

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

HOUSE.

Thursday, March 6, 1913.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Evans of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act relative to municipal elections in the city of Augusta.

In the House this bill was introduced, received its three several readings and was passed to be engrossed under a suspension of the rules, and came from the Senate referred to the next Legislature in non-concurrence.

Mr. NEWBERT of Augusta: I wish to thank the gentlemen of the House for their uniform courtesy and generous attitude towards the people of Augusta in allowing this bill to be introduced into this House and to be passed to be engrossed on Tuesday of this week without one objection. As set forth in the little statement I made, which I made, true or not, and I think the House took it to be true, this measure went up to the Senate and was in that branch referred to the next Legislature. I cannot understand the attitude of the Honorable Senators who sit at the other end of our long corridor. I have observed the Senators this winter and were I superintendent of buildings here I should put a motto over the door of that Chamber in large letters inscribed as follows: "To the people of Maine: Leave hope behind ye who enter here." (Applause). I would rather sit in the tombs of Egypt with the mummies of the Egyptian Kings than to sit in there. (Applause.)

Tell me, Mr. Speaker and gentlemen of the House, why the great Republican majority in that Senate—and I have no friendliness to the party either—why they in the Senate should line up and vote down this proposition put up to them in an emergency like this by the citizens of my city? And why, tell me, should the Honor-

able Senator from Kennebec (Senator Dutton), a resident of this city like myself, why should he make the bitter speech that he made in my hearing, yesterday, in opposition to this measure? This reminds me of a story, one which the Honorable Don Powers, who was Speaker of this House in 1907, likes to repeat. A man came into the corridor of the Senate, during the session of 1907, with a little boy from the country, and he listened while the chaplain prayed, and the boy says, father, does that man pray for the Senate, does he pray for the Senators? And the father waited a moment and he says, "My boy, let me tell you, that good chaplain there just takes a look at the Senate and then he prays fervently for the people of this State." (Laughter.)

Now to be serious just a moment, I wish to say that this matter means a good deal to me, not personally perhaps but to me as representing my city. It is also a matter of great importance to me because for five years I have been city clerk here in Augusta, and I know what an election means. Last night I put down some figures, and I know they are correct, and the election in Augusta, next Monday, will cost our tax payers \$800; three elections will cost us \$2400, and the same thing happening again next year, will make it \$4800, because the Senate will not let us change for at least two years. Mr. Speaker, I move that the matter be laid upon the table.

The motion was agreed to and the bill was tabled pending concurrent action with the Senate.

From the Senate: Resolve in favor of the State pension clerk.

In the House this resolve was passed to be engrossed, and came from the Senate in that branch indefinitely postponed in non-concurrence.

On motion by Mr. Austin of Phillips the resolve was tabled pending concurrent action with the Senate.

From the Senate: An Act to amend An Act to incorporate the Madison Water District.

In the House this bill was passed to

be engrossed, and came from the Senate recommitted to the committee on judiciary.

On motion by Mr. Austin of Phillips, under suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by Mr. Austin the House voted to concur with the Senate in recommitting the bill to the committee on judiciary.

From the Senate: An Act to incorporate the York County Water Power Company.

This bill came from the Senate recommitting in that branch to the committee on legal affairs.

On motion by Mr. Thombs of Lincoln the House voted to concur with the Senate in recommitting the bill to the committee on legal affairs.

From the Senate: An Act additional to Chapter 144 of the Revised Statutes in relation to voluntary admission of insane patients to the insane hospitals.

This bill came from the Senate in that branch recommitted to the committee on insane hospitals.

On motion by Mr. Mitchell of Newport, the House voted to concur with the Senate in recommitting the bill to the committee on insane hospitals.

From the Senate: An Act additional to Chapter 144 of the Revised Statutes in relation to the emergency commitment of insane patients to the insane hospitals.

This bill came from the Senate recommitting to the committee on insane hospitals.

On motion by Mr. Mitchell of Newport the House voted to concur with the Senate in recommitting the bill to the committee on insane hospitals.

From the Senate: An Act to incorporate the Farmington-Oakland Interurban Railway.

In the House the report of the committee on judiciary, reporting "ought not to pass" was accepted; in the Senate the committee was discharged from further consideration of the subject and the bill was referred to the com-

mittee on railroads and expresses.

On motion by Mr. Smith of Auburn, the rules were suspended and the vote was reconsidered whereby the report of the committee on judiciary was accepted, and on further motion by Mr. Smith the House voted to concur with the Senate in discharging the committee on judiciary from further consideration of the subject and referring the bill to the committee on railroads and expresses.

Senate Bills on First Reading.

An Act to amend Sections 2, 4, 5 and 7 of Chapter 292 of the Private and Special Laws of 1909, relating to the Mexico Water Company.

An Act to amend Section 8 of Chapter 13 of the Private and Special Laws of 1911 entitled "An Act to create the Bingham Water District."

An Act to authorize the county commissioners of Oxford county to procure a copy of Volume I of the records of deeds in the Western registry of deeds in said county.

An Act to enlarge the purposes of the Hewes Spool & Bobbin Company.

An Act to provide for the indeterminate sentence as a punishment for crime upon the conviction thereof and for the detention and release of persons in prison or detention on such sentence, and for expenses attending the same.

An Act to incorporate the Jackman Water, Light & Power Company.

An Act to regulate the packing, shipping and sale of apples. (Tabled pending the acceptance of the report of the committee in concurrence on motion by Mr. Cook of Vassalboro.)

An Act to amend Section 3 of Chapter 60 of the Revised Statutes, as amended by Section 2 of Chapter 98 of the Public Laws of 1909, also to amend Section 7 of said Chapter 60, relating to the department of agriculture.

Resolve in favor of Percy F. Jones and Rose L. Jones.

Resolution to correct certain errors and omissions in the publication of An Act to provide a charter for the city of Gardiner, as it appears in the Laws of 1911.

Resolve for military pensions.

Resolve for State pensions.

Resolve to provide means for examination of claims for State pensions.

Resolve relating to documentary history of Maine.

Resolve in favor of the purchase of the Maine State Year Book for the years 1913 and 1914.

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

Judiciary.

By Mr. Stuart of East Livermore: Petition of P. J. Reynolds and 254 others of Livermore Falls and Chisholm in favor of Senate Bill No. 165 providing for workmen's compensation.

By Mr. Connors of Bangor: Petition of William M. Daley and 186 others of Bangor in favor of same.

By Mr. Brennan of St. George: Petition of John Hawkins and 27 others of St. George in favor of same.

Legal Affairs.

By Mr. Rousseau of Brunswick: An Act to amend Section 12 of Chapter 4 of the Revised Statutes, relating to the choice of town officers.

Education.

By Mr. Brennan of St. George. Resolve in favor of higher education for municipal officers.

By Mr. Irving of Caribou: Resolution of Green Ridge Grange No. 281 of Caribou, representing 166 members, in favor of distribution of State school funds according to aggregate attendance in common schools; also resolution of Caribou Grange No. 138 of Caribou, representing 480 members in favor of same.

By Mr. Washburn of Perry: Resolution of Robbinston Grange No. 413 of Robbinston, representing 150 members, in favor of same.

By Mr. Dutton of Belfast: Resolution of Seaside Grange No. 213 of Belfast, representing 96 members, in favor of same.

By Mr. Umphrey of Washburn: Resolution of Eureka Grange No. 113 of Mapleton, representing 222 members, in favor of same; also petition of W. E. Waddell of Mapleton and 13 others, in favor of same.

By Mr. Washburn of Perry: Petition

of E. C. Brown of Robbinston and 10 others in favor of same.

By Mr. Mildon of Eastport: Remonstrance of J. M. Swett and 43 others against the act entitled an Act to amend Sections 122, 123 and 126 of Chapter 15 of the Revised Statutes, and Sections 3 and 5 of Chapter 127 of the Public Laws of 1909, to provide for the distribution of the school mill fund and the common school fund on the basis of aggregate attendance in all educational institutions within the State.

Placed on File.

By Mr. Kelleher of Waterville: Petition of J. F. Hill of Waterville and 13 others in favor of the Teachers' Pension bill.

Railroads and Expresses.

By Mr. Swift of Augusta: An Act to amend Section 13 of Chapter 53 of the Revised Statutes, in relation to the taking of land by street railroad companies.

Mercantile Affairs and Insurance.

By Mr. Donovan of Lewiston: An Act relating to the insurance of property owned by the State.

Agriculture.

By Mr. Smith of Presque Isle: Petition of C. G. R. Chandler and 16 others of Castle Hill Grange in favor of the establishment of an experimental and seed farm in Aroostook county.

Inland Fisheries and Game.

By Mr. Dunton of Belfast: Remonstrance of Amos Nichols and 89 others of Searsport and vicinity against passage of resident hunter's license act.

Taxation.

By Mr. Plummer of Lisbon: An Act relating to the sale of lands for taxes in places not incorporated.

Public Health.

By Mr. Plummer of Lisbon: An Act relating to the fee for the registration of physicians and surgeons.

Salaries and Fees.

By Mr. Durgin of Milo: An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, relating to the compensation of the Register of Deeds of Piscataquis county.

Reports of Committees.

Mr. Conners from the committee on legal affairs, reported "ought not to pass" on bill, An Act to amend Section 73. of the Revised Statutes as amended by Section 3 of the Public Laws of 1911, and to amend Sections 75 of Chapter 9 of the Revised Statutes.

Mr. Swift from the same committee, on bill, An Act to incorporate the Perry Telephone Company, reported that the same "ought not to pass" as the object can be obtained by incorporating under the general law.

Mr. Swift from the committee on telephones and telegraphs, on bill, An Act to incorporate the Union Telephone Company, reported that the same "ought not to pass" as the object can be obtained by incorporating under the general law.

Mr. Tobey from the committee on agriculture, reported "ought not to pass" on bill, An Act regulating the sale of paint, paint oils and turpentine.

Same gentleman from same committee, on bill, An Act to amend Section 9 of Chapter 195 of the Public Laws of 1911, relative to the importation of horses into the State of Maine, reported legislation thereon inexpedient as the subject matter is covered by another bill.

Mr. Skelton from the same committee, reported "ought not to pass" on resolve to appropriate \$5000 for enforcement of the brown-tail moth law and investigating the same.

Mr. Clark of Portland from the committee on interior waters, reported "ought not to pass" on bill, An Act to be known as the Peoples' Water Rights and Power Commission of the State of Maine.

Mr. O'Connell from the same committee reported "ought not to pass" on bill, An Act relative to the taking of the waters of Little Ossipee Lake in the town of Waterboro.

Mr. Gordon from the committee on claims reported "ought not to pass" on resolve in favor of Storm Wessell of Stockholm, accompanied by statement of facts. (Tabled pending the acceptance of the report of the com-

mittee on motion by Mr. Irving of Caribou.)

Same gentleman from same committee reported "ought not to pass" on resolve in favor of A. W. Benson of Bangor.

Same gentleman from same committee reported "ought not to pass" on resolve in favor of John A. McDonald.

Same gentleman from same committee reported "ought not to pass" on resolve in favor of the town of Mexico.

Mr. Davis from the committee on interior waters, reported "ought not to pass" on resolve in aid of navigation on Duck Pond, Cumberland county.

The reports were accepted.

Mr. Smith of Presque Isle from the committee on judiciary, reported "ought to pass" on bill, An Act granting the Penobscot Tribe of Indians the right to establish and maintain a ferry between Indian Island, so-called, and the main land in the city of Old Town.

Mr. Wheeler from the committee on legal affairs reported in a new draft and "ought to pass" bill, An Act to incorporate the Harrison Water Company.

Same gentleman from same committee reported in a new draft and "ought to pass" bill, An Act to amend Section 5 of Chapter 113 of the Revised Statutes, relating to personal property bargained and delivered to another which shall remain the property of the seller until paid for.

Same gentleman from same committee reported in a new draft and "ought to pass" bill, An Act to incorporate the Brownfield Electric Company.

Same gentleman from same committee reported in a new draft and "ought to pass" bill, An Act to ratify the organization of and amend the charter of the Hiram Water, Light & Power Company.

Mr. Connors from the same committee reported in a new draft and "ought to pass" bill, An Act relating to the Good Templars Hall in Dexter.

Same gentleman from same committee reported "ought to pass" on bill.

An Act to revive and extend the charter of the Shawmut Water Company.

Mr. Irving from the committee on banks and banking, reported in a new draft and "ought to pass" bill, An Act to restrict and regulate private banking.

Mr. Maxwell from the committee on public health, reported "ought to pass" on bill, An Act to amend Section 4 of Chapter 78 of the Public Laws of 1909, relating to better protection of the people of the State of Maine from the disease known as tuberculosis.

Mr. Kimball from the committee on agriculture, reported "ought to pass" on resolve in favor of the Maine State Agricultural Society and repealing resolves in favor of said society.

Mr. Washburn from the committee on Indian affairs, reported in a new draft and "ought to pass" resolve in favor of the Penobscot Tribe of Indians.

Mr. Robinson from the committee on State lands and forest preservation, reported "ought to pass" on resolve authorizing the State land agent to sell the interest of the State in lot No. 1 east of Fish river in Wallgrass Plantation, Aroostook county.

Mr. Gordon from the committee on claims, to which was recommitted resolve in favor of the town of Milo, reported that the same "ought to pass" as the committee acknowledges error in the first report caused by supposing the parties to be aliens.

Same gentleman from same committee, reported "ought to pass" on resolve in favor of the town of Hermon.

The reports were accepted and the several bills and resolves ordered printed under the joint rules.

Mr. Connors from the committee on legal affairs, reported "ought to pass" on bill, An Act additional to Chapter 28 of the Revised Statutes, in relation to the prevention of false fire alarms.

Mr. Wheeler from the same committee, reported "ought to pass" on bill, An Act to extend the powers of the Limerick Water & Electric Company.

Mr. Maxwell from the committee on public health, reported "ought to pass" on bill, An Act to regulate the use of

hat pins and other decorative utilities.

The reports were accepted, and these three bills having been already printed received their first and second readings and were assigned for tomorrow morning for their third reading.

Mr. Spencer from the committee on ways and bridges, reported in a new draft and "ought to pass" resolve in favor of the town of Forrest City, Washington county, Maine.

The report was accepted, and this resolve having been already printed received its first reading and was assigned for tomorrow morning for its second reading.

First Reading of Printed Bills and Resolves.

An Act to amend Section 1 of Chapter 313 of the Private and Special Laws of 1864 entitled "An Act to incorporate the Baskahegan Dam Company, as amended by Chapter 272 of the Private and Special Laws of 1903 and by Chapter 147 of the Private and Special Laws of 1911."

An Act relating to the Jerguson Manufacturing Company.

An Act to amend Section 2 of Chapter 47 of the Public Laws of 1909, relating to assessment of taxes for street sprinkling.

Resolve in favor of the Washington State Normal school at Machias for equipment, repairs and permanent improvements.

Passed to Be Engrossed.

An Act to amend Section 63 of Chapter 15 of the Revised Statutes as amended by Chapter 73 of the Public Laws of 1909 as further amended by Chapters 62 and 116 of the Public Laws of 1909 relating to the payment of tuition in secondary school.

An Act to incorporate the Kennebec Realty Company. (Tabled pending its third reading on motion by Mr. Smith of Auburn.)

An Act to incorporate the State of Maine Fire Insurance Company.

An Act to extend the charter of the Mutual Fire Insurance Company.

An Act to incorporate the Kingfield Chamber of Commerce.

An Act to organize the Ashland Water Company.

An Act to authorize Frank W. Hunt & Company to erect and maintain a bridge across the Mattawamkeag river.

An Act to incorporate the Lincoln Light and Power Company.

An Act permitting the shipment, once in 10 days, under special license tag, of 10 pounds of fish caught in Moosehead lake.

An Act to disorganize Plantation No. 8, in the county of Hancock.

An Act to repeal Chapter 503 of the Private and Special Laws of 1828, as amended by Chapter 508 of the Private and Special Laws of 1874 and by Chapter 254 of the Private and Special Laws of 1876, relating to the taking of fish in Narraguagus river.

An Act for the better protection of sheli fish within the town of Kenneburkport in the county of York. (Tabled pending its third reading on motion by Mr. Descoteaux of Biddeford.)

An Act to incorporate Connor Plantation.

An Act to amend Chapter 154 of the Private and Special Laws of 1895 as amended by Chapter 156 of the Private and Special Laws of 1911 relating to the charter of the Wiscasset Water Company.

An Act to amend Section 13 of Chapter 4 of the Revised Statutes as amended by Chapter 200 of the Laws of 1909. An Act to amend Section 38 of Chapter 47 of the Revised Statutes, relative to giving notice of the time and place of sale of shares of stock in corporations to pay assessments.

An Act to incorporate the Madison Water District.

An Act providing a punishment for certain indecent and immoral offences.

An Act to authorize the City Council of the city of Belfast to grant permission to Mathews Brothers to construct and maintain a Suspension Bridge over and across Front street in said Belfast.

An Act to amend Chapter 30 of the Private and Special Laws of 1911 authorizing the Wiscasset, Waterville and Farmington Railway Company to dispose of a part of the property of said company.

An Act relating to the inspection of lime casks.

An Act to incorporate Pleasant Hill Cemetery Association in the town of Webster.

An Act to amend Chapter 613 of the Private and Special Laws of 1893, entitled "An Act to establish the Western Hancock Municipal Court."

Resolve in favor of the Farmington State Normal School for furnishings and equipment for a dormitory.

Resolve in favor of a highway bridge in the plantation of New Canada.

Resolve in favor of bridge across the Umcolcus stream in Oxbow plantation, Aroostook county.

Resolve in aid of building a bridge across Sandy stream in the plantation of Lexington.

Resolve in favor of aid in repairing highways in town of Cutler.

Resolve in favor of aid in building a bridge across Passadamkeag stream in Grand Falls plantation.

Resolve in favor of aid in building a bridge across Moose river near its mouth.

Resolve in favor of the main highway leading from the town of Franklin in Hancock county to the town of Cherryfield in the county of Washington.

Resolve in favor of James R. Huntington of Milford.

Resolve in aid of navigation on Rangeley Lake, Mooselucmeguntic Lake and Cupsuptic Lake.

Resolve in favor of John R. Dinsmore of Kittery.

Mr. Mitchell of Kittery offered House Amendment A, by substituting the name of Abbie M. Dinsmore where the name of John R. Dinsmore appears; also to amend the resolve by substituting in the first line the name of Abbie M. Dinsmore where the name of John R. Dinsmore appears.

Mr. MITCHELL: Mr. Speaker, I want to say for the information of the House that since this resolve was reported from the committee on pensions Mr. Dinsmore has died, and with the advice and consent of the committee on pensions I offer this amendment so that this pension will go to his widow. Everything that was said about Mr. Dinsmore in the statement of facts can

be said about his wife, excepting as to military service; and I move the adoption of the amendment.

The question being on the adoption of the amendment,

The amendment was adopted and the resolve received its second reading and was passed to be engrossed as amended.

Passed to Be Enacted.

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

On motion by Mr. Mitchell of Kittery, resolve making appropriations for the Passamaquoddy Tribe of Indians was taken from the table.

The question being on the final passage of this resolve, carrying the emergency clause,

Mr. Washburn of Perry moved that the resolve receive its final passage.

Mr. WASHBURN: Mr. Speaker, I think that this matter was not fully understood here at the session of Tuesday, and I would like to say in the way of explanation that the emergency clause has always accompanied these Indian resolves. It was so during the Legislature of 1909 and also in 1911. This tribe is now without funds, and has been since the first day of January, and there are now a large number of bills due which are far beyond the ability of the agent, who is a man of very moderate means, to carry. I am not capable of determining whether this constitutes an emergency as contemplated in our Constitution, but I do know that the people in the towns where these reservations are located rather consider it as such; because whatever our civilization may have done for the Indian, good or bad, it has left him with one firm belief which is that the community owes him a living. Now, if we take away his source of fuel and food, even for a limited time during the winter months, the chances are that he may not continue to be a law abiding citizen, and he will cease to regard what the white man knows as property rights.

Now, Mr. Speaker, I do not want to cast any reflections on the character of our Indian neighbors, but you all

know what they are; they are not a provident people; they never make any provision for the morrow. I doubt if there are a dozen families on our reservation who have at one time more than a week's provisions on hand. Further than that, the Indian has no credit; with a few rare exceptions, no merchant will give him credit for a bill of goods. He has no credit with the doctor or the undertaker; and it is a fact that the body of an Indian woman, who died on the Passamaquoddy reservation in the month of January, laid for two weeks without burial, and was finally buried by private charity.

In this connection, Mr. Speaker, we ought not to lose sight of the fact that any hardships that come upon the Indian fall hard upon those Sisters of Mercy who go there and devote their lives, without hope of reward to the uplift of the condition of the Indian. It is also a fact that for two years, while this resolve is hanging fire here in the Legislature, the Indians always suffer more or less hardships. Now, I have no interest in the resolve other than it seemed to fall to me to put it in, and I hope that it will receive the necessary two-thirds vote, and that the money will be made available as soon as possible. (Applause)

Mr. NEWBERT of Augusta: Mr. Speaker, I think the House, yesterday, failed to give the necessary number of votes in behalf of this resolve wholly through a misunderstanding. I do not believe there is any objection in this House to voting on the emergency clause, and I trust the resolve will be finally passed.

The SPEAKER: This resolve is upon its final passage and, as it carries the emergency clause, it requires a two-thirds vote of the members elected to this House, or 101 votes. All those in favor of the passage of the resolve will rise and stand until counted.

A division being had, 150 voted in favor and none opposed.

The SPEAKER: The resolve has received a final passage.

Mr. AUSTIN of Phillips: Mr. Speaker, I move that we reconsider the vote whereby this resolve was finally passed. And I will say that I make this mo-

tion so that we may get what I think is a correct count. I hardly believe that 150 is the correct number, because some of the monitors may have counted some of the spectators who were standing in the aisles.

The SPEAKER: The Chair will state that a motion to reconsider is not in order more than once on the same question.

Mr. PLUMMER of Lisbon: Mr. Speaker, I would suggest that possibly there was a mistake in the count in the fourth division. (Laughter)

The SPEAKER: The Chair rules that the motion to reconsider is out of order. If any monitor desires to correct the count he is permitted to do so.

Mr. AUSTIN: Mr. Speaker, I would like to correct my count if it is wrong.

The SPEAKER: The members of the fourth division in favor of the final passage of this resolve will rise and stand for the purpose of re-counting.

Thirty-seven in the fourth division responded to the call, and none opposed.

The SPEAKER: One hundred and forty-six by correct count having voted in the affirmative, and none in the negative, the resolve has received its final passage.

Orders of the Day.

On motion by Mr. Eaton of Oxford, the rules were suspended and that gentleman was granted permission to introduce out of order petition of G. W. Lyons of Waterford and 14 others in favor of distribution of the State school fund according to the aggregate attendance in the common schools, and on further motion by Mr. Eaton the petition was referred to the committee on education.

On motion by Mr. Brennan of St. George, House Document No. 353, bill, An Act to protect cod and other ground fish in the waters off the coast of Maine, was taken from the table, and on further motion by Mr. Brennan the bill was recommitted to the committee on sea and shore fisheries.

On motion by Mr. Boman of Vinalhaven, House Document No. 413, bill, An Act to amend Section 1 of Chapter 41 of the Public Laws of 1903, re-

lating to the duties of commissioner of sea and shore fisheries, was taken from the table, and on further motion by Mr. Boman the bill was referred to the committee on sea and shore fisheries.

The SPEAKER: There comes up at this time as unfinished business consideration of the two reports of the committee on taxation, in relation to taxation of money invested in real estate mortgages, the majority reporting legislation inexpedient, the minority reporting bill, An Act repealing Chapter 179 of the Public Laws of 1911, providing for the exemption of mortgages on real estate from taxation.

Mr. SPENCER of Berwick: I happen to be unfortunate enough to be a member of the committee on taxation to which this order was referred. The order presented to us was regarding the advisability of taxing mortgages upon real estate in this State. Now this question is in a different position than it was, two years ago. In 1911, this Legislature, or its predecessor, passed a law which exempted mortgages from taxation. By virtue of that law the people of this State have conducted their affairs up to this time in such a way that they have become involved in financial transactions. Many of these mortgages are written upon notes which are upon demand, and I claim that the present position of this matter is such that if this was to be repealed these notes would be called in. Now there are times, and have been in history, when after you have passed the Rubicon it may be too late to turn back. This is a State matter; it does not concern any local territory; it concerns no particular town. Now, what would be the effect of taxing mortgages? In the first place the effect would be to take money out of this State. Do the people in this State want money? I only have to ask you why they advertise for fifty million dollars of summer business, every year. My second reason, it will prevent the development of the farming and mercantile interests in this State

Why? Because your acreage in this State has not increased for many years, but your valuation has increased. In the year 1912, I find that the increase in real estate valuation is almost ten million dollars. What does it mean? You have not got a single more acre than you had before. What have you got? You have got improved real estate. That means investment, and it means improvement. Are you going to kill the goose that lays the golden egg? My third reason, it will result in the calling of loans. This means a forced sale, failure, and foreclosure. There are many people who have asked your committee to look out for their interests in this matter. It was called to my attention, this morning, that there were people in this State who were subject to demand notes; and these demand notes would probably all be changed over inside of a year.

Now the government of Holland has expended millions of dollars in building a dike to protect its coal lands. If they should take out that dike what would happen? You are in the same position. You have passed a law which has put people in a dangerous position. Will you take down the dike? (Applause.)

Mr. TRIMBLE of Calais: Even though there may be a difference of opinion as to whether this law is right or wrong, it seems to me that it is really too soon for us to determine that the law has been a failure. It was passed at the Legislature, two years ago, and consequently did not become a law until July, 1911. It has been in active force not much more than a year, and during that time it is too much to expect that everything would come about that was claimed for it when its passage was advocated. Now, it has been stated in different sections of our State that its interest charge was as much, today, as it was before that law was passed. Those statements no doubt are true. There may be other reasons why the interest charge is a high, or higher; but I know from the statements that have been made to me by men in my section who borrow money on real estate mortgages that

they are able to borrow money cheaper than they could two years ago. One man, whose business it is to build houses and get the money to do it with by giving mortgages on his property, tells me that he can borrow all the money he desires, or all that he is worthy of credit for, at six per cent. Previous to the passage of this law he paid eight and nine per cent., and should this law be repealed the first thing the lender would say to him is: "I must pay a tax on this mortgage, consequently I must charge you eight or nine per cent." The man who borrows the money will pay the interest and will pay the taxes, and the man who holds the mortgage might pay the tax and he might not. I trust that the law will not be changed; at least at this time. Give it another try. If at the end of another two years it is decided that the law is wrong then it can be readily changed.

Mr. DRESSER of South Portland: Mr. Speaker, in the year 1907, a bill was drawn and presented to the Legislature of Maine to free real estate mortgages from taxation, and to relieve mortgaged property from double taxation. This bill was defeated by a small majority in the House.

Again in 1909 this same bill was defeated. In 1911 it was again presented to the Legislature and that bill was passed and it became a law, and for the first time in the history of Maine we had a law relieving real estate mortgaged, from double taxation. The law was subject to referendum, and did not become operative until July, 1911.

Since that time people have loaned their money readily from 5 to 6 per cent. on good first mortgages, and many mortgages paying 7 to 8 per cent. were paid by procuring the money at 5 and 6 per cent., thereby reducing the rate of interest on farm and suburban mortgages about 2 per cent.

When this law was passed and the great seal of the State of Maine was placed upon it the people rolled upon it, and loaned their money readily at 5 or 6 per cent for 1-2 years, only to find that an order was presented to the committee on taxation to investigate the loaning of money on real estate mortgages, and to report by bill to

repeal or otherwise. This committee after investigation and consideration for four weeks reported eight "ought not to pass" and two for repeal. The minority report contains the names of two men recommending the repeal of this law.

Notwithstanding the fact that eight men out of 10 say "ought not to pass" a law to repeal, notwithstanding the fact that a special committee on taxation had been appointed three able men by the Governor, in 1907, to thoroughly investigate the taxation of mortgages and other property, and said committee had hearings in every large town in the State and, in 1909, made a very exhaustive report and recommended that a similar law be passed freeing mortgages from taxation; notwithstanding that the State assessors do not oppose the law.

No borrower of money on mortgages was ever known to oppose it. The only opposition it ever had was from money lenders, but money lenders do not pay the interest or the taxes. The borrower always pays the interest, taxes, commission, title, and papers. The borrower always pays the bills.

The people of Aroostook county were averaging to pay 8 per cent. for farm mortgages, in what is called the "Garden of Maine."

In Cumberland county many farmers have been obliged to pay 7 or 8 per cent. for farm and suburban mortgages for the last 10 years until the law of 1911 made it possible for them to get it for 5 and 6 per cent. You will ask why.

The reason is this: We have two Savings Banks in the city of Portland with deposits and surplus amounting to \$33,000,000. We have several millions in savings departments of National Banks. None of these funds can be used to take country or suburban mortgages. They only loan in Portland, not even in South Portland or Westbrook.

The Savings Banks of Portland do a great deal of good in Portland. They loan money for 60 per cent. of the value at 5 per cent., and pay depositors 4 per cent., and pay a tax of 3-8 of one

per cent., but over one-half of their money is invested out of the State.

From investigations made since the passage of the 1911 law, we are thoroughly satisfied that the money which has been placed in circulation in the business centers of our State has more than doubly and trebly paid any little advantage which may accrue from taxing money invested in mortgages throughout the State.

In one instance alone we can point to a loan of \$200,000 which is carrying on an industry in our State and the mortgage is upon the records in one of the counties where it is loaned for five per cent. Do you representatives of the people imagine for a moment that such a loan can be effected through any source whatsoever if you are to tax the land upon which the mortgage is given and the money invested by the mortgagor? It cannot be done; it is an inducement to the people who have money in stocks and bonds that never see the light of day and are never taxed, to take their bonds which pay them 4 and 4½ per cent. from their vaults, to sell them in the market and to invest them in mortgages at 5 and 6 per cent. This is enhancing the business and increasing the value of money in circulation.

To place a tax upon money invested in mortgages is a double burden upon the borrower but it also allows money lenders who do not place upon the records the money loaned, the right to demand exorbitant rates of interest. For to give a concrete illustration—if today in a certain town or city, money can be obtained for 5 to 6 per cent. and you tax that money, the loaner will ask the borrower to include in the interest the amount of the tax. We know of a loan where a party has applied within the last three weeks to obtain \$15,000 upon unquestionable security. The attorney for the lender was instructed to inform the borrower that if the 1911 law was not repealed he could have the money on his security for 5 per cent.; if it was repealed, he could have it for eight.

The stability of all government depends upon the certainty of its laws and from a moral standpoint the State of Maine through its representatives ought not to repeal the law of 1911 unless it safeguards the rights of people who have

come into our State and placed their money in mortgages induced to do so by the law made by the representatives of the people in this very legislative hall two years ago and this law was passed and the honor of our State demands that we repeal it so that it shall not apply to money invested in good faith upon a law which the investor had a right to believe was made in honor and good faith.

We have millions of acres of excellent land in the State of Maine that has never been cleared, never has been made productive. We have thousands of acres cleared that might be made to produce two spears of grass where only one grows now. Our rivers could produce 10 times the power that they are now producing. We should manufacture 10 times what we do now but, one of the hardest things to do is to finance these undertakings and it is not done here but very little. A man who is one of a few leading men and very successful says he has been a very large borrower but can never borrow here because they tax their mortgages. He is obliged to go out of the State, obliged to go where the mortgage will not be taxed. Taxing mortgages drives the money from our State. The savings banks of the State of Maine have deposits of \$138,000,000. Over \$70,000,000 or over one-half is invested out of New England. What good does this money do us? We would be as well off with \$10,000,000 if we could use it here. We have been sending money out West to develop that country long enough. Let us make laws to keep our money at home. Let the law remain as it is and let our Maine people finance their enterprises here. They can never do it as long as the mortgages are taxed. Why send \$70,000,000 out of the State and then go out of the State to raise our money? Where did the money to develop our electric roads, our power, light and heat companies? The law was passed two years ago to free mortgages from taxation. The great seal of the State of Maine was placed upon it. This law said to the people of Maine: Invest your money at home, help develop our water powers, help develop manufacturing.

Where can the farmer go to hire his money on a mortgage? Where can the man go in Westbrook or South Portland? Where can the man go in most of the towns of the State of Maine?

South Portland is a thrifty town gaining yearly from 100 to 150 thousand dollars. They have to have money. We must go to some private individual for it. He will tell you he cannot do it. He cannot do it because the taxes are 2½ per cent., and if he lets the money at 6 per cent. he would only get 3½ per cent. He can get 4 per cent. in savings banks. He can buy a Western bond that will pay 5 per cent. and no taxes to pay. All the way he can let it is to add the tax to the rate which would make an average of 8 per cent. If the present law is repealed we must pay the 7 or 8 per cent. and the money will again be driven out of the State or into the banks and one-half of it will again go out of the State, and our people here pay an excessive rate all because we tax mortgages.

Just as long as you tax mortgages you will make our own country people pay 7 or 8 per cent., you will drive the money now used to take mortgages, out of the State, you will make our own people pay double taxation, you will compel the people of Maine who have loaned their money for 5 or 6 per cent. since the law of 1911 was passed, to take 3 or 4 per cent. interest.

The State passed this law. Nearly every state has some law against double taxation. Must this broad land of the good old State of Maine suffer; must the wheels of progress be retarded because a few dollars of taxes on mortgages are taken away from the State. It would soon be replaced by new taxable property in real estate.

I hope and trust that this House will vote to continue to uphold the present law; that it will remain on our Statute until it has had a fair trial, and uphold the majority report on this bill. It is right; it is justice; and I believe it will be a blessing to the people of the State of Maine. (Applause)

The SPEAKER: The question is on the motion of the gentleman from Caribou, Mr. Irving, that the majority report be accepted. All those in favor of the acceptance of the majority report will rise and stand until counted.

A division being had, 121 voted in the affirmative and 10 in the negative.

So the motion prevailed, and the majority report was accepted.

The SPEAKER: The next matter for consideration is on the report of the committee of mercantile affairs and insurance on bill, An Act additional to Sections 96, 97 and 98 of Chapter 49 of the Revised Statutes, relating to the qualification of insurance agents and brokers, the report being "ought to pass." The pending question is the third reading of the bill.

Mr. Plummer of Lisbon moved that the bill be indefinitely postponed.

Mr. HIGGINS of Brewer: Mr. Speaker and gentlemen, I desire to say that this report from the committee was unanimous and the insurance department was unanimously in favor of it, and all the insurance associations are in favor of it, all insurance agents are in favor of it, and I trust that the motion of the gentleman from Lisbon (Mr. Plummer) will not prevail, and that the bill will be given its third reading at the present time and be passed to be engrossed.

Mr. PLUMMER of Lisbon: I call to the attention of the House that this bill is Senate No. 240, and there are one or two things in there that seem to me really ought to be brought to the attention of the House. I do not know. It may be that it is the policy of the State that every man who wants to do any kind of business must finally come here to the State House and see whether he can do it or not, and pay a fee for so doing. If that is to be the policy of the State I will suggest that instead of taking up one thing at a time like insurance agents, dentists, doctors, and so on, that we put in a blanket bill which will require that everybody should come here before he can do any kind of business. Now the situation at the present time, as I understand it, with regard to insurance agents receiving a permit to engage in that line of business is this,—and if I am not correct the gentleman from Brewer (Mr. Higgins) will undoubtedly correct me,—it is the custom of insurance companies to select general agents to act for them in states or parts of states or divisions. These general agents select such sub-agents

as seem to them proper persons to do business. These general agents recommend to the company these men as sub-agents, and the insurance companies then send to the commissioner of insurance in the State House here for a permit for these men to act, accompanied by the sum of two dollars, I think. Now that would seem to be sufficient guarantee so far as the insurance company is concerned. I judge that insurance companies are as competent to select their own agents as the rest of us are, so on their part there is no need of anything further. As far as the people are concerned I do not know but that we are competent to decide from what company, or from what agent, we care to take our insurance. If we are not I suggest that anybody here who thinks they are not be put under guardianship. Now, this bill as I understand it is this: "Before an agent or broker is licensed as provided in Sections 96, 97 and 98" etc. "he shall file with the insurance commissioner a statement under oath, giving his name, residence, present occupation, his occupation for the five years next preceding the date of such statement and such other information, if any, as the insurance commissioner may require. After filing the statement herein provided the insurance commissioner may, if he is satisfied that the appointee is a suitable person." Now the word "suitable" is a word of considerable latitude or very small latitude, according to who looks at it, and I do not think it is necessary for such power to be given to the insurance commissioner. I think under the present circumstances the law is good enough. Now I will venture that any man in this Legislature, and that any man in the State of Maine, if he is approached upon the question as to whether we now have laws enough upon the statute book will say yes. He would say there should be three or four sessions more of the Legislature which shall do nothing but repeal laws. We want to enforce those laws which seem good to us, which is all very proper: but the body as a whole should take into consideration who are urging the law, and why. Now there was nobody who appeared before this com-

mittee except insurance agents. There was nobody of the common people. I think the Insurance Commissioner did, —I will say that; but there was nobody of the common people came here and demanded any such law as this; and I trust, gentlemen, that the notion to indefinitely postpone will prevail.

Mr. SMITH of Patten: I am somewhat interested in the gentleman's from Lisbon phraseology. Now I am not interested in this bill; but one or two things within two or three days have occurred to me, and that is that the learned gentleman from Lisbon attacks the reports of the judiciary committee, gentlemen of course who do not know any law; he appears in opposition to reports of the banking committee, who know nothing whatever about banking; he attacks the reports of agricultural committees who know, of course, nothing about farming; he attacks the reports of the insurance committee who know, of course, nothing about insurance; and I suppose a little later that he will attack the reports of the indian committee who represent the ancestors of the distinguished gentleman from Presque Isle. Now this is all very interesting; but it reminds me of the story of a distinguished citizen many years ago, somewhat under the influence of "fire-water" who wandered into a prayer meeting. It seems that the parson was having a good, old-fashioned revival, and this distinguished gentleman finding things were being discussed fell into a sleep.

Finally the parson called upon those who wanted to be saved to rise. They all got up. He then called upon all those who did not want to be saved to rise. Just then somebody poked my intoxicated friends and he looked around and saw that some voting was going on, and he rose, noticed the parson in the pulpit and himself on the floor, and looked over the throng and said, "Parson, I don't know exactly what proposition we are voting upon, but you and I seem to be in an almighty minority." (Applause.)

Mr. HIGGINS of Brewer: At the hearing on this bill before the committee, if my memory serves me correctly, the gentleman from Lisbon was

present, and there were many of the so-called common people. No objection was made at that time. It hardly seems necessary to defend this action of the committee at this time. It seems to me that if the gentlemen interested in the bill, and the department, and the insurance men desire it, that it should not be a question to come before the House at all.

I trust that the motion of the gentleman from Lisbon will not prevail.

Mr. O'CONNELL of Milford: I will say just a word regarding this bill, and it is this: That being an insurance man myself I realize that this will give the public the same safety a physician's certificate will give them when he has been before a board of examiners. I think this will come back to the people in this light—that when he has been before the insurance department, and he has passed the examination required, that they at that time will have confidence in the man which perhaps would not exist if he had not been before this board.

I shall hope, gentlemen, that the report of this committee will prevail here, today.

The SPEAKER: The question before the House is on the motion of the gentleman from Lisbon, Mr. Plummer, that the bill be indefinitely postponed. All those in favor of the motion will say yes; those opposed will say no.

A viva voce vote being taken,

The motion was lost.

On motion by Mr. Higgins of Brewer, the bill then received its third reading and was passed to be engrossed.

The SPEAKER: The next matter for consideration on the calendar is resolve authorizing the highway commissioner to construct a suitable office or shelter for the immigrant inspector at Van Buren, and appropriating money therefor. The pending question is the second reading of the resolve.

Mr. Thombs of Lincoln offered House Amendment A, that the resolve is hereby amended by striking out the emergency clause attached to said resolve.

The question being on the adoption of the amendment, the amendment was adopted.

On further motion by Mr. Thombs the resolve received its second reading and was passed to be engrossed as amended.

The SPEAKER: The next matter for consideration on the calendar is resolve for further improvement of marketing farm products and purchasing supplies for the farm. The pending question is the adoption of House Amendment A which has been printed and is House Document No. 371.

The question being on the adoption of the amendment,

The amendment was adopted.

On motion by Mr. Irving of Caribou, the resolve then received its second reading and was passed to be engrossed as amended.

The SPEAKER: The next matter for consideration is report of the committee on inland fisheries and game to which was referred petition of A. J. McKenney and others, relating to ice fishing in Cold Stream lake, in the towns of Lincoln, Enfield and Lowell. The pending question is the acceptance of the report of the committee, reporting that the petitioners have leave to withdraw.

On motion by Mr. Thombs of Lincoln, the report of the committee was accepted.

The SPEAKER: The next matter for consideration is bill, An Act relating to the use of automobiles in the town of Mount Desert, Hancock county, Maine. The pending question is the third reading of the bill.

Mr. McBride of Mount Desert offered House Amendment A. to amend Section 2 of said bill by inserting after the words "no automobiles allowed on this road," in the 20th line of said section, the following words, "the term automobiles as used in this section applies to all motor vehicles propelled by power. The town of Mount Desert may vote at said meeting what punishment shall be inflicted for violation of said by-laws, for the first offense not over \$25, and cost of prosecution, and for the second offense not over \$25 and 30 days' imprisonment, or both, and cost of prosecution."

The question being on the adoption of the amendment,

The amendment was adopted.

On motion by Mr. McBride the bill then received its third reading and was passed to be engrossed as amended.

The SPEAKER: The next matter for consideration is bill, An Act to prohibit the use of automobiles on the public roads in the town of Islesboro. The pending question is the third reading of the bill.

On motion by Mr. Twombly of Enfield, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The next matter for consideration is the majority and minority reports of the committee on legal affairs to which was referred "resolve relating to changing date of State election from September to November," majority reporting "ought not to pass," minority reporting "ought to pass."

Mr. NEWBERT of Augusta: Mr. Speaker, several persons have been to me this morning, as I tabled this matter for the gentleman from Westbrook, Mr. Scates, and assigned it, and have asked that it be reassigned for next Wednesday, at which time the gentleman from Westbrook will be here. I am perfectly willing to do anything that the House wishes done in regard to the matter. I understand that the gentleman from Westbrook, Mr. Scates, is ill at home, and if it is agreeable to the House I would move that the matter be reassigned for Wednesday of next week and be disposed of at that time.

The motion was agreed to.

The SPEAKER: The next matter for consideration is the majority and minority reports from the committee on inland fisheries and game, to which was referred "Bill, An Act to provide for a close time on bull moose," majority reporting "ought to pass," minority reporting "ought to pass" in new draft "An Act relating to the protection of moose."

Mr. MOOERS of Ashland: Mr. Speaker, I move that the minority report be substituted for the majority report, and in making this motion I wish to take a few minutes of your time in the discus-

sion of this matter and briefly state my position. You will notice by turning to the bill in its new draft that instead of a blanket close time for the whole State of four years we have asked for the shortening of the season two weeks, giving us an open time from Nov. 1st to Dec. 1st of each year as against the open season as it now stands from Oct. 15 to Dec. 1st, thereby limiting the open season to 30 days and raising the non-resident license from \$15 to \$25 for those who wish to hunt moose in our State. Now, gentlemen, I will state that my stand in the matter comes from observation made during the past 15 years—what I have hunted in the Maine woods. The name moose, which, as you are are well aware, is an Indian name meaning wood eater or browser, and is more appropriate as the animal is a creature of the silent places. Their feed consists of hard wood shoots and bark and in summer are found feeding on water feed such as lily pads and roots. As their feed differs so materially from that of the deer, you can readily see the amount of territory required for their feeding ground. When they yard in the deep snow of winter their range is great extensive paths from the main moose yards, extending sometimes more than a mile on the side of the ridges in each direction. Now we do not claim to have as many moose in our section as we have had in the past. We claim they have not been shot off and that for the reason of lack of feed and that alone, large numbers have gone from the northern section into the southeastern part of the State, where but a few years ago they were seldom found. But we do claim this, gentlemen, that we have at the present time all that we can take care of owing to feed conditions in our section. I can show you lakes and ponds in Aroostook county that but a few years ago it was with difficulty that you could put your canoe through the growth of lily pads that are now stripped of the water feed for moose. To show you, gentlemen, that we still have moose in our section I wish to bring to your attention the statement of the warden who accompanied the chairman of the fish and game commission on a trip of less than five miles on the B. & A. R. R. cut-off starting from Squa Pan junction they saw in the snow

tracks of more than a dozen moose going across the right of way and all traveling in one direction. I wish to state right here that I have letters from all the prominent camp owners in our section and they without exception are in favor of the bill in the new draft.

I now wish to read some of the letters which I have received. Here is one from Mr. William Atkins, and it says:

Oxbow, February 3, 1913.

“George H. Mooers, Esq.,

Dear Sir—Yours of January 10 received an early return home and in regard to moose, Mr. Mooers, I will tell you as I see it. We cannot have moose for some years in the back woods. There is not any feed for moose. It is impossible for moose to begin to come until the feed gets a good start, which will take some years. Moose is much scarcer this year than what they was last, so I don't think closed season would be any benefit.

Yours very truly,

WM. ATKINS.”

I have also received the following letter from Mr. W. T. Libby, who owns 35 camps and who will be put out of business if this law is passed. He says:

“Oxbow, February 19, 1913.

Mr. George Mooers,

Dear Sir—In reply to your letter of earlier date in regard to close time on moose, will say that I am not in favor of close time as we have a fair amount of moose in our vicinity and have several parties making their plans on visiting us another season to hunt them. I think a close time on them for four years would be a great mistake.

Very truly yours,

W. T. LIBBY.”

Also, I have a letter from the adjutant general of the state of Tennessee, with whom I have been going into the woods for the past 12 years, saying what about moose hunting in Maine, this year. If we cannot hunt moose then I want you to go to New Brunswick with me. Doesn't this show you gentlemen, what will happen if we prohibit the hunting of moose here in Maine? Now this is not a case of the extermination of

moose, but let us look at the figures given the game commissioner by the express companies for 1912 and compare with preceding years. In 1908 they reported 151; in 1909, 185; 1910, 225; 1911, 253; and 1912, 235. I submit, gentlemen, is not the year 1912 a good average year in the past five? In 1912, 167 came from the M. C. R. R., against 51 of the B. & A. and is not this proof of our contention that they have moved from our feeding ground to the southeast part of the State. In former years, the B. & A. shipped the larger number and the M. C. the smaller.

Now let us look at the question from the point of a valuable asset to the State. In 1912, there were 2425 non-resident hunters' licenses issued in the State and I think it fair to assume of the number one-half go into our woods with the hope of bringing out a moose and if they are not successful, estimating that this number at 1200 in round figures, and that each party leaves on an average in our State \$150 for railroad, for hotel bills, license, guides, etc., it means \$180,000 and I think the estimate is low for I want to be fair on this matter, gentlemen. Is not this an asset to our State. Thus we should hesitate to take away without careful consideration and this amount does not include loss to camp owners of property, which would be absurdly mistaken if the close time goes into effect, because the larger part of camps in the back woods are for moose hunting only and would never be used for hunting of deer. Now, gentlemen, it is for you to decide, shall we cut off the valuable asset of the State and say to our citizens, you cannot receive this benefit, this valuable asset, which is yours by right or shall we pass the bill in the new draft and allow a thirty-day open season? Mr. Speaker, I hope the minority report will prevail. Gentlemen, we have come here with this question for you to decide fairly and unpartially and are glad to do so, for we feel confident you will decide this matters strictly on its merits. (Applause.)

Mr. TRIMBLE of Calais: In behalf of the northern and eastern sections of our State I desire to oppose this proposition providing for a close time of four years on moose. I realize that the Maine Fish & Game Association, the William Tell Club, and many of the very best and most interested sportsmen in our State favor this matter; but with us, in our section, it is a business proposition. Many guides are dependent on this for their livelihood; and in our section there are thousands of dollars invested in moose camps which would be useless should this law receive a passage. At the hearing before the Committee on Inland Fish and Game, which lasted about eight hours, it was demonstrated without any question that moose are plentiful in our section. As a matter of fact, in the northern and eastern parts of Washington county they are more plentiful than they ever were. It was also demonstrated at that hearing that moose are scarce in the central and western sections of the State; but when they were plentiful there and scarce with us we did not ask for a close time. Now that they are with us I think we ought to be allowed to derive the benefit from them. It is our contention that they will stay with us, or not stay, whether they are hunted or not, because during the past few years the usual number have been killed each year, and still the number does not decrease. Should this measure pass New Brunswick would really derive the benefit, and I hope that the minority report, which provides an open time of thirty days, will be accepted in justice to the people of our part of the State. (Applause.)

Mr. MATHIESON of Rangeley: Mr. Speaker, I do not wish to take up much of the time of the House upon this question. I will admit that I introduced the measure, but it was not with any intention of working any hardship upon any particular section of this State. I have received word from Aroostook county that there ought to be a close time on moose, so not all of the people in that section are opposed to a close time. It was

brought out before your committee that not all of the people in Washington county were opposed to the close time, and I trust that the members of this House will give this question candid consideration.

It is true, that there are not a great quantity of moose in the State of Maine, but there are some along our eastern border and along the northeastern border of our State, and I want to tell you, gentlemen, that I have hunted myself a number of years and I have hunted in these sections that I have mentioned, and if those moose along the borders were let alone they would work further inland into our State, and we would have moose all over the State.

I would like to read a letter which I have received from a guide in Aroostook county. This letter is written March 3d, 1913, from Masardis, Maine. In this letter this gentleman says: "I think we should have had a close time two years ago"—and just let me stop there for a moment. Two years ago certain guides and camp owners came down from Aroostook county and opposed this measure that was asked for two years ago. I happened to be here on other matters at that time, and they came to me and they said: "You have hunted a number of years in our section and you know something about the conditions that exist there." I said I certainly did, and I talked the matter over with them candidly and I told them that we were now killing the moose that we ought not to kill. The law allows the killing of small moose with two tines on a side, and the heads are absolutely useless, but they will kill them as long as the law will allow them to be killed. And so I said to the boys: "Why don't you come down, or why didn't you come down years ago and ask that the number be at least four or five on a side?" That would have been a great protection. I said to them: "Why don't you do it now?" and they said they would. They hadn't done it, and they knew then that I didn't agree with them and wished for a close time two years ago, but they said: "Here we have a number of camps and one thing and another up there and we would like to have a year or so to prepare for this thing." So I said: "All right, I don't be-

lieve in working a hardship upon anyone," and therefore I said I would do what I could to help them. Now there hasn't been any preparation made for it, and the same matter is coming up this year, and I pitched in and helped the boys at that time to wait until we could have a little more time.

In this letter to which I have referred, this man says: "I think we should have had it two years ago, as at that time we had quite a few cows, calves and small bulls, but they seem to have left now altogether and are very scarce all through Aroostook county. Some of the camp owners claim there are as many moose now as ever, but all you have to do is to look up the B. & A. shipping records. Years back there were good amounts of shipments from most all of the stations for moose. There were 60 moose shipped from Masardis station for three years running, and for the last five years I have had to take my sportsmen to New Brunswick after moose as I knew no place in this county where I could go and get a decent head. I saw 38 bulls in my fall hunt, so you can see there are a lot of moose in that country. Camp owners here are making a very great mistake to advertise moose hunting, as there are hundreds of sportsmen who come into this country moose hunting, and as they travel around two or three weeks in the woods they want a moose very bad and they work very hard. If they see one at all it will be a small one with horns just about clearing the law. I have a few moose heads which were killed in different sections of Maine for mounting, and they are the most inferior lot of moose heads I ever saw. When I hunted moose here in Maine we never thought of killing any such stuff. I feel that a close time on moose is for the benefit of the whole State. Of course it will cut us taxidermists out of a few of these little scrawny heads, but we would gain a benefit in years to come. Some say our feed is entirely eaten up. I have travelled over a good deal of this country, during the spring and summer season, and I acknowledge that there are some places where the feed is completely destroyed, and deer are plenty enough in those sections to clean the young sprouts up as fast as they come

up. Yet there is a lot of the country where there is plenty of feed for moose and deer. What we need to increase our moose in this country is a close season and plenty of protection both in summer and winter. I think what we should have here in Aroostook county is a chief warden or one of the commissioners to look after the the other wardens and see that they are in their right sections. If we don't have good protection here a close season won't amount to anything. As the moose are killed in summer and winter here to a certain extent, I don't complain on any one, but I know there are many moose killed in close season. I had a talk with Mr. Jangerson here, last week. He was in my shop and I had a long talk with him, and he was going into the woods to look up a Canadian, who was poaching. He told me that nearly every one he talked with in Aroostook county wanted a close season except two or three camp owners, and that he would have said a great deal more about close season on moose when he was out there but he knew he would be criticised so much by a few people in this country that he decided not to say very much about it, but his whole mind and body is for a close season. I talked with quite a number of sportsmen from New Brunswick and these men are all through with Maine for moose hunting until they are satisfied that we have increased our moose. You know as well as I that no camp owner can advertise moose and have his sportsmen travel in the woods for two or three weeks and not see anything worth shooting and hold his business.

Now, Mr. Speaker, it seems to me that this is only a question of extermination or preservation. I have always noticed that the great writers on our game animals have always said that where it has become doubtful as to what is the proper thing to do, when it becomes doubtful to always give the benefit of the doubt to the animal.

Mr. TAYLOR of Topsfield: Mr. Speaker and members of the House of Representatives, I would ask your indulgence while I offer my protest against the passage, at this session of the Legislature,

of any bill fixing a close time on bull moose for four years in the State of Maine. In protesting the passage of a bill of this kind, I do it for the welfare, for the freedom and for the subsistence of a large class of the common people of our State. There are many serious objections coming from the people of Eastern Maine, irrespective of any political party, against placing a close time on bull moose for a period of four years. If you will bear with me for a short time I will give you a few figures regarding our great resources and, to my mind, we should be permitted to expand and stimulate our desire for greater development.

	Square miles
The area of Aroostook county is.....	6408
Hancock county	1390
Washington county	2456
The towns in Penobscot county bordering on one or more of the counties	1000
Making a total area of	11254
The area of the whole State of	
Maine is	33,040
New Hampshire	9,005
Vermont	9,135
Massachusetts	8,040
Rhode Island	1,953
Connecticut	4,845

Now here in the four counties of Eastern Maine that would be most seriously affected by this bill we have an area much larger than any other New England state; where, by the uncontradicted testimony given before the committee on inland fisheries and game, there are many more moose than ever before; when they are more plenty than deer, and where they are to be found in abundance. These counties represent an area of more than one-third of all Maine—an area twice as large as Connecticut and Rhode Island combined; more than a third larger than Massachusetts; an area larger than Massachusetts and Rhode Island with a population of over 200,000 or very nearly one-third of the population of the whole State of Maine.

Now the proposition is to deprive the people of this vast section of our State of the privilege of killing or trying to kill a bull moose during one month in the year—November. Why! More moose will die of old age during this period of proposed close time, than would be killed under the law of today. I believe a law declaring a close time on

bull moose for four years, would deal the death knell to the business of scores and scores of the people of eastern and northern Maine and hunters and guides who, for the past 10 years have built up a prosperous business, and in most cases invested their yearly savings in beautifying and better equipping their camps for the better enjoyment of the hunters and sportsmen who have been coming to our State in such large numbers for the purpose of hunting our large game, the moose.

I believe we should not discriminate against this large body of our common people who have become reconciled and contented with our present game law on moose. I wish to ask you members of this House, as honest men, what do you think will become of this large number of men, and their families, who have invested their money in building up a business as well as making a life study of the forest and its game? Is it logical, is it consistent with the ethics of good government, that we should discriminate against a people who are in pursuit of a business that will give them their daily bread and

I do not for a moment believe that this bill, working against the great interests of our people, as it does, will be upheld. It is claimed by the originators of this bill that they are very anxious to protect our moose. The counties of Aroostook and Washington extend the entire length of the eastern boundary of Maine of over two hundred miles in length, connecting with the province of New Brunswick by established border lines. Is it not fair to suppose should the proposed bill become a law for four years, that we will, without any question, be protecting the people and hunters of New Brunswick who will guard the frontier the whole length of our eastern border, and secure a large amount of the game that should be for our people? While our guides and hunters stand idly by, waiting with patience for the proposed four years of close time to pass by, that they may stand on the same footing as their neighbors across the border in New Brunswick.

Should this bill become a law, I be-

lieve it will work much hardship and grave dissention among the people of Eastern Maine. I believe we are here to enact laws consistent with the spirit of the times—progressive but sane, wholesome but not arbitrary, for the common people, as well as for the rich man.

Maine is the play ground of the nation. We entertain tourists and hunters, nearly 500,000 every year, who annually expend over \$25,000,000. Our State valuation has been increased by the cottage and camp builders to a very large proportion. The great progress that we have made clearly illustrates our possibilities. We have 1568 lakes; we have 14 river systems; our lakes and rivers receive the water from 5151 streams. Upon our sea coast and shores of our lakes, rivers and streams, we have accommodation for a large part of our entire national population, and our hospitality is so open and generous that we would like to have them come and stay with us at least during vacation season.

In reciting the glories of Maine, we must not lose sight of the potent fact that should this bill become a law, what attractions will we have to offer a great many of the hunters and sportsmen who come here from all over our great nation?

Nor have we any assurance that this great herd of moose that in the last few years have moved down to the eastern section of Maine from northern Penobscot, Piscataquis and Somerset counties, will stay there. Close time on cow and calf moose did not prevent them from leaving their former haunts and moving down into this new territory. Their next move, when their feed is exhausted, as it will be by the time this proposed close time will have expired, will be nobody knows where. Historical facts show that they change their feeding grounds as feed becomes scarce.

I would ask those who are not directly interested in this matter, before voting on this bill, to consider well the merits of our contention—the great loss for those who have invested their mite to perpetuate their business, better to support their wives and children. (Applause.)

Mr. SARGENT of Portland: I understand that the moose are shifting their quarters around from one place in the State to another, in order to get feed; and some people where they have gone think they have all died out. I think this question has been discussed enough. It is getting late, and parties here have asked me to get up and make a motion that we have a vote on this question now. (Applause.) The minority report I understand, is in favor of a month's close time, is it?

The SPEAKER: That is the way the Chair understands it.

Mr. SARGENT of Portland: I move we have a vote on the month's closed time. (Applause.)

Mr. AUSTIN of Phillips: I rise to second the motion of the gentleman from Portland, (Applause.) and I hope the Chair will bear with me for a few moments while I state my reasons for seconding the motion of the gentleman from Portland.

This is a matter which has caused more or less anxiety, more or less labor and perhaps more or less hard work among the members of your committee and the members of your House. In opening what few remarks I shall make, today, I want in the first place to pay a tribute to the gentleman from Ashland, who has signed the minority report which we are discussing, today. There has been no man on our committee whose services have been of more value to the State than has the gentleman from Ashland. He is a young man, whose years of experience in the woods have given him a masterly grasp on all subjects pertaining to our fish and game; and I want to say here that no matter what the outcome is of our contest, today, on the floor of this House, I think, and believe, that the gentleman from Ashland will still retain the confidence of the members of the committee in this House who have seen fit to sign the divided report against him.

Now to go back a little in the history of this question—I will say that two years ago a bill was put in for the same purpose, to make close time on bull moose for four years. At that

time there appeared before your fish and game commission a large delegation of camp keepers from Aroostok county and the eastern part of the State, representing, as I remember it, a great many thousands of dollars invested in those interests. The opposition was so strong, and it was so plainly shown that the whole eastern part of the State would be so grievously affected by the passage of this law that your committee in its wisdom saw fit to withdraw it from the Legislature, and while I did not agree with the other members of the committee—did not consider I was the only member that was right—I did not sign a minority report; but I wish that this legislation might have gone through. Now I want to take this matter up in a different way than it has been yet discussed, and from the only true point of view. I am going to admit, in the first place, that we have the nucleus of the largest number of the finest specimens of the moose family that perhaps have ever been in the State of Maine down in the southeastern corner of our State. That testimony is such that it cannot be controverted. I will admit that in the first place. But my next contention is this, and my contention is helped out by no less an authority than the supreme court of the United States—that the game of a State belongs to the people; not to any single portion thereof; but to the whole people of the State. Now I submit to you that if these moose were present, today, in large numbers in Oxford county, Franklin county, Piscataquis county, or Penobscot county, whether they would belong to the inhabitants of those several counties, or whether they would belong, and should be used, for the general good of the State of the State of Maine? Now we have, as I look at the matter, three duties at this time to perform. One is to save what we must all admit is the most valuable game animal in our State from entire extermination. The next is to preserve to coming generations a portion of the game of the State of Maine; and to preserve to the future sportsmen a little of the rare sport that we of the present generation are

permitted to avail ourselves of. Why has it become necessary in these times to draw a smaller line around the liberties of our game committee? I will tell you why. Where 20, 30 or 50 years ago there was one man in the wilderness of this State with a gun, there are ten, or perhaps 25, today. Anybody who has gone through our State knows that. In 1911, 27 States issued almost one and a half million of hunter's licenses. In 21 States not issuing the number of hunters is estimated, and I think truly, at over one million, making a grand total of 2,600,000 men and boys traveling in your woods with guns. Now, gentlemen, can America withstand this drain upon its game resources? How long can Maine stand the steadily increasing drain upon its game resources? But, you say, how many people are coming to Maine? The records of the Inland Fish and Game department show that the average year to year number of non-resident licenses is about 2500. That is, you license 2500 non-residents to come in here and go into our woods hunting. That, of course, is only a small portion of the number of men that are hunting our game in our big woods; and if this drain continues I am afraid our only alternative is a long closed season, or the handing down to the coming generations of a State entirely denuded of game.

Now let me go for a moment into the history of the present whereabouts of the moose. Moose are found in such numbers that they are counted in only five States in this Union,—in Maine, Montana, Wyoming, Idaho and Minnesota. In only two states in this whole Union can moose be legally hunted at any time, these States being Maine and Minnesota; and Minnesota has set aside almost a million acres as a perpetual game reserve for its moose, where they cannot be legally hunted. Now my friends from down on the border say if you do not allow us to kill the moose that are now present on that border they are going back into New Brunswick. Let me present to you as thinking men the fallacy of any such contention as that. With the State of Maine closed to moose hunting are the moose of Maine going into

the hunted territory of New Brunswick where their hunting season begins September 15 and lasts as long as ours does, or are they going to drift to the north and west where, owing to the great fires of 1908 and 1911, thousands and hundreds of thousands of acres are bearing the hard wood sprouts which is the natural game feed, today. You say they are leaving the country because there is no feed for them. Great heavens, man, almost the northern part of this State has been burned over twice in the last few years, and we are developing there the greatest moose pasture in the world, today. Are your moose going back into New Brunswick for the sake of committing deliberate suicide, or are they coming into other parts of the State where they will be protected under the law?

Now a word in regard to the testimony which came before our committee on this matter. There was one, and one only, of this immense number of game keepers with their thousands of dollars invested in the business, who came before the committee. He testified that he did have three camps which cost him, on the average, \$300 apiece, which would be put out of business temporarily, probably, if this law went into effect, because they are so far back in the woods it would not pay to go there for deer hunting. There can be no law passed for the general good of the State which will not work injustice, perhaps, upon individual members of society; but we are arguing, today, gentlemen, that the preservation of our game in the State of Maine is for the general good of the people of the whole State, whom nobody can deny but owns it. Against the testimony of this one game keeper comes the written testimony of your commissioners of inland fisheries and game. Now what is that? In the reports sent in to them by their guides scattered all over the State of Maine, 290 of these guides stated that they believed there were more moose in Maine, today, than ever before. Over 600 of them stated that they believed that moose were much less plentiful than ever before. Now, I submit to you, gentlemen, the sources of information of your Commissioners of Inland Fish-

eries and Game are as reliable as the sources of any one regarding this subject. Over against the testimony of those interested in killing the moose in Maine in one section we have the testimony of one of the most capable wardens in the service of the State, from Aroostook county, who said that in his opinion the moose were fast disappearing from their usual haunts in Aroostook county. He did not know exactly whether to lay it to the feed, or to the fact that the balance between the sexes had been overcome, or what it was, but there was some reason why the moose were leaving their usual haunts in the northern part of the State. I contend, gentlemen, that anybody who goes into the woods cannot honestly come out and say that the moose have been starved out of northern Maine, because the time they must starve is the time of the deep snows, and northern Maine is full of hard wood sprouts which have sprung up after the fires of the last four years. Now the condition is just this, to my mind: We have got an ideal stock of moose. The camp people from Washington county testified before this committee that many of the moose shot were the large, black, rangy, spreading-horn moose of New Brunswick; that for some reason or other they were drifting over into Maine. Everybody admits in their testimony that, for the fact we have bred all our moose the past four years from immature bulls, that this is just what we need, and now is the psychological moment to start a nucleus for refilling our forests as far as possible with moose. Now they talk about the assets of the moose. Let me suggest this to your mind: One gentleman says what would be the inducement for a hunter to come here if he cannot shoot moose? I tell you, gentlemen, men and women come into this State who are more pleased to see one standing live moose in the lakes and waters of our State than they would be to see 100 dead ones. Dead moose are not an asset to our State; it is the live moose. People are not all hunting with guns today. Many of our people spending their summer vacations in our beautiful forests, and on the borders of our beautiful lakes and streams, are hunting with cameras. I do not know how it is in Washington county; but public opinion in the State

of Maine, and in the whole New England states, and in America, is rapidly changing. It is no longer the idea that game must be killed to be interesting. People are coming into this State to see it; and what do they do? They go home and advertise the number of moose they have seen in our inland forests, and it gets other people to come here. It is a great asset to the State or Maine. Is one old bull moose hung up by the heels in front of some camp any asset to the State of Maine? A hunter takes a moose home and divides it up, and he advertises that moose to a very small section of killers of game; but it is not the advertisement, gentlemen, that the State of Maine at present needs to develop her resources.

Perhaps I feel a little different on this than one not otherwise interested would. I have participated, gentlemen, in the slaughter of the buffalo on our Western plains. In the extermination of them in the years of 1881 and 1882 I saw carcasses of the most magnificent animal that America had—the North American bison—by the hundreds rolled up on their back, with their four legs sticking up in the air—the most pitiful sight that the American of today could have seen; not a skin taken from these rotting bodies; not a hide taken from them. Now they say you could not have kept the buffalo; the advance of civilization would have driven them out, the same as it is driving the moose out. In October, 1881, a passenger train on the Northern Pacific Railroad was stopped by an immense herd of buffalo crossing its track. In two years from that day the buffalo was extinct in the United States, outside of those in the national preserve in the National park. Now, gentlemen, these buffalo did not migrate, as they say the moose do; they were slaughtered. Their bones have whitened for years on the prairies of our Northwest; and they use them for section posts denoting the boundaries of their land—a buffalo skull on a stake. That is what became of our noblest animal.

Now, they say that the caribou have left our country and that they left in a space of two years. They did, but for God's sake do you want to repeat the experiment with your moose? The law on caribou was not put on early enough by six years. I know

that because I have hunted caribou myself. The caribou were probably starved out of our Maine forests. Perhaps their feed was decreasing, but our caribou were not entirely starved. The caribou is a migratory animal, not like the moose; they are ranging all the time; you might see them at this point today and tomorrow they would be at a point 40 miles to the northwest. Moose are not in the habit of ranging from one part of the State to another.

Let me call your attention to another little matter of game preservation, and how it worked out. In those days men said it was too late and the beaver have gone never to come back, and it can't be helped and what is the use of making any more laws. In 1893, 20 years ago this winter, a close time was put on beaver. Young men in our woods had never been fortunate enough to see the beaver in his native haunt. Within ten years or less from that time our inland lakes of Maine were inhabited by large colonies of beaver, and today they have become so plentiful that in many places they are a nuisance. You did save the beaver, and you put on a law when most of us thought it was too late, but in 10 years you had them all back with you.

Now, gentlemen, isn't it worth trying on our greatest and noblest game animal? Our forefathers were perhaps wiser than we are. Previous to 1875, as all men over 40 years of age know, the whole northwestern part of this State was covered by a horde of hunters every March, out on the crust hunting moose. They went in there and chased the moose down, knocked him on the head and cut his throat; and they killed them by hundreds. What happened then? Moose became scarce in this section, as scarce as they are today. And the Legislature in its wisdom in 1875 put a close time on bull moose for five years. What happened? The best moose hunting this State ever saw occurred in the following decade, from 1880 to 1890. Don't you think it is worth trying? It appeals to me that it is something that is worth trying.

Now, I have talked longer than I ought, and longer than I intended to, and I cannot conclude my remarks better than by quoting to you the words of one of our wild life's greatest friends in America. He says it better than I can, better than the most of us can, but I submit these words to you, and ask you if they do not ring true to you:

"Beyond question, we are exterminating our finest special of mammals, birds and fishes according to law.

I am appalled by the mass of evidence proving that throughout the entire United States and Canada, in every state and province, the existing legal system for the preservation of wild life is fatally defective. There is not a single state in our country from which the killable game is not being rapidly and persistently shot to death, legally or illegally, very much more rapidly than it is breeding, with extermination for the most of it close in sight. This statement is not open to argument; for millions of men know that it is literally true. We are living in a fool's paradise.

The rage for wild-life slaughter is far more prevalent, today, throughout the world than it was in 1872, when the buffalo butchers paved the prairies of Texas and Colorado with festering carcasses. From one end of our continent to the other, there is a restless, resistless desire to kill, kill.

I have been shocked by the accumulation of evidence showing that all over our country and Canada fully nine-tenths of our protective laws have practically been dictated by the killers of the game, and that in all save a very few instances the hunters have been exceedingly careful to provide "open seasons" for slaughter, as long as any game remains to kill.

And yet, the game of North America does not belong wholly and exclusively to the men who kill. The other 97 per cent. of the people have vested rights in it, far exceeding those of the 3 per cent. Posterity has claims upon upon it that no honest man can ignore.

I am now going to ask both the true sportsman and the people who do not

kill wild things awake, and do their plain duty in protecting and preserving the game and other wild life which belongs partly to us, but chiefly to those who come after us. Can they be aroused, before it is too late?

The time to discuss tiresome academic theories regarding "bag limits" and different "open seasons" as being sufficient to preserve the game, has gone by. We have reached the point where the alternatives are long closed seasons or a gameless continent; and we must choose one or the other, speedily. A continent without wild life is like a forest with no leaves on the trees.

I have been a sportsman myself; but times have changed, and we must change also. When game was plentiful, I believed that it was right for men and boys to kill a limited amount of it for sport and for the table. But the old basis has been swept away by an army of destruction that now is almost beyond all control. We must awake, and arouse to the new situations, face it like men, and adjust our minds to the new conditions. The three million gunners of today must no longer expect or demand the same generous hunting privileges that were right for hunters 50 years ago, when game was 50 times as plentiful as it is now and there was only one killer for every 50 now in the field.

The fatalistic idea that bag-limit laws can save the game is today the curse of all our game birds, mammals and fishes. It is a fraud, a delusion and a snare. That miserable fetich has been worshiped much too long. Our game is being exterminated, everywhere, by blind insistence upon "open seasons," and solemn reliance upon "legal bag-limits." If a majority of the people of America feel that so long as there is any game alive there must be an annual two-months or four-months open season for its slaughter, then assuredly we soon will have a gameless continent."

I will close by asking all of you gentlemen from the various sections of the State to think well before you cast your vote upon this matter. Vote

so that you can go back and look your constituents in the eye and say, "I believe I did right; I did not do it for a friend, to have something done for me, but I did it because I believed that you people at home who sent me here wanted me to do it, and because it was for your best interests so to do." I thank you, gentlemen. (Applause.)

The SPEAKER: The question before the House now is on the motion of the gentleman from Ashland, Mr. Mooers, that the minority report be substituted for the majority report.

Mr. MOOERS: Mr. Speaker, I hope the House will bear with me in my request for the yeas and nays. While I know the hour is late, I would like to have the vote on this question by the yeas and nays.

Mr. AUSTIN: Mr. Speaker, I second the motion.

The SPEAKER: All those in favor of demanding the yeas and nays will rise in their places.

A sufficient number having arisen, The yeas and nays were ordered.

The SPEAKER: The question is on the motion of the gentleman from Ashland, Mr. Mooers, that the minority report be substituted for the majority, the minority report reporting bill in new draft, establishing an open time of one month; the majority report being in favor of the original bill establishing a close time for four years. Those favoring the motion and voting yes will vote for the establishment of an open time on bull moose for one month only; those voting no, vote against that proposition and will be confronted later if the motion fails by a proposition establishing a close time for four years, as the Chair understands it. The clerk will call the roll.

YEA:—Allen, Benn, Bither, Boland, Boman, Bowler, Bragdon of Sullivan, Bragdon of York, Brown, Bucklin, Chadbourne, Chick, Churchill, Connors, Cook, Crowell, Cyr, Davis, Descoteaux, Doherty, Dresser, Dunbar, Durgin, Eaton, Eldridge, Emerson, Estes, Farnham, Folsom, Franck, Gallagher, Gardner, Goodwin, Haines, Harman, Haskell, Higgins, Hogan, Hutchins, Irving, Jenkins, Jennings, Johnson, Kelleher of Portland, Kelleher of Waterville, Lawry, Leader, Leary, LeBel, Leveille, Libby, Mason, Maxwell, Maybury, McFadden, Merrill,

Mildon, Mitchell of Kittery, Mitchell of Newport, Mooers, Morneau, Newbert, O'Connell, Packard, Peacock, Peaks, Pendleton, Peterson, Pitcher, Price, Putnam, Quinn, Ricker, Roberts, Robinson, Rolfe, Rousseau, Sargent, Sherman, Skillin, Smith of Patten, Smith of Presque Isle, Snow, Spencer, Sprague, Stanley, Stetson, Stevens, Sturges, Swift, Taylor, Thombs, Thompson, Trimble, Tryon, Twombly, Umphrey, Violette, Washburn, Winchenbaugh—100.

NAY.—Austin, Bass, Benton, Butler, Clark of Portland, Clark of New Portland, Cochran, Dunton, Eastman, Gordon, Greenleaf of Auburn, Greenleaf of Otisfield, Harper, Harriman, Hodsdon, Jones, Kimball, Marston, Mathieson, McBride, Metcalf, Morrison, Morse, Nute, Plummer, Reynolds, Richardson, Sanborn, Sanderson, Skelton, Smith of Auburn, Smith of Pittsfield, Stuart, Swett, Tobey, Waterhouse, Wise—37.

ABSENT:—Brennan, Currier, Donovan, Elliott, Farrar, Gamache, Hancock, Kehoe, Morgan, Ramsay, Scates, Wheeler, Yeaton—13.

The SPEAKER: One hundred having voted in the affirmative and 37 in the negative, the motion prevails, and the minority report reporting bill in new draft is adopted.

Mr. Austin of Phillips moved that the bill now receive its first reading.

The motion was agreed to and the bill received its first and second readings and

was assigned for tomorrow morning for its third reading.

Mr. SANBORN of South Portland: Mr. Speaker, I have had handed to me a bill entitled "An Act relating to the powers of the board of prison and jail inspectors." I will state that this was prepared several days ago at the request of the Governor and was handed to a senator to be introduced in the Senate. It was unfortunately mislaid and search was made for it this morning and it was found after the adjournment of the Senate; and in order that its progress might be expedited it was handed to me with the request that I ask that it be introduced this morning out of order, and I so ask.

The rules were suspended and bill, An Act in relation to prison inspectors, was received, and on further motion by Mr. Sanborn the bill was referred to the committee on judiciary.

On motion by Mr. Bowler of Bethel, all matters remaining on the calendar assigned for today were specially assigned for consideration tomorrow morning.

On motion by Mr. Bowler of Bethel, Adjourned.