year old boy. If one man or woman wants to exercise the right to vote, what earthly reason is there for denying it because other men and women do not wish to exercise it? If I desire to breathe the fresh air of heaven, shall I not cross my threshold because the rest of the family group prefer the state atmosphere indoors?" When the government extends the principle of voting to a citizen, it says to him: "We do not compel you to appear at the polls; we simply give you the liberty to vote, or not to vote, as you desire. You may express your consent or your protest against conditions, and may help make civilization, if you wish." On the other hand, when the government refuses the privilege, it says: "We compel you to remain away from the ballot box. Whether you wish to vote or not, you shall not. We will impose upon you any laws which we see fit, and you shall have no official authority to protest or to consent."

"Human ingenuity cannot suggest a single distinction between the sexes so far as the right of voting is concerned. They are equally intelligent so far as the intelligence to vote is concerned. They are equally competent to judge of the merits of measures and the comparative merits of candidates. \* \* \* \* If it is a right why should it be denied? When yet in the history of the world has it been found that what is right is inexpedient."

One of the greatest judges ever upon the bench of the Supreme Court of the United States was Justice David J. Brewer, who died a short time ago, one of the greatest legal minds of this nation, and Justice Brewer was not moved by any

sentiment whatever. From his great learning and his investigation what did he say? He said:

"But, putting all the arguments pro and con together, whatever may be the abstract right, the real question is a practical one. How does woman's suffrage work when tried? In this nation, four states, Colorado, Utah, Wyoming and Idaho, have granted full suffrage, and in at least the first three of them it has been in existence long enough for substantial results.

"One thing is true of all; there has been no organized effort to repeal the grant. Whatever may be isolated opinions, the general mass of the voters are satisfied. Indeed, few have expressed antagonistic views. If the citizens of these states find nothing objectionable in woman's suffrage, a natural conclusion is that no injury has resulted. Especially is this true when the declarations of its friends in its favor are many and strong."

Mr. Speaker, my position is this: I stand with Justice Brewer, that the way to settle this question is not by argument against woman suffrage, but to take the states that have adopted woman suffrage for many years and by that test say what the effect will be on Maine. Is there a man in this House who will stand up here and say that the women of Maine are not as capable of suffrage as the women of these four states just mentioned? Are your sisters, mothers, wives and daughters of Maine to be disfranchised because they are not as capable of the ballot as the women of the four states I have just mentioned? What about those four states? I call as witnesses the governors of those four states. First I will call Governor John C. Cutler of Utah. What does he say? He says "The influence of women suffrage has been on the side of peace at the polls and the selection of better officials." I next call Governor Hunt of Idaho. What does he say? He says: "The woman vote has compelled not only state conventions, but more particularly county conventions of both parties to select the cleanest and best material for public office." I next call Governor Hoyt of Wyoming. What does he say? He says: "For 20 years the women of this territory have taken part with the men of the territory in

its government, and have exercised this right of suffrage equally with them; of the results of which we are all proud. No man has ever dared to say in the territory of Wyoming that women suffrage is a failure. There has been no disturbance of the domestic relations; there has been no diminution of the social order, nor of the dignity that characterizes the exercise of the election franchise; there has been on the contrary, an improvement of the social order, better laws, better officials, a higher and better civilization."

I next call Ex-Governor Adams of Colorado, and he says:

"During the years of equal suffrage in Colorado I have known many thousand women voters. Of all that number not enough to fill an automobile desired or were willing to surrender their right to vote. If submitted to the decision of Colorado women, not one per cent. would vote for repeal. Some women, like some men, may not care for the duty and responsibility of the ballot, but it is not human nature to surrender a right that is a power and a defence. You can no more repeal the equal suffrage law than you can repeal the Declaration of Independence. The human right once planted in the statute of free government is there forever."

And that great man, Judge Lindsay, of the Denver juvenile court says:

"We have in Colorado the most advanced laws of any state in the Union for the care and protection of the home and the children, the very foundation of the republic. We owe this more to woman suffrage than to any other one cause."

Gentlemen of the House, the state of Washington has added its endorsement of woman suffrage in addition to these other states, and what is the first act of woman suffrage in Washington? A man was elected mayor of the city of Seattle and he allowed the brothels and liquor shops and dens to run wide open in Seattle, and under the laws of the state of Washington there is a recall and the women of that state this very last month invoked the recall in Seattle, and that official was removed from office by the

votes of the women of Washington. No wonder the politician trembles when he thinks of women voting, corruption must leave the ballot box, vile men can no longer handle the government, outlaws can no longer rule when women can vote. While we have been in session here, Mr. Speaker, the Legislatures of Kansas and California have indorsed woman suffrage and submitted the amendment to the people, and it will be by them indorsed without doubt. Is Maine with her motto "I Lead" going to linger in the race of these good states that have adopted woman suffrage? Who is not for woman suffrage? Here in Maine your State and county Granges are for woman suffrage. Your great labor organizations stand for woman suffrage. Samuel Gompers says: "I am for unqualified woman suffrage as a matter of human justice." John Mitchell, ex-president of the United Mine Workers of America, says: "I'm in perfect harmony with the declaration of the American Federation of Labor, which has indorsed the demand that women be given the right to vote." What are you going to do about it? Justice Brewer a few days before his death said:

"Female suffrage will come. Not fully at once, but by varying steps. Woman's broader education, her increasing familiarity with business and public affairs, will lead to it. And why not?"

"The chief reply is the home. God forbid that it should be jeopardized. But female suffrage will not debase the home or lessen its power and influence. On the other hand, it will introduce a refining and uplifting power into our political life.

"Union in effort is the growing lesson of the times. Our first parents, guilty of a mutual sin, were, according to the allegory in Genesis, driven out of Eden, that garden which gave men all things to live with and nothing to live for. Hand in hand they went out of Eden; hand in hand they must enter the new paradise, grander and nobler than the pristine Eden, because wrought out of the thorn-growing earth by their united labors."

This is my tribute to the women of Maine. Will you do them justice? The poet Maeterlinck gave a wonderful picture, and perhaps you recall it—of the lighthouse keeper who took from the oil of his lamps and gave it to his

friends, his neighbors, and he gave to this one a little and to that one a little until the oil was all gone, and the men who borrowed the oil, wreckers along the coast, lit false lights all along the shore and the darkness came and the great ship was driven upon the rocks and the breakers because the oil was gone. Do you know, gentlemen, that we are standing in perilous times? Do you know that the old ship of state is in danger of being driven upon the breakers and rocks by the non-enforcement of law and the licensing of the vices of the nation? We have been giving away the oil. What will we have for light? We ought to have a great light in the lighthouse of this nation, the light of the women who gather in our churches today, the women who have no ballot and yet who conduct and establish and carry on the church work. If we can have the light of the women in the great societies and the women's clubs and women's societies for the benefit of our race, and they have no ballots; if we can have the light of the women of the homes, if we could have the great light that would come with woman's ballot bring the good old ship of state into the harbor of safety. This is my tribute, Mr. Speaker, to the women of the State of Maine.

"If God is in the sea and sky,  
And lives in light and rides the storm,  
Then God is God although He be  
Enshrined within a woman's form,  
And claims glad reverence of Me."

(Applause)

Mr. THOMPSON of Presque Isle: Mr. Speaker, it has not been my intention to attempt to make any speech at all at this session, much less a speech on woman suffrage, and I know that anything I can say will be very uninteresting compared with the address of our friend, the gentleman from Houlton. I do not desire to speak in favor of woman suffrage, I want to speak in favor of the gentleman from Houlton. I have observed at the present session that on every proposition which the gentleman from Houlton has seen fit to support or oppose he has been turned down, knocked down and trampled under foot. (Laughter.) And I believe if the gentleman from

Houlton was called upon to preach a sermon he would use for his text these words: "Lord, how are my adversaries increased. Many are they that rise against me." (Laughter.) As early in the session as January 17 an order was introduced by the gentleman from Waterville requiring that no resolve carrying an appropriation of money should be finally passed prior to March 1. Against this resolve the gentleman from Houlton unlimbered his heavy guns and when the battle was over the gentleman from Houlton was downed by a vote of 108 to 25. Not satisfied with that, on January 26 he tackled the proposition to abolish the office of assistant attorney general, and again he was downed by a vote of 119 to 19. At last came that fateful day, the 16th of February, when alone and unaided, deserted even by his own staunch henchmen, the gentleman from Houlton fought the resubmission resolve, and the result of that battle has passed into history, 104 to 40. The next hornets' nest the gentleman succeeded in stirring up was the matter in regard to the Aroostook registry of deeds, and when the dust had lifted and the smoke of battle had cleared away, it was found that the gentleman from Houlton had been downed to the tune of 65 to 33. The next proposition which the gentleman from Houlton saw fit to tackle was ballot reform, and he and ballot reform went down together 73 to 59. And yesterday he bobbed up serenely and opposed the bill in regard to the removal of county attorneys by the Governor and he was again turned down by a vote of 78 to 57. And now today we find him defending the cause of the mothers and wives and daughters of Maine. Now, Mr. Speaker, away up in the county of Aroostook, in that fair town which this gentleman represents, his constituents are looking to him with anxious eyes; they have seen him fall each time that he has advocated a measure and each time they have anxiously asked themselves: "Can he come back?" (Applause and laughter.) Now, gentlemen, are you going to put him down again? For Heaven's sake, is there no mercy left in your breasts? (Laughter.) I hope that the motion of the gentleman from Houlton will prevail, not because I believe in

woman suffrage or because I do not, but out of respect to a great fighter and a man who does not know when he is licked. (Laughter and applause.) I hope the motion prevails in this House; and if it must be turned down let it be turned down in the Senate where they are no respecters of persons. (Applause.)

Mr. AMES of Norridgewock: Mr. Speaker, the remarks of the last gentleman remind us that history repeats itself. It seems to me that he must have seen the way pointed out. I move the question.

Mr. GOODWIN of Biddeford: (Applause.) Mr. Speaker, I had not intended to say a word on this subject one way or the other but as I am numbered in the minority report along with my distinguished friend the gentleman from Houlton, I feel it incumbent upon me to say a few words, otherwise I fear the results when I get home. (Laughter.) This question of woman suffrage is almost as old as the hills. The question of woman's rights, out of which it grew, dates back to that memorable scene in the garden of Eden. You can follow it down throughout the ages. You can follow it down through the time of Plato down to the days of Montesque. Montesque believed in the freedom of women, but the kind of freedom the Englishmen believed in for the people of Ireland. They said, build a wall around Ireland and put all the Irish inside and give them all the freedom they want. But that is not the kind of freedom I believe in for women. I have received a large number of letters since this subject was opened up here, since the bill was introduced and before, from intelligent and earnest women of this State asking me to give my support to this measure. So far as I can remember I replied to all of those letters and told the writers in substance that I would give careful attention to the arguments pro and con and then would make up my mind and vote according as my conscience dictated. I have fulfilled that part of the request, and now I will merely say that in fulfilling my promise made since that time to vote for this bill I do so because I believe there is no reason in a democracy why any per-

son should be deprived of the right to vote except for moral or mental defects, and I am unwilling to say that the women of Maine are to be classed in that category.

There is one more word I would like to say. I mentioned the fact that I had received a good many letters from women asking me to support the measure. I received one Black Hand letter from a constituent asking me not to vote for it and saying to me that if I did my name in politics was Dennis and I was going straight to hell. (Laughter.) Now that letter did not disturb me much, for oddly enough I had just laid aside a little volume written by a Presbyterian clergyman in Massachusetts who has devoted years of his life to research and he has come to the conclusion that there is no such place as hell, that we are all bound to everlasting felicity. I trust that the motion of the gentleman from Houlton will prevail. (Applause.)

Mr. WILSON of Auburn: Mr. Speaker, now that the gentleman from Houlton has seen fit to lay aside politics and meet us on common ground, I assure him that he will have support. (Applause.) Unlike the gentleman who said that he endorsed the gentleman from Houlton, not because he believed in woman suffrage but in order to vote with the gentleman from Houlton, I wish to say that I will vote with the gentleman from Houlton from the fact that I believe in woman suffrage. I claim, gentlemen, that I can speak in an unprejudiced manner. Unlike my friend from Biddeford, I have no fear of the result when I return home. (Laughter.) Gentlemen, the influence exerted by the women in the State of Maine cannot be measured today. And, sir, I do not believe if they were accorded the right to vote, that anything or anybody would suffer; and, Mr. Speaker, I had rather be elected to the common council of the city of Auburn by the votes of the women of Auburn than to occupy the exalted position that you do at the present time. (Applause.) Gentlemen, with these few remarks and to put myself on record, I want to second the motion of the

gentleman from Houlton. (Applause.)

Mr. Berry of Fayette moved that when the vote is taken it be taken by the yeas and nays.

Mr. DAVIES: Mr. Speaker, may I inquire of the gentleman from Auburn if he is a married man? (Applause.)

Mr. WILSON: I am not, gentlemen. Mr. Speaker, it is the one thing I have to regret in life that I am not a married man. (Laughter and applause.)

The question being, shall the yeas and nays be ordered,

The motion was agreed to.

The SPEAKER: Those in favor of conferring the right of suffrage on women will say yes when their names are called; those opposed will say no. The clerk will call the roll.

YEA:—Allen of Jonesboro, Averill, Bearce, Benn, Berry, Boman, Bowker, Briggs, Brown, Burkett, Davis, Deering of Waldoboro, Descoteaux, Dresser, Drummond, Dufour, Dutton, Farnham, Files, Goodwin, Gross, Harmon, Hastings, Hedman, Hersey, Johnson, Kennard, Kingsbury, Knight, Littlefield of Wells, Macomber, Mallet, McBride, McCreedy, Mitchell, Monroe, Morse of Waterford, Mower, Newcomb, Pattangall, Pellier, Perkins of Kennebunk, Phillips, Pike, Plummer, Porter of Mapleton, Powers, Putnam, Quimby, Robinson of Larrange, Robinson of Peru, Russell, Sawyer, Scates, Shea, Skehan, Sleeper, Smith, Active I. Snow, Snow of Bucksport, Soule, Stinson, Thompson of Presque Isle, Trask, Tucker, Weston, Wheeler, Whitney, Wilcox, Wilson—70.

NAY:—Ames, Austin, Bisbee, Boeue, Campbell, Chase, Clark, Clearwater, Conners, Copeland, Cowan, Cronin, Cyr, Davies, Deering of Portland, Dow, Doyle, Emerson, Emery, Fenderson, Frank, Carache, Hartwell, Heffron, Hodgkins, Hogan, Jordan, Kelley, Kelleher, Lambert, Lawry, LeBel, Libby, Mac, Manter, Mariner, McAllister, McCurdy, Merrifield, Merrill, Miller of Hartland, Morse of Belfast, Murphy, Naves, Otis, Packard, Patten, Perkins of Mechanic Falls, Peters, Pinkham, Pollard, Porter of Pembroke, Ross, Small, Alvah Snow, Stetson, Strickland, Thompson of Skowhegan, Traffon, Trim, Trumble, Turner, Waldron, Weymouth, Williamson, Woodside—66.

ABSENT:—Allen of Columbia Falls, Anderson, Andrews, Buzzle, Colby, Couture, Dunn, Greenwood, Hodgman, Littlefield of Bluehill, McCann, Percy, Wilkins—13.

So the motion was agreed to. (Great applause and laughter.)

The resolve then received its first reading and was assigned for tomorrow morning.

On motion of Mr. Goodwin of Biddeford the rules were suspended and he introduced a resolve entitled a "Resolve to protect and maintain the peace and quiet of the House."

On motion of Mr. Williamson of Augusta the resolve was tabled for printing.

Majority and minority reports of the judiciary committee on Bill, An Act creating a single board form of representative government for cities and towns in the State of Maine.

Mr. Jordan of Portland moved the adoption of the minority report, "ought to pass."

Mr. DAVIES of Yarmouth: Mr. Speaker, I do not understand that there is anything in the resolve that is applicable to any city in the State of Maine unless the city, under the initiative of 25 per cent. of its electors, asks to have the provisions of the resolve apply to that city; and I hope that the motion will prevail.

Mr. WILLIAMSON of Augusta: Mr. Speaker, I wish to say a word in explanation of the action of the majority of the committee. It happens somewhat unfortunately that the report is divided apparently upon political lines. That fact is a mere coincidence; there is no politics whatever in this bill. This is a general bill which refers to every city in the State and every town in the State which has more than 7000 inhabitants. It allows such city or town, upon petition of 25 per cent. of its citizens, to vote upon the question of whether they will adopt this identical charter, which I understand is copied in the main, with some modifications, from the Des Moines charter. Now I do not suppose that anybody objects to a city having any kind of a city charter which the city itself desires. During the present session the city of Gardiner has come to this House and asked for a charter and it has been granted unanimously. It is somewhat different from this charter. The city of Waterville has come to this House and asked for a charter and it has been granted unanimously, and that charter differs not only from this charter but it differs in some re-

spects from that of the city of Gardiner. The idea is, that different cities have different needs. The needs of the city of Portland are not exactly those perhaps of a city in the interior; so when a city wants a charter it seems to me the best way for them to do is for the citizens of that city to get together and come to the Legislature, and the Legislature will not refuse to pass it. Under this resolve the citizens must vote on this proposed form of charter or none at all, and you are likely to get a charter which in some respects will not be applicable to a particular city in which the vote is taken.

I do not believe we should make it too easy for towns or cities to change over from their present form of government. If you do that you are apt to make their action too hasty. It is better for cities and towns when they wish to adopt charters not to do so in haste but to come here to the Legislature and let their proposition be considered. If the city of Portland wishes to have this charter I believe no one will oppose it, but before the committee there was considerable dispute about it. I will not discuss the provisions of the bill. One provision in it does not particularly appeal to me. It makes the salaries of these officials in a city the size of Portland \$18,000 a year which seems to me too much. I think it is doubtful in a city the size of Augusta, for instance, if we could save enough out of other departments to make up for the expense we should have to incur in this respect. It seems to me on the whole that it would be better to allow every city, when they want a charter, to come to the Legislature and tell us what they want and we will grant it, rather than to apply a level rule and let them take this or nothing.

Mr. DAVIES: Mr. Speaker, I do not see how any injustice can be done by the adoption of this bill. It has been said that the inhabitants of a city know better what their needs are than any one else, and in that statement I most heartily concur. But there is a way provided in this bill, which was an exact copy of the Des

Moines bill so called, that no action is to be taken unless 25 per cent. of the electors petition for it, and then no action is to be taken until the bill is submitted under the referendum and a majority of the electors vote to adopt the bill. What better expression could be desired from the citizens of any municipality as to what they want? If there is any better way I am perfectly frank to confess I never heard of it. There is no undue haste here as has been suggested. This matter has been discussed in the State of Maine for years. One purpose of the commission form of government is to make a public dollar go as far as a private dollar. It concentrates authority. If there is some difficulty in the city government, there is some person to look to to see that the difficulty is removed. It applies business methods. Instead of councilmen and aldermen for each ward there is the commission that works in conjunction with the mayor. One hundred and seventeen cities in the United States have adopted this form of government at the initiative of the electors, and that is all we ask to do here. Why cannot this Legislature say to the inhabitants of Portland, if 25 per cent. of the electors petition under the initiative for this act and it is then submitted under the referendum and 50 per cent. of the electors voting decide that they wish to apply this charter to the city of Portland, what reason have we to object? The bill includes a provision for the nomination of these officials under the direct primary. It includes a provision for the initiative and the referendum. It goes further and it provides in the bill for the recall of unworthy officials; and it seems to me that we can safely adopt those three features. If they have proved beneficial to the citizens of other municipalities, why shouldn't they be beneficial to the citizens of our municipalities? I would like to see us break away from the old method in our municipalities and let them come in under the light of experience which has been shown to us by some of the Western cities, only, however, if they ask to do so.

Mr. PATTANGALL: Mr. Speaker, as I understand it, heretofore in the State of Maine city charters have not been attempted to be made uniform, but each charter has been so arranged as to suit local conditions. Of late it has become the custom of the Legislature, and a wise custom, that when any change in a city charter has been proposed, to leave that change to the voters of the city rather than to act upon it in the first instance on the part of the Legislature. That has been our general rule for the past two or three sessions. During the last three or four years there has been more or less of an agitation through Maine to substitute for our old system of city charter the new form of city charter known as the commission form of government. Two cities, applied to the last Legislature for a charter which the people submitting it believed to be such as their voters would approve. They were submitted back to the cities to vote upon. I believe in both instances they were rejected. At this session two other cities, Waterville and Gardiner, have presented charters. The Legislature without going into the details of those charters submitted those back to the voters of Waterville and Gardiner to act upon. I do not see what else a Legislature could do. When a city comes here and asks for something for itself, that concerns nobody else, I do not see what else a Legislature could do but to permit those matters to go to the local voters. But that is not this Act. Under this Act some charitably inclined gentlemen of Portland have sought to frame a city charter for everybody. If Portland came here and said they had a charter they would like to submit to the voters of Portland I should say there was no possible argument to be made against it, but I do not know why the Portland Board of Trade, if it became interested in that sort of thing, did not propose a city charter for Portland. Now here is a proposition that there shall be enacted into the general law of your State a form of charter, and if any city wants to adopt a commission charter there is the form already made for them. Well, it would fit some of the cities perhaps but it won't fit them all. As I understand the laws of Maine, where there is a general provision of law under which you may properly act, you must avail yourselves of that general law, rather than to go to the

Legislature and ask for a special right.

It is said that this charter is a copy of the Des Moines charter. In getting up the proposed charter for Waterville it was a matter of careful thought. They did not adopt the Des Moines charter, and that charter is not synonymous with the others. The Galveston charter differs materially from the Des Moines charter. The Haverhill charter and the movement in Haverhill for government by commission was what started the movement in Maine to a great extent, but the Haverhill charter is no more like the Des Moines charter than the present charter of Portland is like the charter of Waterville. It differs materially. When Portland citizens come and say: "We will make a charter and put it in your general law and when some of you other folks think you would like one of these modern, up-to-date commission charters you take our form." I do not believe it is right. I do not know that it is necessary for us to jump at the conclusion that every city in Maine wants to change its city charter to the model of the Des Moines plan because somebody would like to change theirs. The initiative and referendum has been referred to in connection with this measure. I was in favor of the initiative and referendum when it was adopted. I was caught by a phrase, as many of us are. If this matter was to come up again I should vote to take it out of the constitution at once, for I believe that it has been of no use to Maine. When a charter is submitted to the voters of Waterville I want the people of Waterville to write that charter. Our people took two years to frame their charter and even after it was submitted they had to send amendments here and have them put in. It is a difficult thing to frame a city charter which strikes a local condition. We know more about what we can pay in salaries than the Portland Board of Trade does. Why don't you leave your law as it is so that when a city wants its charter changed it can squarely and frankly come to the Legislature and say so, and then send that charter, not somebody else's, but that charter, back to the voters of that city to vote upon? I hope the motion to substitute the minority report for the report of the majority will not prevail.

Mr. DAVIES: Mr. Speaker, I do not understand that there is any application in the bill whatever to any city unless it adopts it in the way provided for in the bill. I do not understand the law to be that no city, providing we adopt this charter as proposed under the bill, would be precluded from coming here and obtaining a special charter providing the Legislature saw fit to grant it.

Mr. MURPHY: Mr. Speaker, I have had experience in attempts to formulate new charters for Portland for the last 10 years. There are two sides to this question. Some people would like to have this charter endorsed by the Legislature, others would not. Now what is the trouble with the present method of government in Portland? They say it is extravagant and wasteful. They would have to hustle considerably to waste \$18,000 which this bill calls for. It looks to me like a new scheme to put new people into the city government. I do not doubt but what the city government could be more economically administered under this new method but I do not believe the citizens would get any better satisfaction. This charter you are discussing here is really for Portland only. They simply took this method of getting it by, knowing well enough that in Portland there might be a demonstration against it.

Mr. PATTANGALL: Mr. Speaker, I think this Legislature should hesitate before they adopt too many novel methods of government. As to the direct primaries, for instance, I have no doubt that hundreds of voters signed those petitions for a direct primary believing that they thought they believed in the principle involved. Your direct primary is being forced on you, not by the public, but by a few gentlemen who, because they are always in the minority in their own party, think that in some new-fangled way, by getting up something besides the old-fashioned way, they may be suddenly placed in the majority. That is the whole thing back of the direct primary matter in my opinion. On a par with this proposition of getting direct primary petitions is the proposition of putting the commission charter



through here for cities when no city has asked for this form of charter except Portland, and Portland did not ask for it for itself but for somebody else. It is said that other cities could ask for special charters if they desire. Then if that is true, what is this proposed law for? No two cities ever wanted the same charter yet. No two cities in Maine have ever yet asked for the same charter. An element from Portland asks to put in the general law the proposition which I do not know whether Portland wants or not but which no other city has asked for, but which in a measure applies at least to every city in Maine and which would prejudice in any city in Maine an effort on the part of anybody else to frame up anything in the way of a city charter. Now I think we have legislated pretty carefully so far this winter. The committee on the judiciary had this matter before them and I do not believe you want to substitute the minority of that committee for the judgment of the majority. I do not believe you want to change from the judgment of the majority of that committee to the prejudice of a minority of it.

The question being on the motion to substitute the minority report "ought to pass" for the majority report.

Mr. Davies moved that the yeas and nays be ordered.

The motion was lost.

A division was then had and the motion was lost by a vote of 85 to 5.

On motion of Mr. Williamson the majority report was then accepted.

On motion of Mr. Williamson the House took a recess until 2.30 o'clock this afternoon.

#### AFTERNOON SESSION.

##### Finally Passed.

Resolve in favor of the Madawaska Training school.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fisheries and for the protection of fish, game and birds.

Resolve in favor of the State School for Boys.

Resolve in favor of Fort William Henry in the town of Bristol.

Resolve providing for insurance on the Normal school buildings.

##### Passed to Be Enacted.

An Act to incorporate the Guilford Water District.

An act additional to Chapter 70 of the Revised Statutes.

An Act to amend Section 20 of Chapter 6 of the Revised Statutes, relating to polling places.

An Act relating to protection of smelts along the coast of Maine from Casco bay to Penobscot bay.

An Act to incorporate the Nigger Brook Power Company.

An Act to amend Section 62 of Chapter 15 of the Revised Statutes, as amended by Chapter 58 of the Public Laws of 1905, relating to free High schools.

An Act to amend Section 3 of Chapter 123 of the Revised Statutes, as amended by Chapter 40 of the Public Laws of 1905, Chapter 144 of the Public Laws of 1909, relating to sale of milk.

An Act to amend by adding Section 36 of Chapter 94 of the Revised Statutes, relating to the creation of ponds for cutting and harvesting of ice for the market.

An Act to amend Chapter 213 of the Private and Special Laws of 1909, relating to fishing in Belgrade stream, in Kennebec county.

An Act relating to the change of location of the tracks of street railway companies.

An Act to amend Section 2 of Chapter 22 of the Revised Statutes, as amended by Chapter 231 of the Public Laws of 1909, relating to sentence for maintaining nuisance.

An Act to legalize the acts and doings of the First Universalist Society of Orland, Maine.

An Act relating to criminal insane. An Act to authorize the Aroostook Valley Railroad Company to extend its lines from Woodland to Caribou.

An Act to amend Chapter 359 of the Private and Special Laws of the State of Maine for the year 1903, in relation to sewers for the town of York.

An Act to amend Section 4 of Chapter 15 of the Revised Statutes, as amended, relating to union of two or more towns for employment of a superintendent of schools.

An Act to amend Chapter 369 of the Private and Special Laws of 1889, entitled "An Act regulating the appointment of members of the police force of the city of Bangor."

An Act to authorize the Rumford Village Corporation to raise money for the purpose of cleaning its streets and removing garbage and other refuse matter and provide for the disposal of same.

An Act to extend the charter of the Lincolnville Water Power Company.

An Act to amend Section 1 of Chapter 93 of the Revised Statutes, relating to recording of personal property, mortgages and sales.

#### First Reading of Printed Bills.

An Act to regulate the hunting and killing of gray squirrels.

An Act to prohibit the use of gang hooks, so called, when fishing in the inland waters of this State.

An Act to provide a close time on wood ducks, so called.

An Act to change the name of Roach river to Kokadjo river, First Roach pond to Kokadjo lake, Second Roach pond to Second Kokadjo lake, Third Roach pond to Third Kokadjo lake and Fourth Roach pond to Fourth Kokadjo lake. (Tabled pending first reading on motion of Mr. Phillips of Shirley.)

An Act to regulate the sale and purchase of trout, land-locked salmon, togue, white perch and black bass.

An Act to amend an Act relating to the police court for the city of Rockland.

An Act to amend Section 1 of Chapter 244 of the Public Laws of 1909, relating to the transmission of power beyond the confines of the State.

An Act to amend Section 4, Chapter 102 of the Public Laws of 1905, relating to the Penobscot tribe of Indians.

An Act to regulate ice fishing in Androscoggin county.

An Act for the encouragement of Industrial education.

Mr. Murphy of Portland offered House amendment A, by striking out the words

"fifty thousand" in the third line of Section 8 and substituting in place thereof the words "twenty-seven thousand five hundred."

The amendment was adopted, the bill received its two readings and was assigned for tomorrow morning.

An Act to incorporate the Upper St. John Log Driving Company.

An Act to incorporate the Swans Island Water Company.

Mr. McBride of Mount Desert offered House amendment A, by adding thereto Section 13, "Said company is hereby further authorized to locate, lay and maintain its pipes and other necessary structure under and through the tide waters of Old Harbor, and under and through any and all other tide waters in said town of Swan's Island."

The amendment was adopted, the bill received its two readings and was assigned for tomorrow morning.

An Act to incorporate the Sandy River Power and Development Company. (Tabled pending second reading on motion of Mr. Scates of Westbrook.)

An Act to establish the Yorkshire municipal court.

An Act to incorporate the Island Light & Water Company.

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On motion of Mr. Pattangall of Waterville, the rules were suspended and that gentleman introduced resolve in favor of Carl C. Jones, clerk of the committee on taxation. (Referred to the committee on appropriations and financial affairs.)

On motion of Mr. Phillips of Shirley, the rules were suspended and that gentleman introduced remonstrance of C. H. Hill and others against consolidation of fish and game department with any other department. (Placed on file.)

Mr. Ames of Norridgewock, presented a similar remonstrance, and the same was placed on file.

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Resolve making an appropriation for the purpose of obtaining information in regard to the wild lands for the purpose of taxation.

This resolve was passed to be engrossed in both branches, finally

passed in the House and in the Senate indefinitely postponed.

On motion of Mr. Bearce of Eddington, the resolve was laid on the table.

An Act to amend Section 2 of Chapter 38 of the Public Laws of 1905.

This bill was passed to be engrossed in both branches, and passed to be enacted in the House, and comes from the Senate with Senate Amendment A, to the title, by adding after the figures "1905" the following: "relating to the furnishing of oleomargarine by hotel proprietors."

The votes were reconsidered whereby this bill was passed to be engrossed and whereby it received its third reading, the amendment was adopted and the bill then received its third reading and was passed to be engrossed as amended in concurrence.

An Act to amend Section 1 of Chapter 231 of the Private and Special Laws of 1909.

This bill was passed to be engrossed in both branches, and passed to be enacted in the House and comes from the Senate with Senate Amendment A to the title, by adding after the figures "1909" the words "relating to the Aroostook Mutual Fire Insurance Company."

The votes were reconsidered whereby this bill was passed to be engrossed and whereby it received its third reading, the amendment was adopted and the bill then received its third reading and was passed to be engrossed as amended in concurrence.

Specially assigned: House Bill, No 163, An Act to consolidate the fish and game departments.

Mr. Tucker of Wiscasset moved that the bill be laid upon the table and specially assigned for tomorrow morning.

Mr. PETERS: Will the gentleman yield the floor for a moment?

Mr. TUCKER: Certainly.

Mr. PETERS: I am aware, Mr. Speaker, that the matter cannot be debated, but it was assigned for this morning and again assigned for this afternoon, and I hope we will be able to clear these things as we get to

them. The session is drawing to a close and I hope the matter will be voted upon.

Mr. WILLIAMSON: This matter was assigned originally for Tuesday, and at the request of the present commissioner, claiming he was not prepared to be here, it was reassigned for today, and it seems to me it would not be unfair that it should go over until tomorrow if the gentleman from Wiscasset desires it.

Mr. PETERS: If there is any desire on the part of the gentleman I would not want to object. It occurred to me that it should be shown why it should go over.

The question being on the motion that the bill be laid upon the table and specially assigned for tomorrow morning,

The motion was lost.

Mr. Packard of Rockport moved that the bill be referred to the next Legislature.

Mr. BOMAN of Vinaihaven: Mr. Speaker, I wish to say that the matter means a good deal to my constituents. I represent about 400 fishermen and I find that there is a divided opinion in regard to the passage of the measure. In view of that fact I second the motion of the gentleman from Rockport.

Mr. PETERS of Ellsworth: Mr. Speaker, as one of the committee who signed the minority report, I desire to take the time of the House for a few moments in giving some of the reasons which actuated me in signing that report. I will try and be as brief as possible because I am aware, Mr. Speaker, that this Legislature is nearing a conclusion and that the House has no desire to listen to any long-winded dissertations on topics unless they are of vital interest. In this question of the so-called consolidation of these two departments it would be well for us, I think, to stop a moment and consider what they are briefly, and why they should be put together. The statute in Chapter 32 provides for the department of inland fisheries and game. It has become in the course of time a very important and necessary department of this State. It is required by law to exercise, in a measure, legislative, judicial and executive functions. Without reading the

statute you are all doubtless aware, gentlemen, of the provisions which make it in the power of the commissioners of inland fisheries and game to practically pass laws covering sections of the State. They have the right to close to fishing and open again ponds and rivers in the inland parts of the State. They have the supervision and control of a large number of agents, wardens so called, and their duties in seeing that the laws in regard to the fish and game are enforced are numerous and onerous. I will not waste the time of the House by describing the different things which this commission of inland fisheries and game is obliged to take cognizance of. No department of the State is of much more importance than this.

On the other hand, we have down on the coast a so-called department or commission of sea shore fisheries, established and provided for under a separate and distinct section of the statute, being Chapter 41; and under Chapter 41 the Governor, with the advice of the Council, is now authorized to appoint a commissioner who shall have general supervision over all the fisheries and their product taken in tide waters within the State, including the enforcement of all laws relating to the catching, packing, curing, manufacturing, branding and transportation of all kinds of pickled, salt and other fish, and shall make annual and detailed report of his proceedings, and so forth. This commissioner of sea and shore fisheries, gentlemen, occupies as important a place as that of the commissioner of inland fisheries and game. Under his administration or since he has been connected with the affairs of that office a business of which he is closely in touch and is obliged to be by law has wonderfully increased. The importance of our sea and shore fisheries is great. I am told that more than \$6,000,000 worth of this produce is shown by the report of the commissioner to have been taken on our coast during the year 1910. His connection with the propagation of the lobster fisheries, his connection with the matter of oysters and their planting here, his control over some 20 or more wardens, controlling and exercising and seeing that the laws are enforced along our shores

and bays, is a matter also of very much importance. And there is, Mr. Speaker, a sharp line of demarkation between the duties of the sea and shore commissioner and the duties of the inland commissioner. I understand at high water mark the line is sharply drawn. The inland commissioner comes down as far as high water mark and stops. At the present time under our present system of laws he has no jurisdiction and exercises none below high water mark. On the other hand, the commissioner of sea and shore fisheries does nothing and has no jurisdiction and practically knows nothing of the transactions of the department above high water mark; so that these two departments as a matter of fact are totally distinct and are operating in different territories and taking cognizance of different subject matters.

Now if this bill, Mr. Speaker, is actually to consolidate these two departments, as the title reads, "An Act to establish a department of fisheries and game and to consolidate existing departments," if this bill is what it says it is, An Act to consolidate these two departments, of course you can see many objections. It is not possible that any efficiency can be added to the service by putting these two dissimilar departments together. If there is business enough in one to occupy the attention of the present commissioner, nothing can be gained to his department by putting onto it or amalgamating with it the department of the inland commissioner who has supervision over the inland lakes and waters and game; and, on the other hand, the department of inland fisheries and game is occupied by its work, and the addition to it of the sea and shore fisheries department with its separate work and separate knowledge can add nothing to the efficiency of the inland department. But, as a matter of fact, I fail to see that by this bill these two departments are actually consolidated at all. The way I read and construe this bill, while it appears to be a bill for the consolidation of these two departments and does establish a so-called commission of fisheries and game, it ac-

tally leaves the line of demarkation between their duties exactly as distinct and separate as it was before. If you will take the Bill, No. 663, you will find by the first section that a commission of fisheries and game is established. It does not say how many. I assume it is to be of the following composition, one shall be known as the commissioner of game and one as the commissioner of fisheries. The land agent is made ex-officio a member of the board, and they shall have an office in the State Capitol, with suitable furniture and so forth, and that the members of said commission shall be appointed by the Governor with the advice and consent of his Executive Council, and they shall hold office during the pleasure of the Governor and Council. That is the first section. There are no duties in that first section, are there? Section 2 says that the office of commissioner of inland fisheries and game is abolished. That is plain. We understand that the office is abolished. Section 3 says that Section 34 of Chapter 32 of the Revised Statutes is repealed. What is that? Section 34 of Chapter 32 is nothing more or less than the section authorizing the Governor with the consent of the Council to appoint commissioners of inland fisheries and game. Section four of the bill says that the office of commissioner of sea and shore fisheries is abolished. That is plain. Section five provides simply that the salary shall be \$200, same as before. It provides for a salary for the clerk and for necessary expenses of the office, and that the Governor and Council may find the necessary expenses to be properly vouched. Section six says that Paragraph 20 of Section 1 of Chapter 116 and all amendments are hereby repealed. That simply relates to the matter of compensation, as I understand it. Section 7 provides that Paragraph 21 of Section 1 of Chapter 116 is repealed, and that is practically the same thing. Now we have got down to Section 8 which provides that Chapter 32 of the Revised Statutes—and that is the chapter which relates entirely to the department of

inland fisheries and game—Chapter 32 of the Revised Statutes and all acts amendatory thereof are hereby repealed by striking out the words "commissioners of inland fisheries and game" and the word "they," and by inserting in place thereof the words "commissioner of game," which is the title of the new officer, and by striking out the word "commissioners" wherever it occurs and inserting the word "commissioner" in place thereof.

In other words, by Section 8 all the powers, duties and responsibilities which by our statutes now rest upon the commissioners of inland fisheries and game are by this Act placed upon and must be assumed by the commissioner of game, so called. It simply takes the place of the old commissioners of Inland Fish and Game. Section 9 is merely a formal one. Section 10 provides that Chapter 41 of the Revised Statutes and all amendments and additions thereto are amended by striking out the words "commissioner of sea and shore fisheries" and the word "he" in certain places. Chapter 41 is nothing more or less than the chapter giving in details the powers, duties and responsibilities imposed upon and necessarily exercised by the commissioner of Sea and Shore Fisheries, so that by the proposed Bill all those powers, duties and responsibilities imposed upon and necessarily exercised by the commissioner of sea and shore fisheries, so that by the proposed Bill all those powers, duties and responsibilities are changed from the present commissioner of Sea and Shore Fisheries and simply put over on the new so called commissioner of fisheries. Section 11 provides that the rules and regulations of the commissioners of Inland Fisheries and Game which be enforced when this Act takes effect are hereby adopted. Section 12 provides that all Acts inconsistent with this Act are repealed.

So that as I understand this proposed law it does not actually consolidate these two departments excepting possibly in connection with the game, where it says that the commission of Inland Fisheries and Game is established. I find nothing given about any powers, duties or responsibilities whatever to this Commission of Fisheries and Game, so called. I find it to be an empty name and nothing more. I do find that this new officer who takes the place of the Inland Commissioner of Fisheries

and Game, I find that he is given and takes over all the powers and duties formerly exercised by the commissioners of Inland Fisheries and Game. I do not find that he has the least jurisdiction, power or control over the matters now pertaining to the office of the Sea Shore commissioner. On the other hand, I find in Section 10 a provision that the sea shore commissioner, called by the new Bill the commissioner of fisheries, simply succeeds to all the powers and duties now exercised by the commissioner of Sea and Shore Fisheries, so called, and that the line of demarkation between their duties is just as plain and distinct and easily found out now and will be under this Act as it ever was. So, where is the good to the State? And where is there any efficiency acquired. Where is there any better administration of either department acquired, unless you get a better man in the office? But regardless of anything of a personal nature of that kind, how and where by the adoption of this Act and the so called consolidation of these two departments, which leaves the line of demarkations exactly where it was before, all the powers to be exercised separately as they were before, where do you get any efficiency, any increased efficiency? And unless there is some result of that kind and some benefit to the State in the shape of increased efficiency, we have no excuse for passing this measure, as I look at it. There is one matter in which I can see perhaps some benefit. If it is true, as was claimed before the committee, that one office of Inland Fisheries and Game is unnecessary, it is abolished by this Act; and if that is so, it is well. It does not take this whole Act to abolish that one office. Yesterday we abolished the office of auditor of State printing, and I voted for that measure because I was informed by the State auditor that his office could perform the duties of that office to a large extent, and in that way the State could save money. So in this case, if the State could save money and that office could be abolished and that two less will do the business, we do not need to go through this process to accomplish this benefit which can be accomplished otherwise.

I fail to see by this act any such benefit that the State would receive by the passage of this act. The act does certainly and violently and emphatically and unquestionably legis-

late out of office two or three men. Now it is fair to these men to do it in that way? If these men are competent and have been doing a good job for the State, this should not be done. If these men or either of them are incompetent, it is not a fair way to get at them. They should have an opportunity to be heard on impeachment. Does tenure of office mean nothing? By our procedure these men entered upon a three-year term, and I say that they had a right to believe that so long as they behaved themselves in office their tenure of office would be secure. Is it a good thing to have these officials imbued with the idea that they simply hold from term to term? Wouldn't it be better to have them independent, to have a tenure of office that they know they can rely upon so long as they behave themselves? I say that this will be a bad precedent for the State. It will be something far-reaching in its effects. In voting upon this matter let us do nothing that we cannot square not only with our constituents but square with our idea of fair dealing. I leave it to you gentlemen. (Applause)

Mr. DUNN of Brewer: Mr. Speaker, I wish to say that my views coincide exactly with those of the gentleman from Ellsworth. (Applause)

Mr. CHASE of York: Mr. Speaker, I represent a district where we have but little to do with the department of inland fisheries and game but my people have something to do with the department of shore fisheries. I want to call attention to the large number of remonstrances that have come in here from the shore towns in relation to this matter against this bill. So far as I have been able to learn every one of those remonstrances came from this building and originated from the department of shore fisheries here. Therefore so far as the remonstrances are concerned I am satisfied that the commissioner of shore fisheries here is undertaking to run this Legislature in this matter. The attempt is made to create an apparent public sentiment when the sentiment does not exist. So far as the efficiency of the department is concerned, in the county of York it

is not worth a cent. The law has not been enforced there at all and we see nothing of it. In my town we have a warden who lives in sight of where I dwell but all I have known him to do was to get all the lobsters he wants and he is well supplied with them. I get that information from the fishermen themselves. I would not give one single cent for the efficiency of that department so far as it applies to the county of York.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I wish to say in regard to petitions that have been received, that the position I have taken on this matter I have taken entirely on my own responsibility simply because I believed it was right. I received one petition containing about 40 names. Every one of the signers is a fisherman; I have known them for 20 years. Bill No. 163 in my opinion is a fair one. I have heard from my constituents, and they are not willing to accept this change at the present time. I think this department should not become consolidated with the inland fisheries and game. I second the motion to refer it to the next Legislature.

The question being on the motion that House Bill 663, the new draft, be referred to the next Legislature,

Mr. Boman moved that the vote be taken by the yeas and nays.

The motion was lost.

A division was then had and the motion was agreed to by a vote of 79 to 30.

An Act relating to New Portland bridge.

The question being on the indefinite postponement of the bill,

Mr. DRESSER of South Portland said:

I am placed in a peculiar position this afternoon, my own Cumberland Center delegation for which I have a great deal of respect, being opposed to me by a large majority.

And yet I feel that I am fighting for what really belongs to me and what this Legislature should grant me and what many of these gentlemen did believe but they have a right to change their minds and they have a right to change them again and

I trust that some of them will.

On the other hand there are nearly 10,000 people who look to me as their representative and expect me to care for their interests and under all the circumstances expect that this Bill will be passed as this bridge has been condemned by the action of this Legislature, they feel that this Legislature will not adjourn without some proper action.

It seems to me that this whole House is interested in this matter. This House has sent a legislative committee to learn the facts about Portland bridge.

They have attended to it and report to you that the bridge is dangerous, in fact condemned Portland bridge. Got the people in a frenzy and now I believe it is time for this House to act.

Had we gone before a Cumberland county tribunal, we should have expected to have dealt with them. But we went before the highest tribunal of the State and expected results.

Can you gentlemen of this Legislature send us back to our constituents and ask us to tell them, that you have investigated this bridge and condemned it but they must risk it two years more because Cumberland county delegation says so, and yet the Cumberland county commissioners say they do not oppose it and they know that all we say about it is true. Are you after all this to leave us for two years with nothing done and nothing that can be done without your action.

The Senate representation from Cumberland county is about as strong in our favor as the House representation is against. This bridge matter is not all one sided, everything has been done that should be done for this House to vote us this bridge.

I leave it with you gentlemen and I trust you will do what is right.

The question being on the motion to indefinitely postponing the bill,

The motion was agreed to.

House Bill, No. 348, An Act relating to equalization of school privileges.

On motion of Mr. Jordan of Portland the report of the committee was accepted, and pending the first read-

ing of the bill it was tabled on further motion by Mr. Jordan.

An Act relating to supreme judicial court at Dover.

Mr. Williamson of Augusta moved that Report A, "ought not to pass," be accepted.

Mr. MONROE of Brownville: Mr. Speaker, I want to protest against the acceptance of this report abolishing the May term of supreme court in Piscataquis county. Until four years ago, when we had two terms of court, our docket grew heavier and more congested. The situation became intolerable to the bar, and the Bar Association appointed a committee who came to this Legislature and as a result a new term was given us, so that now we have a term the first Tuesday of September, one on the third Tuesday of January and one on the first Tuesday of May. The arrangement is eminently satisfactory to the members of the Bar Association. It relieved the congestion of our docket. We are able to take care of our matters as they come. Now it seems to me that the recommendation as to the abolishing of a term of court in any county should come properly from the Bar Association of that county who know what the interest of Piscataquis county require. I understand that Chief Justice Emery has written a letter recommending that this term be abolished, but I submit, gentlemen, that the members of the Bar Association of that county know better what is required in the way of terms of court in that county than does even the chief justice; and I mean no disrespect to the chief justice when I suggest that the justices of Maine are not paid by the number of terms of court they hold and it might be that they would recommend the abolishment of one or two terms in any county. Aside from that recommendation of the chief justice I understand there are just five persons in Piscataquis county who have suggested that this term be abolished. Those five are the only persons that I ever heard of that want that court abolished. They do not pretend to know what the business of the county requires in the way of courts.

They place the whole matter on the ground of economy. In Heaven's name gentlemen, how far must we carry this program of economy? Is there nothing sacred from this bugaboo of economy? I sincerely hope that the motion to accept the report "ought to pass" will not prevail. I have before me a copy of the Metropolitan Magazine for March which contains a short story which I will read:

A Cleveland photographer recently had a woman caller from the country.

"Be you the man who makes pictures?" she asked. He admitted that he was.

"Can you make pictures of little children?"

"Certainly.

"And what do you charge for 'em?" was the query.

"Three dollars a dozen."

"Oh, shucks!" said the woman in a disappointed tone. "Here I'll have to wait till next year, for I've only got eleven."

Won't you wait until next year before you abolish this term of court?

Mr. SHIRLEY of Phillips: Mr. Speaker, there are three reasons which appeal to me why this term of court should be abolished. The first is on the ground of expense. The second, the May term is not needed in the matter of business. The third reason is, that the court is held at a time of year which is inconvenient for jurors and witnesses to attend the court. It has been talked for a year in that county that this court was unnecessary. At a meeting of the Democratic county committee, containing three lawyers, last fall it was the unanimous verdict that this court should be abolished.

Mr. MANTER of Parkman: Mr. Speaker, this term of court was established four years ago by the young members of the Piscataquis bar thinking that they would have a better chance to try their cases. I understand that at the last Legislature a bill was presented to abolish the May term. As far as I am personally concerned I do not care whether it is abolished or not but I think there is a decided sentiment in favor of it on the part of many well informed people.



Mr. WILLIAMSON: Mr. Speaker, it came to the attention of the committee that the municipal courts in Piscataquis county had not done particularly satisfactory work and a new municipal court which is expected to take a great deal of work from the supreme court, is established by this Legislature. It seems that Piscataquis had two terms of court until 1907, and at that time there was a call for a May term, because it was said it would relieve the equity side of the court. I am informed by H. L. Smith, an attorney of Greenville, that they never have tried an equity case in this court, and that of the other cases they only tried three in May, 1908 and seven in May, 1909 and two in May 1910. That is, in those three years this court has only tried 12 cases. Now it has cost the county in one year \$1273.44, in the other years it has cost \$678.76 in one year, and \$553.30 in another year. I do not believe that the opinions of the lawyers of Piscataquis should have much weight here against what seems to be the almost unanimous desire of the citizens up there. As to two terms of court being sufficient for the county of Piscataquis, I wish to call attention to the fact that the county of Lincoln has but two terms of court. In the county of Hancock with twice the population of Piscataquis, they have at the present time but two terms. Chief Justice Emery has written a letter to the chairman of the judiciary committee in reference to this matter in which he gives as his private opinion that it would be better if this court should be abolished. The report of the committee is not a political one in any sense. It seems to me that as a matter of sound business common sense it is not advisable, against the protest of so many citizens up there, that this court should remain longer. I will say that if this May term is abolished I understand it makes the other two terms inconveniently near together. I have no doubt, if this bill passes, that suitable dates of the remaining terms will be arranged and a bill to that effect can be passed.

Mr. SHIRLEY of Phillips: Mr. Speaker, I desire to say that there is

no politics connected with this matter. Just as many Republicans in Piscataquis county favor abolishing this court as Democrats.

The question being on the motion to accept the report of the committee "ought to pass."

A division was had and the motion was agreed to by a vote of 73 to 8.

The bill then received its two readings, and on motion of Mr. Williamson the rules were suspended, the bill received its third reading and was passed to be engrossed.

An Act relating to the Belfast and Liberty Railroad Company.

Mr. Williamson of Augusta offered Amendment A, to strike out the words "China" and "Winslow" in line 13, Section 2.

The amendment was adopted and the bill was then passed to be engrossed as amended.

On motion of Mr. Pattangall, Bill, An Act relating to the Yarmouth Manufacturing Company, was taken from the table.

Mr. Pattangall offered House Amendment A, after the words "Yarmouth" and before the word "Cumberland" in Section 2 insert the word "and"; after the word "Cumberland" in Section 2 strike out the words "and Freeport" and insert in lieu thereof the words "and for manufacturing or mechanical purposes in units of not less than 10 horsepower in the town of Freeport."

The amendment was adopted and the bill was read a second time.

On motion by Mr. Pattangall the rules were suspended and the bill received its third reading and was passed to be engrossed as amended.

On motion by Mr. Kelleher of Portland, Bill, An Act to incorporate the Davis Improvement Company was taken from the table.

The bill received its two readings and was assigned for tomorrow morning.

On motion by Mr. Murphy of Portland, Bill, An Act to amend Section 115 of Chapter 15 of the Revised Statutes as amended, relating to appropriations for Normal schools, was taken from the table.

Mr. Murphy offered House Amend-

ment A, to strike out the words "eighty thousand" in the fourteenth and sixteenth lines thereof and substituting in place thereof the words "seventy-five thousand five hundred."

The amendment was adopted.

The bill received its second reading and on motion by Mr. Murphy the rules were suspended, the bill received its third reading and was passed to be engrossed as amended.

AN ACT relating to the distribution of the School Mill fund.

Mr. MURPHY of Portland: Mr. Speaker, I move the substitution of the minority report, to refer the bill to the next Legislature, for the majority report.

The so-called Milliken bill is a misleading document. On every line before the average attendance, you will observe a star or a circle which means that in that particular town the enumeration is not complete, that there are more scholars to be added to that town when they apply for their distribution. You will observe in many cases that there is no star. That means that that town has its full quota of scholars. They may receive that much money. And positively they will not receive any more. The towns that have a star or a circle will need more money because there are more scholars to be added to those particular towns. Therefore the town that does not have a star before it will receive less money. There are 275 towns that have the star before the average attendance, and 300 do not have a star. There are 275 towns that are going to get more money than this bill calls for. If anybody will look up the school record they will find that some of these towns are not figured correctly. The town of Randolph in Kennebec county is figured a thousand too much. They have figured the entire school population of the town. They have not arrived at the average attendance. Fort Kent is figured incorrectly. The town would figure out as receiving \$2000 less than is estimated here. Madawaska is in the same class. There are no High school scholars figured in this bill. There are some High school scholars in the State of Maine. The attendance in private

or parochial schools includes only those between seven and 14 years of age. Now in the public schools of Maine, in the grades one and two which means from five to six years, there are about 19,000 children. That is about one-sixth of the entire average attendance of the State. In this particular case I mean to say that the average attendance in the parochial schools between five and seven years is not computed. For instance, Lewiston has more children in the parochial schools than in the public schools.

In Portland there are nearly 50 per cent. more children in parochial schools than the school records show. Understand all the time that the cities and towns, 30 of them, not having any star in front of them, will not get any more money, but these other towns with these scholars will get more money. This bill has not been considered sufficiently well for recommendation to the committee. I believe a committee should be appointed by this Legislature and that they should take sufficient time and should sift this thing to the bottom, and when we recommend something to the Legislature we can recommend something that we can stand by. If you take this step in the dark you are surely going to have trouble some day. There are going to be some disappointed towns in the State of Maine. The proponents of this bill say that they want an equitable disposition of the money. So do all of us. The aid to free High schools is \$118,000. Most every High school gets \$500. In the city schools they get \$500. If every scholar in all parts of Maine is going to get the same number of dollars, we are with you. I say, let some competent committee settle the matter after a thorough investigation. For one, I would like to know how anyone can figure out the manner in which they arrive at \$1261 as the unit that they figure the average attendance on.

Mr. AMES of Norridgewock: Mr. Speaker, it has always been the policy of this State to educate children of the State, and for that purpose the wealth of the State is taxed. The money for the common schools is as-

sessed in a fair and just way. It is intended that it shall be used to educate every child alike as far as possible. In my town we have three terms of 11 weeks each in our common schools. Suppose I have a neighbor who is taxed on \$50,000 of property and I am taxed \$1000, and we agreed that one mill shall be applied and suppose that I have a scholar and my neighbor has a scholar. Under that plan my neighbor's child may go to the first term, 55 days. My child may do the same. The next term the same. But suppose the third term we change the plan and do it in proportion to wealth. Then my neighbor's child may go 55 days but my child will go a day and a little fraction over, because my neighbor has 50 times the wealth that I have. When we introduce the element wealth into the distribution of school money, then we depart from fairness. It has been suggested that it costs more to maintain buildings in cities than in the country. I cannot believe that. But, if so, it is also true that a large number of scholars may be handled by one teacher. Moreover the city structure is a permanent thing. Then there is the problem in the country schools of transportation. Consequently if figures show anything they show that it is at least as hard if not more difficult to educate a child in the country districts than in the city. I think that the Milliken bill, as it stands, is not an improvement upon the old per capita plan. I think there is in it a little element of doubt as to the exact amount distributed, but it does not leave any element of doubt whether the cities or the country will get the money. Now I am selfish in this. I know that my people are anxious that the per capita plan shall be retained rather than the proposed plan, but failing to get the per capita plan straight I think they would prefer the Milliken plan.

Mr. DOW of Plymouth: Mr. Speaker, this matter of the distribution of school money has been agitated a good deal in the past two years, and we never heard much in relation to that previous to the change in the method

of distribution adopted two years ago. The change in the method in the distribution two years ago has caused all this agitation. Last August the interest had increased to such an extent that the most of the members of the Legislature were given a list of questions, and one question was whether they would vote for a change in the method of distribution of the money in this State as it pertained to that part which was distributed according to valuation, and that agitation has increased to the present time. Nine thousand people have petitioned this Legislature for a change in the distribution of the school fund. The bill before the House at this time has the endorsement of eight of the 10 members of the committee on education. It seems to me, with the agitation that has been made, and with the fact that it has received the approval of the upper branch, that it should receive our favorable consideration. The change in the distribution as made two years ago gave Portland \$34,000 a year more than it would have received if the money had been distributed according to the former method. We do not object to that. We do not want any of that money back. That was an arrangement made by the members of the last Legislature. Portland has received its money and we are willing that they should have it, but what we protest against is that they should continue to have \$34,000 or \$28,000 more than they had under the other methods of distribution. Portland does not claim that she has any wild land, but she gets three and one-half times as much from the money raised on the wild lands in Piscataquis as Piscataquis gets herself. The people of Piscataquis county want to know why the children in their county should not have just as much of the money raised in their county as they should in the city of Portland. They protest against their having five times as much. Other counties have wild lands, Hancock, Oxford, and they cannot see why their scholars should not have their proportional part. Penobscot wants to know why Bangor or Brewer or Old Town or Dexter should not have just

as much at least of the money raised on property in their counties as they should in Cumberland county.

This matter has caused so much agitation it seems to me that some method of distribution should be adopted different from those that we have had. It is said that the figures on the bill here are not absolutely correct. There may be some that are not absolutely correct. I do not care about that. There is a principle involved in it. We ask that there be no discrimination. I think the gentleman from Portland will admit that if this method of distribution is adopted the educational department of the State is capable of figuring it correctly and that each town will get what belongs to it, and I do not think we need to worry about that. The question before us is what method of distribution we will agree upon so they can figure it out correctly. The gentleman from Portland favors a commission to investigate this matter and report to the next Legislature. If he wanted a commission, why didn't he have this commission appointed earlier at this session and report to this Legislature? The reason is that if the present method of distribution can prevail for the next two years it means \$28,000 more a year to Portland than if you change it. I hope that the Legislature will see fit to adopt the Milliken bill. (Applause.)

Mr. BOMAN of Vinalhaven: Mr. Speaker, I wish to be recorded in support of this bill and I hope the motion of the gentleman from Portland will not prevail. I can see no reason why this is not an equitable way to distribute the school fund.

Mr. POWERS of Caribou: Mr. Speaker, years ago when I was of school age, and up to within a few years, our schools were run under what was known as the school district system, that is, each school district had its bounds and limits, built and maintained its own schoolhouses. In many instances, in the small and sparsely settled districts, it was a burden for the people in these districts to build their schoolhouses and furthermore, the scholars in these small districts did not receive the same advantages

for education the scholars did in the larger and more wealthy districts, for at that time the school money was apportioned according to the number of scholars, with the exception that 5 per cent. of the school money might be used to help out in the small districts. Consequently the pupils in the small districts could not receive the same advantages for education as the pupils in the large and more wealthy districts.

The Legislature a few years ago, here assembled, says: "This is not right; the poor boys and girls should have the same advantages for a common school education that the more wealthy does." So the Legislature at that time abolished the school district system and inaugurated in its stead the present law, the "town system." Now the town builds and maintains all of its schoolhouses and apportions its school money, so as to give each school in town the same number of weeks of school per term or year.

I find in the school laws, Chapter 15, Section 124, where it says:

"Sec. 124. A tax of one and one-half mills on a dollar shall annually be assessed upon all the property in the State according to the valuation thereof, and shall be known as the mill tax for the support of common schools.

"Sec. 125. This tax shall be assessed and collected in the same manner as other State taxes, and be paid into the State treasury and designated as the school mill fund.

Sec. 126. This fund shall be distributed by the treasurer of State on the first day of January, annually, to the several cities, towns and plantations according to the number of scholars therein, as the same shall appear from the official return made to the State superintendent of public schools for the preceding year."

Also in Chapter 177, I find a law was passed by the last Legislature as follows:

Section 1. A tax of one and one-half mills on a dollar shall annually be assessed upon all the property in the State according to the valuation thereof and shall be known as the tax for the support of the common schools.

"Section 2. This tax shall be assessed and collected in the same manner as other State taxes and shall be paid into the State treasury and designated as the common school fund.

"Section 3. One-third of this fund shall be distributed by the treasurer of State on the first day of January, annually, to the several cities, towns and plantations according to the number of scholars therein, as the same shall appear from the official returns made to the State superintendent of public schools for the preceding year and the remaining two-thirds of said fund shall be distributed by the treasurer of State on the first day of January, annually, to the several cities, town and plantations according to the valuation thereof as the same shall be fixed by the State assessors, for the preceding year."

Now the distribution of this one and one-half mill tax, raised upon the valuation of the taxable property in the State, for the common schools of the State, we say there is something wrong.

Either the distribution of the one-third of that fund, to the different towns and plantations, according to the number of scholars therein is wrong, or the distribution of the two-thirds of the same fund, to the different towns and plantations, according to the valuation thereof, is wrong, and we are here today to decide that question.

Fellow representatives, are we here to legislate in favor of the wealthy towns and cities of our State, to the detriment of the poor towns and plantations of our State? Let us see how this thing has been working the last two years, according to the State superintendent's report of the first year of the working of this act.

The valuation of the taxable property of the State was \$428,212,460. The one mill on that amount would be \$428,212.46. The total number of scholars at that time in Maine as per State superintendents report was 219,817, if that one mill had been distributed to the different towns and plantations according to the number of scholars, each scholar would have been ap-

portioned \$2.03. Now let us see how it was apportioned among the different towns and plantations of the State. We will take a few of the small towns and plantations, and see what they get per scholar under the present law.

"Take the town of York with 667 scholars gets \$3019.94. St. Agatha with 650 scholars get \$127.57. St. Agatha with but 17 scholars less gets \$2892.37 less than York.

"Take the town of Eden with 1171 scholars gets \$1252. Presque Isle with 1606 scholars gets \$2634.01. Presque Isle has 435 more scholars than Eden, yet Eden gets \$4567.99 more school money than Presque Isle.

"Take Caribou with 1824 scholars gets \$2284.89. Eden with 1171 scholars gets \$7252. Eden with 653 scholars less than Caribou wets \$4967.11 more school money than Caribou gets."

Now see what some of the wealthy and poor towns get per scholar:

WHAT SOME OF THE WEALTHY TOWNS GET PER SCHOLAR.

Portland	gets	\$4.57
Harpswell	"	2.75
Cumberland	"	3.32
Cape Elizabeth	"	6.20
Falmouth	"	3.77
New Gloucester	"	3.99
Yarmouth	"	2.83
Eden	"	6.19
Old Orchard	"	5.80
York	"	4.53
Dover	"	2.60
Pangor	"	3.43
Rockland	"	3.50

WHAT SOME OF THE POOR TOWNS GET PER SCHOLAR.

Sebago	gets	\$1.73
Raymond	"	1.67
Gray	"	1.88
Costa	"	1.78
Deer Isle	"	.71
Industry	"	.94
Fort Kent	"	.46
Madawaska	"	.50
St. Agatha	"	.26
Mapleton	"	.71
Washburn	"	.77
Ashland	"	.94
Amity	"	.80
Perry	"	.71
Cutler	"	.52

Now let us see what some of the cities get out of the wild land tax, for which, some say, this bill was intended to reach, so that all the property in the State should help support our common schools. There are wild lands in our State valued at \$20,485,192. The tax

of one mill on the same would amount to \$20,485.19. Portland gets out of the wild land tax under the present law \$6307.07. Arrostook and Piscataquis counties combined get only \$3129.50, less than one-half what Portland gets, and yet Arrostook and Piscataquis combined, comprises nearly one-half of the wild lands of the State.

Let us illustrate how this one mill works distributed among the towns and plantations under the valuation system. We will individually take our own town that we represent, and we will say the tax collector collects in one school district \$100 for the support of the common schools and turns into the town treasury. In another district he will collect \$1000 and that goes into the town treasury, as the common school fund. Now you would not think for a moment the school district who paid \$1000 should be apportioned ten times more of that general school fund than the district that paid only \$100 for the support of schools. Yet that is exactly the workings of the present law as distributed among the towns and plantations of this State.

I do not believe any of us were sent here to legislate in favor of the wealthy at the detriment of the poor. Let us be men. Apply the Golden Rule. Do what we believe to be right. "The greatest good to the greatest number," Then we will go home with a clear conscience that we believe we have done what we believe to be right.

I do not believe in putting this off for two years. Let us contribute the money this year according to the Milliken bill. Every one knows that the distribution under the present law is unjust, and the Milliken bill is as near correct as we can get it at present. (Applause)

Mr. MURPHY: Mr. Speaker, I want it understood that we are here for a square deal. That is all we want. Every gentleman here who is against referring it to the next Legislature comes from a town which gains by the Milliken bill. Portland is entitled to just as much as the little town is. Portland did not get any money from this last year. Portland put in \$178,000 and took back \$142,000. That was

a net loss of \$36,000. We did not take anything out of the State treasury. Next year we will put in \$195,000 and the Milliken bill gives us \$110,000. That is a loss of \$85,000. There are counties in this State which get back more from this common school fund than they pay in their entire State tax. If you want to distribute it according to average attendance, let us take the High schools too and we will vote with you. There are \$118,000 and there are 12,500 pupils. Divide that the same way and we will say, distribute it, but let us have a square deal all around. The equalization bill was considered by the committee on education. The equalization bill is to take the place of the Milliken bill pending an investigation by the committee. Is it too much for us who are going to pay the most of any county towards the expense of running the schools and the State of Maine, is it unfair for us to ask for fair consideration at your hands? Give us a chance for a fair deal. This State will keep under the present method of distribution for two years.

Mr. SAWYER of Dexter: Mr. Speaker, I simply wish as a member of the education committee to put myself on record as being heartily in favor of all that has been said in favor of the Milliken bill.

Mr. ALLAN of Jonesboro: Mr. Speaker, the Milliken bill will benefit every town that I represent save one, the smallest town in that class. I wish to say that I was in favor of the Milliken bill up to the hour when the committee on education met in executive session and discussed the bill. Notwithstanding all that has been said in its favor and all the objections that have been made, and notwithstanding the hostility of the gentleman from Portland, I went into that executive session with the rest of the members full expecting to vote for the Milliken bill. Some things were brought out in that meeting that were such a source of astonishment and surprise to me that it placed me where I felt I could not support the bill and I announced my position before the committee. I have been impressed with the thought that a bill that will completely revo-

lutionize the method of the distribution of a million and a half dollars is quite a serious proposition. We must regard the State as a whole rather than how it will affect our town or our class. Under this Milliken bill the towns that are unfavorably affected are the largest cities and the very smallest and poorest towns in the State. These two extremes are the ones that are affected unfavorably by the so called Milliken bill. This bill hits these towns harder than any proposition that has been before this Legislature and I cannot vote for the proposition. This talk about the cities being assessed to help the schools in the country towns is very attractive. The mill tax proposition is not a new one. Several states in the Union have adopted it, but we did not learn in the committee that any state has carried this proposition above a mill. There are inequalities in this method of distribution. I carry no brief for Portland but I raise the question, is it a square deal to go to Portland and say, "You must take \$29,000 of your money and distribute it among the poor towns?" Why not make the cities support our roads? Is there no limit? I believe no fair-minded man can take any other ground than I am taking today. This idea of a distribution of the basis of average attendance was very attractive and I was disappointed when I felt forced to vote against it, but as a man who tries to be fair I can do no otherwise. (Applause.)

Mr. AMES: Mr. Speaker, the gentleman says he wants a square deal, yet he objects to a city which is able to pay this sum of \$38,000 paying its three mills on a dollar just the same as the poor towns. Is it anything unjust or unfair when we ask that this money shall be distributed in proportion to the number of scholars that must be educated? That is the way our taxes are assessed. When you go back on that proposition you go back on the whole system of taxation. It is right and just that a man with a thousand dollars shall pay 10 times as much as a man with a hundred dollars. It is right that the little towns having a thousand scholars shall have exactly the same money distributed to it as the city. When we

ask that we shall receive per capita the same sum in proportion that the large city gets, we are not asking anything unfair nor unreasonable. Taxes are assessed according to the wealth. We prefer that the plan should be per capita. Our next plan would be the Milliken plan on school attendance.

Mr. PATTANGALL: Mr. Speaker, I suppose our decision of this matter must be based upon some facts. It seems to me that the principle behind this measure was that in some way the wealthy places were to be taxed more for the benefit of the smaller and poorer towns. I wonder if in enacting this law we have carried out that principle. The bill is accompanied by certain figures. I see that Waterville is going to get \$1500 more a year than we are getting now. That pleases me, and there is a star against it which indicates that we may get more. The star of hope shines for us. (Laughter.) But we gain \$1500 anyway. Then we have a star. Alongside of us is Vassalboro. I notice that Vassalboro gets \$800 less under this bill. There seems to be sort of an inconsistency there. I notice that Gardiner loses \$1000. We gain it in Waterville. In Knox county Rockland gains \$2300. The town of Friendship loses under this bill \$800. In Oxford county Rumford gains \$2000. The town of Hiram loses \$400. Does this bill operate in just the way that people who want it passed think it does? In Penobscot county Glenburn, a little country town, loses about \$150. The city of Brewer gains \$3000. I would like to have gentlemen who are going to vote on the matter look the schedule over and be sure they all know what they are voting for; and as a matter of fact you will find that this bill, if it passes, will not only leave some glaring inequalities in the law but will in my opinion create some new ones.

Mr. WHEELER of South Paris: Mr. Speaker, I understand we are discussing Document No. 202, and that it is also printed as Senate Document No. 122 containing the figures. Now I believe it is to be regretted that attention has been given to Senate Document No. 122, because as a matter of fact no business man in this House, no person who is thoroughly interested in the welfare of the schools of the State wants to testify that he will vote

according to those figures. No one wants to plead guilty to throwing his vote upon this proposition on the question of how much he is to gain. Now I am situated in this way, in that respect: Two out of three towns which I have the honor to represent I believe lose under this proposition. Nevertheless I favor it, and I will state my several reasons very briefly and I will ask the indulgence of the House for only a few moments at this late hour.

I am unable to approach this matter in the attitude of a politician. My legislative experience is brief. My apprenticeship from the school of business has been longer, and I believe I have studied this thing from the attitude of the country schools where I have spent the most of my life as compared with the attitude of those who are interested in the city schools where I have had some experiences as a teacher and interested in the school department. I think this is true, that long ago the State of Maine adopted a certain policy in relation to the children of our State, and it was this, that the children throughout the entire State were for the purposes of education the wards of the State. The children of my county do not have the obligations due them from every county. The children of the city of Portland have an obligation today for me and every other citizen of my county. It is true that the countries and the nations and states that have succeeded best are those who recognize the fact that the State should educate its children, and that we may in that way secure an equalization of education and civilization. Now, how has the State of Maine approached the distribution of its money to secure this purpose?

We have been raising State money for a long time. It is not a new question, as the gentleman from Portland suggests. It is an ancient affair. For years and years we distributed the money of the State of Maine per capita. The superintendent of schools took the census of his scholars and each town received so much per head, and as you and I know the chief defect in that system was this: We often found people who were out of school, 18, 19 and 20 years of age who might be married and maintaining separate homes and not attending school at all, and those people were counted in in your census and the cities and towns

received so much per head upon people who were not in school and for whom the cities and towns were incurring no expense. Then the State of Maine said that that policy was not right and rejected it and they adopted a new policy which was to distribute this money more in the line of valuation, and I believe the agitation which this matter has received makes us assume that this system is not satisfactory that is now in vogue. I cannot see any relation between the valuation of my town and the valuation of any city. There is no relation between that valuation and the number of scholars that are actually being schooled in that town or city. And so we come to the third proposition which the gentleman on my left suggests as a compromise, but which to my mind ever since this matter was brought to my attention several years ago has been a compromise and the only right course to follow. School people have been discussing this matter for many years. I believe we cannot disagree upon this fact. There are a certain number of children in the schools in the State of Maine and it is upon those children alone that we are expending our money. Now, why should we distribute that money to the various towns and cities according to the number of houses in your town or according to the number of dollars of your valuation or according to the number of people who are under the age of 21 years and over the age of five or six years? Why should you distribute it in that way? Why shouldn't you distribute the State money solely upon the proposition that this town that has a thousand scholars in school shall receive twice as much money as the town that has only 500 scholars in school? It is a pure case in mathematics. If you are erecting a thousand buildings you ought to have twice as much money as though you were erecting only 500 buildings.

Now the gentleman from Portland, if he were present would admit that I was one of the first people who suggested to him at the beginning of the session that it was only fair towards the cities with the population that their parochial schools should be



counted in this same distribution. I think it is only right and fair and proper that the population of these parochial schools should be counted; it is right and fair and proper that the High schools should also be counted. I wish the gentleman from Portland were present because I would like to object to his suggestion that these stars and other marks before these figures indicate possibly a gambling proposition. Those are placed there, as we all understand, because the figures could not be obtained. I believe it will appeal to every gentleman in this House that if you follow those figures through you will see that the towns that lose under this Milliken bill are the very towns that have a very low percentage of attendance. That is an indirect argument for this bill. For the country town or city they are on the same footing precisely. The country town or the city that fails to keep its children in school and falls down to 46 per cent. is not doing its duty to these children. It is not expending wisely the money that the State treasury has given to it to expend. It is the obligation of every school system in this State to keep your children in school and have a percentage of better than 46 for attendance, average attendance. Here is a direct inducement for the teachers and the superintendents and the parents where the obligation belongs to keep your children in school and then get from the State of Maine this per capita for your school population. The same thing applies to the town of Hiram in my county. I have examined these figures for the county of Oxford, and the town of Hiram boasts of an average attendance of only 44 per cent., and I must say that I am ashamed of it; it ought to be higher, and it will be higher if you pass this bill.

And so I believe we ought not to approach this thing upon the score of the little town that is being abused and the big city that is being ill-treated. There is an equalization fund which some gentlemen must have overlooked which, if it means anything, means that it can be put into full force and effect and administered properly under the Milliken bill as well as it can under any other pro-

position. And so I say if the Milliken bill seems, upon the face of these figures for 1910 to work any hardship, that the equalization bill can be brought into force to adjust the matter, and so because I believe this thing to be right I advocate it.

I am sorry I have not had the time to investigate it more thoroughly and present this thing properly, but I believe that it is a simple proposition, and that we should count noses, and if we have a certain number of children in school we should pay the towns a per capita for those in school and not for the ones who stay at home, and for the ones who play truant, and not for every one who is working in a mill and not costing the town anything; and I claim we should not pay to the towns because they happen to be rich for its scholars. It is a fact that a rich town and a rich city is likely to be so unfortunate as to have a small school population. There is absolutely no connection in my mind in the distribution of this school money according to the number of houses' or according to the number of dollars or according to the number of voters in any town or city. Let us do the fair thing by our children. It is not a question of any particular city or town or any political party or anything else. Here is a chance to do the square thing by the growing children of the State of Maine. Let us, for Heaven's sake, pass a law that will give to this child just what belongs to him and not make a present to somebody else to whom it does not belong and who has not earned it and who does not deserve it. (Applause.)

Mr. BOMAN of Vinalhaven: Mr. Speaker, I just wish to take a moment of the time of the House to say to the gentlemen of the House that the figures in this book cannot be relied upon. Attention has been called to the town of Friendship in my own county, which has the lowest percentage of average attendance, 19 scholars. They get \$1250 from the State, which is about \$65 per scholar. Why shouldn't they cut down if they are getting too much?

Mr. Dow of Plymouth moved that when the vote is taken it be taken by the yeas and nays.

The motion was agreed to.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Murphy, that the minority report be substituted for that of the majority. Those voting yes will vote in favor of the motion, which means referring the bill to the next Legislature; those voting no will practically be voting in favor of the passage of the bill. The clerk will call the roll.

YEA:—Allen of Jonesboro, Averill, Benn, Bogue, Chase, Clark, Conners, Copeland, Davies, Deering of Portland, Deering of Waldoboro, Descoteaux, Drummond, Farnham, Files, Frank, Goodwin, Hartwell, Hastings, Heffron, Hodgkins, Hodgman, Hogan, Johnson, Jordan, Kelleher, LeBel, Libby, Littlefield of Wells, Mace, Macomber, Mallet, Marriener, McAllister, McBride, McCurdy, Merrifield, Merrill, Mower, Murphy, Noyes, Pattangall, Perkins of Kennebunk, Peters, Pinkham, Putnam, Quimby, Ross, Scates, Shea, Skehan, Sleeper, Small, Active I. Snow, Alvah Snow, Soule, Stetson, Thompson of Skowhegan, Trafton, Trim, Tucker, Waldron, Weymouth, Wilkins, Williamson, Wilson—67.

NAY:—Ames, Andrews, Bearce, Bisbee, Boman, Bowker, Briggs, Brown, Burkett, Buzzell, Campbell, Clearwater, Colby, Cowan, Cyr, Davis, Dow, Doyle, Dresser, Dufour, Dutton, Emerson, Gross, Harmon, Hedman, Hersey, Kelley, Kennard, Kingsley, Knight, Lambert, Littlefield of

Bluehill, Manter, McCreedy, Miller of Hartland, Monroe, Morse of Belfast, Morse of Waterford, Otis, Packard, Perkins of Mechanic Falls, Pike, Plummer, Pollard, Porter of Mapleton, Porter of Pembroke, Powers, Robinson of Lagrange, Robinson of Peru, Russell, Sawyer, Snow of Bucksport, Stinson, Thompson of Presque Isle, Trask, Turner, Weston, Wheeler, Wilcox, Woodside—60.

ABSENT:—Allen of Columbia Falls, Anderson, Austin, Berry, Couture, Cronin, Dunn, Emery, Fenderson, Gamache, Greenwood, Lawry, McCann, Mitchell, Newcomb, Patten, Pelletier, Strickland, Trimble, Whitney—20.

Paired: Percy, yes; Phillips, no.

So the motion prevailed and the minority report was substituted for that of the majority.

Mr. Murphy of Portland moved that Senate Bill, No. 122, printed by mistake, be referred to the next Legislature.

The motion was agreed to. \*

Mr. Murphy moved that Senate Bill, No. 202, An Act relating to distribution of the school mill fund be referred to the next Legislature.

The motion was agreed to.

Mr. Murphy moved to take from the table House Resolve in favor of State Normal school at Gorham.

On motion of Mr. Mallett of Freeport, Adjourned.