

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

dent, I move to lay the motion of the senator on the table.

The motion was agreed to.

On motion by Mr. Boynton of Lincoln, Adjourned until 9 o'clock tomorrow morning.

HOUSE.

Monday, March 27, 1911.

Prayer by Rev. Mr. Livingston of Hallowell.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to abolish the office of the recorder of the Western Hancock municipal court.

Resolve in favor of the official reporter of the Senate.

Resolve in favor of Hortense K. Hopkins.

Resolve in favor of joint standing committee on ways and bridges.

Resolve in favor of the Maine School for Feeble Minded.

Resolve in favor of Charles W. Hurley.

Resolve in favor of the clerk and stenographer to the committee on apportionments.

Resolve in favor of the stenographers to the recording officers of the Senate and House.

Resolve in favor of Charles W. Hurley.

Resolve in favor of Edward W. Wheeler.

An Act to amend Chapter 88 of the Public Laws of 1907, as amended by Chapter 138 of the Public Laws of 1909, relating to compiling and teaching of local history and local geography in public schools.

An Act, in relation to the distribution of the common school fund, came from the Senate, that branch having non-concurred with the action of the House and appointing a committee of conference.

The House concurred in the appointment of a committee of conference and the Speaker appointed as such committee on the part of the House, Messrs. Murphy of Portland, Wilson of

Auburn and Drummond of Winslow.

An Act relating to insurance on public buildings and other State property.

On motion of Mr. Clark of Portland, the rules were suspended, the bill received its three several readings and was passed to be engrossed in concurrence.

An Act to require street railroads to file profiles of their locations.

An Act to repeal Chapter 31 of the Public Laws of 1909, relating to the prevention of tuberculosis among cattle.

An Act to provide for the payment of pensions granted by special resolves of the Legislature.

An Act to amend Chapter 15 of the Public Laws of 1907, as amended by Chapter 34 of the Public Laws of 1909, relating to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

An Act authorizing the secretary of State to prepare and publish a list of corporations delinquent in payment of their franchise taxes.

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.

Bill relating to contracts for building highways, came 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 regulate the practice of embalming and transportation of bodies and persons who have died of infectious diseases, came 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 roads in Indian Township, came from the Senate, amended by Senate Amendment A.

The House reconsidered the vote whereby this resolve was passed to be

engrossed, Senate Amendment A was adopted, and the resolve was then passed to be engrossed as amended in concurrence.

Passed to be Enacted.

An Act for the better protection of the lobster fisheries.

An Act to amend Section 6 of Chapter 128, relating to malicious mischief and trespasses on property.

An Act granting additional powers and privileges to the Peaks Island Corporation.

An Act to extend the charter of the Weld Water Company.

An Act to extend the charter of the Hiram Water, Light and Power Company.

An Act to amend Chapter 9 of the Revised Statutes, relative to the property of public municipal corporations, situated outside their corporate limit.

An Act to amend Section 1 of Chapter 231 of the Private and Special Laws of 1909, relating to the Aroostook Mutual Fire Insurance Company.

An Act to amend Section 2 of Chapter 2 of Chapter 38 of the Public Laws of 1905, relating to the furnishing of oleomargarine by hotel proprietors.

An Act additional to Chapter 144 of the Revised Statutes, relating to the reception by the Insane hospitals of persons desiring to submit themselves for treatment.

An Act to amend Section 58 of Chapter 15 of the Revised Statutes, relating to free High schools.

An Act to incorporate the Clinton Water Company.

An Act to amend Section 42 of Chapter 8 of the Revised Statutes, as amended by Chapter 167 of the Public Laws of 1907, and as further amended by Chapter 152 of the Public Laws of 1909, relating to taxation of express companies.

An Act authorizing the construction of a wharf in the tide waters of Casco bay, in the town of Cumberland.

An Act to amend Chapter 15 of the Revised Statutes as amended, by Chapter 238 of the Public Laws of 1909, relating to truant officers.

An Act to amend Chapter 4 of the Revised Statutes in relation to the erection of wharves and fish weirs.

An Act to amend An Act approved March 15, 1911, entitled "An Act to prevent the throwing of refuse or mill waste into Baskahegan stream."

An Act relative to condemnation proceedings of land for public purposes.

An Act to incorporate the Eastern Penobscot Water Company.

An Act to amend Section 37 of Chapter 15 of the Revised Statutes relating to the school census returns.

An Act with reference to the Gardiner municipal court.

An Act to repeal Chapter 276 of the Private and Special Laws of 1907, entitled "An Act for the better protection of shell fish in the town of Yarmouth, in the county of Cumberland."

An Act to amend Chapter 257 of the Public Laws of 1909, relating to the employment of minors in manufacturing or mechanical establishments.

An Act to incorporate the Bayville Village Corporation.

An Act to regulate the taking of beaver.

An Act relative to the Bangor and Brewer bridge.

An Act to amend and unify the laws regulating the sale of agricultural seeds, commercial feeding stuffs, commercial fertilizers, drugs, foods, fungicides and insecticides.

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

An Act to repeal so much of Sections 1 and 2 of Chapter 157 of the Public Laws of 1907 as requires and authorizes the holding of the term of the supreme judicial court at Dover in the county of Piscataquis on the first Tuesday of May in each year.

An Act relating to the State paper.

An Act to extend the charter of the North Parsonsfield Water Company.

Finally Passed.

Resolve in favor of Rose J. Bubier of Lewiston.

Resolve in favor of the Maine State Sanatorium Association.

Resolve in favor of Edward Fahey of Lewiston.

Resolve in favor of George H. Wilbur and son, contractors, of Old Town, Maine.

Resolve in favor of the towns of Solon and Embden, in Somerset county.

From the Senate.

An Act to more fully provide for the registration of motor vehicles, and the licensing of persons operating the same, regulating the speed, prescribing the amount of license and registration fees, and making a penalty for the violation of certain provisions of this act.

The bill was recommitted in both branches. The committee has again reported and the bill, in new draft, reporting "ought to pass," is sent down for concurrence.

On motion of Mr. Deering of Portland, the majority report of the committee was accepted in concurrence.

An Act to regulate the number, also the number of pounds of land-locked salmon, togue and white perch, which may be taken in one day by one person during open season.

In the Senate the bill in new draft was substituted for the report of the committee.

On motion of Mr. Wilson of Auburn, the bill was tabled for printing of the new draft.

Resolve in favor of the Western Maine Conference Seminary at Bucksport, with statement of facts.

The report of the committee upon this matter was "ought not to pass." The House accepted the report of the committee. The Senate voted to substitute the new draft for the report.

On motion of Mr. Murphy of Portland, the bill was tabled and especially assigned for tomorrow afternoon.

An Act to provide for the erection of Portland bridge came from the Senate, amended by Senate amendment A.

Mr. Scates of Westbrook, moved that the House insist on its action and called for a committee of conference.

The motion was agreed to.

The Chair appointed as such committee Messrs. Scates of Westbrook, Waldron of Portland and Hastings of Auburn.

Mr. DRESSER of South Portland, Mr. Speaker,

We regret to again come before this House on account of Portland bridge, but on account of the position the county commissioners are placed in we feel that something must be done with

this bridge condemned, and the county commissioners have no right to control the travel over it, and with no authority to do anything but repair.

We have amended the bill which was before you a few days ago by giving the county commissioners power to control or stop the travel over this bridge.

We have limited the county liability to \$400,000, and attached the referendum giving the county of Cumberland the right to vote on this question. We have presented the same in the Senate, and it received a passage.

We are asking you now to let the county of Cumberland vote on the building of this bridge.

We have not intended to ask you for anything unfair or unjust, and if we have done so in the past it was wholly unintentional, and I hope you will grant us an unconditional pardon.

Now, Mr. Speaker, several weeks ago, after receiving lots of petitions, we thought we would go at this matter in a fair, honorable and proper way. And we asked this Legislature to appoint a legislative committee to examine and find out in regard to the condition of this bridge, and this House voted to do so. There was a committee appointed and that committee attended to their business and reported by bill, and also made a statement of facts, which statement has been printed. In that statement of facts this bridge was condemned. The county commissioners did not have any right, as I understand the matter, to control the travel over that bridge. Before this bill was presented the county commissioners who had, it seems to me, something to say in regard to the matter of this bridge, were consulted in regard to the matter. I think it is safe to say that they were satisfied, and the mayor and city solicitor were satisfied. The bill was presented and framed. The statement of facts was presented and I think it was printed. We did not want to come here, but under all the conditions we felt we were obliged to come. This bridge was condemned, and the people who had to cross it were uneasy and they wanted something to be done about it and they asked to have something done. The commissioners felt that something should be done, and it certainly should be. Now, then, gentlemen,

we have done what we thought was right. We have done what we thought we were justified in doing, and we do not want to do any differently. I shall certainly feel, if you vote against this matter, that this is the last privilege we have. We ask simply that you let the people of Cumberland vote upon this question. As it has been stated here, this is a Cumberland county matter, and we ask that the people of Cumberland county be allowed the right and be allowed the privilege to vote upon this question. It don't seem to me that there is anything wrong about that proposition. Unless we get a chance to let the people of Cumberland county vote upon this matter I shall feel just as though I had done something wrong. I say, let the people of Cumberland county vote upon this matter and see whether they want this bridge or not. That is the main thing we ask and I hope you will vote to authorize the county commissioners to do what they should have authority to do, in controlling the travel over that bridge and putting up notices to keep the travelers in a certain way, and that will clear the county of some liability. Now, gentlemen, I am going to leave this matter with you and I feel that you should give us a chance to vote on the matter. I move, Mr. Speaker, that the House reconsider the vote whereby we insisted and asked for a committee of conference.

Mr. DAVIES of Yarmouth: Mr. Speaker, I rise to a parliamentary inquiry. I understand that this bill, providing for the erection of Portland bridge, was in the House indefinitely postponed. I understand that it went to the Senate and was there amended, and comes back here for some action of the House. May I ask the Chair if I am correct this far?

The SPEAKER: That is the correct standing of the bill.

Mr. DAVIES: And may I inquire from the Chair if the pending question at the time the bill comes back here amended would not be on the matter of the amendment at this time?

The SPEAKER: The amendment should have been acted upon in the House.

Mr. DAVIES: I understand the motion of the gentleman from Westbrook to be that the House insist on its ac-

tion and call for a committee of conference. I was of the impression that the pending question at that time should be upon the amendment adopted by the Senate. Am I right about that?

The SPEAKER: The point of order was not raised. The amendment should have been first disposed of.

Mr. SCATES: Mr. Speaker, as I understand the parliamentary situation it would be this, that when the other body takes different action than the House, the House can still insist upon its original action and ask for a committee of conference.

The SPEAKER: The action of the House was to postpone the bill. It then went into the Senate and comes back here a different bill than what was acted upon by this House. It comes back amended. Then the question comes as to whether or not we should concur in that amendment, and then, if we should decide to concur with the Senate, the next motion would be to pass the bill as amended. If we did not concur with the Senate in the amendment then we insist upon the bill, insist upon the action of the House in indefinitely postponing the bill, and asking for a committee of conference.

In order that the matter may be before the House so that there will be no misunderstanding in regard to it and in order that the rights of all parties may be preserved, perhaps the gentleman from Westbrook, Mr. Scates, will withdraw his motion.

Mr. SCATES: Mr. Speaker, I simply wish to say that the motion to concur takes precedence of a motion to insist, and if anybody makes the motion to concur it would take precedence over the motion to insist. No one has made that motion, and I still maintain that my position was correct.

The SPEAKER: No motion was made in regard to the amendment. The question was on the motion of the gentleman to insist upon the action of the House. The amendment as it came in here should have been acted upon and disposed of one way or the other by this House, but the point was not raised.

Mr. DAVIES: Mr. Speaker, I would like to be heard for just a moment upon that matter. I thought the proced-

ure in the House in the past had been that when a bill was reported from the Senate that the Chair announced to the House that the bill came back from the Senate amended by Senate Amendment A, if I may designate such amendment by that letter, and the matter then came before the House. I think the Chair will remember that the House has not been in possession of the fact that the bill was amended, until this time. Just as soon as the title of the bill was called, if my memory serves me correctly, and you will believe me, Mr. Speaker, I desire to be perfectly fair in the matter—just as soon as the title of the bill was called, the gentleman from Westbrook, Mr. Scates moved that the House insist. There has been no announcement up to the present time, as far as I remember, to the House that the bill was amended in the Senate. Under those circumstances I do not see how a motion from the House to concur could be possibly made.

The SPEAKER: The Chair wants the matter placed so that the rights of all may be fairly considered. I shall rule that the motion of the gentleman from South Portland, Mr. Dresser, is in order for action by the House, to reconsider the vote whereby we voted to insist and appoint a committee of conference. That will leave the question fairly before the House where everybody can vote, and the matter is still open. The question now before the House is on the motion of the gentleman from South Portland, Mr. Dresser, who moves to reconsider the motion that we took a few moments ago in insisting upon the action of the House and calling for a committee of conference. As many as are in favor of the motion of the gentleman from South Portland will say aye, opposed no.

The motion was agreed to.

The pending question then being on the adoption of the amendment offered by the Senate.

Mr. SCATES: Mr. Speaker, before that motion is put to the House I think I can say that there are two amendments to the bill. One of them calls for a referendum. That is perfectly

right. We have no objections to that whatever, but there is a joker in that bill. It says in the bill that the county of Cumberland shall be called upon for only \$400,000. And, Mr. Speaker, the bill goes on and tells what kind of a bridge they shall build, that it shall be 70 feet in width. The county commissioners tells me that the bridge will be half a mile long. The county commissioners tell me that the bridge piers in the middle of that bridge will be 60 feet above tide water. Furthermore, I am informed that the bridge would be made of steel and concrete, and still the county of Cumberland should only be called upon for \$400,000! Who is going to furnish the rest of it? They will get \$400,000 into that bridge and then they will come back to this Legislature in two years from now and want a million more, because you know that no bridge over tide waters with a bottom the consistency of which no man knows, a bridge half a mile long built of concrete and steel with a roadway 70 feet in width, cannot be built for anything like \$400,000 or a million dollars. We have at the present time a bridge in Portland half as long as that and no where near as wide, with piers only 12 or 15 feet high, and that bridge cost over \$400,000. They provide how the bridge shall be built and what kind of a bridge it shall be, and then they say that the county of Cumberland shall be only involved to the extent of \$400,000. Mr. Speaker and gentlemen, you might just as well go down here to the Augusta House and have this Legislature pass a resolve that you could board there for \$3.50 a week.

Mr. Speaker, this is a big proposition, and it involves one million or a million and a half of dollars and we cannot get away from it. It should be considered as a big proposition should be considered. There should be plans made. There should be arrangements made with the different railroads. The railroads may have to build part of it, and plans should be made and it should be taken up with the railroads and talked over in this manner, so that the people may know what it is going to cost before this Legislature commits the county of Cumberland to a proposition the

price of which no one in this House, no one connected with the bridge, knows, as far as I can learn. They say the bridge is unsafe. Do the county commissioners say that? That bridge today is under the jurisdiction and under the control of the county commissioners. Do the county commissioners of the county of Cumberland come here to this Legislature and ask that this bridge be built? No. The people who are interested in this matter more than any one else are the Portland Railroad Company. They have a right to go over that bridge. Do you suppose the Portland Railroad Company thought that it was unsafe? Now, we ask you simply to use us the same as we have used you.

Mr. DRESSER: Mr. Speaker, my brother, Mr. Scates, is a good deal worried about the railroads. This bill was not drawn particularly for the railroad companies. We were trying to act and look out for the county of Cumberland. My brother is trying to look out for the railroads. The railroads will look out for themselves, there is no doubt about that. We submitted this matter to the city before it was presented here, and they knew all about it and they were satisfied with it. We submitted the plans to the city and they were satisfied. I know of no reason why we should submit them to the different railroad companies. It is a bridge half a mile long. More than half of it is not over the water, it is over railroad tracks. There is no great expense, as there would be if we had a soft bottom, but it is a hard bottom. It has been tested and it has been so reported. The steam railroads have brought about this situation of affairs. I think they are willing to remedy that state of affairs. They claimed they are, and if they remedy it they will have to build us a bridge. We are asking for a bridge and we have fought for that bridge all the time. We expect the opposition from the railroad companies, especially the Portland Railroad Company. We are simply asking that the county of Cumberland be allowed to vote upon this question. The county of Cumberland I think is capable of voting upon this question. We have stat-

ed that the county of Cumberland would not be involved to any greater amount than \$400,000. We do not go above that.

We have been told, Mr. Speaker, that we must get plans and specifications. We have tried to make arrangements to that effect, but we want to go a little further. The county of Cumberland would not know what they were paying for unless there was something more than plans and specifications for this bridge. They would want to know what the railroad companies were going to do about it. There are three railroad companies interested here and we want to know what they would do. We say in our bill that if any satisfactory arrangements cannot be made between our county commissioners and these three railroad companies within such a time, that it shall be left to three judges of the supreme court as a referendum. We have provided that these three judges should hear the evidence and should then decide. I don't know how anything could be any fairer than that. I suppose that is a fair tribunal. We always called it so. If there is anything fairer than that we will listen to it. Now, gentlemen, I hope you will allow the people of the county of Cumberland to say what they will do in regard to this bridge. That is all we want.

Mr. WALDRON of Portland: Mr. Speaker, the gentleman calls for a bridge in his bill 70 feet in width. I would like to ask the gentleman of South Portland if his streets, which are about 30 or 40 feet wide, I would like to ask this question through the Chair. Who pays for the condemnation of that property?

Mr. DRESSER: I will answer your question by saying that the trees will be taken out and the streets will be widened, and we will take care of that in South Portland. At the present time the railroad company takes up the most of the street.

Mr. WALDRON: And will you widen the street by taking the trees out?

Mr. DRESSER: We will make our streets to compare with the bridge. The houses nearly all of them set back from the street. The street will be widened on each side.

Mr. WALDRON: I am informed that the county commissioners will be ask-

ed to pay for all condemnation of property, they cannot get rid of it.

Mr. DRESSER: I will say, Mr. Speaker, that the county of Cumberland is not asked to pay anything for South Portland in this matter. It is the bridge we are talking about, and not the highways of South Portland.

Mr. MURPHY of Portland: Mr. Speaker, I would like the opportunity of asking a question of the gentleman from South Portland. What is the name of the street between the school-house and the bridge, in South Portland?

Mr. DRESSER: Ocean street.

Mr. MURPHY: Is that a county street, a county road, or what is it?

Mr. DRESSER: I think not.

Mr. MURPHY: Are you sure?

Mr. DRESSER: I am.

Mr. MURPHY: You are sure it is not a county road?

Mr. DRESSER: I am sure; South Portland has always maintained it.

Mr. MURPHY: Mr. Speaker and gentlemen, we want to build a bridge. We want to build a bridge some day, and when we do build that bridge we want to build it right. As I understand it, Portland is interested in this bridge many times more than South Portland is. It seems to be a fact that the bridge is to be 70 feet in width, while the street is only 30 or 35 feet in width. Somebody is going to get into trouble. We have built a court house within a few years, and it was started in upon the same way. It was understood that it would cost three or four hundred thousand dollars, and it cost a million. Now, if we build a bridge we want to commence right. I want to say as a citizen of Portland and as a taxpayer of Portland that we protest against the building of any bridge, unless they commence right.

Mr. DAVIES: Mr. Speaker, I hope the House will bear with me for a moment longer. I only want to say this, that if there is any joker in the bill, as the gentleman from Westbrook has said, I for one wish to disclaim any knowledge of it, and I feel very sure that the other members of the committee who had the investigation of the bridge in charge, are of the

same opinion. If there is anything about this matter such as he suggests, I think that he is in duty bound to tell the House all about it. I want to know about it myself as well as any other member of this House. I desire to say, Mr. Speaker, that before the motion is put, I would like to have the amendment read, if it is not too long and if the Chair thinks it will not take too much time.

The Speaker read the amendment.

The question being, shall the House concur with the Senate in the adoption of Senate Amendment A, a division was had and the motion was lost by a vote of 33 to 49.

Mr. Scates then moved that the House adhere.

The motion was agreed to.

On motion of Mr. Kelleher of Portland, the House voted to take a recess until 7.30 in the evening.

EVENING SESSION.

The Speaker laid before the House, bill relating to term of supreme judicial court in Piscataquis county.

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

Reports of Committees.

Mr. Mallett from the committee on appropriations and financial affairs, reported ought not to pass on resolve in favor of the postmaster of the House of Representatives.

Mr. Hastings from same committee reported ought to pass on resolve in favor of J. P. Tucker, secretary to the committee on School for Feeble Minded.

First Reading of Printed Resolves.

Resolve in favor of C. M. Weston of Patten.

(The following were passed to be engrossed under suspension of the rules.)

Resolve in favor of the official reporter of the House.

Resolve in favor of the clerk to the committee on banks and banking.

Resolve in favor of Wilbur F. Dresser, chairman of the joint special committee on Portland bridge.

Resolve in favor of William G. Hodgkins, secretary of insane hospitals committee.

Resolve in favor of the clerk, sten-

ographer and messenger to the legal affairs committee. (Tabled pending first reading on motion of Mr. Cyr of Fort Kent.)

Resolve in favor of R. H. McCready.

First Reading of Printed Bills.

An Act to more fully provide for the registration of motor vehicles, licensing persons operating the same, regulating speed, and prescribing the amount of license and registration fees, and making penalties for the violation of the provisions of this Act.

An Act relating to the taxation of steam railroads.

(Amendment A adopted and the bill read the third time and passed to be engrossed on motion of Mr. Hastings of Auburn.)

An Act to correct and protect helpless, neglected and offending children.

An Act to incorporate the Rumford and Mexico Water District.

(Amendment A adopted and amendment tabled on motion of Mr. Trafton of Fort Fairfield.)

An Act to grant H. L. Gooch the right to maintain a dam on the East Machias river. (Passed to be engrossed on motion of Mr. Bogue of Machias.)

Passed to Be Engrossed.

An Act to amend Chapter 2, Section 39, of the Revised Statutes, relating to officers before whom oaths required by the Constitution to qualify civil officers may be taken and prescribed.

An Act to amend Chapter 133 of the Private and Special Laws of 1909 in regard to the use of automobiles on the island of Mt. Desert.

On motion of Mr. Williamson of Augusta, bill relating to the consolidation of the work of the State Survey Commission and the State Water Storage Commission, was recalled from the Governor, and on further motion by Mr. Williamson the votes were reconsidered by which the bill was passed to be enacted and passed to be engrossed, and on further motion by the same gentleman the bill was laid on the table.

Bill to provide for the State certification of all teachers of public schools, came from the Senate indefinitely postponed.

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

The Speaker appointed on the part of the House, Messrs. Allen of Jonesboro, Murphy of Portland and Thompson of Presque Isle.

On motion of Mr. Williamson of Augusta, Amendment A to House Resolve No. 31 relating to municipal indebtedness, was taken from the table and assigned for tomorrow morning.

On motion of Mr. Pattangall of Waterville, resolve in favor of Mattawamkeag bridge, was taken from the table.

The resolve received its second reading and was passed to be engrossed.

On motion of Mr. Pattangall, the report of the committee on insane hospitals, was taken from the table, and on further motion by the same gentleman the report of the committee was accepted.

On motion of Mr. Hastings of Auburn, resolve laying a tax on the counties of the State for the years 1911 and 1912, was taken from the table.

The resolve then received its two readings and was passed to be engrossed on motion of Mr. Hastings.

On motion of Mr. Phillips of Shirley, Bill, An Act changing the name of Roach river, was taken from the table. Mr. Phillips moved that the bill be indefinitely postponed.

On motion of Mr. Hersey of Houlton the bill was tabled.

On motion of Mr. Trafton of Fort Fairfield, bill relating to the relief of poor debtors, was taken from the table, and on further motion by Mr. Trafton the bill was indefinitely postponed, Mr. Trafton stating that a bill of a similar nature had already been passed to be enacted.

On motion of Mr. Murphy of Portland, bill relating to merger of electric light and power companies, was taken from the table, and on further motion by Mr. Murphy, the report of the committee was accepted.

Mr. Murphy offered House Amendment A, which was adopted, and on motion of Mr. Pattangall the bill was tabled and assigned for tomorrow.

On motion of Mr. Monroe of Brownville, Bill, An Act to incorporate Sandy

River Power & Development Company, was taken from the table.

The bill received its second reading as amended and was assigned for tomorrow.

On motion of Mr. Murphy, Resolve in favor of the Washington County State Normal school, was taken from the table.

The resolve received its second reading.

On motion of Mr. Pattangall the resolve was tabled pending its passage to be engrossed.

Mr. ALLEN of Jonesboro: Mr. Speaker, this resolve has been lying on the table for two weeks and I suggest that the House vote on the matter now.

Mr. PATTANGALL: Mr. Speaker, I will withdraw the motion to lay on the table. This resolve carries \$30,000 to build an addition to the building of the Normal school at Machias. Two years ago the State appropriated \$25,000 to erect a building for a Normal school at Machias. The town voted some \$12,000 to build part of the building. In addition to that the town gave some real estate, so that the State was at no expense for a location. The original building was built. At the time the original building was built the State did not have money to pay the bills with, and a little more expensive building was put up than was expected. We have passed a resolve for some thousands of dollars for furnishing and arranging that other building, so that it would accommodate the students. Now this resolve calls for a further expenditure of \$30,000 to add a wing to the \$25,000 building. Ordinarily I should be very much in favor of that but I supposed it was the settled policy of this Legislature that Maine did not have any money with which to erect any new buildings anywhere. We are cutting off expenditures in all directions. Two years ago we denied Farmington an appropriation for a building that Farmington very much needed, with the understanding that Farmington would be taken care of this year if possible. The situation was such that we could not do anything for Farmington. We have not got \$30,000 to put in down there. I move that the resolve be indefinitely postponed.

Mr. ALLEN of Jonesboro: Mr. Speaker, if the motion of the gentleman prevails there will not be a single dollar going to Washington county other than for the road in Indian Township. The committee went down there and they have voted unanimously in favor of this resolve. Since Maine became a State, in 90 years, there has been one appropriation only made for a public institution in Washington county, by the last Legislature, when they voted \$25,000 for putting up their building, which has been paid for, except a small matter which lapsed into the State treasury and for which an appropriation is required.

Mr. MILLER of Hartland: Mr. Speaker, it has been my opinion and the opinion of the entire committee that what was absolutely necessary in regard to the appropriation for the State schools should be appropriated and anything that was not absolutely necessary should be cut out. I was not present at the committee meeting that voted this appropriation but I wrote the chairman expressing the views that I have stated. There is no doubt but what the school at Machias needs all it is asking for but there are probably scores of others in the State in the same predicament. I dislike to disagree with the gentleman from Jonesboro, but if we are going to practice economy we ought to apply the rule to our friends as well as to those we are not so well acquainted with. I believe no new buildings should be built this year. I believe we are unable to appropriate money for them, and I should feel like putting this off for two years longer.

Mr. AUSTIN of Phillips: Mr. Speaker, this resolve calls for \$15,000 for 1911 and \$15,000 for 1912. We are suffering in Franklin county from economy. We have established a precedent in the pauper matters and in the road resolves. I move that this resolve lie on the table until these school matters may be considered by the committee in volume and be once more put before the House.

Mr. CLEARWATER of Hallowell: Mr. Speaker, in connection with this subject I wish to call the attention of the House to the fact that the build-

ings at Hallowell, of the Industrial School are very much over-crowded. At the beginning of this Legislature we introduced four resolves, for maintenance, water supply, superintendent's building and \$30,000 for a new building. There was no question but what the building was needed. Yet when those resolves were put in, the trustees had not the slightest hope that the \$30,000 would be provided. The appropriation for the building was not granted and the appropriation for maintenance was cut down. It strikes me that what is fair for the institution at Hallowell in the line of economy is fair for the Normal school at Machias.

Mr. PATTANGALL: Mr. Speaker, under this resolve the expenditure of the \$30,000 consists of a wing for the school, \$20,000, and heating and ventilation and so forth. I do not believe at the time the committee made that report they knew the condition of the State treasury. Everybody knows it now. The present building is taking care of a certain number of pupils. We are facing a situation where we have not got the money to make this appropriation and we cannot build buildings without it. I should have moved to carry this appropriation to the next Legislature so that the resolve would not be prejudiced. I would like to change my motion and refer this to the next Legislature.

Mr. AUSTIN of Phillips: Mr. Speaker, I withdraw my motion to lay on the table.

Mr. MURPHY of Portland: Mr. Speaker, I was a member of the committee that visited the various normal schools of the State. One of the first which we visited was the school at Machias. I was a bit prejudiced against Machias before I visited the school. We also visited the normal schools at Presque Isle, Gorham and Farmington, and I must say emphatically that of all the normal schools that we visited the school at Machias was the most in need of an appropriation. It seemed to me a little bit unfair that the school at Castine, which is near by, should have everything needed. This school is up to date, in fact it is the most complete plant of any in the State. Last year they appropriated for the

school at Castine \$45,000; they appropriated for Bates College \$45,000. Last year there was appropriated \$124,800, and this year the appropriations for similar institutions including Machias is only \$39,000. As a member of the committee I thought that we ought to practice retrenchment, but I did not think we had to cut out everything. As I say, of all the normal schools that at Machias was the most in need of an appropriation. The school I put fourth in the list is that which is located in my own section, at Gorham. I put Machias first, Presque Isle second, Farmington third and Gorham fourth. I know that the State is in need of money just as well as anybody, but at the same time I am going to vote for this appropriation.

Mr. HERSEY of Houlton: Mr. Speaker, if I may be in order I will read from the record of Feb. 16 what expresses my views upon this matter. "I had no intention of interesting myself in this debate, nor do I rise for the purpose of making the briefest possible speech. I do rise for the purpose of making a motion, and for that purpose alone. I do not make this motion for the purpose of cutting off debate. It is simply to move at the proper time, whenever this Democratic caucus adjourns and the House resumes business, that we vote by the ayes and nays." (Laughter and applause.)

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

The motion was agreed to, and the yeas and nays were ordered.

The SPEAKER: The question now before the House is upon the motion of the gentleman from Waterville, Mr. Pattangall, that this resolve be referred to the next Legislature. Those voting yes will so vote to refer; those opposed will vote no. The Clerk will call the roll.

YEA:—Allen of Jonesboro, Bowker, Burkett, Buzzell, Chase, Colby, Conners, Cowan, Cronin, Descoteaux, Dow, Dresser, Dunn, Emery, Farnham, Goodwin, Harmon, Hodgkins, Hodgman, Johnson, Kelley, Kelleher, Kennard, Lawry, Libby, Littlefield of Bluehill, Littlefield of Wells, Mace, Manter, Marriner, Merrill, Merrill, Miller of Hartland, Mitchell, Mower, Noyes, Otis, Pattangall, Patten, Perkins of Kennebunk, Phillips, Pike, Plummer, Pollard, Powers, Putnam, Robinson of Peru, Russell, Sawyer, Shea,

Skehan, Sleeper, Smith, Active I. Snow, Stetson, Trafton, Trim, Tucker, Waldron, Weymouth, Wheeler, Wilcox, Williamson, Wilson—64.

NAY:—Ames, Andrews, Austin, Bearce, Benn, Berry, Bisbee, Boman, Briggs, Brown, Campbell, Clark, Clearwater, Copeland, Cyr, Davies, Davis, Deering of Portland, Deering of Waldoboro, Drummond, Dufour, Dutton, Fenderson, Files, Heffron, Hersey, Jordan, Kingsbury, McBride, McCurdy, Monroe, Morse of Belfast, Morse of Waterford, Murphy, Pelletier, Peters, Porter of Mapleton, Quimby, Robinson of Lagrange, Ross, Scates, Small, Snow of Bucksport, Soule, Stinson, Thompson of Presque Isle, Weston—47.

ABSENT:—Allen of Columbia Falls, Anderson, Averill, Bogue, Couture, Doyle, Emerson, Frank, Gamache, Greenwood, Gross, Hartwell, Hastings, Hedman, Hogan, Knight, Lambert, LeBel, Macomber, Mallet, McAllister, McCann, McCready, Newcomb, Packard, Percy, Perkins of Mechanic Falls, Pinkham, Porter of Pembroke, Alvah Snow, Strickland, Thompson of Skowhegan, Trask, Trimble, Turner, Whitney, Wilkins, Woodside—38.

So the motion prevailed.

Mr. ALLEN of Jonesboro: Mr. Speaker, I wish to announce that I shall at a later date move to reconsider this vote.

Mr. PATTANGALL: Mr. Speaker, has any motion to reconsider been made?

The SPEAKER: None yet has been made.

Mr. PATTANGALL: Then, Mr. Speaker, I will move that we reconsider the vote whereby we referred this matter to the next Legislature, and that we vote upon that matter now.

Mr. ALLEN: Mr. Speaker, I move that we table the matter.

The SPEAKER: The question before the House is on the motion to lay the matter upon the table. If the motion of the gentleman from Jonesboro prevails this matter lies upon the table where it can be taken up at a future time. All those in favor of the motion of the gentleman from Jonesboro that the motion of the gentleman from Waterville be laid upon the table will stand in their places until the count is returned by the monitors.

A division was had and the motion was lost by a vote of 20 to 55.

The question being on the motion to reconsider the vote just passed by the House,

Mr. PATTANGALL: Mr. Speaker, I merely wish to say to the House that I

sincerely hope my motion will not prevail.

A division being had,

The motion was declared lost.

On motion of Mr. Wilson of Auburn, Bill, An Act relative to the supervision of the business of plumbing, was taken from the table, and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.

On motion of Mr. Porter of Mapleton, Resolve authorizing the conveyance of Lot No. 9 in Castle Hill, was taken from the table, and on further motion by the same gentleman the resolve was again tabled.

On motion of Mr. Cyr of Fort Kent, Resolve in favor of the clerk, stenographer and messenger to the committee on legal affairs was taken from the table.

Mr. Cyr offered House Amendment A, to amend by striking out the word "five" in the second line and inserting in place thereof the word "four."

The question being on the adoption of the amendment,

The amendment was adopted.

The resolve then received its second reading and was passed to be engrossed as amended.

On motion of Mr. Mitchell of Kittery, Bill, An Act for the better protection of the lobster fisheries was taken from the table.

Mr. Mitchell offered House Amendment A, by adding after the word "be" in the second line the words "fined not less than \$50 or."

The votes were reconsidered whereby this bill was passed to be engrossed and whereby the bill received its third reading.

The amendment was then adopted and the bill received its third reading as amended, and on motion of Mr. Williamson of Augusta the bill was tabled pending its third reading.

On motion of Mr. Skehan of Augusta, Bill, relating to reforestation of wild lands was taken from the table.

On motion of Mr. Buzzell of Fryeburg, the vote was reconsidered whereby this bill received its first and second readings, and on further motion by the same gentleman the bill was re-

ferred to the next Legislature.

On motion of Mr. Phillips of Shirley, Bill, An Act changing the name of Roach river was taken from the table, and on further motion by the same gentleman the bill was indefinitely postponed.

On motion of Mr. Mace of Great Pond,

Ordered, the Senate concurring, that 1000 extra copies of the House Record of Friday, March 24th, be printed.

Resolve in favor of the Children's hospital.

This resolve was passed to be engrossed in the House and passed to be engrossed in the Senate, was sent to the Governor and is returned from the Governor without his approval.

The following message is received in connection with this resolve:

“Executive Department.

To the Honorable Senate:

“I have examined Senate Resolve No. 159, entitled “Resolve in favor of Children's Hospital,” and respectfully return the same herewith without my approval.

“While I should be willing and pleased to sign a resolve for the purpose of giving reasonable assistance to such a worthy institution, in view of the present financial condition of the State, and in view of the amounts appropriated to other similar institutions by this Legislature, I deem the amount named in this resolve larger than I am justified in approving, and therefore respectfully decline to sign the resolve.

“FREDERICK W. PLAISTED.

“March 27th, 1911.”

On motion of Mr. Pattangall of Waterville, the resolve with the message were tabled until tomorrow afternoon.

On motion of Mr. Pattangall,
Adjourned