

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

HOUSE.

Wednesday, March 26, 1913.

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

Prayer by the Rev. Mr. Mosher of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve for the revision and consolidation of the Public Laws.

In the House this resolve was passed to be engrossed under a suspension of the rules without reference to any committee.

On motion by Mr. Smith of Presque Isle, under a suspension of the rules, the resolve received its first reading without reference to any committee, and was assigned for tomorrow morning for its second reading.

From the Senate: Resolve for the further improvement of marketing the farm products and purchasing supplies for the farm.

In the House this resolve was passed to be engrossed as amended, and came from the Senate in that branch passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Wheeler of Paris, under a suspension of the rules, the vote was reconsidered whereby this resolve was passed to be engrossed.

On further motion by Mr. Wheeler Senate Amendment A was adopted in concurrence.

The resolve was then passed to be engrossed as amended by House Amendment A and Senate Amendment A.

From the Senate: An Act to authorize cities and towns to appropriate money for advertising purposes.

In the House this bill was passed to be engrossed, and came from the Senate in that branch amended by Senate Amendment A.

On motion by Mr. Dunton of Belfast, under a suspension of the rules, the vote was reconsidered whereby

this bill was passed to be engrossed.

On further motion by Mr. Dunton Senate Amendment A was adopted in concurrence.

The bill was then passed to be engrossed as amended by Senate Amendment A.

From the Senate: Majority and minority reports from the Portland Delegation on bill, An Act to incorporate the Portland Gas District, majority reporting "ought not to pass," and minority reporting "ought to pass."

In the Senate the majority report was accepted.

On motion by Mr. Kehoe of Portland the majority report was accepted in concurrence.

Senate Bills on First Reading.

An Act to establish the Lincoln Municipal Court in Lincoln county.

An Act relating to the payment of funds to minors under decree of court.

An Act to create the office of Assistant Attorney-General.

An Act establishing a close time on lobsters in certain waters in Hancock county. (Tabled pending the acceptance of the report of the committee in concurrence and specially assigned for consideration tomorrow morning, on motion by Mr. McBride of Mount Desert.)

Resolve in favor of the Old Town-Orono Anti-Tuberculosis Association of Old town for the treatment of tuberculosis among the Penobscot Indians.

Resolve in favor of a survey for a road in the towns of Amherst and Clifton.

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

Judiciary.

By Mr. Kehoe of Portland: An Act to amend Section 71 of Chapter 79 of the Revised Statutes, as amended by Chapter 196 of the Public Laws of 1911. (Tabled on motion by Mr. Kehoe, pending reference to a committee.)

Placed on File.

By Mr. Metcalf of Greenville: Petition signed by H. E. Metcalf and 11 others of Greenville in favor of the Massa-

chusetts ballot bill; and also petition signed by S. S. Davis and 17 others of Greenville in favor of same.

Appropriations and Financial Affairs.

By Mr. Clark of Portland: Resolve in favor of the clerk and stenographer to the committee on inland fisheries and game, with statement of facts.

By same gentleman: Resolve in favor of Clyde Scribner, messenger to the committee on inland fisheries and game.

By Mr. Ricker of Castine: Resolve in favor of W. A. Ricker, secretary of committee on education.

By Mr. Swift of Augusta: Resolve in favor of State House employees for extra work incurred during the session of this Legislature.

By Mr. Clark of Portland: Resolve in favor of Warren B. Clark.

By same gentleman: Resolve in favor of John Metcalf.

By same gentleman: Resolve in favor of W. V. Peebles.

Orders.

On motion by Mr. Smith of Auburn, it was,

Ordered, that the time for offering amendments to the workmen's compensation act, so-called, shall be limited to the session of Thursday forenoon, March 27, and no motion thereafter made for the adoption of an amendment shall be entertained.

Reports of Committees.

Mr. Sanborn from the committee on judiciary reported "ought not to pass" on bill, An Act to repeal Chapter 198 of the Public Laws of 1911 entitled "An Act relating to the compensation of justices of the supreme judicial or superior courts, approved March 31, 1911, and to re-enact Chapter 58 of the Public Laws of 1909, as amended by Chapter 132 of the Public Laws of 1909.

Mr. Smith of Patten from the same committee on bill, An Act to create the Public Utilities Commission of Maine and define its duties, reported that the same "ought not to pass" as the subject matter is covered by a new draft of House Document No. 11.

Mr. Tryon from the committee on temperance reported "ought not to pass" on bill, An Act in amendment to Section 1 of Chapter 136 of the Revised

Statutes, relating to sentence in criminal cases.

Mr. Hodsdon from the committee on taxation, on petition of William M. Teel and 28 others in favor of a law taxing sailing vessels so that licensed vessels from five to 20 tons shall be taxed in the same proportion as enrolled vessels of 20 tons and over, reported that the same be placed on file.

The reports were accepted.

Mr. Swift from the committee on railroads and expresses reported "ought to pass" on bill, An Act to amend Section 51 of Chapter 51 of the Revised Statutes, in relation to certificates of safety granted by railroad commissioners.

Mr. Kelleher from the same committee reported in a new draft and "ought to pass" bill, An Act to regulate the size and construction of caboose cars.

Mr. Butler from the committee on ways and bridges reported in a new draft and "ought to pass" bill, An Act to enable the county of Sagadahoc to rebuild Merrymeeting Bay bridge.

Same gentleman from same committee reported in a new draft and "ought to pass" Resolve in favor of a highway bridge over the St. John River between Fort Kent, Maine, and St. Francis, New Brunswick.

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

First Reading of Printed Bills and Resolves.

An Act relating to disbursement of appropriations to Institutions receiving State aid.

Resolve in favor of the Children's Protective Society of Portland.

Resolve in favor of the Waldo County General Hospital at Belfast.

Resolve in favor of St. Elizabeth's Roman Catholic Orphan Asylum at Portland.

Resolve in favor of the York County Children's Aid Society, of Saco.

Resolve in favor of the Bar Harbor Medical and Surgical Hospital located at Bar Harbor, Maine.

Resolve in favor of the commission on enlargement of the State House.

Passed to Be Engrossed.

An Act to provide for the care and administration of funds and property

donated for moral, religious, benevolent or educational purposes in accordance with the intention of the donor.

An Act to amend Section 4 of Chapter 61 of the Revised Statutes, as amended relating to Marriage and the Registration of Vital Statistics.

An Act to amend Section 2 of Chapter 250 of the Public Laws of 1909, relating to the payment of fees accruing to State Institutions and Departments.

An Act additional to Chapter 61 of the Revised Statutes providing for the correction of errors in the records of births, marriages and deaths.

Resolve to establish a State Nursery, to encourage the reforestation of the waste lands of Maine.

Resolve in favor of the Maine Insane Hospital, to liquidate a deficiency in certain accounts. (Tabled pending its second reading on motion by Mr. Smith of Pittsfield.)

Resolve in favor of the Official Reporter of the Senate.

Resolve in favor of John W. Higgins for services as Clerk of the Committee on Maine School for Feeble Minded.

Resolve in favor of the Northern Maine General Hospital, for maintenance.

Resolve in favor of the State Highway Department to provide for deficiencies on certain contracts for bridge construction at Old Town and legalize the Acts of the Governor and Council, relating to such construction.

Resolve in favor of the Augusta General Hospital, for maintenance.

Resolve in favor of Edward W. Murphy for expenses of the committee appointed by 75th Legislature to investigate methods of distributing the State school funds.

Resolve in favor of the Holy Innocents Home for Infants, for maintenance.

Resolve, in favor of Ina E. Chadbourne.

Resolve in favor of Helen Gaffney.

Passed to Be Enacted.

An Act to establish a State Highway Commission and to provide for an issue of State highway bonds.

An Act to incorporate the Southwest Harbor Water District.

An Act to create a Public Utilities

Commission, prescribe its powers and duties and provide for the regulation and control of public utilities.

Finally Passed.

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

Resolution memorializing the Maine Congressional Delegation to favor legislation for the destruction of fish of the shark species, especially the dog-fish.

Resolve for the laying of county taxes for the year 1913.

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

One hundred and eleven having voted in favor and none opposed,

The resolve received its final passage.

Orders of the Day.

On motion by Mr. Smith of Pittsfield, the vote was reconsidered whereby the House passed to be engrossed bill, An Act to amend Section 2 of Chapter 250 of the Public Laws of 1909, relating to the payment of fees accruing to State institutions and departments, and on further motion by Mr. Smith the bill, pending its passage to be engrossed, was tabled and specially assigned for consideration on Friday morning of this week.

On motion by Mr. Mitchell of Kittery, the vote was reconsidered whereby the House passed to be engrossed bill, An Act to amend Section 4 of Chapter 61 of the Revised Statutes, as amended, relating to marriage and the registration of vital statistics, and on further motion by Mr. Mitchell the bill was laid upon the table pending its passage to be engrossed.

On motion by Mr. Durgin of Milo, the rules were suspended and that gentleman was permitted to introduce out of order petition of Frank E. Guernsey and 102 others of Dover and Foxcroft in favor of the Massachusetts ballot law, and on further

motion by Mr. Durgin the petition was ordered placed on file.

On motion by Mr. Sanderson of Greene, the rules were suspended and that gentleman was permitted to introduce out of order petition of E. E. Additon of Leeds and 15 others in favor of distribution of State school funds according to the aggregate attendance in the common schools, and on further motion by Mr. Sanderson the petition was ordered placed on file.

On motion by Mr. Peacock of Readfield, the rules were suspended and that gentleman was permitted to introduce out of order petition of P. G. Knickerbocker and 24 others of Readfield in favor of the Massachusetts ballot law, and on further motion by Mr. Peacock the petition was ordered placed on file.

On motion by Mr. Mitchell of Newport, the rules were suspended and that gentleman presented out of order the following committee reports:

Mr. Rosseau from the committee on salaries and fees, on bill, An Act to amend Paragraph 11, Section 1 of Chapter 165 of the Public Laws of 1905, relative to the salary of the judge of probate of Penobscot county, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Same gentleman from same committee on bill, An Act to amend Paragraph 11, Section 1 of Chapter 116 of the Public Laws of 1905, relating to the salary of the treasurer of Penobscot county, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Mr. Mitchell of Newport from the same committee, on bill, An Act to amend Chapter 151 of the Public Laws of 1905, relating to the compensation of registers of probate, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Same gentleman from same committee, on bill, An Act to amend Section 1 of Chapter 165 of the Public

Laws of 1905, relating to compensation of judges of probate, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Mr. Reynolds from the same committee, on bill, An Act to amend Section 21 of Chapter 166 of the Laws of 1911, relating to salary of judge of Piscataquis municipal court, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Same gentleman from same committee, on bill, An Act to amend Chapter 119 of the Public Laws of 1905, relating to the compensation of county attorneys, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Mr. Gallagher from the same committee on bill, An Act relating to the compensation of registers of deeds of Knox county, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

Same gentleman from same committee on bill, An Act to amend Section 2 of Chapter 117 of the Revised Statutes, relating to the fees of trial justices and justices of the peace, reported legislation thereon inexpedient, the subject matter having been referred to a special committee.

The SPEAKER: Specially assigned today and first in order is the report of the committee on education with reference to bill entitled "An Act to provide for the distribution of State school funds according to the aggregate attendance in the common schools," the report being legislation thereon inexpedient. The pending question is the acceptance of the report of the committee.

Mr. Spencer of Berwick moved that the bill be substituted for the report of the committee.

Mr. SPENCER of Berwick: Mr. Speaker, and gentlemen of the House, this is a matter which was submitted to your committee on education, and after an extended hearing they have decided that legislation is inexpedient.

It seems to me that a matter which is of so much importance to the children in this State should perhaps receive some consideration at the hands of the members of this House who are, in my opinion, as well able to decide the merits of it as any committee which might be appointed from this House. I see that the committee from the House which decided upon this matter is in five instances unfavorably affected by the Bill. Whether this had anything to do with the report which they rendered or not I will not attempt to say. It is a matter which has received from the State at large considerable consideration. There have been more petitions presented in this matter than in any other matter which has been before the Legislature in this branch. The committee on judiciary to which was referred the enactment of the law covering public utilities of this State returned an unanimous report that there should be such a law as that utilities law enacted; but here is a utility which is of more importance than all of those combined, and that public utility is the public school.

The source of the State school fund is unimportant as regards the discussion of this question. The present system of distribution of the State funds, as you probably are well aware, is by two methods; one is valuation, upon which one-third of the funds are distributed; and the other is the census, upon which two-thirds are now distributed. Speaking of the method of valuation, it is generally understood and generally conceded by everybody who is conversant with the subject, that the valuation of a town or the valuation of a city has no relation whatever to the cost of maintenance of schools in that town or city. It may be that a town of one million valuation may have as many scholars to care for as one with three million, and under that valuation method of course you would return to a certain town more than a just proportion. Now, with reference to the amount of valuation that there is behind each pupil in each of the counties of this State, I wish to read these statistics:

In Androscoggin county the valuation per scholar in school is \$6222; in Aroostook county it is only \$2169; in Cumberland county it is \$7662; in Franklin, \$4094; in Hancock, \$3978; in Kennebec, \$5062; in Knox, \$4499; in Lincoln, \$3733; in Oxford, \$3778; in Penobscot, \$11,838; in Piscataquis, \$2803; in Sagadahoc, \$4764; in Somerset, \$3524; in Waldo, \$3508; in Washington, \$1998, and in York, \$5871. This shows an immense variation in the amount of assessable or taxable property in the different counties. For instance, Washington, \$1998 for each pupil in your schools; Penobscot, \$11,838 for each pupil in the public schools; that alone shows that the valuation method is indefensible, and the special report of your committee which was appointed at the last Legislature to report to this Legislature so reports.

If towns are to be taxed by the State and expect to receive in return the same amount which they contribute, there is no necessity under the valuation method of the State's taxing, because they could tax themselves directly and save the State the expense of distribution. Now the other method is a census method, and that method returns in some communities more money than they can use. I have here a list of cities and towns wherein the State aid paid out of the school and mill fund and common school fund during the fiscal year 1911-12 exceeds the total expenditure for common school purposes, that is, for teachers' wages and board, fuel, janitors' service, conveyance and board of pupils; and in this list I note particular instances. Lewiston received from the State \$59,287; it expended \$42,128, leaving an excess of State aid over expenditures of \$17,159. Biddeford received from State aid \$41,027, and expended for common school purposes \$30,765. The excess of State aid over expenditures in this instance is \$10,262. I have in all 10 instances in which this occurs, which total, if I have figured them correctly, is \$28,546, which must in each instance, go into the general fund and be distributed, not for public schools for which it was intended, but for any purpose for which the town

may use it—for incidentals, for highways, and for any other purpose; and this quota which is returned to towns more than they can use is 20 per cent. in round numbers of all the money that you obtain from taxation on wild lands in this State. This is nothing more or less than an misappropriation, for that which was intended for the education of your children is diverted to other purposes.

With reference to the census method, your special committee reports that it is the least desirable of all methods. Now the two methods returned in the several counties per scholar the following amount: Under valuation in Androscoggin county, \$6.86; Aroostook, \$2.46; Cumberland, \$8.64; Franklin, \$4.10; Hancock, \$4.33; Kennebec, \$8.45; Knox, \$4.72; Lincoln, \$1.19; Oxford, \$4.12; Penobscot, \$4.43; Piscataquis, \$3.26; Sagadahoc, \$5.19; Somerset, \$2.97; Waldo, \$4.19; Washington, \$2.21; York, \$6.43. This shows a variation in the return of these different counties of \$6.43 under the valuation method. Under the census method Androscoggin obtains \$13.67; Aroostook, \$10.07; Cumberland, \$10.15; Franklin, \$10.04; Hancock, \$8.88; Kennebec, \$7.43; Knox, \$8.91; Lincoln, \$8.88; Oxford, \$7.20; Penobscot, \$9.22; Piscataquis, \$8.80; Sagadahoc, \$10.73; Somerset, \$10.81; Waldo, \$9.73; Washington, \$9.47; York, \$13.78; a variation of \$6.35. These totals show totals which range from \$11.68 up to \$20.53 per scholar in your different counties. In other words, the variation by one method amounts to as much as \$8.85 per scholar, and this shows the injustice of the present system.

Now, both of these plans being wrong, it is essential that we adopt some plan which shall do justice to all counties and to all towns. If they are wrong why should we continue them longer? Some claim that under the new system their town or their city would lose. How can they lose whatever virtually belonged to them? If there is any reason for the existence of the State school fund it is that it shall be applied in equal shares to the education of all the children within its limits irrespective of towns or counties. There is another argument which is

used, and that is that it will be better to delay until we have become more familiar with the present methods which are now in vogue. But why should we continue a method which we acknowledge to be wrong? The only method which now seems to recommend itself to the consideration of the people who are interested in education, not only in this but in other communities, is the aggregate attendance method; and the aggregate attendance method as worked out by figures seems to return to the counties as near the same amounts as it is possible to return under any method: This is called in some states the compulsory attendance method, because it has the tendency to return the attendance of your schools where they may have become depopulated; and any method which will bring up the schools in Maine ought to appeal not only to the members of the Legislature but to every citizen in this State. The State average in Maine at the present time, of attendance, is only 45.3 per cent., and this shows that you now have in school, according to the last year's report, 97,113 pupils, and that you have of those that are not in school 117,235 pupils. If there is any way to increase the average attendance in this State it seems to me it should be adopted.

Now with reference to towns losing, as we use the term lose, there are three elements which enter into this loss. One is a low average attendance; the other is a short school year, and the third is excessive valuation. Now, with reference to cities that lose, Auburn has only 40 per cent. average attendance. It does lose \$575. Augusta has 37 per cent. average attendance; Bangor, in which the attendance is high, loses only \$281; Bath only loses \$117; Belfast loses, because it has only 43 per cent. average attendance. Biddeford has only 13 per cent. average attendance; Lewiston has only 20 per cent. average attendance; Old Town has 38 per cent. average attendance; Portland has 42 per cent. average attendance; Rockland has only 137 days in the school year; Saco has 37 per cent. average attendance; Waterville has 39 per cent. average attendance, and Westbrook has 30 per cent. average attend-

The cities which gain are: Brewer, which has 54 per cent. attendance, which is high; Gardiner also has 54 per cent.; South Portland has 62 per cent.; and Hallowell 49 per cent. All of these cities gain. Now, with reference to the towns that lose, taking them by counties. Androscoggin has seven towns which lose; four from low average attendance, one from short school year and two from over-valuation. In Aroostook county there are 16 towns in all, three of which lose by the average attendance method, three by the short school year, and one from over-valuation. Cumberland has six that lose from low average attendance, three from short school year, one from both, and two from over-valuation. Franklin has seven that lose by reason of short school year, two that lose by reason of short school year and low average attendance, and two that lose by excessive valuation. Hancock has two that lose from low attendance, four that lose from short school year, and five that lose from both causes, and one that loses from over-valuation. Kennebec has four that lose from low average attendance; six that lose from short school year and four that lose from both causes. Knox has seven that lose from short school year; two that lose by reason of low average attendance, and short school year, and one that loses by over-valuation in summer property. Lincoln has one that loses by low average attendance; one that loses by short school year, and five from both methods. Oxford has 12 that lose from short school year; nine that lose from low average attendance and short school year, and one from over-valuation. Penobscot has three that lose from low average attendance; 10 that lose by reason of short school year, and seven that lose by reason of both causes, and one that loses by reason of over-valuation. Piscataquis has four which lose by reason of short school year, and three which lose by reason of low attendance and short school year. Sagadahoc has one that loses by reason of low average attendance; three which lose by reason of short school year; three which lose for both causes; and one which loses from over-valuation.

Somerset has three which lose from low average attendance; 13 which lose by reason of short school year; and three which lose from both causes. Waldo has two which lose from low average attendance; eight from short school year; and one which loses from both causes. Washington county has two which lose from low average attendance; four which lose from short school year, and two which lose from both causes. York county has four which lose from low average attendance; seven which lose from short school year; one which loses from both causes; and two which lose from over-valuation.

The aggregate attendance method puts a bounty of nine cents per day upon the attendance of every child in the public school; and it is important that in conducting our public schools we try to save all the waste we can. It costs no more to run a school with 30 pupils than it does with 10. The Russell Sage pamphlet, which several of you have already received, has this to say about the waste of low production: "States which provide schools and neglect to keep them filled, waste a considerable part of their revenues. A school with an average attendance of 10 pupils costs nearly as much as one with an attendance of 40. A mill equipped to grind 1000 bushels of wheat per day will make very expensive flour if it has to run all day on 100 bushels. Economic reasons, were there no others, are sufficient justification for compulsory attendance laws. True economy in public school administration consists in increasing production rather than in cutting down expenses."

Now I have heard it rumored that the State superintendent of schools does not believe in this method. For that reason I have obtained from him a statement in his own handwriting which is to this effect: "The principle underlying an aggregate attendance method of distributing school funds is sound and is one that ought to have the careful study of the people."

In New Jersey this method has been in force for some time, and I have here a letter of which I will read part:

"The state fund is divided among the several school districts upon the basis of the total days' attendance of all the children in the public schools during the

year preceding that for which the apportionment is made. I believe this system to be theoretically correct and its results have been most satisfactory. The apportionment of school moneys on the basis of valuation does not appear to us to be either logical or satisfactory. The ratables in the municipality bear no relation whatever to the cost of maintaining the schools. A school district having a million dollars worth of taxable property may have as large a school population and need as many teachers as another district having three million dollars worth of property, and we believe that one district is entitled to just as much state aid as the other. The effect of the law has been to increase not only the number of pupils enrolled but also the regularity in attendance. The fact that every day a child is in school means an appropriation by the state of from six to seven cents is an incentive to the district to see that the children are in school. It is one of the best compulsory education laws of which I have knowledge."

Now, this method is not only recommended by the State superintendent of schools, by the school department of New Jersey, but it is endorsed by the State Grange. The State ought to occupy the position of guarantor to every child within its limits. The immense valuation of cities gives their pupils advantages far in excess of those of towns and plantations, and the only correct basis of distribution seems to be that which returns to every child the same amount for every day's attendance in the public schools. The public welfare depends upon this course. Educate the individual and you have educated the nation. The public health is dependent in an increasing ratio upon the increased intelligence of the individual. Wealth, which is governed by earning capacity; morality, which is governed by training; and reproduction of species, which is governed by temperance, are all dependent upon intelligence. By the children from the country society is furnished with its best types of rugged physique and exemplary morals. I ask you to give the same consideration, the same treatment, to every child in this State, for we are one people, with the same characteristics, with the same hopes, the

same fears, the same aspirations, and the same great destiny.

Mr. IRVING of Caribou: Mr. Speaker, for arguments's sake (and argument only) I have the misfortune of coming from Aroostook county, which has been the bugaboo of this mill tax distribution contention since its inception. The question before the House is too broad and important to be considered in sections. In other words, it is not how its effects one particular locality along as much as how it effects the entire State. If the State of Maine, in its infancy, had placed an estimate of value upon its wild land that the states of California, Oregon and Washington, for example, placed upon theirs, setting it or a large portion of it aside for the use and maintenance of the public schools, we would not be here today discussing the distribution of mill tax.

In its early history, Maine doubtless felt that it had an inexhaustible amount of wild land, forgetting the future, forgetting for the time its schools and the schools to follow, its ambition appeared to have been to develop portions of their great unbroken wilderness in the north. With this end in view they caught at the bait thrown out by a foxy corporation, which proposed to put a railroad through the north into and opening up Aroostook county, in change for the vast unbroken forests of Aroostook, Piscataquis and northern Penobscot—to this corporation was granted the title of all or much of this vast territory, and how did they keep their part of the contract. They did go into Aroostook county at the northwestern corner and got out of it just as quick as they could without making too sharp a circle and went on their way to McAdam, N. B., giving in exchange for what should have become our school land practically nothing. Thus, the State sold its great birthright—the schools' great birthright for a mess of pottage. The only comforting thought in connection with this great steal is the fact that they in turn were beaten, selling the land at a price which was close to the stealing line.

At the present time there are 9,117,180 acres of wild land the title to

which is held by corporations, that is, pulp and lumber mill owners, 2,250,000 acres; by non-residents, 750,000; by private parties, in round numbers, 6,900,000 acres. You will note that I say the title to this property is held by the above three factions. As to who owns the land I may apply to illustrate, an incident of Old Quebec, Canada. Upon the old fortification stands an old brass cannon, or field piece, carefully guarded by British soldiers, for fear, I presume, that some enterprising Yankee will slip it in his pocket and carry it away for a souvenir. A little band of American boys and girls were being shown over the fortification by a pompous English officer. Approaching the little field piece he drew himself up and said, "This cannon was captured at Bunker Hill." As quick as lightning one of the little girls hurled back the inquiry, "Who owns Bunker Hill now?" This pertinent question is applicable to the wild lands of Maine now.

The title of these lands may have been carried away, large fortunes made from them and carried away, but the land still remains and it belongs to eight of the northern counties of the State, and like all other real estate cannot be moved, nor should it, in justness, be taxed and the revenues thereby gained, transferred in unequal proportions to any other part of the State. Aroostook, Piscataquis and Somerset Counties own 70 per cent. of the wild lands and gets but 17 per cent. of the mill tax. Aroostook County owns 25 per cent. of the wild lands and gets but 13 per cent. of the mill tax. The counties of Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington, eight in number, own every foot of the wild lands upon which the mill tax is assessed, and yet they lack \$113,000 of getting their fair share of the money assessed upon that property, and to these eight counties, add the three counties of Lincoln, Knox and Waldo, and the eleven counties lack \$126,000 of getting the amount that is justly their due from its taxation, while the five counties of Androscoggin, Cumberland, York, Kennebec and Sagada-

hoc receive the \$126,000 taken from the other counties by the present distribution and they do not own one foot of the land upon which the tax is assessed.

The five counties above referred to, containing 127 towns and 36,281 scholars, receive of this mill tax \$671,760. With 36 per cent. of the scholars they receive 46 per cent. of the money, while the remaining eleven counties with 395 towns, 60,830 scholars receive but \$788,501. The eleven counties with 64 per cent. of the scholars receive but 54 per cent. of the money. This tabulation shows that five counties, who own not a foot of the land, receive per scholar \$18, in round figures, while the eleven counties, who own all the land, receive but \$12 per scholar. Can you by the most strenuous stretch of imagination find a single trace of justness or fair play in such a distribution? Is it fair or reasonable that the scholar, for instance, in the city of Portland, should receive \$18 as against \$12 received by the scholar in the rural district.

If the purpose of this mill tax was to benefit and maintain the common schools, it is being diverted from the channel for which it was intended. The rural scholar, boy or girl, asks for no handicap. They are willing and intellectually capable of meeting the city scholar on equal footing. Neither are they willing to give any handicap because it is eminently unfair. All they ask of you is their just due and fair play.

This State by thoughtless legislation gave away the property that should be supporting our schools. By legislation they have succeeded in securing from the millions that have gone a few dollars in the way of taxation, and all the rural district scholars ask of you today is that they be given their share, that to which they are entitled, the money which is coming back to them from the heritage of which you have deprived them, that this fund be distributed as it was originally intended by the promoters of this law, per aggregate attendance and not by the unequal, unfair and unholy method of distribution per

valuation. For such a distribution is in truth giving unto him that hath and taking away from him that hath not even that which he hath.

I second the motion of the gentleman from Berwick to substitute the bill for the committee's report.

Mr. JONES of China: Mr. Speaker, I wish to say just a few words upon this matter. It relates to the children of the State of Maine and not to the children of any particular section. In 1911 the Legislature of this State appointed a committee to go into details in regard to the distribution of the school funds of the State of Maine. The men appointed upon that committee were men of high character, men of learning, and they have reported to you in Senate Document No. 121 their findings as regards this question. There is also incorporated and appended thereto a schedule giving the present census valuation, and average attendance and the aggregate attendance. I believe that their report should have great weight with this Legislature, because they have gone into every detail of this school fund from start to finish.

I am not going into the whole detail of this matter because it is not necessary, but I do want to cite to you just for a moment what they say here in relation to this matter, which is to be found on Page 19 of this document:

"The results of the method, as well as the principles underlying it, have not yet been fully realized in practice and that it is desirable that more time be taken for the understanding of its results before any change is made."

The committee also recommends in this report that the equalization principle be continued and that the fund appropriated for this purpose be increased to \$50,000. I understand at the present time that there is an equalization fund of \$40,000. That amount is to go into the schools of the rural sections that have not the means by which they can raise funds for their own schools. When the State superintendent, the educational department of the State, goes into those sections and finds that there is a school that needs a little more funds they can place it there from this

fund. Now it was right and proper that that should be done.

On Page 20 of this report, under head of "General Propositions," the committee says:

"While the committee recommends that no change in the general method of distribution be for the present adopted, it is agreed that the following propositions should be given careful consideration in any future proposals that may be made to change the basis of distribution. It should be understood that these propositions are entirely distinct from the foregoing recommendations. The principles of the recommendations foregoing depend upon the continuance of the present plan and are not necessarily to be connected with any of the following propositions."

Also on Page 21 the committee says:

"The plan of aggregate attendance including all schools and eliminating special aid to secondary schools for any purpose whatever is one that should invite the careful future consideration of the people."

Now, Mr. Speaker, I think that those matters should be carefully considered by this House before we vote upon this question in regard to changing from the present method to that of the aggregate attendance. I wish to cite you a few instances from certain sections of the State, and I will state that these figures are for the year 1911. In my own town of China, with an area of 65 square miles, the total school fund is \$3400, amount paid for transportation \$1182.25, a loss under the proposed method of about \$200. The town of Fairfield with 48 square miles, a total school fund of \$3706, paid for transportation \$2054.85, being a loss to that town of \$329.

The town of Fairfield, 55 square miles, paid for transportation \$1693.10, which amounts to a loss of \$982 for that town. The town of Monmouth with 40 square miles, as school fund of \$3493 and a loss of \$300 to that town and no transportation is given here in this list which I have. The town of Mount Vernon, 45 square miles, \$1465, a loss of \$160. In these towns which I have enumerated there will be a loss, provided a change is made, of \$2107, or nearly one-third of the total loss of Kennebec county.

I have another schedule showing where there will be a gain made. The town of Randolph with 1 1-3 square miles, and they will gain \$908, with no transportation. The town of Brewer, with 22 square miles, and their appropriation is \$7122, and they would make a gain of \$3934, their transportation being \$703. The town of Orono, with 21 square miles, \$3774, transportation \$640, a gain of \$1971. Machias with 20 square miles, school appropriation \$2534 and they will have a gain of \$1416. Lubec, \$2625, and they will receive \$1002, no transportation, and making a gain of \$3111.78. Eastport, with \$2553, and no transportation, would make a gain of \$1907. Now, those towns have no transportation to pay, and it is the outlying sections of the State which need the most money. The transportation question is a very important item to be considered. The cities don't have to bear that expense, and for that reason there is a great gain in the cities. I am not finding any fault with the cities. They make large appropriations, and the towns make as large appropriations as they can under their present financial conditions. You should consider these methods in all their bearings and give them full consideration. Give them as much weight as you in your best judgment see fit. I hope that the report of the committee will prevail.

Mr. BOWLER of Bethel: Mr. Speaker, I am aware that we have a long calendar for consideration, today, and that the House will want to hear but very little from me. I only have a word. I think it is fitting that the position of the committee should be explained. The gentleman from Berwick discovered that five members of the seven members of the committee on the part of the House got hit by the bill. We do not feel that it is necessary to defend that proposition on the floor of this House, and I will simply say that we did not know that we had been thus hit when we passed upon this bill. I did not know it, and I doubt if the other members of the committee knew it. We tried to take this matter up in a broad way and treat it from a broader standpoint than how it might affect my little town or your little town, or even some county, or some wild land area, or some metropolitan center.

While I am not going to defend or support the bill, I am simply going to explain the position in which the committee stands and in which the committee stood in relation to this matter. In the first place, as it has been explained by the gentleman from China (Mr. Jones), reference has been made to this report. This report is nothing new to you, you have all examined it. This commission was appointed, two years ago, a commission made up of men for whom I have great respect, gentlemen whose opinions and judgment you all respect. There is one thing which they said in that report, and I want you all to get it. They say: "For two reasons, already stated, there is no consensus of opinion, even among those who advocate a change, as to what the nature of the change should be."

We will be willing to admit, as a committee, that perhaps the present system is not just what we ought to have or just what we will have when we have decided what we ought to have. We take the position that this committee reported that legislation is inexpedient for the reason that the present method has not been tested out as thoroughly as it should be. This is a matter which should be tested out. This matter was before the Legislature, two years ago, and it was a matter that was worked on more or less during the session, and the decision was finally arrived at for the appointment of this commission. We remember, too, that a different proposition was before the Legislature at that time, and that some of the people, who are today asking for the distribution by the average attendance were, two years ago, asking that the distribution be made in another way or by another method.

If there has been a change of mind in the two years, how do you know and how do I know but that some new scheme may arise within two years? I submit that this is a subject that should be studied carefully, and I claim that it has been studied carefully by the committee on education. The gentleman from Berwick (Mr. Spencer) has said that three things enter into this proposition, the low average attendance, the short school year, and

excessive valuation. We understand that the question of excessive valuation does hit the cities and some of the towns that have a large amount of property. We will dismiss that as a factor that we cannot very well help, because they have that property, and we have not yet been able to get any method that will fix that thing in exactly the manner we would like to have it. The gentleman from China has referred to his town. Now his town is one of those towns that is spread out to a great extent; it is split from end to end by a pond which is several miles long, and it does become necessary to transport a great many scholars there. Because of that fact the average attendance is reduced, on account of stormy days, snow storms and matters like that which are liable to happen, which render it impossible for scholars to get to school at times and which have a tendency to reduce the average attendance.

I am not necessarily in opposition to this bill, but I am saying that these are conditions that may arise and which may hit the little town; and so we have said that perhaps it would be better to let the matter remain as it is and increase our equalization fund, and that is what we have done, we have increased our equalization fund from \$27,500 to \$40,000, this year. That will enable us to put a little more money into towns like China and some other towns in which the same conditions may exist, which tend to reduce the average attendance.

Mr. SARGENT of Portland: Mr. Speaker, the principal thing is, why do we have two systems of distributing the State school funds? For years we have had what we call a mill tax to support the schools of the State. It went along in that way until three or four years ago, and then they wanted a wild land tax. The matter was submitted to the supreme court and that court decided that you could not put an extra tax on the wild lands any more than you could on any other property. Then they got up a scheme to have a land tax, to tax the whole land in the State and give it to the schools in addition to the mill tax. Then came up the question of how this

should be divided. Some thought it would be well to divide it according to the number of scholars because it would give some of the poor towns more money for school purposes than they would get otherwise, and that is the reason why we have this double system. Every small town in the State gets money enough to pay their State tax, and some of them get two and three and perhaps four times as much as their State tax.

Mr. COOK of Vassaboro: Mr. Speaker and gentlemen of the House, Dr. Holmes once speculated on what he would like to find out if he could look ahead 100 years. I think one of the first questions he would want to ask was whether euthanasia was practiced. I do not know what that means; but looking at it from each end it looks like something that should be dealt out politically to Republicans and Democrats, but not to Progressives. If I had the power that Dr. Holmes talked about to look into the future there are several things I would like to ask about the future of Maine legislation. I would like to know if De-Forrest Keyes had gotten his money.

The gentleman from Berwick has been advocating a new law in the distribution of the school fund. He is a very able man, learned in the law; but recollect, gentlemen, that a lawyer does not necessarily know what the law should do. A lawyer's business is to find out what the law is. The lectures, law schools and law books have taught them what the law is; so that I would beg leave to differ—have the courage to differ on this subject as to what the law should be. We can prove that he understands what the law is, by what he did in finding out what "post officers" means. He proved by that that he knows what the law is. We can also prove that he does not know what the law should be since he has the temerity to interfere with the ladies' headgear. (Applause.)

He says that it is significant that five of the educational committee would be injured by the proposed law. It is also significant that the district the gentleman represents would be benefited by this proposed law to the tune of about \$475. I don't suppose that had any influence upon the gentleman; but ought not he to be loyal to his own county?

Would you grab \$475 when by so doing you would snatch away thousands from your own county? By this method York county would lose \$35,000. Since he cast the insinuation upon us that we were working for our own interests it is fair to think he is working for that \$475, notwithstanding his county is going to lose \$35,000. I understood him to contend that the source of this money had nothing to do with it. Now I maintain that the source of this money has all to do with it. The history of how we got these various allotments of mill tax is important in this connection. We first had one mill, and some of the cities thought it wasn't fair, and we got it raised from time to time until we got four mills as a school fund on all property in the State. I was present in this House, or in the old chamber, when that idea of increasing the whole State tax in order to get at the wild lands was born in the fertile brain of the ex-attorney general of Waterville, Mr. Pattangall. He thought out that way, that since we could not tax the wild lands of the State differently from the rest of the State—it would be unconstitutional—he thought of that way to the towns to support the schools. Now to the towns to support the schools. Now when they came to consider that measure in the Legislature, if it were to be apportioned according to census these large cities that have such a great valuation would be opposed to it, and they never could have gotten that bill through if they had not promised that part of the money should be redistributed on valuation. It was a gentlemen's agreement. They said, we will vote for this measure if you give it back to the towns, in part at least, on valuation. Now are you going back of that today.

They talked a good deal about wild lands, how much money they get from the wild lands up there. Well, they do not seem to say anything about the bank tax that goes into the school funds. You get a little matter of \$126,000 from the wild lands; and from the cities the banks turn in \$288,000. The distribution is partly on census and partly on valuation, so that one helps out the other; they dovetail together and make it even; make

it equitable and fair. There are some isolated cases, of course, where towns get too much; they have a surplus. There are a great many that will have a surplus by the new method. Here are sixteen towns in one county that will get a surplus. I won't bother to read them all. They would not only have all their schools provided for by this mill fund, but would have a surplus besides; so you see you are jumping from the frying-pan into the fire, and a pretty hot fire at that.

There has been a good deal said about the State Grange in this affair, and there have been a large number of petitions and resolutions coming here from the State Grange. The State Grange is an honorable body, a useful body, and if there are any other bouquets that I could throw at them you may consider them thrown; but they are mistaken in regard to this law. In the first place there is not any considerable number of them that knows enough about the present distribution of the school fund to have an opinion about it, or about how the proposed method will work out. Now if there is any person that cares a rap about this business, and doesn't fully understand it, it is his duty to vote no upon this proposed new law. You cannot say too much of this special committee. It was comprised of members of all political parties, and not only that, it was composed of members with different views on this distribution of the school fund. They went to work on that subject, some of them thinking that the present method was the best, and some of them thinking that a new method would be better, so that the opinion of this committee, as it had two years to look it over, is of value; not only of value on account of the ability of the men, the time they put into this, and the fact that they were of diverging opinions when they began; but on account of the character of the men. They looked at it one way and another, and they were unanimous to let this alone until we could find out and agree on something that we could all consent to. (Applause.)

Mr. RICKER of Castine: Mr.

Speaker, I will not take but a minute. It seems rather peculiar that the Grange is supporting this bill when only a month before this Legislature convened they were talking of a census bill before our committee. At a hearing in the Senate chamber they stated they absolutely approved the report of Senate Document 121 of the Special committee. Possibly you are all familiar with the facts that the State law says the towns shall raise not less than 80 per cent. per capita for school purposes; and in Section 6, Page 777, it says that the amount received from the State shall be deemed a part of that 80 per cent. In Section 3 of the same chapter, however, it describes how that money shall be expended. Now it would seem to me well for any who are thinking of substituting this bill for the report of the committee to have some one of a legal turn to mind at least look into the matter, and see what effect this law will have upon the present laws upon the book. I think they will find it is much better for the cities and towns to stand by the report of the committees. If this bill goes through, instead of getting money from the State, the towns and cities of this State will have to raise 80 per cent. per capita, in addition to all the monies they are now raising, to support their schools.

I hope the motion of the gentleman from Berwick will not prevail; and when the vote is taken I ask for a division of the House.

Mr. SPENCER of Berwick: Mr. Speaker, the gentleman from Vassalboro has mentioned a few things which might be interesting; but I won't take but a few minutes of your time. He says he has a list of sixteen different municipalities which will get more money than they can use under our method; but he does not take into account the fact that some of these counties are now taxed much higher than others, and as a matter of fact their local taxation should be diminished.

In reference to gentlemen's agreements by previous Legislatures, I don't think they will be binding upon future Legislatures.

The gentleman from Vassalboro says if you do not know how to vote upon this proposition, vote no. Now you have had this proposition tabled for two weeks, and have had a chance to chew it over, and if you do not know how to vote now, you never will. Another thing, you are paid to find out and vote on these propositions. The State gives you their money to decide what you shall vote. Now I claim you should take your attitude in some other way—either ask the House not to vote at all—perhaps they will grant it—or else vote understandingly.

The SPEAKER: The question before the House is on the motion of the gentleman from Berwick, Mr. Spencer, that the bill be substituted for the report of the committee.

A division being had, the motion was lost by a vote of 40 to 86.

On motion by Mr. Cook of Vassalboro, the report of the committee was then accepted.

The SPEAKER: The next matter for consideration is majority and minority reports of the Committee on Judiciary to which was referred Bill entitled "An Act to amend Chapter 120 of the Private and Special Laws of 1899 relating to the establishment of a municipal court in the town of East Livermore," majority reporting "ought to pass in a new draft same title," minority reporting "ought not to pass." The pending question is the acceptance of either report.

Mr. Smith of Auburn moved that the minority report of the committee be accepted.

A viva voce vote being taken, The motion was lost.

Mr. Stuart of East Livermore moved that the report of the majority be accepted.

The motion was agreed to.

Mr. Stuart of East Livermore offered House Amendment A, to amend by adding the following words, "The present judges of said court shall be allowed to serve the balance of his term of office."

The amendment was adopted, and the bill was then tabled for printing under the joint rules.

The SPEAKER: The next matter

for consideration is bill, an Act to incorporate the Sheepscoot Valley Conservation Power Company. The pending question is the third reading of the bill.

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

The SPEAKER: The next matter for consideration is the motion of the gentleman from Lisbon, Mr. Plummer, to reconsider the vote whereby resolve in relation to the early York county deeds was indefinitely postponed.

Mr. PLUMMER of Lisbon: Mr. Speaker, I made this motion with the idea that some who opposed the proposition did so with the idea that their objection was on the account of the wording of the resolve. This resolve provided that a certain price was to be paid for the volumes, and that the work was done by a certain individual or a certain concern. Certain members of the House objected to the proposition on account of the way it was worded. I have no antipathy personally to the measure. I understand that if the motion to reconsider is carried, that an amendment will be offered which puts it in the power of the Governor and Council to determine the matter as to under what conditions the volumes shall be printed. I move a reconsideration of the vote.

Mr. RICHARDSON of Canton: Mr. Speaker, I will say that I have not changed my position in the least in regard to this matter. These deeds are on record in York county and can be referred to at any time. If they are to be preserved I do not understand why it is necessary to pay out this sum of \$4000 for the printing, for the purpose of giving these volumes away. I do not want to criticize the action of the committee on appropriations, but I believe this is a good opportunity to economize. I am opposed to this resolve because I do not think it is necessary for this work to go done at the present time. I do not think it is right and proper to pay out \$4000 for the printing of these old deeds, and I move that the matter be indefinitely postponed.

Mr. BOWLER of Bethel: Mr. Speaker, I promised myself that I would not mix up in this matter again, and I did not intend to enter into the discussion of this question. I want to say, however, that it seems to me there is a little bit of personality injected into this proposition. This resolve was sent to me and I was asked to introduce it at the beginning of the session, and I did it upon that request. The committee had only a short time to look into this matter and it was found that there were a great many difficulties to be encountered in connection with the printing of these volumes. Sometimes we have to wait for copies to be furnished by the register of deeds, and in that way the printing of these deeds has been greatly delayed. As I understand an amendment is to be offered to place this thing on a par with other printing work, leaving it with the Governor and Council, and I will say that as far as I am concerned that is perfectly satisfactory. I call, Mr. Speaker, for the yeas and nays.

Mr. MITCHELL of Kittery: Mr. Speaker, I do not think I should lose this opportunity of congratulating the gentleman from Canton (Mr. Richardson) on his change of base, for it was generally understood in the early days of this session that he was in favor of publishing everything in sight, not only what belonged to himself, but also what belonged to his fellow members of the Legislature. I hope that the motion of the gentleman from Lisbon (Mr. Plummer) will prevail.

Mr. NEWBERT of Augusta: Mr. Speaker, I move that this matter be laid upon the table, and I think my attitude in this question is entirely consistent. I think I voted against this matter in regard to the York deeds, in 1907. In 1911 the committee reported unanimously against it, and the Legislature sustained the report of the committee. This year the committee reported unanimously against it again, and later the House voted to indefinitely postpone the resolve. Now the gentleman from Lisbon (Mr. Plummer) wishes to reconsider that vote and open up the whole matter again.

This matter means simply a subsidy for a little printing shop up in Oxford

county, where one man has got more than half of his living for 10 years. There is no supervision of the matter and it is left entirely to one man, who makes his own price. I consulted an attorney, who does a great deal of business in the line of examining titles in this State, and he has been doing this, for 20 years, and he has given me several reasons why this matter should not receive favorable consideration. I will state a few of his reasons.

The York deeds, so called, are of no practical value in the examination of titles for the following reasons:

In 1760 the whole province of Massachusetts east of Biddeford, except a part of what is now Oxford county, was set off from York county and conveyances in the part set off were no longer recorded in York registry. At that time there were but 14 incorporated towns in the province, all except Pownalboro being within the present limits of Cumberland and York.

Except along the coast, the whole State was uninhabited save by squatters who had no deeds and the large tracts or patents in which land had originally been granted were unsettled, unsurveyed and undivided. After 1760 these patents were split up into lots, conveyances were made to settlers and others, but they were recorded in the registries of Lincoln and Cumberland counties and not in that of York.

Practically no conveyances (except among the proprietors and their successors) of any of the lands outside the fringe of coast towns in York and Cumberland were ever recorded among York deeds.

Even in examining titles in these coast towns the occasions on which it would be desirable to go back of 1760 would be so few as to be scarcely worthy of mention. To one examining a title in York a visit to Alfred is necessary and here the original records are open to him.

The only real purpose of these deeds is to gratify the curiosity of the antiquary and the genealogist. In fact aside from demonstrating that our ancestors were careless in spelling and grammar I can see very little advantage to be gained from their further publication. The money so spent in so carefully embalming the exact way in which our

fathers spelled words wrong (which, by the way, is the only reason for requiring so much painstaking care in the typesetting and doubtless the cost of publication), would to my mind be much better applied in teaching the present generation how to spell them right. I regard the whole proposition as a waste of the State's money.

The SPEAKER: On March 20th this resolve was indefinitely postponed in the House. On March 21st the Senate concurred in the indefinite postponement of the resolve. The gentleman from Lisbon, Mr. Plummer, moved in season under the rules to reconsider the vote whereby the House voted to indefinite postpone the resolve. That is the question before the House. The gentleman from Bethel, Mr. Bowler, has demanded the yeas and nays. Those favoring the demand will rise.

A sufficient number not having arisen, The yeas and nays were not ordered.

The SPEAKER: The question is on the motion to reconsider the vote whereby this resolve was indefinitely postponed.

A viva voce vote being taken,
The motion was lost.

The SPEAKER: The Chair will ask the gentleman from Westbrook, Mr. Scates, to take the chair for the remainder of the session today.

(Mr. Scates then assumed the chair.)

Mr. Smith of Presque Isle moved that the House take a recess until half past two o'clock this afternoon.

The motion was agreed to.

After Recess.

Mr. Scates of Westbrook in the Chair.

The SPEAKER (pro tem): The first matter for consideration, this afternoon, is the report of the committee on public health, to which was referred bill, An Act providing for the inspection of bakeries and confectioneries, reporting "ought not to pass." The pending question is the acceptance of the report.

Mr. Boman of Vinalhaven moved to substitute the bill for the report.

Mr. BOMAN: Mr. Speaker, I wish to explain my position in regard to this bill. In the first place, I wish

to state that this bill was introduced into the House and referred to the committee on labor; in the Senate the bill was referred to the committee on public health. Later the bill came back to the House, and the House concurred with the Senate and had the bill referred to the committee on public health. Meanwhile the bill was advertised for hearing before the committee on labor, but after consultation it was agreed that the matter would be heard by that committee on the same day on which the hearing was advertised to be heard before the committee on labor in order that nobody would be inconvenienced.

I went before the committee and presented the matter, and at that time there were only a very few members of the committee present. After presenting the matter to the committee I came back to the House and was informed by one of the members of the committee that the bill had passed with a slight amendment which was acceptable to me. The committee subsequently reconsidered its action and reported that the bill "ought not to pass." Now, I have no reflection to cast upon the committee at all, but I believe that some of the members of the committee are in favor of this measure. This bill is not of a spectacular nature and is nothing out of the common, and I consider it a measure for the public good. I receive assurances from members of the House that the considered the bill a good one, and they regretted very much that such a measure had not been introduced before.

The object of this bill is to bring about a better and more hygienic condition in these establishments. I find that in 1907 there were 12 states which had such a law, some of which were of a very drastic nature. This bill is of a very moderate nature. In some of the states these matters are under the supervision of the department of labor and in other states under the supervision of the department of health. It seems to me that there must be some merits in this bill. I ask you to consider this matter and not turn it down; and for that reason, Mr. Speaker, I move that the bill be substituted for the report.

The question being on the motion to substitute the bill for the report,

A viva voce vote being doubted, A division was had, and the motion was lost by a vote of 24 to 26.

On motion by Mr. Doherty of Rockland, the report of the committee was then accepted.

The SPEAKER (pro tem): The next matter on the calendar is the report of the committee on legal affairs to which was referred bill, entitled, "An Act granting to the Knox County Power Co. the right to generate and sell electricity in the municipalities of Thomaston and Rockland, together with pole rights therein, reporting "ought not to pass."

The pending question is the acceptance of the report.

Mr. Boman of Vinalhaven moved that the bill be substituted for the report of the committee.

Mr. BOMAN: Mr. Speaker, I wish to state my position in regard to this matter. Personally I have no interest in this matter at all, but I speak for a large majority of the people of Knox county who think that this charter should be granted in order that they may be able to buy their power as cheap as possible. I was present at the hearing before the committee when this matter came up, but since that time certain facts have been brought out which have changed somewhat the condition of affairs. The men who are behind this proposition are men of the highest character and financial standing, and if this measure is passed all interests will be protected. All that they ask for is permission to buy their electricity at first cost; and if they are not granted this privilege they will have to buy their power second handed, which certainly will increase the cost. I will not detain the House longer because there are other gentlemen here who wish to speak upon this matter, and I merely wish to bring the matter before the House at this time.

Mr. ELIOT of Thomaston: Mr. Speaker, as a citizen of Thomaston, one of the towns interested in this project, I wish to say a few words.

Since I have been here, this winter, I have heard a great deal about developing the natural resources of the State

of Maine. Now this is just what the Knox County Power Co. wants to do for us. They have power at Union and ask you to grant them the privilege of selling it in Thomaston and Rockland.

The argument advanced by the opponents of this bill is that this would interfere with the rights now held by the R., T. & C. St. Rys. But I would like to know how the resources of our State are to be developed if you do not grant rights to the smaller power companies.

The telephone would never have been in such universal use if the privilege of building and extending their lines had not been granted to the small companies.

Nor will our great natural resources be developed unless we grant the small power companies the rights to generate and sell electricity to the small consumer.

The field for the larger companies is unlimited. The whole State in fact. But if the smaller companies are to exist and help in this upbuilding for our great State we must grant rights to them as well as to the larger ones.

I hope the motion of the gentleman from Vinalhaven (Mr. Boman) will prevail.

Mr. BRENNAN of St. George: Mr. Speaker, as a representative from Knox county, I am somewhat interested in this matter representing as I do a section of that county. The people of Knox county feel interested in this matter and they feel that if we can get cheaper power it will do a great deal towards opening up the towns in that section. I hope the motion will prevail.

Mr. BUCKLIN of Warren: Mr. Speaker, I want to speak a word for my town of Warren, believing that anything that is good for the town of Warren will be good for every other town in the county. We want power for our manufacturers, and as we have never come here for a cent of financial aid and very seldom for a favor of any kind, I hope that you will grant us this one request so that we can go on with the proposition.

Mr. NEWBERT of Augusta: Mr. Speaker, I dislike to appear in opposi-

tion to so many of my friends from Knox county, especially in seeming opposition to so many members on this floor from Knox county. I have nothing in my mind hostile either to Knox county or to the citizens of Rockland. I would say nothing in opposition to the citizens of Knox county or in any way reflecting upon the enterprising citizens of the city of Rockland. Knox county is my old home, I have lived in the towns of Warren and Union; I know the whole locality, and I know the people; I know the men who have come here and who are here today from the city of Rockland. My purpose is simply to put in a statement of facts here, and I wish to do it without any passion and without any prejudice, and I hope that I may be able to do it without arousing either passion or prejudice.

When we seek to overturn a unanimous committee report the House had a right, at least, to have some good reason stated why the report of the committee that sat and heard the case should be reversed. This hearing was one of the big hearings, and I was here in attendance at that hearing all of one afternoon until they almost tired me out. A great army of citizens from the city of Rockland were here, and they put in their case forcibly and they presented it eloquently. The other side was here too, and they had an array of talent, and they sat here from two o'clock in the afternoon until 12 o'clock at midnight, and, gentlemen, if there was anything left unsaid it was beyond human comprehension as to what it might be.

I have no interest in either of these companies; I am not a stockholder or a bond holder, and neither have I a friend or relative in either company. Now, what about this Knox County Power Company? Those of you who were at the hearing know all about it. It is a young company. I think its development has all come about practically within 15 months or within two years. Hollis Shaw, a young man of Belgrade, went to the town of Union and took over a water power and began its development. A dam is now built there, but I do not know that

any power is being developed on account of the dam being built there. A little lighting is done in the town of Union.

There was a great deal of discussion in regard to how much horse power was developed in his plant at Union. We never used to think there was any there. How much is there developed there? I do not think the proponents of this measure claim more than 300 or 400 horse power. I think that the Knox County Power Company will not admit that there is any more than 180 horse power. The town of Union is located 20 miles from Rockland, and I am informed that it will cost not less than \$30,000. And does this company really seek to get into Thomaston and Rockland? And if it does not, what is the purpose behind the bill? Do practical men believe that under the present circumstances, if the franchise were granted, that this power will ever be built?

I want to put in a few facts in regard to the Rockland-Thomaston and Camden Railway. In 1892 two men from Augusta, Governor Cobb and George E. Macomber, had built a little railroad here between Augusta and Gardiner. After doing that they went over to Rockland, Thomaston, Rockport and Camden and looked over that country, thinking they might build a road over

there. Following considerable discussion with the men in those towns something did finally come about, and a syndicate of ten men undertook to build a street railway in the towns of Thomaston, Camden, Rockport and Rockland. Now, these are not large towns, and for that reason there was some venture made here, and there was a chance for something to be lost; and yet these men went over there and talked with the business men of these towns. The majority of these men lived in the towns to be benefited by the organization of this corporation; they were men who knew the needs of the towns, and I presume the most of them are living there today. The majority of the stock in this company has never been owned in Kennebec; it is owned today and has always been owned in the city of Rockland; the board of di-

rectors has always been composed of 3 directors from Rockland and only 2 Rockland, Thomaston and Rockport would have oppressed their own localities? I don't think so. I know these men, and many of them are known to you. Governor Cobb stands today head and shoulders above the most of us in this state, as a broad-minded and generous citizen. These men built 15 miles of road which I claim is a great thing for that locality.

These men put in their money over there, and the towns of Rockland, Thomaston, Rockport and Camden might even today be without an electric railroad if these men had not believed that the state of Maine was behind them in the protection of vested rights there. There were no electric lights there and there was no power there; there were no electric lights in Rockland excepting along the principal streets; there were no lights in Rockport; there was a small concern doing business in Camden. These men later took over these two little lighting plants, and then began to light these towns and sell power, and they built a power house costing \$97,000; they have been lighting Camden and Rockland and Thomaston and Rockport all these years, and as far as I know and can understand, I have never heard of any complaint until now.

We have heard some complaints here in regard to the rates being high. I do not blame the people of Rockland for wanting cheaper power; we all want cheaper power and we all want cheaper light, and every man has a right to those things if he can get them. I find that there never has been any solicitation to this company for lower rates. In the year 1905 this company voluntarily cut down its rates for lighting and power 25 percent; three years later they cut again 10 percent for men who paid cash before the 15th of the month; and two or three months ago they cut again 25 percent, which makes a cut in 21 years or less of about 60 percent in the rates in those towns.

Another thing, I find that within 10 years these directors have been reaching out in all directions for cheaper

power for Rockland; they have tried to reach out for water power because they were using steam power which is very expensive. They have had engineers in different parts of the country making examination, and they could not find any cheaper power. I find that in Bangor they went to Mr. Graham with his great power on the Union River in Ellsworth, and he could not help them. I find later that Mr. Shaw of the Knox County Power Company came to one of the directors and told him that he had a cheap power to sell in Union. That was the very thing this man wanted. They went there and found that there was nothing there, the horse power was too small. Mr. Shaw said that he had power there and that he would sell it cheap, and this man said to him that when he was ready to come to them with power for sale they would buy the power, but he never came, because he had no power to deliver; but he did have \$400,000 of bonds to float on a \$5000 property, and today there isn't more than \$18,000 in it after the dam is completed.

I know that a year ago the directors of this corporation in Rockland came to the Central Maine Power Company with its headquarters in this city, and made a contract here with the Central Maine Power Company, with its great power sites on the Kennebec and with surplus power to sell, and they made a contract for 3300 horse power to be delivered to the city of Rockland for 20 years, 365 days and 365 nights in a year, for 20 years. This great company has agreed to send over its copper wires a distance of 40 miles to Rockland this mighty power of 3300 horse power, and it guarantees if the water power breaks down it will hitch up Rockland and Knox county to its splendid power station down here in Farmingdale built at tremendous cost.

This great line has been built, and since the first of March too, and the Central Maine Power Company has been shooting that current across the woods and valleys and highways until it reaches Rockland, 40 miles away. This line cost them \$13,000 to build,

and it cost the Rockland, Thomaston and Camden Railway \$30,000 for transformers in their station. And so in a year to help the situation over there in Knox county and to help Rockland and Thomaston and the outlying towns to obtain cheaper power these people have spent \$125,000 within a year; and before that these ten men from the time of their first investment until now have put into the plant over fourteen hundred thousand dollars.

I want to urge this thing—I know these facts, and if they are not facts they may be contradicted here—but I do want to say this, and possibly this may have had some influence on the action of the committee. My good friends in Knox county have redress, and if they cannot get the measure through this Legislature—and nothing like this has been asked for Portland, or for Lewiston, or Waterville, or for Augusta, or for any city in Maine where these vested rights are. There is going through this Legislature now, and sure to pass it, a great public utilities measure. There is no opposition to it. They have been trying to get a good bill here, and I believe they have got a good bill. That bill is going to pass this Legislature in its present form and with no opposition. We are looking to Governor Haines to appoint three men who may be big enough and qualified by their ability and experience to sit upon this commission, as big men as are today upon the supreme bench of our State.

When this commission is organized, as I say, the people of Rockland can come before it, and the people of Knox county can come before it, and if my memory serves me right there is a clause in this bill providing that if this commission of three men finds that public convenience and public necessity warrants the coming in of the Knox County Power Company to Rockland and Thomaston, they may go in regardless of what we may say here; and if the commission turns these men down they still have recourse here to another Legislature. I think that is a fact. The question of rates may be brought before this

commission, and if this resident corporation has rates which are too high all those facts and figures will be placed before this commission, and Rockland may come there, and the whole of Knox county may come there, and there they will find a court to pass upon these things. This question may be the very first question which will come before that tribunal after it is appointed and organized.

Mr. DOHERTY of Rockland: Mr. Speaker and Gentlemen of the House of Representatives: I wish to say a few words in favor of the Knox County Power Company.

Rockland, my native city, needs cheaper power and light. The Board of Trade have tried at different times to induce manufacturing interests to come in and locate.

Everything in the way of transportation and help is all right.

When we come to power and light, as the saying goes, we are not in it. We have no water power that we can use in the city. I will say right here, that we have one of the finest harbors on the coast. A breakwater costing about \$1,000,000.

We are I may say at a standstill. The population has not increased any for the last 25 years. The present company in Rockland have given us no encouragement, although having the great privilege of running through our streets with their cars and getting good prices for lighting our city.

The Board of Trade and the people almost unanimously have finally taken up this matter of cheap power and light and have come to you gentlemen to ask for this charter of the Knox County Power Company.

Who are the men from Rockland that are working for this charter? Now, right here let me say, that they are such men as David Talbot, Charles Bicknell and many of our business men of Rockland, men who are doing a large business.

Will say also that if any of you gentlemen, went to Rockland and asked, "who is David Talbot?" the people would tell you that Mr. Talbot is the most public spirited citizen that we have had for the last 25 years.

He is a man who has spent thousands of dollars and induced others to contribute for the purpose of making good streets and roads in and about the city. He has worked night and day for that purpose.

Now, he comes here with his fellow citizens to ask you to grant this charter so that we may have cheap power to start new industries. He is ready with his time and money to do it. When he says that he means just what he says, without any equivocation. You have before you a folder placed on your desk which will give you the facts.

Now, gentlemen, I want to warn you that we hear a great deal about the conservation of the water power of Maine.

You don't want to get it into the hands of monopoly and that is just what you will do when you stifle competition and allow those corporations to prevent the people to say what they want.

Every corporation that is already in will prevent new companies coming in and what will be the end, all the remaining water power of the State will finally drop into the hands of those big corporations and Maine will have lost her water powers just the way we have lost the wild lands of the State.

The Rockland, Thomaston, Camden Railway was organized about 20 years ago. Up to 1902 the total capital stock of \$250,000 did not cost the originators one cent. In 1905 a stock dividend of \$150,000 was declared making \$400,000, total.

They have declared over \$200,000 of dividends, and are paying 5 per cent. or \$20,000 annually on pure water. They have a surplus of nearly \$100,000. They have refused \$125 a share for their stock or a total grand value of about \$800,000. They have obtained from the public of Rockland and vicinity that cost them absolutely nothing.

We heard last week, a great deal about trying to find out what the people wanted in Fort Kent, in a dispute about Power & Lighting Companies, and the committee requested an expression from the people and when the town meeting was held and they voted two to one in favor of a certain company that seemed to settle it. They voted to do as the people wanted.

Now in our case it seems to me that we should receive consideration, as in Rockland almost every person is in favor of the Knox County Power Company. We have here a petition signed by 1100 which should count for something.

The gentleman from Augusta is a pretty good fellow and I am glad he is elected Mayor. However, you all know that Kennebec people generally want about everything in sight. They have just captured the most important office in Knox county against a Knox county man. Now, they want to sell us electricity whether we want it or not and at their own price. I think Kennebec has had about enough. I think the gentleman is on the wrong side, monopoly versus the people. (Applause.)

Mr. DURGIN of Milo: Mr. Speaker, living away up in the woods I wouldn't naturally be interested in a controversy way down in Rockland, and I can say to the gentlemen of the House that I have no personal interest in this matter whatever; neither do I rise for the purpose of trying to combat the report of the legal affairs committee. I presume that that committee heard the evidence, and reported as they in their judgment thought wise, and it is no discredit to the committee, more than to any other committee of this House, if their report should be reversed, because the reports of other committees have been reversed during this session.

Now I have heard more or less about this Knox County Power Company discussion, and I think nearly every member of this legislature has heard something about it, because the controversy began early, it has been pretty continuously kept up, and is here with us in the close of this session. It has been claimed that the people of Rockland—the Board of Trade—went to the distributing power company down there for certain rights and certain privileges—certain concessions—and were merely laughed at, and they were denied; that later this man—Hollis M. Shaw—went down there and put his money into the town of Union and got certain pole rights, and is now asking through this company to go into the city of Rockland.

Now one thing appeals to me, as be-

ing a lawyer, pretty strongly—and it is for the reason that I look at these matters sort of logically, as an attorney usually does when he discusses a matter—these people—and I suppose the gentleman from Augusta will admit that the power behind the opposition here is the Central Maine Power Company; and I find on my desk here a little pamphlet in which certain statements are made, and one of the statements made is this—and the gentleman from Augusta has O. K'd. that—and that is that they only have down there 150 horse power; in fact the gentleman from Augusta says they have no power at all to speak of. Well, if they have no power down there what in the world are you afraid of? If these parties went to the Central Maine Power Company and offered to sell them power, or give them an option, and the Central Maine Power Company investigated and found they had no power at all, what are you afraid of now? They have investigated the matter, and why are you alarmed if this bill passes and they have a right to go in there with what power they have, which is claimed by the gentleman from Augusta (Mr. Newbert) no power at all. They cannot be very injurious.

Now there is another thing which the gentleman from Augusta has stated, and it is not the first time I have heard it. I have heard it in the lobby; I have heard it in the committee room, and that is the story that this man Shaw had a company organized, and had authorized \$400,000 in bonds. I understand the history of that bond issue is this: That as a matter of fact there are only about \$40,000 of those bonds issued any way. The \$400,000 were authorized; but that does not mean that they have been issued. There was a provision that when the first \$200,000 of that authorization was issued there should be invested 85 per cent of that sum; and I will read to you a condition in the trust mortgage, because the whole thing now is tied up safely, and that is with relation to the second \$200,000. "The remaining two hundred bonds, numbered from 476 to 675 both inclusive, of the denomination of \$1,000 each, are to be deposited with the said trustee and are not to be executed and

delivered to the company only when the directors of said company shall certify in writing that extensions, additions and improvements have been made to the plant of the company, or that additional plants are being purchased or erected, the actual expense or cost of which shall have been at least equal to the par value of the bonds called for."

Now there is not very much danger, with such provisions as that, in authorizing bond issues. Of the first \$200,000 there must be expended 85 per cent; and with the provision I have read for the issuance of the other \$200,000.

Now these people down there it seems are wanting something. No one can deny that. When they come here with a petition bearing the names of 1100 people there asking for certain rights it seems to me that they are entitled to something. They must either be badly fooled, or else they know that they are not getting something. They want a thing, and this legislature has the right to grant to them what they ask for; and if it should be done, this public utilities commission can regulate the rates between these two companies. If they have no power they can do no harm, and if they have a power, and are extended into that city, the public utilities can see that no harm is done to the existing company.

The Knox County Power Company, as I understand it, is vested in a board of trustees for the municipalities, and that everything has been done to protect the rights of the people. Perhaps I have taken to much of your time already. As I said before, I have no personal interest in this; but it seems to me that those people down there are entitled to certain rights. They have come to this legislature and asked for them, and we have the power to give them their rights, and I think we ought to do it. As the gentleman from Vassalboro said this forenoon, I myself have been looking into the vast future, and wondering something about what future legislatures might do; I was wondering whether they would be denying to the women of our land the same opportunities they had granted rum sellers or if the gentleman from Augusta would be trying to discover

what the term "post officers" meant; or whether some great monopolistic corporation would be spreading its tentacles all over the State and getting options upon power after power and holding the people out from the rights which they demanded and had a right to expect. (Applause.)

Mr. THOMBS of Lincoln: Mr. Speaker, and gentlemen of the House, as a member of the legal affairs committee I feel that perhaps it might not be amiss at this time to say a word with respect to the committee's attitude and the report in this matter that they have rendered to this body. I hardly think it is necessary, after the very eloquent and able address of the gentleman from Augusta, who, I think, has set forth the facts in the matter very fairly as they were presented to your committee, and I shall not attempt to reiterate what he has so ably said. It may not have occurred to some members of the House that this is a purely legal matter, involving, as it does, a question which has occurred in this legislature a great many times, and going to the very root of an established custom. By that I mean, as has been pointed out by gentlemen who have preceded me, that it has been the policy of this State in granting charters to stand behind them to the extent of not allowing competition, or not allowing an infringement of the vested rights which have been made under these charters. I think that is the policy of the State, and has always been; and if I am correct, and I think I am, this legislature has never in its history more than three times granted a competing charter to an electric light company which came before it asking for such; and even in those cases there were conditions attached so that they could not, in fact become applicable.

In considering this question today I think that the gentlemen of the House should take this precedent, and this established custom or rule of this legislature into consideration. The committee took it into consideration, and felt that it was incumbent upon the Knox County Power Company when they came before us to show us some good reason why a competing company should be allowed to go into the cities of Rock-

land and Thomaston. We felt that that was the burden which they had undertaken,—that they should fairly, by the evidence presented, show us that there was need of such a competition; otherwise than that we felt that it was our duty, in line with this policy of the State as we understood it, to deny them; and I make this statement, and I make it guardedly, that of all of the gentlemen from Rockland and that vicinity who appeared before our committee none objected to the service; none objected to any phase of the service in any particular except in the matter of price. There is a statement in this little pamphlet issued this morning, saying that the committee was absolutely ignored by said railway, being told that the rates had already been determined upon, and refused to discuss the same. I am authorized by gentlemen interested in this matter to make the statement that that is an error.

Now your committee felt that unless these people had something more to complain of than the matter of price that they were not warranted in authorizing or recommending that a competing company go in there; and I repeat that the committee were impressed with the fact that that was the only reason for which they were asking the admission of another company. As has been said this afternoon, we would all like to buy our electricity for lights, heat or power at a much cheaper rate. They would desire that in my town; I would desire it personally; and I believe every member of the House would so desire.

There is another phase of this question I would call to your attention, and perhaps in partial reply to the gentleman from Milo who has just preceded me. In reply to him as an attorney, when he asks what we are afraid of, or why the R. T. & C. Company should object to these people coming in there in competition with them if they have no power, and I think he will recognize the force of the reply that the very fact that they are authorized so to do by the legislature brings a cloud upon their title, and it affects, in some degree at least, the bondholders, which it has

always been the policy of the State to take care of in such matters. If they have that right in there, and should not build to furnish more than a single horsepower, yet having the right they have something of a menace which they can hold over the R. T. & C. Company there in the way of a cudgel. Having no more than that they might not be serious competitors, but yet I think it is within the province of the legislature, and it is proper they should step in and attempt to regulate those matters. It seems to me that it is a pertinent fact that this Knox County Power Company, organized on the 16th day of January, 1912, for the purpose of supplying electricity for lighting, heating, manufacturing, etc., in the towns of Union, Warren, Hope, Appleton and Washington, all in the county of Knox, State of Maine, and Liberty, Searsmont and Montville in the county of Waldo, State of Maine, organized under the general law, even before they have set a generator or a water wheel at their dam, are now asking for an extension and more territory. I would like to ask you gentlemen if it is not fair for these people, and should they not properly light that section in those towns which they have been asked to light, and which they now have a charter to light, before they take on additional territory? The committee did feel, and it relieved them somewhat in this matter, that there was a public utilities commission coming which might take these things into consideration; but I do feel that even though there had not been such a bill before this legislature that upon the evidence presented to the committee, having in view the established policy of the State of Maine from its history in 1820 down to the present day, that your committee would have been justified upon the evidence presented to it in refusing the request of these people, and recommending that this existing company be allowed to continue for the protection of its vested interests, and for the service of which there is no particular complaint other than they wish that they might have a cheaper power. There are many phases of this matter,—a great many details,—and it has been truly said that the committee sat from noon until midnight, and heard a mass

of evidence. It is not interesting to you. The thing to my mind resolves itself into simply this question, which you are called upon here today to answer,—is this legislature, upon the evidence presented to it, going to put in a competing company when such an act has only been done thrice in the history of the State of Maine? (Applause.)

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

The yeas and nays were ordered.

The SPEAKER (pro tem): The question is upon the motion by the gentleman from Vinalhaven, Mr. Boman, that the bill be substituted for the report of the committee. The report of the committee is "ought not to pass." Those in favor of the substitution of the bill for the report of the committee granting the right of the Knox County Power Company to come into Rockland will vote yes when their names are called; those opposed will vote no. The clerk will call the roll.

YEA—Allen, Benn, Benton, Bither, Boland, Boman, Bragdon of Sullivan, Brennan, Brown, Bucklin, Chadbourn, Chick, Churchill, Cochran, Crowell, Currier, Cyr, Davis, Descoteaux, Doherty, Donovan, Dresser, Durgin, Elliott, Estes, Farnham, Farrar, Folsom, Gallagher, Gamache, Gardner, Goodwin, Gordon, Haines, Hancock, Harman, Harper, Harriman, Hodsdon, Hutchins, Jenkins, Johnson, Jones, Kimball, Lawry, Leader, Leary, LeBel, Leveille, Libby, Mason, Mathieson, Maxwell, Maybury, McFadden, Merrill, Metcalf, Mildon, Mitchell of Newport, Mooers, Morneau, Morrison, Nute, Packard, Peterson, Pitcher, Plummer, Quinn, Richardson, Ricker, Roberts, Rolfe, Sanderson, Sargent, Sherman, Skelton, Skillin, Smith of Pittsfield, Sprague, Swett, Taylor, Thompson, Tobey, Tryon, Twombly, Umphrey, Violette, Washburn, Winchenbaugh, Wise, Yeaton.—91.

NAY—Austin, Bass, Bowler, Bragdon of York, Butler, Clark of Portland, Clark of No. Portland, Connors, Cook, Dunbar, Dunton, Eastman, Eldridge, Emerson, Greenleaf of Auburn, Greenleaf of Otisfield, Higgins, Hogan, Irving, Kenoe, Kelleher of Portland, Kelleher of Waterville, Marston, Mitchell of Kittery, Morgan, Morse, Newbert, Peacock, Peaks, Pendleton, Putnam, Reynolds, Rousseau, Smith of Auburn, Smith of Presque Isle, Snow, Spencer, Stetson, Stevens, Sturgis, Swift, Thombs, Trimble, Waterhouse, Wheeler.—45.

ABSENT—Eaton, Franck, Haskell, Jennings, McBride, O'Connell, Peters, Price, Ramsay, Robinson, Sanborn, Smith of Patten, Stanley, Stuart.—14.

The SPEAKER (pro tem), ninety-one having voted in the affirmative and 45 in the negative, the motion prevails, and the bill is substituted for the report of the committee. (Applause.)

The bill, An Act granting to the Knox County Power Company the right to generate and sell electricity in the municipalities of Thomaston and Rockland, together with pole rights therein, then received its first and second readings and was assigned for tomorrow morning for its third reading.

The SPEAKER (pro tem): The next matter for consideration is majority and minority reports of the Committee on Ways and Bridges, to which was referred bill, entitled "An Act to require certain vehicles to carry lights at night on public highways and bridges," majority "ought to pass," minority reporting "ought not to pass." The pending question is the acceptance of either report.

On motion by Mr. Eastman of Benton, both reports, pending the acceptance of either, were again tabled and specially assigned for consideration tomorrow.

The SPEAKER (pro tem): The next matter for consideration is resolve in favor of the Central Maine General Hospital of Lewiston. The pending question is the second reading of the resolve.

On motion by Mr. Wheeler of Paris, the resolve was again tabled and specially assigned for consideration tomorrow.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act for the better protection of automobile garage keepers and owners. The pending question is the third reading of the bill.

Mr. PLUMMER of Lisbon: Mr. Speaker, I would like to call the attention of the House to a statement made by the Governor in his veto message concerning an act relating to untrue and misleading advertisements in which he recommended that the Legislature consider whether or not there was law enough on the statute books already. As I understand it, at the present time there is law enough for the collection of debts. This bill provides that whoever puts an automobile in a public garage and gets accommodation for himself or for his

automobile, and with intent to defraud the owner and keeper removes or causes the automobile to be removed, shall be punished by imprisonment not exceeding three months or by fine not exceeding \$100.

This bill looks to me like a revival of imprisonment for debt. The automobile garage owner or keeper has, I judge, in common with other people who have either services or collateral to sell, the power to collect his bill by law, and that would seem to me sufficient. I don't know of any particular reason why automobile garage keepers should have any remedy above that which exists for the rest of us in the collection of our bills. It has been urged that inn-keepers are already similarly protected; that they are protected as this bill would protect automobile garage keepers. As to the advisability of that particular legislation I do not wish to enter into a discussion; but there is this difference between an inn-keeper and the keeper of a garage, that if a man goes to a hotel and registers he may be there for a meal, a day, a week, or for a longer time; he is in and out about his business, and the proprietor or manager of the hotel probably pays no attention to the incoming or outgoing of his guests, so that it is possible for the guest to perhaps go away without paying his bill if he is so disposed, and it may possibly not be unreasonable that the innkeeper should have an action that is different from that of other people who have bills to collect; but a man driving an automobile into a garage and buying gasoline, or having a few nuts tightened on his machine, is unable to get away without the consent of the owner. It is urged that in many cases the owner of the garage may hate to question a man who has driven in or is driving out with a good looking automobile—may hate to question his ability to pay, and let him go without saying anything. I have no doubt that other people have been in that same position; that they have let people go out of their stores or offices whom they knew pretty well would not pay, but hated to make a personal

matter of it and request the individual to pay before he should leave; but I doubt whether in those cases we wish to make a fine, such as is proposed here, or imprisonment, for debt; and although I have no doubt that this House would pass this bill, I nevertheless for these reasons move that it be indefinitely postponed.

Mr. THOMBS of Lincoln: Mr. Speaker, and gentlemen of the House, this is not my bill, and I have no particular interest in it, except that I was talking to-day with the gentleman who introduced it. I asked him the nature of the bill, and if the House will bear with me just a moment I will explain it as he explained it to me. The automobile business now has grown to such an extent that in almost every hotel in connection therewith there is a public garage, and I think it is not going too far in a legal sense to say that the proprietor of the garage, especially if it is run in conjunction with his hotel, advertising to the public that he will care for automobiles, his business is analagous to that of the hotel keeper. He is serving the public, and must serve all who come, and the very argument that my friend from Lisbon (Mr. Plummer) puts forward in defense of the law for the protection of hotel keepers is the very argument that would go to support this bill. The gentleman interested in this matter, and by the way he is a keeper of a garage, told me of this incident happening in Bangor last summer. A stranger came to town at night and put up his car, ordered gasoline, some repairs, lubricating oil, etc., and a new shoe, which was put on. In the morning he went to the garage, and to the man in charge said, "I am going to be around town this forenoon, and will be back at noon," took his car and went out. He immediately started for the boundary line, and it was with considerable difficulty that he was overtaken, and it was only by making out a special writ—as any man who is a lawyer would understand—such a writ as would allow the arrest of a person who evidently is about to leave the State, where they were able to arrest him and hold him for the debt. Now it is just those cases that this bill is meant to cover. It is not to be used in a case where the

party is a resident of the town; it is not necessary, and would not apply to him, because the wording is that he must procure it with the intent to defraud the owner or keeper of such garage; and ordinarily that would not be the case in a civil debt as my friend puts it. That, as I understand it, is the design and purpose of the bill, and inasmuch as that law is on our statute books for the protection of hotel keepers, and must be considered at least a fair kind of a law or it would not have stayed there so long, I believe that this legislation being of a like kind should be passed for the protection of those people who serve the public in this manner.

The question being on the motion by Mr. Plummer of Lisbon, that this bill be indefinitely postponed,

A viva voce vote being taken,

The motion was agreed to.

The vote being questioned by Mr. Mitchell of Kittery, and that gentleman asking for a division,

A division was had and the motion prevailed by a vote of 63 to 15.

So the bill was indefinitely postponed.

The SPEAKER (pro tem): The next matter for consideration is order relative to the appointment of a special committee to investigate the State school for boys and the Industrial school for girls. The question is on concurrent action with the Senate.

The order having received a passage in the Senate,

Mr. Newbert of Augusta moved that the order receive a passage in concurrence with the Senate.

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is majority and minority reports of the Committee on salaries and fees to which was referred order to inquire into the expediency of "increasing the pay of the members of the Legislature, and of placing them, as regards free telephone service, on an equality with other State officials," majority reporting bill, "An Act to prohibit furnishing or acceptance of free telephone service to State officials," minority reporting legislation thereon inexpedient. The pending ques-

tion is upon the acceptance of either report.

Mr. Quinn of Millinocket moved that "the order and the two reports thereon be indefinitely postponed, for the reason that this matter is taken care of in the public utilities bill.

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is the report of the committee on taxation to which was referred bill entitled "An Act to amend sub-section 2 of section 6 of chapter 9 of the Revised Statutes, relating to the exemption of property from taxation," reporting "ought not to pass." The pending question is the acceptance of the report.

Mr. Sargent moved that the bill be substituted for the report, and asked that when the vote is taken it be taken by the yeas and nays.

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

A sufficient number not having arisen, The yeas and nays were not ordered.

The question being upon the motion to substitute the bill for the report of the committee,

A viva voce vote being taken,

The motion was lost.

On motion by Mr. Smith of Presque Isle, the report of the committee was then accepted.

The SPEAKER (pro tem): The next matter for consideration is the report of the Committee on Legal Affairs to which was referred Bill, entitled "An Act requiring safe-guards for the protection of all persons employed or laboring in manufacturing establishments, and providing civil remedies for all persons so engaged, or their personal representatives, in cases where any such person may be killed or injured while employed or laboring in any manufacturing establishment which is not properly provided with the safeguards required by this act," reporting "ought not to pass." The pending question is the acceptance of the report.

Mr. Boman of Vinalhaven moved that the bill and report be tabled and specially assigned for consideration for tomorrow.

A viva voce vote being taken,

The motion was lost.

Mr. THOMBS of Lincoln: Mr. Speaker, I think there is some reason for continuing this matter a little further. It seems to me if this matter can be delayed until we have some report on the workmen's compensation act a motion might be made to dispose of this matter. As I remember this matter, when it was before the committee, the committee felt that in view of the law passed in relation to this question in 1911, and on account of the further fact that this matter is almost entirely covered by the proposed compensation act, that it would be desirable not to pass this legislation, and I would ask the gentleman from Vinalhaven, Mr. Boman, through the Chair, and the gentlemen of the House if they would not allow this matter to be laid upon the table indefinitely until we can determine what is to become of the compensation act.

The SPEAKER (pro tem): A motion to reconsider would be in order.

Mr. THOMBS: Mr. Speaker, I will then move to reconsider the vote whereby it was voted not to lay this matter upon the table.

The motion was agreed to.

On further motion by Mr. Thombs the report was laid upon the table, pending its acceptance.

The SPEAKER (pro tem): The next matter for consideration is the report of the Committee on Judiciary to which was referred Bill entitled "An Act to provide for the better supervision of certain charitable and Benevolent Institutions," reporting "ought not to pass." The pending question is the acceptance of the report.

On motion by Mr. Trimble of Calais the report was laid upon the table, pending its acceptance.

The SPEAKER (pro tem): The next matter for consideration is order relating to resolve calling for financial aid for cities, towns and plantations. This order in the House received a passage, and came from the Senate in that branch indefinitely postponed. The pending question is concurrent action with the Senate.

Mr. Hutchins of Penobscot moved that the House insist upon its action.

A viva voce vote being taken,

The motion was lost.

Mr. Maybury of Saco moved that the House concur with the Senate in the indefinite postponement of the order.

A viva voce vote being taken,

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is resolve in favor of higher education for municipal officers. This resolve comes from the Senate in that branch indefinitely postponed. The pending question is concurrent action with the Senate.

On motion by Mr. Lawry of Fairfield, the House voted to concur with the Senate in the indefinite postponement of the resolve.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to incorporate the Kingman Telephone Company. The pending question is the second reading of the bill.

Mr. Thombs of Lincoln offered House Amendment A, to amend section two by adding after the word "Penobscot," at the end of the third line thereof the words, "except such streets and highways as are covered by the North Penobscot Telephone Company."

The question being on the adoption of House Amendment A,

The amendment was adopted.

The bill then received its second reading, as amended, and was assigned for tomorrow morning for its third reading.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to legalize and confirm the action of the Litchfield Plains Cemetery Association at the annual meeting on the 7th day of December, 1912. In the House this bill was referred to the committee on legal affairs, and came from the Senate in that branch referred to the next Legislature in non-concurrence. The pending question is concurrent action with the Senate.

On motion by Mr. Chick of Monmouth, the House voted to recede and concur with the Senate in referring the bill to the next Legislature.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to promote the efficiency of the fire department in certain cities. The pending question is the second reading of the bill.

Mr. Trimble of Calais offered House Amendment A, to amend section one by striking out the word "six" in line two and inserting in place thereof the word "twelve."

Mr. Smith of Auburn offered House Amendment B to House Amendment A, by striking out the word "twelve" and inserting in place thereof the word "twenty."

The question being on the adoption of the amendment to amendment A,

The amendment to amendment A was adopted.

The question being on the adoption of House Amendment A,

The amendment was adopted.

Mr. Trimble of Calais then moved that the bill receive its second reading at this time.

Mr. Descoteaux of Biddeford moved that the bill be laid upon the table and be specially assigned for consideration on Friday morning of this week, pending its second reading.

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to license stallions for public service. The pending question is the second reading of the bill.

Mr. Jones of China moved that the bill be indefinitely postponed.

A viva voce vote being taken,

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is the report of the Committee on Legal Affairs to which was referred bill, entitled "An Act to repeal Section nine of Chapter thirty of the Revised Statutes relating to renewal fee for registration of apothecaries," reporting "legislation is inexpedient." The pending question is the acceptance of the report.

Mr. Swett of Bath moved that the report of the committee be accepted.

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is the report

of the Committee on Judiciary to which was referred bill, entitled "An Act to incorporate the Winthrop Water District," reporting "ought to pass." The pending question is upon the acceptance of the report in concurrence. In the Senate the report of the committee was accepted and the bill received its two readings and was passed to be engrossed.

Mr. Durgin of Milo moved that the report be laid upon the table pending concurrent action with the Senate.

A viva voce vote being taken,

The motion was lost.

Mr. Cook of Vassalboro doubted the vote and called for a division.

A division being had, the motion to lay upon the table prevailed by a vote of 41 to none.

So the report was laid upon the table, pending the acceptance of the report in concurrence.

The SPEAKER (pro tem): The next matter for consideration is the report of the Committee on Judiciary to which was referred bill, entitled "An Act to supply the town of Winthrop with pure water, reporting "ought to pass." The pending question is the acceptance of the report in concurrence with the Senate.

On motion by Mr. Durgin of Milo the bill was laid upon the table pending the acceptance of the report of the committee in concurrence.

The SPEAKER (pro tem): The next matter for consideration is the report of the Committee on Agriculture to which was referred "Resolve in favor of Herbert W. Cutting of Phippsburg," reporting "ought not to pass." The pending question is the acceptance of the report.

Mr. Swett of Bath moved that the report of the committee be accepted.

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is the report of the Committee on Public Health, to which was referred bill, entitled "An Act relating to the fee for registration of physicians and surgeons," reporting "ought not to pass." The pending question is the acceptance of the report.

Mr. PLUMMER of Lisbon: Mr.

Speaker, prior to the year 1911 the registration fee for physicians and surgeons was \$10. In that year, 1911, the fee was raised to \$15. Now, as I have stated, the general policy of the State in regard to these matters was to collect from the applicant for examination for registration a sufficient amount only to cover the expenses of the commission or board which makes the examination. Now for the first five years of the term that I have spoken of, from 1906 to 1910 inclusive, with the exception of one year, at the \$10 rate the amount so received was more than sufficient to cover the expenses of the board; and in the year 1907 in which the expenses of the board were greater than the amount of fees received, the deficiency was only \$3.75. In the year 1911 the excess under the \$15 fee was \$784 in round figures. In 1912 the excess was \$626. Had 1911 and 1912 remained at \$10, as before, the amount received would have been over \$200 in excess of the expenses of the board in 1911, and in 1912 would have been more than \$100 in excess of the expenses of the board. The bill which was introduced by myself, and which is adversely reported by the committee, proposed to reduce the fee from \$15 to \$10; \$10, as I have shown, being amply sufficient to cover the expenses of the board for the last seven years. I have the figures here from the office of the treasurer.

I apprehend it is pretty well known to members of this House that probably the bulk of men who study medicine, or any other line of professional activity, are not, when they finish their course, over-burdened with money. It may be that members of this House are able to handle carelessly a \$5 bill; but as for me I look on one with a great deal of respect; and I have no doubt that perhaps the most of the men who have finished their course in medicine, perhaps having previously put in four years in the academic department of a college, then perhaps three or four years in a medical college, and perhaps a year or two in a hospital, I have no doubt that the most of those students are in

the situation of the colored man in the south who, when approached on the street by a drummer who had tried unsuccessfully in two or three stores to get a five dollar bill changed, when he was asked by the drummer to change the bill took off his hat, stepped back, and said, "Boss, I am sorry to say I can't accommodate you; but I thanks you for the compliment."

The situation is, gentleman, that there was paid into the treasury of the State of Maine in 1911, if I have it right, some \$500 more than was necessary to cover the expenses of the board, and in 1912 approximately the same amount; that is to say, the State of Maine is taking from these men who can ill afford it, who have paid out probably all the money they have themselves, and what they can get perhaps from their parents, and what they can borrow on a life insurance policy, or some other security—a \$5 bill to the amount of some \$500 each year more than is necessary.

I have tried to explain the bill, and if I have done so clearly it seems to me there is no question but that the bill ought to pass; and for that reason I move to substitute the bill for the report of the committee.

Mr. DONOVAN of Lewiston: Mr. Speaker, and gentlemen, I will not take your time by saying much, I am fully in accord with the statements of the member from Lisbon. It has been my privilege to know many young men who have struggled hard and earnestly in obtaining an education fitting them to enter a medical college. By the time the college course comes to an end \$15 looks very large. I hope that your sympathy will be enlisted in favor of the young doctor.

The question being on the motion that the bill be substituted for the report,

The motion was agreed to, and the bill was substituted for the report,

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

The SPEAKER (pro tem): The next matter for consideration is the report of the committee on taxation to which

was referred bill, entitled "An Act relating to the sale of lands for taxes in places not incorporated," reporting "ought not to pass." The pending question is the acceptance of the report.

Mr. Plummer of Lisbon moved that the report of the committee be accepted.

The motion was agreed to.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to incorporate the Hampden Water Company. The pending question is the first reading of the bill.

On motion by Mr. Higgins of Brewer, the bill received its first and second readings and was assigned for to-morrow morning for its third reading.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to incorporate the Houlton Street Railway Company. The pending question is the third reading of the bill.

Mr. Putnam of Houlton offered House Amendment A.

The question being on the adoption of the amendment,

The amendment was adopted.

The bill then received its third reading and was passed to be engrossed, as amended by House Amendment A.

The SPEAKER (pro tem): The next matter for consideration is resolve in favor of North Yarmouth Academy. The pending question is the second reading of the resolve.

On motion by Mr. Wheeler of Paris the resolve received its second reading and was passed to be engrossed.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act providing for a license for residents of the State to hunt on the wild lands of the State. The pending question is the adoption of House Amendment A.

Mr. MOOERS of Ashland: Mr. Speaker, this bill was introduced for the purpose of providing for a license for hunting on the wild lands. In the present bill we found there was a great deal of objection, owing to its drastic provisions, so that this amendment was offered, which is House Document No. 648. The prime object of this license was to obtain more revenue to better

protect our fish and game interests in this State. This is not a new idea, as 36 states already have a resident hunter's license at the present time. Under this amendment it requires a license for any one to hunt on the wild lands. This does not refer to towns, cities or plantations. The amendment provides also that a man going into the woods in the summer time and wishing to carry a gun for protection is not considered a hunter unless so proven by the game warden or other person empowered to enforce the game laws.

Another advantage of this license would be that it requires the return by the person who obtains the license of the amount of game shot during the season. While this is not in all respects a perfect measure, after considerable deliberation it was thought that this was the best we could do at the present time, and I hope it will be favorably considered by the members of this House, and that this bill will be given a trial for the next two years.

Mr. MATHIESON of Rangeley: Mr. Speaker, in addition to the question of revenue in my mind one of the most essential things is something to help out our game wardens. We have had two or three bills drawn which seemed to be a little drastic, and we have simplified it as much as we could. It seems to me it is not so much a question of revenue as it is a question of helping the wardens and protecting the game interests. I move that House Amendment A be adopted.

The question being on the adoption of House Amendment A,

The amendment was adopted.

The bill then received its first reading as amended by House Amendment A.

On motion by Mr. Eaton of Oxford the bill was laid upon the table, pending its first reading, and specially assigned for consideration on Friday morning of this week.

The SPEAKER (pro tem): The next matter for consideration is bill, An Act to provide for the election of officers in cities by plurality vote. The pending question is the second reading of the bill.

On motion by Mr. Quinn of Millinocket the bill was tabled until to-morrow pending its second reading.

The SPEAKER (pro tem): The next matter for consideration is resolve in favor of the Maine Anti-tuberculosis Association of Waterville. The pending question is the second reading of the resolve.

Mr. Quinn of Millinocket offered House Amendment A, to amend by adding after the word "maintenance" the following, "to be used in the discretion of the trustees of said association, subject to the approval of the Governor and Council, for charitable purposes in the treatment of patients by said association."

The amendment was adopted.

The resolve then received its second reading and was passed to be engrossed, as amended by House Amendment A.

The SPEAKER (pro tem): The next matter for consideration is resolve in favor of the Central Maine Association for the relief and control of tuberculosis, of Fairfield. The pending question is the second reading of the resolve.

Mr. Quinn of Millinocket offered House amendment A to amend by adding after the word "maintenance" in the last line the following, "to be used in the discretion of the trustees of said association, subject to the approval of the Governor and Council, for charitable purposes in the treatment of patients by said association."

The amendment was adopted.

The resolve then received its second reading and was passed to be engrossed, as amended by House amendment A.

The SPEAKER (pro tem): The next matter for consideration is resolve in favor of the Bangor Anti-tuberculosis Association of Bangor. The pending question is the second reading of the resolve.

Mr. Quinn of Millinocket offered House Amendment A, to amend by adding thereto the following, "to be used in the discretion of the trustees of said association, subject to the approval of the Governor and Council, for charitable purposes in the treatment of patients by said association."

The amendment was adopted.

The resolve then received its second reading and was passed to be en-

grossed, as amended by House Amendment A.

On motion by Mr. Kehoe of Portland, bill, An Act to amend section 71 of chapter 79 of the Revised Statutes, as amended by chapter 196 of the Public Laws of 1911, was taken from the table.

Mr. KEHOE: Mr. Speaker, I will state that this bill simply is intended to confer on the superior court of Cumberland county exclusive jurisdiction in divorce proceedings, and it is offered at the request of the supreme court, and is very much desired by the people of Cumberland county. The bill was to be referred to the committee on judiciary, but that committee has made its final report, and I now move that the bill take its three several readings without reference to a committee, under a suspension of the rules.

The motion was agreed to, and the bill received its three several readings and was passed to be engrossed without reference to a committee, under a suspension of the rules.

On motion by Mr. Trimble of Calais the vote was reconsidered whereby the report of the committee, reporting "ought not to pass," was accepted on bill, An Act to provide for the inspection of bakeries and confectionaries, and on further motion by Mr. Trimble the matter was laid upon the table.

On motion by Mr. Ricker of Castine, unanimous consent was given and resolve in favor of the People's Ferry Company of Bath, which was assigned for consideration on Friday of this week, was taken from the table, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.

On motion by Mr. Mitchell of Kittery, Senate Document No. 567, bill, An Act to amend chapter 61 of the Revised Statutes relating to marriage and the registration of vital statistics, was taken from the table.

Mr. Mitchell moved that the bill be indefinitely postponed.

Mr. Smith of Auburn moved that the bill be laid upon the table until tomorrow morning.

The motion was agreed to.

On motion by Mr. Mitchell of Kittery the rules were suspended and that gentleman presented out of order the following committee report:

Mr. Mitchell from the committee on appropriations and financial affairs reported "ought to pass" on resolve in favor of the stenographer to the presiding and recording officers of the House of Representatives.

The report was accepted, and the resolve ordered printed under the joint rules.

On motion by Mr. Quinn of Millinocket, House Document No. 581, resolve proposing an amendment to the constitution of Maine providing for the

recall of public officers, was taken from the table.

Mr. Quinn then moved that the resolve be referred to the next Legislature.

The motion was agreed to.

On motion by Mr. Smith of Auburn, House Document No. 552, bill, An Act to amend section 71 of chapter six of the Revised Statutes, relating to contested elections, was taken from the table.

Mr. Smith then moved that the bill be indefinitely postponed.

The motion was agreed to.

On motion by Mr. Jones of China. Adjourned.