

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**HOUSE.**

Friday, March 7, 1913.

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

Prayer by the Rev. Mr. Coons of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn it be to meet, on Monday afternoon, March 10, at half past 4 o'clock.

The order received a passage in concurrence.

From the Senate: An Act to provide for the conducting of investigations in animal husbandry by the Maine Agricultural Experiment Station, came from the Senate in that branch recommitted to the committee on agriculture.

On motion by Mr. Bowler of Bethel, the bill was recommitted to the committee on agriculture in concurrence.

From the Senate: An Act relating to the Squirrel Island Village Corporation.

In the House the report of the committee on judiciary, reporting "ought not to pass" was accepted, and came from the Senate in that branch recommitted to the committee on judiciary.

On motion by Mr. Smith of Presque Isle, under a suspension of the rules the vote was reconsidered whereby the report of the committee on judiciary was accepted, and on further motion by Mr. Smith the bill was recommitted to the committee on judiciary in concurrence with the Senate.

**Senate Bills on First Reading.**

An Act pertaining to the jurisdiction of the superior court of the county of Kennebec, and to fix the salary of the judge thereof.

An Act in relation to boards of registration of voters.

An Act to amend the charter and extend the rights of the Goodall **Worsted Company.**

An Act to make valid the organization of the **Pepperell Association** of

Kittery, Maine, under Chapter 27 of the Revised Statutes of 1897.

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

**Judiciary.**

By Mr. Rousseau of Brunswick: Petition of Harvey M. Mahar and 33 others of Topsham, Brunswick and Lisbon Falls in favor of Senate Bill No. 165, providing for workmen's compensation.

By Mr. Descoteaux of Biddeford: Petition of M. H. Houghy and 93 others of Biddeford and Saco in favor of same.

By Mr. Kelleher of Portland: Petition of Edward Ward and 28 others of Portland in favor of same.

By Mr. Rousseau of Brunswick: Petition of Thomas Caron and 41 others of Brunswick in favor of same.

By Mr. Taylor of Topsfield; Petition of W. J. McDonald and 122 others of Woodland in favor of same.

**Legal Affairs.**

By Mr. Rousseau of Brunswick: An Act to amend Section 1 of Chapter 93 of the Revised Statutes, relating to mortgages of personal property.

**Appropriations and Financial Affairs.**

By Mr. Higgins of Brewer: Resolve authorizing the compilation and publication of the insurance laws of Maine.

**Mercantile Affairs and Insurance.**

By Mr. Higgins of Brewer: An Act relating to mutual fire companies transacting factory and mill insurance only.

**Ways and Bridges.**

By Mr. Goodwin of Mexico: Protest of L. W. Blanchard and 64 others of Rumford and Mexico against any change in cost of the registration of automobiles under 35 horsepower.

**Education.**

By Mr. Yeaton of Belgrade: Resolution of Cascade Grange, No. 92, of Oakland in favor of distribution of State school funds according to aggregate attendance in common schools; also petition of T. H. Hersom of Oakland and 37 others in favor of same; also petition of C. J. Anderson of Belgrade and 20 others in favor of same;

also resolution of Salmon Lake Grange of Belgrade in favor of same.

By Mr. Bowler of Bethel: Resolution of Pleasant Valley Grange of West Bethel in favor of same; also petition of H. N. Head of Bethel and 12 others in favor of same.

By Mr. Harmon of Stonington: Petition of F. A. Haskell of Deer Isle and five others in favor of same; also petition of H. H. Hale of Sedgwick and 10 others in favor of same.

By Mr. Thombs of Lincoln: Petition of Charles H. Rich of Lee and 23 others in favor of same.

By Mr. Richardson of Canton: Resolution of Mountain Grange of Buckfield in favor of same; also petition of F. S. Palmer and 33 others of Sumner in favor of same; also resolution of Mystic Valley Grange of Dixfield in favor of same; also resolution of Rockemeka Grange of Peru in favor of same; also resolution of Union Grange of East Sumner in favor of same.

By Mr. Peacock of Readfield: Resolution of Wayne Grange of Wayne in favor of same; also petition of Charles S. Gott of Wayne and 16 others in favor of same.

By Mr. Stuart of Livermore Falls: Resolution of Turner Grange of Turner in favor of same.

By Mr. Elliot of Thomaston: Petition of W. B. Gardner of Union and 27 others in favor of same; also resolution of Seven Tree Grange of Union in favor of same.

By Mr. Johnson of Brownfield: Resolution of Fryeburg Grange in favor of same; also resolution of Frost Mountain Grange of Brownfield in favor of same.

By Mr. Skelton of Bowdoin: Resolution of Sagadahoc Pomona Grange of Sagadahoc County in favor of same.

By Mr. Austin of Phillips: Petition of Fred T. Smith of New Vineyard and 32 others in favor of same; also resolution of Lemon Stream Grange of New Vineyard in favor of same.

By Mr. Boman of Vinalhaven: Resolution of Pleasant River Grange of Vinalhaven in favor of same; also

resolution of Friendship Grange of Friendship in favor of same.

By Mr. Skelton of Bowdoin: Resolution of Dromore Grange of Phippsburg in favor of same; also petition of J. F. Upton and 224 others in favor of same.

By Mr. Bragdon of Sullivan: Resolution of Green Mountain Pomona Grange of Hancock county in favor of same; also resolution of Schoodic Grange of Franklin in favor of same.

By Mr. Folsom of Sanford: Resolution of South Waterboro Grange of Waterboro in favor of same; also petition of James E. Green and nine others of Waterboro in favor of same.

By Mr. Smith of Pittsfield: Petition of L. L. Smith of Cornville and ten others in favor of same; also resolution of Wesserunnett Grange of Cornville in favor of same.

By Mr. Higgins of Brewer: Resolution of Penobscot Pomona of Penobscot County in favor of same; also petition of Charles H. Hart and eight others of Brewer in favor of same; also resolution of Pine Grove Grange of Brewer in favor of same.

By Mr. Crowell of Bangor: Resolution of Bangor Grange of Bangor in favor of same.

By Mr. Bass of Wilton: Petition of S. W. Walker and 11 others of Wilton in favor of same.

By Mr. Harmon of Stonington: Resolution of Deer Isle Grange of Deer Isle in favor of same; also resolution of Sedgwick Grange of Sedgwick in favor of same.

By Mr. Stuart of Livermore Falls: Petition of Charles F. Hill of Turner and 47 others in favor of same.

By Mr. Bucklin of Warren: Resolution of Penobscot View Grange of Rockport in favor of same; also petition of A. P. Starrett of Warren and 15 others in favor of same; also petition of F. E. Leach and 12 others of Rockport in favor of same.

By Mr. Richardson of Canton: Petition of A. H. Adams of Canton and 17 others in favor of same.

By Mr. Goodwin of Mexico: Resolution of Lone Mountain Grange of Andover in favor of same; also resolution of Swift River Grange of Mex-

ico in favor of same; also petition of A. D. Wight of Gilead and nine others in favor of same.

By Mr. Ricker of Castine: Resolution of Floral Grange of Bucksport in favor of same; also petition of C. H. Lowell of Bucksport and 12 others for same.

By Mr. Tryon of Pownal: Resolution of Harrasseeket Grange of Freeport for same.

By Mr. Taylor of Topsfield: Petition of Charles A. Rolfe of Princeton and 23 others for same.

By Mr. Mitchell of Newport: Resolution of Twilight Grange of Corinna for same; also resolution of Penobscot Union Grange of Somerset and Penobscot Counties for same.

By Mr. Nute of Wiscasset: Resolution of Cooper's Mills Grange of Jefferson for same; also petition of A. M. Reiley of Jefferson and 16 others for same.

By Mr. Ricker of Castine: Remonstrance of Henry W. Webb and 26 others against enactment of legislation such as is proposed in Section 6 of bill No. 386.

By Mr. Johnson of Brownfield: Remonstrance adopted by the town of Fryeburg protesting against bill to distribute the school fund according to aggregate attendance of schools and in favor of aggregate attendance common schools only.

By Mr. Austin of Phillips: Remonstrance of Crystal Lake Grange of Industry against passage of bill to distribute school funds according to aggregate attendance of schools.

#### Reports of Committees.

Mr. Durgin from the committee on judiciary, on bill, An Act to regulate by arbitration strikes, lockouts and disputes between employers and employees of public utilities, reported that same "ought not to pass" and giving the reasons for such report. (For full statement of reasons given in the report see Senate report).

Mr. IRVING of Caribou: Mr. Speaker, now that this poor old bill which has been so long on the sick list is at last dead and its obituary has been heard, and in order that it may not

meet the fate of the poor old Indian woman referred to by the gentleman from Perry (Mr. Washburn) in his remarks of yesterday, and in order that other matters which have been hinging upon this bill may be handled, I move that this report be accepted and immediately sent to the Senate for concurrent action.

The motion was agreed to, and the report was accepted.

Mr. Dunton from the committee on judiciary, reported "ought not to pass" on bill, An Act relative to the municipal court of Hallowell.

Mr. Smith of Patten from the same committee, reported "ought not to pass" on bill, An Act to permit the election of town officers by secret ballot. (Tabled pending the acceptance of the report on motion by Mr. Plummer of Lisbon.)

Mr. Waterhouse from the same committee, reported "ought not to pass" on bill, An Act to safeguard the unwary public against certain nuisances.

Mr. Allen from the committee on education, reported "ought not to pass" on bill, An Act to amend Section 19 of Chapter 15 of the Revised Statutes, relating to purchase of text books in schools.

Mr. Trimble from the committee on railroads and expresses, reported "ought not to pass" on bill, An Act to repeal Section 10 of Chapter 124 of the Revised Statutes, in regard to railroad employes.

Same gentleman from same committee, reported "ought not to pass" on bill, An Act to regulate moving of freight on railroads. (Recommended to the committee on railroads and expresses on motion by Mr. Irving of Caribou).

Mr. Roberts from the committee on agriculture, reported "ought not to pass" on resolve in favor of the Androscoggin Agricultural & Horticultural Society.

Mr. Cyr from the committee on interior waters, reported "ought not to pass" on bill, An Act to repeal Chapter 315 of the Private and Special Laws of 1903 entitled "An Act to incorporate the Medunkeunk Dam & Improvement Company."

Mr. Clark of Portland from the committee on inland fisheries and game, on bill, An Act to provide for the protection of Hungarian partridge, Capercalzie and all species of pheasant except ruffed grouse or partridge, reported that the same be placed on file as the subject matter is covered by general revision bill to be reported.

Same gentleman from same committee, reported "ought not to pass" on bill, An Act to amend Section 17 of Chapter 32 of the Revised Statutes as amended by Section 4 of Chapter 132 of the Public Laws of 1905, in relation to close time on deer.

Same gentleman from same committee, on communication of Frank L. Robinson against closing ponds for ice fishing and against proposed law prohibiting bait fishing, reported that the same be placed on file.

Same gentleman from same committee, on petition of H. P. McKenney and 29 others asking for certain regulations on fishing in Markham pond, Cold stream and other waters in Somerset county, reported that the same be placed on file as the general revision bill to be reported covers the subject matter.

Same gentleman from same committee, on petition of E. E. Packard and 24 others prohibiting the dumping of sawdust and other refuse in the waters of Potter's mill stream in Litchfield, also remonstrance against same, reported that the same be placed on file as the subject matter is covered by general revision bill to be reported.

Same gentleman from same committee on bill, An Act to provide for a close season for fishing in Douglass pond, sometimes called Williams pond, in Bucksport, Hancock county, also petition in relation to the same, reported that the same "ought not to pass."

Same gentleman from same committee, reported "ought not to pass" on bill, An Act to regulate fishing in the South Branch of Dead river above Flagg dam.

Same gentleman from same committee, on petition of H. G. Benson and 19 others relating to taking trout in Rap-

id stream, reported that the petitioners have leave to withdraw.

Mr. Violette from the committee on towns, on bill, An Act to set off part of the town of Dyer brook and annex the same to the town of Island Falls, reported legislation thereon inexpedient.

Mr. Pitcher from the committee on School for Feeble Minded, reported "ought not to pass" on resolve in favor of the Maine School for Feeble Minded.

Same gentleman from same committee, reported "ought not to pass" on resolve in favor of Maine School for Feeble Minded.

Mr. Leary from the same committee, reported "ought not to pass" on resolve in favor of the Maine School for Feeble Minded.

Mr. Haines from the same committee, reported "ought not to pass" on resolve in favor of the Maine School for Feeble Minded.

Mr. Taylor from the same committee, reported "ought not to pass" on resolve in favor of the Maine School for Feeble Minded.

The reports were accepted.

Mr. Smith of Auburn from the committee on judiciary, reported in a new draft and "ought to pass" on bill, An Act to amend Chapter 151 of the Private and Special Laws of 1887 entitled "An Act to create the Roman Catholic Bishop of Portland and his successors a corporation sole, as amended by Chapter 47 of the Private and Special Laws of 1891."

Mr. Violette of Van Buren moved that the report be laid upon the table and specially assigned for consideration, next Wednesday.

The motion was agreed to.

Mr. Smith of Presque Isle moved that the bill in new draft be printed.

The motion was agreed to.

Mr. Waterhouse from the committee on judiciary, reported "ought to pass" on bill, An Act to revise the charter of the city of Eastport.

Mr. Sanborn from the same committee, reported in a new draft and "ought to pass" bill, An Act additional to Chapter 79 of the Revised Statutes, relating to transfer of actions and

other matters to the law court in case of the death of the presiding justice.

Mr. Connors from the committee on legal affairs, reported "ought to pass" on bill, An Act to authorize Hernando E. Allen to erect a wharf at starboard in the town of Machiasport.

Mr. Thombs from the same committee, reported in a new draft and "ought to pass" bill, An Act to authorize the Calais Street Railway Company to sell electricity.

Mr. Ricker from the committee on education, reported in a new draft and "ought to pass" bill, An Act to amend Chapter 40 of the Revised Statutes, as amended by Chapter 46 of the Public Laws of 1907, Chapters 70 and 257 of the Public Laws of 1909, and by Chapters 55, 118 and 143 of the Public Laws of 1911, relating to the issuing of age and schooling certificates.

Mr. Leveille from the committee on education, reported "ought to pass" on bill, An Act to amend Sections 41, 42, 43 and 44 of the Revised Statutes, as amended, relating to the employment of superintendents of schools comprising school unions.

Mr. Roberts from the committee on agriculture, reported "ought to pass" on resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of the gypsy moth, for the year 1914.

Mr. Tobey from the same committee, reported in a new draft and "ought to pass" bill, An Act relative to sealing milk bottles and jars.

Mr. Skelton from the same committee, reported in a new draft and "ought to pass" bill, An Act relative to weights and measures.

Mr. Marston from the committee on State lands and forest preservation, reported "ought to pass" on resolve to determine the ownership, location and value of islands along the coast of Maine.

Same gentleman from same committee, reported "ought to pass" on resolve for free public instruction in forestry.

Mr. Gordon from the committee on claims, reported in a new draft and

"ought to pass" resolve in favor of the town of Belmont.

Same gentleman from same committee, reported in a new draft and "ought to pass" resolve in favor of Jotham Stevens of Embden.

Same gentleman from same committee, reported in a new draft and "ought to pass" resolve in favor of Law Reporting Company of New York City. (Tabled pending the acceptance of the report and specially assigned for consideration on Wednesday of next week on motion by Mr. Gordon of Biddeford.)

Mr. Tobey from the committee on Maine School for Feeble Minded, reported in a new draft and "ought to pass" resolve in favor of the Maine School for Feeble Minded.

Mr. Tryon from same committee, reported in a new draft and "ought to pass" resolve in favor of the Maine School for Feeble Minded.

Mr. Stevens from the same committee, reported in a new draft and "ought to pass" resolve in favor of the Maine School for Feeble Minded.

Mr. Tryon from the same committee, reported in a new draft and "ought to pass" resolve in favor of the Maine School for Feeble Minded.

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

Majority and minority reports of the committee on salaries and fees which was instructed by an order of the Legislature to inquire into the advisability of increasing the pay of members of the Legislature and placing them, as regards free telephone service, on an equality with other State officials, majority reporting in accompanying bill, An Act to prohibit the furnishing or acceptance of free telephone service to State officials, and that the same "ought to pass," signed by Messrs. Wing, Maxwell, Morse, Gallagher and Rousseau; minority reporting "legislation inexpedient," signed by Messrs. Conant, Butler, Reynolds and Mitchell.

On motion by Mr. Quinn of Millinockett both reports were laid upon the table pending the acceptance of either report.

Mr. Connors from the committee on legal affairs, reported "ought to pass" on bill, An Act to authorize the York Light, Heat and Power Company to furnish electricity to the inhabitants of Pine Point and Grand Beach.

The report was accepted, and this bill having been already printed was tabled pending its first reading, on motion by Mr. Descoteaux of Biddeford.

Mr. Sanborn from the committee on judiciary, reported "ought to pass" on bill, An Act to amend Section 3 of Chapter 162 of the Public Laws of 1905, entitled "An Act enlarging the duties and fixing the compensation of the attorney general.

Mr. Connors from the committee on legal affairs, reported "ought to pass" on bill, An Act to change the name of the town of Eden to the town of Bar Harbor.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to incorporate the Washington County Light & Power Company.

Mr. Kimball from the committee on education, reported "ought to pass" on bill, An Act to amend Chapter 215 of the Resolves of the State of Maine enacted in the year 1897, as amended by Chapter 108 of the Private and Special Laws of 1903, relating to tuition of students in agriculture at the University of Maine.

Mr. Swift from the committee on railroads and expresses, reported "ought to pass" on bill, An Act to extend the charter of the Farmington & Augusta Railway Company.

Mr. Maxwell from the committee on public health, reported in a new draft and "ought to pass" bill, An Act to regulate the sale of morphine and other hypnotic and narcotic drugs.

The reports were accepted, and these bills having been already printed received their first and second readings and were assigned for Monday afternoon at four thirty o'clock for their third reading.

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

An Act granting the Penobscot Tribe of Indians the right to establish and maintain a ferry between Indian Is-

land, so-called, and the city of Old Town.

An Act to incorporate the Harrison Water Company.

An Act to amend Section 5 of Chapter 113 of the Revised Statutes of the State of Maine, relating to personal property bargained and delivered to another which shall remain the property of the seller till paid for.

An Act to incorporate the Brownfield Electric Company.

An Act to ratify the organization of and amend the charter of the Hiram Water, Light & Power Company.

An Act relating to the Good Templars hall in Dexter.

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

An Act to restrict and regulate private banking.

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.

Resolve in favor of the Maine State Agricultural Society, and repealing resolves in favor of said society.

Resolve in favor of the Penobscot Tribe of Indians.

Resolve in favor of the town of Milo.

Resolve in favor of the town of Hermon.

#### Passed to Be Engrossed.

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 10, relating to the department of agriculture.

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

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 for said county.

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 incorporate the Jackman Water, Light & Power Company. (Tabled pending third reading on motion by Mr. Marston of Skowhegan.)



An Act to amend Sections 3, 4, 5 and 7 of Chapter 292 of the Private and Special Laws of Maine, 1909, relating to the Mexico Water 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 detained on such sentence, and for the expense attending the same.

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

An Act relating to The Jerguson Manufacturing Company.

An Act to amend Section 1 of Chapter 313 of Private and Special Laws of 1864, entitled "An Act to incorporate the Baskahegan Dam Co.," 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 to extend the powers of the Limerick Water and Electric Company.

An Act additional to Chapter 28 of the Revised Statutes for the prevention of false fire alarms.

An Act to regulate the use of hats and other decorative utilities.

An Act relating to the protection of moose.

On motion by Mr. Mathieson of Rangeley, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Mathieson then offered House Amendment A to amend by adding thereto the following:

"Provided, however, that no person shall at any time hunt, take, catch, kill or destroy or have in possession any moose, or part thereof, with less than five tines or prongs to each horn or antler."

Mr. Trimble of Calais moved that the bill and amendment be laid upon the table pending the adoption of the amendment.

The motion was agreed to.

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.

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

Resolve for Military Pensions.

Resolve for State Pensions.

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

Resolution to correct certain errors and omissions which appear in Chapter 72, entitled "An Act to provide a charter for the city of Gardiner," of the Private and Special Laws of 1911, as printed in the volume of the Laws of the State of Maine for 1911.

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

#### Passed to Be Enacted.

An Act to amend Sections 2 and 3 of Chapter 138 of the Public Laws of 1911, providing for the encouragement of industrial education.

An Act to amend Section 5 of Chapter 15 of the Public Laws of 1907, and also Section 6 of said chapter, as amended by Chapter 34 of the Public Laws of 1909 and Chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases. (Pending the passage of this bill to be enacted, on motion by Mr. Richardson of Canton, under a suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by Mr. Richardson the bill was recommitted to the committee on agriculture.)

An Act to amend Section 28 of Chapter 65 of the Revised Statutes, relating to appeals from orders, sentences, decrees or denials of judges of probate.

An Act to amend Section 50 of Chapter 93 of the Revised Statutes, as amended by Chapter 21 of the Public Laws of 1907, relating to liens on hemlock bark, cordwood and pulpwood for labor performed thereon.

An Act to repeal Chapter 153 of the Public Laws of 1911 entitled "An Act to prohibit the use of gang hooks, so-called, when fishing in the inland

waters of the State.

An Act to amend Section 116 of Chapter 15 of the Revised Statutes, relating to instruction for the blind.

An Act to extend the charter of the World's Standard Insurance Company.

An Act to amend Section 115 of Chapter 15 of the Revised Statutes, as amended by Chapter 106 of the Public Laws of 1909, and as further amended by Chapter 186 of the Public Laws of 1911, relating to appropriation for the support of the normal and training schools.

An Act relating to the admission of foreign insurance companies and amending Section 78 of Chapter 49 of the Revised Statutes.

An Act to amend Section 6 of Chapter 18 of the Revised Statutes, as amended by Chapter 48 of the Public Laws of 1909, relating to the State Board of Health.

An Act to ratify the organization of St. Joseph's Convent and Hospital fixing the value of property it may acquire.

An Act in relation to the Skowhegan and Athens Railway.

An Act authorizing Bion M. Pike to maintain a ferry between Lubec, North Lubec, Eastport and Campobello.

An Act to amend Section 23 of Chapter 18 of the Revised Statutes, as amended by Chapter 26 of the Laws of 1907, relating to the State laboratory of hygiene.

An Act to amend Sections 41 and 42 of Chapter 49 of the Revised Statutes, relative to the organization of insurance companies.

An Act to amend Section 5 of Chapter 21 of the Revised Statutes, relating to liens upon land or parcels of land benefitting by the construction of a public sewer.

#### Finally Passed.

Resolve in favor of Peter J. Newell, representative of the Passamaquoddy Tribe of Indians.

Resolve in favor of Peter W. Ranco, representative of the Penobscot Tribe of Indians.

Resolve in favor of John M. Deering for services and expenses as secre-

tary of the Maine Cattle Commission.

Resolve making specific appropriations for buildings at the University of Maine.

Resolve in favor of the city of Biddeford for balance of amount allowed it by the State for a free library for 1911.

Resolve reimbursing the town of New Portland for money expended for a free high school therein.

Resolve in favor of the Aroostook State Normal School for repairs and permanent improvements.

Resolve in favor of the Western State Normal School for purchase of equipment of manual training department.

Resolve for aid in repairing the "Pond Road," so-called, in the town of Readfield.

Resolve in aid of re-building the "Lowell Bridge," so-called, across the Mattawamkeag River in Moro Plantation.

Resolve in favor of the Madawaska Training School for certain improvements and repairs.

Resolve in favor of Wilton Academy for undrawn balances of money previously appropriated.

Resolve to reimburse Cumberland county for expenses of law court held in Portland in 1910.

#### Orders of the Day.

On motion by Mr. Morrison of Corinth, the rules were suspended and the following reports were received out of order:

Mr. Morrison from the committee on ways and bridges, reported in a new draft and "ought to pass" bill, An Act for the improvement of streets.

Same gentleman from same committee, reported in a new draft and "ought to pass" resolve in favor of the town of Somerville.

Same gentleman from same committee reported in a new draft and "ought to pass" bill, An Act to authorize the towns of Mexico and Rumford, in the county of Oxford, to purchase the toll-bridge between said towns, erected and owned by the Mexico Bridge Company.

Same gentleman from same committee reported in a new draft and "ought to pass" resolve in favor of aid in repairing the Lake Road, in Oxford county.

Same gentleman from same committee reported in a new draft and "ought to pass" resolve in favor of aid in reconstructing bridge in the town of Verona.

Same gentleman from same committee reported in a new draft and "ought to pass" resolve in favor of the repair of bridge in the town of Amity.

Same gentleman from same committee reported in a new draft and "ought to pass" resolve in favor of unpaid bills on the Van Buren bridge.

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

On motion by Mr. Marston of Skowhegan, the rules were suspended and the following report was received out of order:

Mr. Marston from the committee on State lands and forest preservation reported "ought to pass" on bill, An Act amending and correcting the limits of the Maine Forestry District.

The report was accepted, and this bill having been already printed received its first and second readings and was assigned for Monday afternoon of next week for its third reading.

On motion by Mr. Plummer of Lisbon, House Document No. 405, bill, An Act relating to the disbursement of appropriations to institutions receiving State aid, was taken from the table, and on further motion by Mr. Plummer the bill was referred to the committee on appropriations and financial affairs.

On motion by Mr. Quinn of Millinocket, House Document No. 374, bill, An Act relating to repairs and improvements on the Capitol Building, was taken from the table, and on further motion by Mr. Quinn the bill was referred to the committee on public buildings and grounds.

On motion by Mr. Peacock of Readfield, report of the committee on le-

gal affairs to which was referred bill, An Act to extend the jurisdiction of the Kennebec County Agricultural Society, reporting "ought to pass", was taken from the table, and on further motion by Mr. Peacock the report of the committee was accepted, and the bill was tabled for printing under the joint rules.

Mr. SMITH of Presque Isle: Mr. Speaker, I had tabled a day or two ago Senate Document No. 17, bill, An Act to amend Chapter 6 of the Revised Statutes, in relation to the conduct of elections. I coupled with my motion at that time that it should be specially assigned for consideration on Tuesday of next week, but in some way the bill has failed to get on the assigned list. This is probably through a misunderstanding, and I now move that the bill be specially assigned for Tuesday of next week.

The motion was agreed to.

On motion by Mr. Austin of Phillips, resolve in favor of the State pension clerk was taken from the table.

Mr. AUSTIN: Mr. Speaker, I will say in explanation that it appears that two identical resolves were put in, and through some inadvertence both of them came from the committee. One of the resolves has been acted upon by the Senate, and consequently the other resolve which was the one that came into the House was indefinitely postponed, as I remember it; so that the matter having been covered in another resolve, I move that the House concur with the Senate in its action in indefinitely postponing the bill.

The motion was agreed to.

On motion by Mr. Austin of Phillips, bill, An Act to regulate fishing in Rangeley, Cupsuptic and Mooselucme-gentic lakes, House Document No. 395, was taken from the table.

On motion by Mr. Austin the vote was reconsidered whereby this bill received its first reading, and on further motion by Mr. Austin the bill was re-committed to the committee on inland fisheries and game.

The SPEAKER: The Chair will lay

before the House unfinished business bill, An Act to increase the efficiency of the public schools of Maine by retiring teachers of long service with pensions. The pending question is the passage of the bill to be engrossed.

Mr. MATHIESON of Rangeley: Mr. Speaker, I find that there are quite a number of other matters to come along relating to our common school fund. I think we should give this matter very careful consideration, and as there are not very many members here, this morning, I move that this matter be re-assigned until Thursday of next week.

Mr. BOWLER of Bethel: Mr. Speaker, I agree with the gentleman from Rangeley (Mr. Mathieson) that this is an important matter, something that should receive the attention of us all, and that there are several vacancies in the House; but there are other members in the corridors who will come in before we get ready to vote upon this question. This matter has already been put over two or three times, and I have a feeling that it should be taken up at this time, and I would insist that we take the matter up at this time.

The SPEAKER: The question is on the motion of the gentleman from Rangeley, Mr. Mathieson, that there be a re-assignment of this matter until next Thursday.

Mr. IRVING of Caribou: Mr. Speaker, I feel that this is a matter of such State-wide importance that it ought not to be decided at a time when nearly one-third of the seats in the House are vacant; and while I am not taking any stand either for or against the measure, I am in sympathy with the motion of the gentleman from Rangeley (Mr. Mathieson) that this matter be postponed until next week.

Mr. RICKER of Castine: Mr. Speaker, I am sorry to take exception with the gentleman from Caribou (Mr. Irving), but I think we can settle this bill at this time just as well as we can settle some other bills at this time. It seems to me no more than fair that we should take the matter up at this time. If any members are absent, I don't know whether they are for the bill or against it.

Mr. NEWBERT of Augusta: Mr. Speaker, unless there are good and sufficient reasons for putting this matter over, it seems to me the House ought to insist on action, today. It is getting very late in the session, gentlemen, and there are a great many measures ahead of us. I introduced this measure by request of the Maine Teachers' Association early in the session, and I think it is House Document No. 18, the original draft of the bill. It has been before the Legislature a great while. It seems to me this is not a slim House, this morning, it seems to me it is a sufficient House. Personally, I don't think there can be any argument offered against the measure; I know of none, and I oppose the motion.

Mr. IRVING of Caribou: Mr. Speaker, I wish to call the attention of the House to the fact that all through my several years of experience in this work it has been the unwritten law that has been observed and has been recognized by the Legislature that none of these State-wide matters would be taken up on Mondays if we held a Monday session or on Fridays, when we held a clearing-the-docket-of-general-matters session, and I think in the name of justice and fair play this measure ought to be put over.

Mr. BOWLER of Bethel: Mr. Speaker, I wish to assure the House that we want to be perfectly fair in connection with this proposition. We have been just as anxious as anybody to have a full attendance; and it may be recalled that last Monday, the gentleman from Augusta (Mr. Newbert) begged the House to pass this over until we could get it in the middle of the week when we would have a full attendance, and it was assigned for yesterday and we know what the consequences were. Now it is up again, today, and if we put it over until Thursday of next week we are apt to get it pushed along until Friday again. So while we don't know, and I have no means of knowing what the people are going to do with it here, this morning, I have discovered that the seats are more filled up than they were when we began talking about it,

and doubtless there will be others come in. I am sure that the members of the House want this matter disposed of. And I will say again that it is not because we think that some of our enemies are away, it is simply because we want to take the matter up fairly and squarely and have it disposed of now. I trust the motion will not prevail.

The question being on the motion to re-assign the bill for consideration on Thursday of next week,

A viva voce vote being taken,

The motion was lost.

The SPEAKER: There comes up for consideration on the calendar this bill, An Act to increase the efficiency of the public schools of Maine by retiring teachers of long service with pensions.

Mr. MATHIESON of Rangeley: Mr. Speaker, I move that the bill be indefinitely postponed.

Mr. BOWLER of Bethel: Mr. Speaker, it is often affirmed that these are days when the ego figures altogether too prominently in the affairs of us all, that the tremendous greed for gain causes the most of us to forget the true relationship of our brother, and that the maddening thirst for prestige and power too often robs men of their civic pride.

While it is not my purpose to raise any quarrel with those who seem inclined to take their observations of life from this viewpoint, yet I like to see, and do see, in the makeup of the most of us, a healthy optimism, which leads us to observe that, though there be bad in the best of us, there is certainly good in the worst of us, and that, after all, we, as a whole, stand upon a vastly higher and broader plane than we are apt to give ourselves credit of standing upon.

There come measuring times, now and then, when we, by our public acts, or, perchance, by our private conduct, define the standards by which we measure our virtues, and reveal the character of our citizenship.

It occurs to me that we stand at this time at one of those measuring stations. As members of this House, we have given our consideration to various matters during the past two months. Some of those matters have been of peculiar interest to some of us, and others to others of us, but today we are called upon to

consider a question of positive and unmistakable interest to each and every one of us, the question of education.

I need not remind you that education is the great bedrock of our civilization. The educational standards of any state or nation determine the plane upon which such state or nation stands. Tell me the character of your schools today and I will picture to you the standard of your civilization of the tomorrow.

If this be true, and if you and I have the real vital interest of the old State of Maine at heart, and this we trust none will question, then it behooves us to lend the last fragment of our influence to make the schools of this State the best possible, and our attitude in this connection in this Legislature should lay bare no less a motive than to do everything within our province to accomplish this end.

We like to boast of our stock of men and women who have gone forth from the old Pine Tree State to shine in the firmament of progress in other states; how often have our hearts leaped with pride when the generous admissions of the Western enthusiast have verified our claim that the great and growing West owes much of its wonderful thrift and expansion and achievements to the 85,000 boys and girls from Maine whose adopted states border the western sea, and who are part and parcel of that great Western civilization.

But I submit to you, gentlemen of the House, that though we may take pardonable pride in the stalwart stock that has been reared in Maine and gone forth to do honor to the old State by acting a prominent part in the affairs of other states, yet our cause for boasting would have been the greater had we been able to have kept them here upon their native soil and seen the fruits of their energy and enthusiasm at closer range.

We should and do, deplore this tendency toward contributing much of our choicest stock to enrich our sister states, and we should be persistent in our inquiries as to what can be done to prevent this exodus of Maine stock. And if, perchance, our inquiries find an answer, and a solution should lie within our power, we shall indeed prove untrue to the du-

ties and privileges of citizenship, if we do not promptly find our duty and earnestly seek to perform it.

I come now to the meat of the question which is before us for consideration. In the exodus of this Maine stock have been thousands and thousands of teachers who are scattered, today, throughout the length and breadth of the nation, who are doing honor to their chosen profession, and who would have been a positive asset to the State of Maine had they remained in our Maine schools.

And I submit to you, that it behooves us as members of this Legislature, and as proud citizens of this sunrise portal of a great nation, to ask ourselves the cause of this exodus. and earnestly, honestly and persistently seek to find an answer. And may we seek as one hoping to find; and should our finding point to duty close at hand, may we in the performance of that duty, lay bare a motive that shall characterize us as men worthy of the old Pine Tree State, and of the trust she has imposed in us.

It is sounding no disparaging note, to grant that the eternal vigilance of us all, bids us moor our bark in the harbor that offers greatest advantages. And it is affirming a fact with which you are all familiar, and which admits of no denial, when I say, that the reason why thousands and thousands of boys and girls from Maine are engaged in the teaching profession of other states, is because those states offered them greater advantages than could have been obtained by remaining in our Maine schools.

These are facts, gentlemen, and what are we going to do about it? Are we in educational matters to fold our arms and drift? Are we to stand in our tracks and mark time, while the ebbing and flowing of every tide shall bear away some of our choicest stock? No! This is a picture that we dislike to look upon. And, let all citizens of the old State of Maine, who have this great cause of education at heart, rejoice and be glad together, that this is a picture that is slowly but surely disappearing from our canvases.

Through the wise and efficient leadership of our superintendent of schools, whom we sons of Maine are proud to hail as one standing without a peer among his fellows in the educational interests of this country, as well as through the progressive legislation of the past few years, this picture has indeed been partially erased, and our Maine schools have been steadily lifted to a higher plain.

The spirit of progress as touching the schools of Maine is in the air. Maine educators have their eyes fixed upon our motto recent legislation having set in motion waves of progress that are affecting our educational standards, and it is up to this and succeeding Legislatures to follow in their train.

One of the pieces of progressive legislation that has been before the educational committee of this Legislature is the Teachers' Pension bill.

Now, I do not presume to argue with the members of this House for one minute, that this pension bill, if placed upon our statutes, will prove a panacea for all the ills attending our educational system in the State of Maine. But I do say, that, in my opinion, in common with the opinion of the other members of the educational committee, and backed by the opinion of the educators of this State, this pension bill, if enacted into law will prove of positive and incalculable value in raising our educational standards; and, gentlemen, we are in full accord with our honest convictions when we submit this affirmation to you and ask you to give it your honest, earnest, and careful consideration.

Your committee has spent much time in the consideration of this pension bill. A hearing was had in this Hall and prominent citizens from various sections of the State appeared in defense of the bill. It may be fitting to say in passing, that but one opposing voice was heard, and it was readily apparent that that was raised by one who had a personal grievance, rather than a consistent argument against the principle of Teacher's Pensions.

Since the hearing, we have spent

hours in executive session upon this bill. We have added, subtracted, drafted, and redrafted in order that we might be able to submit to you a bill, which, in our opinion, would best meet the various conditions which obtain in the schools of Maine.

Now, we are not asking you to take your observation of this bill from a sentimental viewpoint. On the contrary, we want you to consider it as a business proposition. And, in this connection I wish to mention, briefly, six reasons why we want you to pass this, or some teachers' pension bill.

1. We want a teachers' pension bill, because we believe that such a bill will attract more young men and young women into the profession. Now, I am aware that it will be argued that a meager pension of \$150, \$200 or \$250, at the dim, distant, sixtieth milestone, will offer little attraction to the active, enterprising, Yankee youth in the selection of his or her life vocation.

But, gentlemen, don't let us forget, that when the State of Maine places the Teachers' Pension Bill upon its statute, it says to the girls and boys of Maine, we propose to place a premium upon the teaching profession in this State. And don't let us forget, that the Teachers' Pension Bill, insignificant as it may appear, will carry the impression to the people of Maine that the State means business, that the lens have been focussed upon the public schools, and that henceforth, the cause of education is to receive greater consideration at the hands of the State, than it has even received in years gone by.

And, though the pension bill may be but a drop in the bucket, or produce but a ripple on the mighty sea, yet, don't let us forget, that the ripple is essential to produce the wave, and may we not, in that faith that is born of confidence, rejoice in the educational advantages that may be borne to our children's children, upon the crest of that wave?

2. In the second place, we want a Teachers' Pension Bill, because we want to keep our teachers in the State of Maine. And, in this connection, we do not presume to argue that the

passing of this bill will immediately put a stop to our exodus of Maine teachers; but we do claim, that it will have a tendency to that end.

We are glad to observe, that the star of hope has already appeared above the horizon, that the increased interest in educational matters in the State of Maine, stimulated during the past few years through the results of progressive legislation, has partially checked that tremendous exportation of teachers, which we have so seriously and sadly deplored. And the passing of this bill will be one more step in the right direction; one more means toward an end which we should all seek to attain; namely, that of maintaining a school system in the State of Maine, which shall owe no apology to the school systems of any of our sister states.

3. The third reason why we favor the passing of a pension bill is, that we believe that it will increase the capacity of the teachers for efficient service by insuring them against want. I trust that we will agree, that if there is one office more than another divinely appointed, and to which men are divinely called, it is the office of the teacher. The duties and responsibilities which the nature of his office place upon him have a peculiar significance.

Into the hands of the teachers of Maine have been committed the 200,000 boys and girls who are soon to enter the ranks of life. There have gone out from your hearthstones and mine, much that the world holds dear to us, the joy of our homes, the pride of our hearts, the hope of our lives. They have gone in a measure from our care and influence, and upon the teachers of Maine rests the responsibility of moulding and shaping their destiny.

How important, when such duties rest upon them, that they be at their very best! None of us are at our best when we are taking anxious thought as to what the morrow shall bring to us. It is no secret that the teachers of Maine have in the past received scarcely a living wage for their services, and such a condition has caused many an anxious thought as to what

their declining years should hold for them. Under such circumstances, men and women cannot give their best selves to any work which they may attempt to perform.

I have in mind an aged woman who has taught in Maine for more than 40 years. It is said that, during this time, more than 4000 Maine boys and girls have come under her care. She has taught in the rural schools and at a low wage, barely sufficient to provide for her every day needs. None of us need be told that much anxiety as to what would become of her when age should incapacitate her for service, has come to that woman, during that 40 years. And when such anxiety had fastened itself upon her she was not at her best, and could not render her very best services to those 4000 boys and girls.

There is nothing that tears one to pieces, and incapacitates him more for service, than anxiety. On the contrary, there is nothing that will better equip one for service and give him fuller control of his keenest faculties than a positive assurance that the future shall not bring him to want. And the pension bill, if passed, will serve as a positive assurance to the teachers of Maine that they shall never come to want, and we believe that this assurance will be productive of a greater efficiency in our schools.

4. Our fourth reason for favoring this bill is because it will aid in the retirement of teachers, who have passed their greatest sphere of usefulness. It is not to be denied that age, if we get enough of it, will rob us of our keenest faculties. This is especially true concerning the teaching profession, and it is generally conceded that too often teachers are allowed to remain active, when the interests of the schools would be best conserved if they could be retired.

It is right here, gentlemen, that one of the strong arguments for this bill comes in. The teachers of Maine are poorly paid, and when, because of age, they become partially incapacitated for service, an embarrassing condition obtains. The best interests of the schools demand that they be retired,

their financial condition demands that they be retained. There is little else that they can do, they have become subjects of charity, and are often retained much longer than is consistent with the best interests of the schools. A provision to retire such teachers on a pension sufficient to insure them from want will add immeasurably to the efficiency of our Maine schools.

5. Another reason why we favor teachers' pensions is because favorable reports come to us from other states where similar bills have been enacted. The idea of teachers' pensions is no fad. It is no new thing. Twenty states and 19 cities, today, pension their teachers. Thirty per cent. of all the students in the United States are under some form of teachers' pensions, and whenever or wherever a pension system has been adopted it has proven successful and has never been repealed.

6. And the final reason why we seek the passage of this bill is because we want to give a slight reward of merit to those teachers who have dedicated and will dedicate the very best portions of their lives to the cause of education.

This, gentlemen, is an after-thought. I had intended to confine my discussion of this bill entirely to the question of efficiency in the public schools, but somehow I feel that I would be untrue to the duty embodied in the privilege which is mine, did I not offer just a word in behalf of justice.

We like to pay tribute where tribute is due. We boast of our good men and true, who heard their country's clarion call for help, and in quick response to that call hastened to the Southland and offered themselves in sacrifice upon the altar of their country. And while you and I would not rob those heroes who made that tremendous sacrifice in behalf of civilization of a single tithe which belongs to them, while we would leave with them all the honor which is theirs, and rejoice that in a tangible way they are receiving from the treasury of the country which they sacrificed to save. due reward for their service, we will not forget that sacrifice and service



belong not to the days of carnage and bloodshed alone.

We will not forget that though the cannon's roar and the clash of steel are no longer heard, yet, the clarion call is still sounding and true patriots are still hearing a summon to sacrifice and service in behalf of civilization.

And I submit to you, gentlemen, that while we are rejoicing in the spirit that prompts the nation to grant a fitting reward to those heroes who gave their four years' service in the 60's, we, as citizens of the old State of Maine, and members of this House, should summon to ourselves some of that spirit, and then ask ourselves, if the teachers of Maine, who have served for 30 long years, in the cause of education, are not entitled to receive a similar reward. (Applause.)

Mr. MATHIESON of Rangeley: I am not greatly opposed to this measure at all; but as I look into this bill I see that these amounts called for are all to be taken out of our common school fund. I am not opposed, if we can afford it, to paying the highest wages, or as high wages as some other states do; and if we can find employment for them all, and then pension them all, I am perfectly willing.

Mr. SARGENT of Portland: I attended the hearing in this case before the committee, and there was only just one person that spoke in opposition to it, and when his argument was interpreted it was for it. He spoke in this way: That Maine was not paying salaries enough—smaller salaries than in most any other State, in comparison with Massachusetts and other states. Well, now, the State of Maine does not pay salaries to teachers; it is the cities and towns and school districts that pay the salaries, and if they are not paying salary enough all the way we can help these teachers out is by giving them a pension and encourage them to keep in the business. (Applause)

Mr. THOMPSON of Standish: I cannot refrain from adding just a word. It seems to me this is a matter of far-reaching and tremendous importance

to the public school system of the State of Maine. It has been talked in our homes and at our firesides. It is a measure which has practically the unanimous endorsement of the public educators of our State. It certainly has the endorsement of our State superintendent of public schools than whom, gentlemen, no man stands higher in his chosen profession in this State or any other. It is a measure, gentlemen, I believe, in the interest of the uplift of the public school system of the State of Maine. Is this what we want? Again, I believe that it is a measure, as we have intended, in the interest of that noble army of men and women, the teachers in our public schools, whom we all respect and honor, who are today shaping the destinies, to a very great extent at least, of your boy and mine, of your girl and my girl; and I believe, gentlemen, that when we weigh this measure in all its bearings it will have practically the unanimous vote of this House, as it should have. (Applause)

Mr. NEWBERT of Augusta: Mr. Speaker, at the request of some of the officials of the Maine Teachers' Association early in the session I introduced this measure, and I considered it carefully before I did so. The early draft of the bill was submitted to me and to some friends of mine, and we went over it together. I became convinced after careful thought that the measure proposed had merits; and I believed then as I believe now that it would meet and will meet now with the approval of a large majority in this Legislature.

I attended the great hearing in this House. I came and sat through that hearing because I wanted to know the facts. Had I been opposed to the measure before, I certainly after that hearing would have been in favor. I heard the able argument of the gentleman from Rhode Island, the state superintendent of schools for the state of Rhode Island, where they have this law and where it has been in operation for five or six years. I sat and listened to him, and had I heard nothing else I should then have been satisfied. But had I known nothing about this matter, and

were I in ignorance of the needs of our school system in this State, I should be willing then to take expert advice upon this question.

I am a near neighbor to the gentleman who is at the head of our school department in this State; I know him well and I know his honesty of purpose; I know his large ability; I know his conscientious endeavor to uplift the schools of our State, and did I know nothing about this measure I should be willing today to take the expert advice of the Hon. Payson Smith, than whom I know of no man better equipped to tell us about this matter in the State of Maine, in New England or elsewhere. (Applause.)

There are approximately 7000 teachers in the State, 4000 of whom attended the convention at Portland last autumn. I happened to be there—I didn't happen to be there, I was there. President Taft, who has just left the White House and who is yet destined to grow, I think, in the esteem of his countrymen, made a plea there that day for a teachers' pension. This is nothing new; it is simply new with us. I take it that it is simply an act of justice embodied in this bill too long deferred. I know of no body of people in this State, in any profession, in any trade, that can be compared to these 7000 school teachers who come from the best blood and the best culture, of our Maine families, and they go out and teach our children, 195,000 school children in Maine between the ages of six and 20, an army, gentlemen—200,000 school children soon to become the men and women who shall fight the battle of civic betterment after you and I are gone. A great many of these 200,000 children get all the training they ever get in education or in morals from these patient, hard-working teachers, and are not taught these things at home; and yet these teachers receive on an average now in the State of Maine a salary of \$335 a year, some of them are receiving on an average of \$300 a year, less than a dollar a day, less than the working girls in our factories. A teacher came into our Trust Company on Water street the other day to cash a check, and when the teller handed out the money he said to her: "Aren't you afraid there are microbes on some of those bills?" She said: "No,

no microbe could ever live on my salary." (Laughter.)

Gentlemen, we cannot do too much to lift up our schools and to increase their efficiency. This is a small matter, but it will give encouragement to our 7000 teachers; it will encourage those who come after them and those who are fitting themselves now for our schools. I hope the motion of the gentleman from Rangeley (Mr. Mathieson) will not prevail. (Applause.)

Mr. RICKER of Castine: Mr. Speaker, I would like to be perfectly fair to the proponents and the opponents of this bill, but I know that this House has a great amount of work to do. While many of us would be willing to speak upon the subject, if it is considered a fair proposition I should like very much to call for the previous question.

The SPEAKER: The question is upon the motion of the gentleman from Rangeley, Mr. Mathieson, that this bill be indefinitely postponed.

Mr. STURGIS of Auburn: Mr. Speaker, I do not propose to indulge in any flight of eloquence; I couldn't do it even if I had the disposition. There is no member of this House, however, who has any greater respect for this noble army of teachers we have in the State of Maine than myself. For many years I have known of their work, known of the splendid work they have been doing. I do not believe in the system of pensions for teachers. I believe that they should be paid a better salary, that they should be paid a good living wage. There is one class, the men teachers, who receive a compensation of \$1000 or more; there is another class which it seems to me should come in under this bill—elderly people who perhaps have not taught for quite a number of years. I do not know the exact construction of the law, but the bill says this in section four:

"Any person who otherwise meets the requirements of the preceding sections of this act, but shall have retired or shall have been retired prior to the school year next preceding the 30th day of September, 1913, shall be entitled to receive a pension under the provisions of this act except that the amount of the pension allowed to such person shall be one-half any amount designated under the foregoing sections."

We all know there are many persons who have taught for 30 years, and yet who have not taught for quite a number of years; there are many of them scattered through the State, worthy teachers who should come in under this provision. It applies not only to teachers of the present day, or the last year or two, but to those who perhaps have not taught for 25 years. This means a vast outlay, and I think if that outlay was added to the salary of the teachers so they should receive enough to pay their ordinary expenses in their walk of life and then be able to have something laid up for the future we should be doing equal and exact justice. It is said that it will require \$8000 for the next year, but as I look at it it means something over \$10,000 that needs to be appropriated for the present year, and then perhaps \$25,000 or more for each succeeding year. And if it is in order, I would move that we amend this bill by striking out the word "his" wherever it occurs, and inserting in place thereof "hers," so that it shall only apply to the female teachers.

Mr. RICKER of Castine: Mr. Speaker, if it is in order I should like to insist upon my motion.

The SPEAKER: The gentleman from Auburn, Mr. Sturgis, moves to amend the bill. The question is on the adoption of the amendment.

Mr. RICKER: Mr. Speaker, I rise to apoint of order. Is the bill amendable under the present motion?

The SPEAKER: The Chair thinks it is. The bill has not been passed to be engrossed.

Mr. NEWBERT: Mr. Speaker, it seems to me the question before the House is on the motion to indefinitely postpone the bill. In that case the only amendment possible is an amendment to that motion.

The SPEAKER: The Chair was under the impression that the pending question was the third reading of the bill and its passage to be engrossed. The Chair stands corrected. The question is upon the motion to indefinitely postpone. The gentleman from Castine, Mr. Ricker, moves for the

previous question. The Chair would suggest that it may not be necessary. Will the gentleman from Castine, Mr. Ricker, withdraw his motion for a moment?

Mr. RICKER: I will, Mr. Speaker.

The SPEAKER: The question is on the indefinite postponement of this bill. Those in favor of the motion will say yes; those opposed will say no.

A viva voce vote being taken,

The motion was lost.

The SPEAKER: The question is on adoption of House Amendment A, offered by the gentleman from Auburn, Mr. Sturgis, to amend by striking out in the first line of Section 1 the words "person of either sex", and inserting in place thereof the word "woman"; also in the fourth line of Section 1 strike out the word "his" and insert the word "her"; also in the eleventh line strike out the word "his", and insert the word "her"; also in the fourteenth line strike out the word "his" and insert in place thereof "her"; also in the sixteenth line strike out the word "his" and insert in place thereof the word "her"; also in Section 2 strike out in the first line the words "person of either sex", and inserting in place thereof the word "woman"; also in the fourth line strike out the word "his" and insert in place thereof the word "her"; also in the sixth line striking out the word "his" and inserting in place thereof the word "her"; also in the seventh line by striking out the word "his" and inserting in place thereof the word "her".

The question being on the adoption of the amendment,

A viva voce vote was taken, and the amendment was lost.

The question then recurring upon the passage of the bill to be engrossed,

Mr. Ricker of Castine moved that the bill be passed to be engrossed.

The motion was agreed to.

The SPEAKER: The next matter for consideration is bill, An Act permitting the use of automobiles in the town of Eden.

Mr. Sherman of Eden offered House Amendment A to amend by adding the following:

"Whereas, the summer resort interests of the town of Eden are the principal business interests of that town, and the admission of automobiles thereto, other than at the commencement of the summer season, would seriously interfere with the conduct of business therein; and whereas, the interest of the people of the State at large requires that travel by automobile to the village of Bar Harbor in said town of Eden be permitted at the commencement of the summer season, provided such travel is to be permitted at all, and unless this act is passed as an emergency act it cannot take effect until the middle of the season at Bar Harbor, an emergency therefor exists, and the public health, peace and safety will be conserved by their immediate admission to said town, now therefore,"

The question being on the adoption of the amendment.

Mr. SMITH of Patten: I understand that this is adding the emergency clause under the Constitution. Now to that I object. This matter has been before the Legislature—the matter involving the question of automobiles in Bar Harbor—all through the session. There were hearings held before the judiciary committee largely attended. The proponents of different measures were carefully and considerately heard. The committee on judiciary gave this long, careful, and considerate attention, and then agreed unanimously to report a measure in regard to Mount Desert which was satisfactory to the opponents of that bill. They voted to report unanimously the bill now under discussion, conceding, as the committee understood it after conference with the opponents of the bill, including the gentleman from Eden, just what they wanted; just what they would be glad to accept. They expressed themselves as perfectly satisfied with it. The only men disappointed in this arrangement were the gentlemen who came here in good faith and large numbers opposing the introduction of automobiles in any form into Bar Harbor. Now that report of the committee, fully agreed to, included the striking out of the emergency clause which

was originally in it. We had reason to believe, and did believe, that that was understood, and it is with a good deal of surprise that having done this, after all this careful consideration, that the gentleman who previously had been satisfied with the action of the committee should now come here and again propose to tack on that emergency clause which they were content to have stricken out. It never had any business there. I do not know what the provisions of the Constitution are for. I do not know how far we are going to rip up the Constitution in passing things through here. I supposed there was a purpose in including in this initiative and referendum provision, as included in the Constitution, that it should not be voided and nullified by this Legislature unless within some measure brought within the provisions of this Constitution. Now, if this House is prepared to say that the public peace, and the public health, and the public safety are involved in this question as to whether or not automobiles shall go into Bar Harbor, all right, but I fail to see how the admission or exclusion of automobiles into Bar Harbor can affect the public peace. Do you suppose there will be any great riots, through the streets of Maine if this clause is not included? Do you suppose it will affect the question of the public health,—the health of the people of this State? Do you suppose it will affect the public safety of the people of this State? Perhaps the public safety might be involved if we reverse the proposition. Now that is the only excuse the House can have for putting into this bill the emergency clause,—that it affects the public peace, the public health, or the public safety. Now I ask the House if you are ready to do that,—if you are ready to nullify the provisions of your Constitution by declaring what everybody knows is absolute absurdity? That I believe is the sentiment of the committee who reported this under the understanding that I have stated here to this House.

Mr. SHERMAN of Eden: In reply to the gentleman who has just spok-

en I want to say this: That the first absolute absurdity was when this Legislature passed this law in the first place. Now, gentlemen, this measure has, as he has said, been before us for a long time. It was one of the first measures introduced in this House. It has been before us for eight long weeks; and down at the Augusta House, and in this lobby, there have been the employes of a few multimillionaires in New York; they have had suites of rooms engaged down there; they have interviewed everybody in this House; they have put in circulation stories which are absolutely false. My town has voted three times to admit automobiles. Unless this emergency clause is put on this bill you know what it means. It means that those people who have the money, and who are at the bottom of this scheme, will buy a referendum. They have threatened it, and they will carry out that threat. If we want automobiles in Bar Harbor you must put that on, or else we will have this submitted to the people, and the State will be put to the expense of a State-wide referendum. Now that is what it means, gentlemen. It is no dream with us. It means just that—that we will have this matter submitted to the whole people of the State of Maine, and you will be put to that expense.

Gentlemen, there are other reasons why this should be decided at once, and why this emergency clause should be put on. As you know, Bar Harbor is a summer resort. We have just raised at the annual town meeting \$3500 to advertise that town this spring. The Maine Central Railroad will give us also an additional sum. If we raise \$3500, they will give us \$3500; therefore we will have \$7000 this spring to advertise Bar Harbor. That advertising is now being prepared. We shall get out booklets describing the attractions of Bar Harbor, and these booklets will be mailed all over the United States. I think you will agree with me that with \$7000 worth of advertising put out this spring you will bring a line of automobiles which will stretch from

Kittery to Bar Harbor; and every hotel along that line will be benefitted, as well as the business man and the working man. This is not a local issue. If you want to kill this measure why do not put on this emergency clause, because we have behind this measure people who have money and who will buy a referendum. Now that is all there is to it. I was satisfied with the bill as reported by the committee until I found out that it was positively true that they were to buy a referendum; and that is the reason why I have had this emergency clause put on; that is one of the reasons; but there are other reasons. If automobiles are to be admitted into Bar Harbor we want time to prepare for them; we want to build garages; we want to build over stables; we want to get the horses there accustomed to them; and I tell you that it is a matter of the public safety when you allow automobiles to come into Bar Harbor in the middle of July, as they will, in one bunch. I think we ought to commence now and gradually work up to it, and it is a matter that should be considered. Applications are now coming in for hotel rooms and cottages, and almost invariably the applicants want to know whether they can use their machines or not. What shall we say to them? There are people in Rome who are telegraphing to know whether to bring their machines from Rome or not. We want to answer their questions. I think we should look at this matter in a broad and common-sense light, and not be prejudiced by any technical wording of the initiative and referendum law. I contend that the Legislature did Bar Harbor a great wrong when it enacted this law in the first place, and the sooner you right that wrong the more the people will think of the members of this Legislature. It was necessary to place a mighty broad interpretation upon the police powers of this State when you voted to exclude from the best roads in Maine the use of automobiles. What excuse was there for doing it? What evidence has ever been produced here

to show that we need it, and why did they exercise that police power of the State? Is it any worse to put this emergency clause on than it was to say that you shall not use automobiles on the best roads of Maine? I want to tell you, gentlemen, that we have in Bar Harbor probably the best roads in the State of Maine. The distance from Ellsworth to Bar Harbor is 20 miles, and I doubt if there is in the whole State of Maine a road so level and so well adapted to the use of automobiles as the road from Bar Harbor to Ellsworth. There was just one place on it where that road skirts the ocean, and this winter we expended on that road \$18,000 to widen it and build a permanent wall on the outside to make it safe for automobiles; that was the understanding when we voted there, that we were to have that. Everybody thinks that automobiles are coming into Bar Harbor, and they want to be prepared for it. It has been said before the committee here that all of the non-residents were opposed to the introduction of automobiles. That is not true in the first place, as their petitions will show. This movement was started by just half a dozen men. They were so rich and so powerful that they could carry weight. They frightened people into signing these petitions; people did not dare to oppose them. These same people have been the mischief makers in Bar Harbor. They have never been of any service to us. I have one of the largest stores in Bar Harbor, and I want to say to you that my store would have to go out of business, and everybody else would have to go out of business, if we depended upon the people who signed the automobile petition. We get more business from the yachts, from the hotel guests, from the transient people, and from the visitors from other resorts, than we get from all those people combined. We are glad to welcome them there; but we want them to abide by our laws. I do not think it can be said that I am trying to injure Bar Harbor. Everything I have in the world is invested there; I have six children; and I would not be up here advocating the admission of automo-

biles were it not for my personal benefit. I know that in the past 10 years Bar Harbor has been going backward. From 1890 to 1900 Bar Harbor more than doubled in population to a population of 4379 in those ten years. After automobiles were excluded what happened? It stopped short; and the past ten years the town has grown just 62 in population, and there were 450 more births than deaths, showing that 388 people left town. Now, gentlemen, you all know that the people who have money are traveling in automobiles. They are going where they can use automobiles; and our hotels are going to ruin. Business is going behind, and we are losing this great traffic. Now will you help us to get it back? Fearing this lobby, knowing what this lobby was doing here, we called a town meeting down there, and put an article in the warrant to see what action the town would take relative to the admission of automobiles. Mr. Wood, the head of the anti-automobile lobby was there, and the thing was discussed, and how did the town vote? It voted 503 to 251 in favor of total repeal. This bill does not call for total repeal; it simply calls to open up roads; but giving the town the right to close three roads which might be by some considered dangerous. Now, gentlemen, the hour is getting late, and I do not intend to take any more of your time. I hope you will vote to adopt this amendment; and I thank you. (Applause.)

Mr. SMITH of Patten: I have listened with interest to the remarks of the gentleman from Eden. It hardly seems to cover the proposition. I gathered from his remarks that he was afraid of an immense lobby that is around here, and some wealthy people of New York. Now it seems he had his way in spite of them; and I suppose if they went to the people they might have had just as poor success as they had with the committee, notwithstanding the lobby. This gentleman got what he wanted. Now it seems that having gotten what he wanted, he wants some more; and he

thinks that it is necessary to public health, peace and safety that he have a chance to arrange some financial affairs down to Bar Harbor, so he must have the emergency clause. That is necessary, I suppose, to the public peace, public health, or the public safety; and he assures you, gentlemen, that if you do not add the emergency clause there will be a string of automobiles from Portland to Bar Harbor rushing in there about July 4th. Now, having got what he wanted, and having got automobiles, through our committee, admitted to Bar Harbor, he is almighty afraid they will come there.

Mr. NEWBERT of Augusta: The gentleman from Patten says the gentleman from Eden got all he wanted, and now he wants something more. I am willing, as one member of this House, that he shall have all he wants, and then some more, in this matter. I believe Bar Harbor has suffered from this injustice long enough. You may as well try to turn back the waters of our Kennebec River as to try longer to keep this modern method of transportation off from that beautiful island. I lived there three summers,—in my poverty,—not as a multi-millionaire, but working between schools. They have the finest roads anywhere in the State of Maine. There are no dangerous roads on the island of Mount Desert. Regarding the matter of the emergency clause,—I have not studied the Constitution much lately. The gentleman from Patten (Mr. Smith) and I had a little difference about that sometime early in the session, you will remember. Now it seems to me, gentlemen, that part of the Constitution is entirely satisfied when in the judgement of the Legislature it is deemed necessary, and the measure is important enough to carry the emergency clause. I have seen it put on a great many measures in the Maine Legislature,—in the passing of fish laws, in relation to square-tailed trout, and everything else. If the people of Bar Harbor have any rights, gentlemen, and they have rights, I say to you it is up to us to give them their rights. I say to you it is up to us to give them their rights now. Do

not let these multi-millionaires of Bar Harbor, who can pack this building with lobbyists, longer control this bill. It will go to a referendum; and they can buy a referendum and defeat the purpose of this bill. Give it to them now. Let this amendment pass, and do justice. (Applause.)

Mr. AUSTIN of Phillips: Referring to the section of the Constitution, Amendment 10, which carries the referendum, we read that "An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health or safety." I think there is not a man in this House, whether he favors the referendum or not, but what wishes that the writers of that amendment had added to it the words "public welfare." I think that the majority of the laymen of this House, while they may fear as much as some other members the abrogating of the letter of the Constitution, will agree with this proposition, that this Legislature is right—is carrying out its instructions from the people—when it is left to them to say what a real emergency is. I do not think it is a disputable fact but what the idea was that cases of this kind—meaning as it does thousands, and probably hundreds of thousands of dollars indirectly to this State—should receive consideration at our hands, and not be holden strictly to the line of the wording of the Constitution. I know I shall be criticised for taking this stand before you. I will submit further at this time that the question is on the placing of an amendment only to this bill which is in its third reading. It requires at this time only a majority, only a plurality, of the members present to place that amendment upon the bill. At its final passage it must receive at the hands of this Legislature,—so that the people's rights may be protected,—a two-thirds vote of all members elected in both branches; so I submit to you if we are doing anything that is apt to be detrimental to the public health, safety, or its peace; and I further submit that the great majority in both branches of this Legislature feel that we are doing something which is mere-

ly for the public welfare of the State of Maine. I hope, gentlemen, that the motion of the gentleman from Eden will prevail. (Applause.)

Mr. SMITH of Patten: I cannot let the statement of the gentleman from Phillips go unchallenged. Any lawyer will know that we have the right to read any language into the Constitution of this State.

The SPEAKER: The question is upon the adoption of the amendment offered by the gentleman from Eden, Mr Sherman.

A viva voce vote being taken.

The amendment was adopted.

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 regulate fishing in Rangeley, Cupsuptic and

Mooselucmeguntic lakes. The pending question is the second reading of the bill.

Mr. AUSTIN of Phillips: Mr. Speaker, I will say that this matter has been acted upon and recommitted to the committee.

The SPEAKER: The next matter for consideration is the motion of the gentleman from Lisbon, Mr. Plummer, to reconsider the vote whereby bill, An Act for the better regulation of the practice of dentistry and to re-organize the Board of Dental Examiners, was passed to be engrossed.

Mr. Plummer of Lisbon moved that the House adjourn until Monday afternoon, March 10, at half past four o'clock.

The motion was agreed to.

Adjourned until Monday, March 10, at 4.30 P. M.