

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**HOUSE.**

Thursday, April 3, 1913.

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

Prayer by Rev. Mr. Hope of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve in favor of the reconstruction of the easterly span of the Old Town-Milford bridge.

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

On motion by Mr. Davis of Old Town, under a suspension of the rules, the vote was reconsidered whereby this resolve was passed to be engrossed, and on further motion by Mr. Davis, Senate Amendment A was adopted in concurrence.

On motion by Mr. O'Connell of Milford the resolve was passed to be engrossed as amended by Senate Amendment A.

From the Senate: Resolve in favor of the sufferers from the recent flood in Ohio.

In the House this resolve was amended by House Amendments A and B.

In the Senate House Amendment A was adopted, and the resolve was then laid upon the table. Subsequently in the Senate the vote was reconsidered whereby House Amendment A was adopted and in that branch House Amendments A and B were indefinitely postponed, and the Senate now asks for a committee of conference.

On motion by Mr. Austin of Phillips the House voted to concur in the request of the Senate for a committee of conference.

The Speaker thereupon joined on the part of the House as members of such committee of conference Messrs. Austin of Phillips, Richardson of Canton and Maybury of Saco.

From the Senate: An Act to amend Chapter 120 of the Private and Special Laws of 1899, relating to the establish-

ment of a municipal court in the town of East Livermore.

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

On motion by Mr. Stuart of East Livermore under a suspension of the rules the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman, Senate Amendment A was adopted in concurrence.

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

From the Senate: An Act to amend the Act which constitutes the police court for the city of Rockland.

In the House this bill was passed to be enacted; in the Senate the vote was reconsidered whereby the bill was passed to be engrossed and Senate Amendment A was adopted.

On motion by Mr. Elliott of Thomaston the House under a suspension of the rules reconsidered the votes whereby this bill was passed to be enacted and whereby it was passed to be engrossed and on further motion by Mr. Elliott, Senate Amendment A was adopted in concurrence.

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

From the Senate: Report of the committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act for the better protection of automobile garage keepers and owners, reporting that the same "ought to pass," signed by Messrs. Bailey, Patten, Allen, Austin and Bass.

The report was accepted in concurrence.

From the Senate: Report of the committee appointed to consider and report the order of procedure to be observed upon hearing proposed by the resolve of the two branches of the Legislature upon the alleged causes of removal in the case of Wilbert W. Emerson, sheriff for the county of Penobscot.

The report of the committee was accepted in concurrence.

On motion by Mr. Smith of Patten the vote was reconsidered whereby the House accepted in concurrence with the Senate the report of the committee on procedure.

Mr. Smith of Patten then offered House Amendment A, to amend the fifth line of Section 4 of said report by changing the word "officer" so that it shall read "officers."

The amendment was adopted, and the report of the committee as amended was accepted.

The SPEAKER: The Chair lays before the House reports of the committee on procedure in the other five cases, and will state that they are in exactly the same form as the one already accepted by the House, except as to the names and dates.

Report of the committee on procedure in the matter of hearing on causes of removal of John W. Ballou, sheriff of the county of Sagadahoc.

Mr. Smith of Patten offered an amendment in the same terms to this report.

The amendment was adopted.

Report of the committee on procedure in the matter of hearing on causes of removal of Lewis W. Moulton, sheriff of the county of Cumberland.

Mr. Smith of Patten offered an amendment in the same terms to this report.

The amendment was adopted.

Report of the committee on procedure in the matter of hearing on causes of removal of Hewett M. Lowe, sheriff of the county of Androscoggin.

Mr. Smith of Patten offered an amendment in the same terms to this report.

The amendment was adopted.

Report of the committee on procedure in the matter of hearing on causes of removal of William H. Hines, county attorney for the county of Androscoggin.

Mr. Smith of Patten offered an amendment in the same terms to this report.

The amendment was adopted.

Report of the committee on procedure in the matter of hearing on causes of removal of Adelbert J. Tolman, sheriff of the county of Knox.

Mr. Smith of Patten offered an amendment in the same terms to this report. The amendment was adopted.

The SPEAKER: The Chair has discovered in the report of the committee in the case of Adelbert J. Tolman, sheriff of the county of Knox, the amendment was not necessary; also in the case of Hewett M. Lowe, sheriff of the county of Androscoggin, the amendment was not necessary.

On motion by Mr. Smith of Patten the vote was reconsidered whereby the House adopted House Amendment A to the report of the committee in the matter of Adelbert J. Tolman, sheriff of the county of Knox, and on further motion by Mr. Smith the report of the committee was accepted in concurrence.

On motion by Mr. Smith of Patten the vote was reconsidered whereby the House adopted House Amendment A to the report of the committee in the matter of Hewett M. Lowe, sheriff of the county of Androscoggin, and on further motion by Mr. Smith the report of the committee was accepted in concurrence.

#### Senate Bills in First Reading.

Resolve in favor of Charles R. Kingsbury, for services as clerk and messenger to the committee on salaries and fees.

Resolve in favor of Charles R. Kingsbury, for services as clerk, messenger and stenographer to the committee on State lands and forest preservation.

Resolve in favor of Charles R. Kingsbury, for services as clerk, messenger and stenographer to the committee on interior waters.

Resolve in favor of C. A. Gage, for services as clerk and stenographer to the committee on towns.

Resolve in favor of H. P. Hawes and C. A. Gage, for services as clerk and stenographer respectively to the committee on ways and bridges.

On motion by Mr. Smith of Patten, it was

Ordered, that when the House adjourns it adjourn to meet at 9 o'clock A. M. of each day until otherwise ordered.

A message was received from the

Governor, returning to the Legislature bill, an Act to regulate and establish mileage rates for the conveyance of passengers over the steam railroads within the State, without his approval and stating the reasons therefor.

Mr. SPENCER of Berwick: Mr. Speaker, in the absence of the gentleman from Kittery, Mr. Mitchell, I move that the message be laid upon the table.

Mr. AUSTIN of Phillips: Mr. Speaker, I understand that a point of order was made in the upper branch recently to the effect that a veto message from the Governor could not be tabled; it might be postponed to a time definite.

The SPEAKER: The Chair was about to state that the Constitution of the State governs in this case, and as the motion has been made to lay upon the table, the Chair will consult the Constitution.

The Chair will state that the Constitution does not seem to be explicit on this point, as it states that if he (the Governor) does not approve the bill, he shall return it with his objections at large upon its journal and proceed to reconsider. The precedents are to the effect that the House or Senate immediately does proceed to reconsider. The Chair prefers to follow precedents, and rules that the point of order made by the gentleman from Phillips, Mr. Austin, is well taken; that the motion to lay upon the table generally is not in order, and no other time for consideration being specified, that the House shall not immediately proceed in this matter, and there were very few who appeared in favor of the measure. At the time of the hearing before the committee the matter of the Public Utilities Commission was under discussion, and it was not known positively what the attitude of the Legislature would be upon that measure.

Mr. BOMAN of Vinalhaven: Mr. Speaker, are remarks in order at this time?

The SPEAKER: The Chair thinks remarks are in order.

Mr. BOMAN: Mr. Speaker, with all due respect to the Governor, I think

this is a question which we should give proper consideration in this House. It seems to me that this is not a question of rates; it is a question of whether the public shall be allowed to buy a 500-mile book as cheap in proportion as a 1000-mile book, and the question of rates is not to be considered. It seems to me that it will be sometime before this Public Utilities Commission will get into working order, probably a year. There is no doubt but what some of the members of this House would not care to meddle in the matter; but it seems to me that this is a demand on the part of the public that they be allowed the privilege, and I think under the circumstances that the House should consider this question before taking any action upon the veto of the Governor.

Mr. TRIMBLE of Calais: Mr. Speaker, as a member of the committee on railroads before which this bill was heard, I wish to say just a word. There were no objections offered.

It seems to me that the point of the Governor is well taken, that this will be a matter which will naturally come under the jurisdiction of that commission to determine, and consequently I trust that the veto of the Governor will be sustained.

Mr. O'CONNELL of Milford: Mr. Speaker, while it is true that the Public Utilities Commission may take care of this, yet there is a question whether they will take care of it. The gentleman from Calais (Mr. Trimble) says that there has been no demand for a 500-mile mileage book because the people of the State did not appear in favor of it. I claim that by making it possible for the fellow with a 10-dollar bill in his pocket to buy mileage and have the same privilege as the fellow with a 20-dollar bill and who can buy a 1000-mile book, you put the man with the small amount of money on the same plane as the man with the large amount of money. It is nothing more than fair and square, and the poor man should have a chance to buy mileage just the same as the man with money.

It does not seem to some people to be a hardship, but it is a hardship because you immediately drive the fellow with

the small amount of money back to the railroad ticket broker, and he pays a quarter of a cent more, and you drive him into the office and make him pay a half cent more, and it is nothing more than a question of equal rights for everybody. With all due respect to the Governor, I think that this mileage bill ought to pass, and I think when you pass it you will be doing a fair thing to the fellow who cannot buy a 20-dollar mileage book; and it may seem to some people that a 20-dollar mileage is a small matter, but I tell you, gentlemen, it is a large amount to a great many of the people of our State. I claim it is nothing more than a square deal for everybody, that this bill ought to pass, and I trust that it will pass.

The SPEAKER: The question before the House, is whether this bill shall become a law, notwithstanding the objections of the Governor. The constitution requires the vote to be taken by the yeas and nays.

Mr. SCATES of Westbrook: Mr. Speaker, if I understand the matter, and I want to understand it, the Legislature passed a bill making it obligatory upon the railroads to issue 500-mile mileage books. That has been vetoed by the Governor. Now the question is on reconsideration, and those who are in favor of passing the bill over the veto of the Governor will vote yes.

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

Mr. SCATES: And to pass it over the Governor's veto, it requires a two-thirds vote of all those voting in both branches.

The SPEAKER: If the gentleman means as between each House, or both Houses, the Chair would suppose each House.

Mr. SCATES: Requires a two-thirds vote of all those voting in each House.

The SPEAKER: All those in favor of the passage of this bill, notwithstanding the objection of the Governor, will answer yes when their names are called; those opposed will answer no. The clerk will call the roll.

YEA:—Allen, Benn, Bither, Boland, Boman, Brennan, Brown, Bucklin, Chadbourne, Churchill, Clark of Portland, Clark of New Portland, Cochran, Crowell, Carrier, Cyr, Davis, Descoteaux, Dolerty, Donovan, Dresser, Dunbar, Dunton, Durgin, Eaton, Eldridge, Pitt, Estes, Farnham, Farrar, Folsom,

Franck, Gallagher, Gamache, Goodwin, Gordan, Greenleaf of Auburn, Greenleaf of Otisfield, Hancock, Harper, Harriman, Haskell, Hodsdon, Irving, Jenkins, Kelleher of Portland, Kelleher of Waterville, Lawry, Leader, Leary, LeBel, Leveille, Libby, Mason, Mathieson, Maxwell, Maybury, McFadden, Merrill, Metcalf, Mildon, Mitchell of Kittery, Mooers, Morgan, Morneau, Morse, Newbert, O'Connell, Packard, Peacock, Peterson, Pitcher, Plummer, Putnam, Reynolds, Richardson, Roberts, Robinson, Rolfe, Rousseau, Sanborn, Sanderson, Sargent, Scates, Skillin, Smith of Auburn, Snow, Stevens, Stuart, Sturgis, Swett, Swift, Thompson, Tryon, Umphrey, Wheeler, Winchenbaugh, Wise, Yeaton—99.

NAY:—Austin, Bass, Benton, Bowler, Bragdon of Sullivan, Bragdon of York, Butler, Connors, Eastman, Higgins, Hutchins, Jones, Kimball, McBride, Morrison, Nute, Pendleton, Peters, Skelton, Smith of Patten, Smith of Presque Isle, Spencer, Thombs, Tobey, Trimble, Violette, Washburn, Waterhouse—28.

ABSENT:—Chick, Connors, Emerson, Gardner, Haines, Harman, Hogan, Jennings, Johnson, Kehoe, Marston, Mitchell of Newport, Peaks, Price, Quinn, Ramsay, Ricker, Sherman, Smith of Pittsfield, Sprague, Stanley, Stetson, Taylor, Twombly—24.

The SPEAKER: Ninety-nine having voted in the affirmative and 28 in the negative, the veto of the Governor is not sustained and the bill passes this House, notwithstanding the objections of the Governor.

#### Reports of Committees.

The committee on salaries and fees reported in a new draft and "ought to pass" bill, an Act providing temporary compensation for the recorder of the Houlton municipal court, the report being signed by Messrs. Mansfield, Conant, Morse, Reynolds, Stevens, Gallagher and Rousseau.

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

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

Resolve in favor of James W. Harvey, document clerk, for preparing weekly printed index.

Resolve in favor of Helen Gaffney.

Resolve in favor of T. M. Rollins mail carrier of the House.

#### Passed to Be Engrossed.

An Act to regulate the business of dealing in securities, as amended by Senate Amendments A, B, C and F, and I, as amended, and by House Amendment B.

An Act to amend Chapter 193 of the

Public Laws of 1909, creating the Maine Forestry District and providing for protection against forest fires therein.

Resolve in favor of Steward and Elunt of Skowhegan, Maine.

An Act to amend Sections 13, 14 and 15 of Chapter 4 of the Revised Statutes, as amended relating to appointment of Road Commissioners by Selectmen.

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

Mr. SCATES of Westbrook: Mr. Speaker, I don't think the House wants to do that. After consultation with the State highway department I am informed that the present law is entirely and wholly unsatisfactory. There is always a contest between the road commissioners and the selectmen to see which shall have the authority, and the highway commissioner tells me that he has more trouble from this one source than any other in the highway department.

This bill provides that the highway commissioner shall not be selected but shall be appointed by the selectmen, placing the care of the roads under the supervision of the selectmen, as it should be, because the selectmen know the conditions, and usually are of a higher character than is the ordinary road commissioner. Some towns have four or five, or eight or ten road commissioners, sometimes working at cross-purposes with themselves and with the selectmen. Under the provisions of this bill the selectmen shall appoint up to three, if they so desire, road commissioners, and those commissioners may be the selectmen; they can appoint themselves if they see fit, one, two or three; and if they want to keep it entirely under their jurisdiction they can appoint themselves road commissioners leaving the highway matter entirely under the jurisdiction of the selectmen, as I believe and as everyone believes who has had my experience in the matter of roads, should be done; and I hope the motion of the gentleman from Lisbon (Mr. Plummer) will not prevail.

Mr. PLUMMER of Lisbon: Mr. Speaker, if I understand the situation at the

present time, any town may choose a road commissioner at its annual meeting or may leave the care of its roads in the hands of its selectmen. If it is left in the care of the selectmen they can do as they wish, and they usually appoint a surveyor for a certain district who has care of the roads in that district. I am inclined to think that it is better for a town to have a road commissioner, and it may be better that the road commissioner should be chosen by the selectmen rather than by the voters of the town. That point I do not discuss, because I consider that each town in itself is better competent to decide whether it wants a road commissioner and how he shall be chosen than the members of this Legislature.

In my town of Lisbon we have had for a number of years a road commissioner, and I apprehend that every other town is just as competent as my town to decide how it will choose its road commissioners. I object to any other town or any other people coming into my town to say how we shall choose ours; and for the same reason I object to taking any hand in how any other town shall choose its commissioners or conduct its road business. I think there is too much interference on the part of the Legislature with the internal affairs of the towns. If any man chooses to ride over poor roads, or wishes to choose an incompetent man to look after its roads, that concerns it to a large extent and does not concern other towns; so that for these reasons I trust the motion will prevail.

Mr. BUTLER of Farmington: Mr. Speaker, I think the gentleman from Lisbon (Mr. Plummer) is correct in his reasoning, although this proposition does not seem to work out in detail according to the plans. It seems well that the towns may elect their road commissioners, as far as the theory goes, but it is a fact that in a great majority of towns there is more or less friction between the selectmen and the road agent. I think we would eliminate that difficulty by having the road agent appointed by the selectmen, and if they couldn't get along together they would then have the power to remove him. I hope the bill will pass.

Mr. JENKINS of Wales: Mr. Speaker,

I am greatly interested in the road question, and I rise to say that I endorse fully the remarks of the gentleman from Westbrook (Mr. Scates) and also those of the gentleman from Farmington (Mr. Butler). I have had more or less experience in this matter, and I find that I am up against the road commissioners chosen by the people of the town; there is always friction between the road commissioners and the selectmen. I believe it is proper to place the election or appointment of the road commissioners with the selectmen, and I hope the bill will be passed.

The question being on the motion that the bill be indefinitely postponed,

A viva voce vote being taken,

The motion was lost.

Mr. Jones of China offered House Amendment A, to amend by adding after the word "duties" in the 15th line the following words: "selectmen may act as road commissioners." 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 amendment by House Amendment A.

An Act to require certain vehicles to carry lights at night on public highways and bridges.

Mr. Eastman of Benton moved that the bill be indefinitely postponed.

Mr. SCATES of Westbrook: Mr. Speaker, I wish simply to say a word for the purpose of setting myself right with the gentleman from Benton (Mr. Eastman). We had an understanding that this bill should not be taken up unless both of us were present. Yesterday, the gentleman was not here and neither was I at the time the bill was taken up, and as I understand, it came off of the calendar automatically, and I simply wish to say this in order to place myself right with the gentleman from Benton (Mr. Eastman).

I do really hope that this bill will have a passage through this body; it is one of the most important matters so far as the safety of the public is concerned that has been presented to this Legislature. I cannot see how it imposes any hardship upon anybody; it is not a bill designed for the safety particularly of automobilists; it is a

bill for the safety of those who ride in carriages. It has been amended so that teams carrying farm products and lumber are exempted, and it does not apply to them. When an automobile runs into a lumber team who is going to get hurt? Is it the man on the lumber team or is it the man in the automobile? But when an automobile and a carriage come together, who is going to get hurt then? It is not the man in the automobile, but the man in the carriage. This bill provides that there shall be one light on the lefthand side of the carriage costing two or three dollars, that is all.

Now, gentlemen, there is no trouble caused from carriages and automobiles running in opposite directions, because the lights are thrown upon the carriage and the people in the carriage are able to see the automobile. The trouble comes when they are going both in the same direction. If our roads were perfectly straight and if there were no turns in them, there would not then be so much danger; but here is a carriage coming around a turn in a road and an automobile coming up behind. Of course the lights of the automobile do not turn until the automobile itself has begun to turn, and the lights from the automobile shine right directly across the road; and so you cannot in the automobile see the carriage until he turns and at that time he may be within 10 feet of the carriage before he sees it; then of course, there is likely to be an accident.

We had the same thing between Westbrook and Portland a few years ago, and the people who were riding in the carriage were thrown out and the lady had her hip broken. And in that case if they had had that little light on the side the automobilist could have seen the carriage ahead and provided for it, and there would have been no accident; and I for one cannot see why any man will endanger his life and endanger the life of his wife and his children simply because he does not want to expend two or three dollars for a light, or is too negligent to light that light. I do hope that this bill will receive a passage.

Mr. PEACOCK of Readfield: Mr. Speaker, in the first place, I want to



say that I have the highest respect for the gentleman from Westbrook (Mr. Scates) and I find myself generally voting with him on measures in this House; but I want to say that today I find myself opposed to him in the desire to see this bill passed. Now, let us ask ourselves where this bill originated. Is it a bill that is asked for by the farmers of this State, or the people in the rural districts of this State, or is it a bill that is asked for by the automobile interests of the State? This bill originated in the city of Augusta, and it was duly heard before the committee on ways and bridges, and that committee brought in a divided report in which seven of the members of that committee favored the bill and three opposed it. It is somewhat of a coincidence, gentlemen, that the seven men who favored this bill on that committee were owners and drivers of automobiles; it is also a singular coincidence that the other three men who opposed the measure are men from the rural sections of the State, who neither own nor drive an automobile, but they are accustomed to the usual method of driving their teams in their rural communities and see no reason for the passage of this bill.

What is the reason for it? Has there been an increase in the number of these accidents; and if so, then possibly there might be a demand for a law of this kind. I think you are all pretty familiar with the fact that the automobile interests have pretty well controlled the situation in the State of Maine, but the rural communities feel that they have some rights in this matter. We have passed at this session a good roads bill in the interests of the automobilists; we believe it is right and we are glad to do it because it is a benefit to our communities, but we do not believe that the automobile interests should have everything that they ask for.

Why should lights be attached to vehicles in the evening? I drive a good deal, and I drive six nights a week between my office and house, and I have not yet had any serious accident. My friends have not met

with any serious accidents, in fact, there have been no accidents in my section. What will be the result if this bill is passed? You know as well as I do that in the day time when an automobile comes along the road that the ordinary team hasn't any right to be there; the automobile rarely gives the team half of the road. And what is the rate of speed that it is driven at? The law says that they shall not drive through villages over eight miles an hour, and often they are going at the rate of 15 or more miles an hour. I have driven from Augusta to my home, a distance of 12 miles, in 28 minutes. Is that within the law? In that distance we met several teams and passed them hardly more than half an inch between the team and the automobile. I say the automobilist wants three-quarters of the road driving at the rate of 20, 30 and 35 miles an hour. I don't mean to say that all automobilists are hogs, but I am going to say that the larger part of them are. Now, what is going to be the effect if you compel the farmers to hitch lights on to their carriages at night. In the evening, under our present law the automobilist is compelled on account of the darkness to bring his machine within reasonable control and drive at a moderate speed. Hang lights upon every carriage and you will see the speed of the automobiles increase, because the only ambition of the automobilist seems to be to get through the world just as quick as he can. And in the evening if the teams all have lights attached to them the automobilist will know just where the teams are and his speed will be increased, and you will find that you will have more accidents, a good many more than you have now at the present time.

If this bill is passed, what will become of the poor man or the poor woman who walks on the road at night? Your automobilist is going at excessive speed because he knows where the carriages are, and you will find that somebody will be hurt and you will have more accidents than you have at the present time.

Now I ask you, gentlemen, if you are going to inflict upon the people of the rural communities in this State any such law as this? I don't believe you are for a minute. There is nobody in the rural communities who demands the passage of this bill; they are all against it with the exception of a few automobilists, and I ask you in the interest of the rural communities, the people whose votes you seek when you come here, that you will be fair and square and honest with them and say that there is no reason at the present time for the passage of this bill. I hope the motion of the gentleman from Benton (Mr. Eastman) will prevail.

Mr. COOK of Vassalboro: Mr. Speaker, the gentleman from Westbrook (Mr. Scates) seems to feel that \$3 apiece on all of the farmers of this State is not a very large amount, but it amounts to a tax of hundreds of thousands in the aggregate. Another point which I wish to call to your attention, and that is that if a reckless driver runs down a farmers team after his light has been jolted out, instead of the farmer getting any damage for being thus run down the defence will be brought in that the man was breaking the law and for that reason not be entitled to any damages.

Mr. STURGIS of Auburn: Mr. Speaker, the gentleman from Readfield (Mr. Peacock) said there was no one in favor of this bill except automobilists. I simply wish to say that I believe in this bill. In connection with my profession I am called out considerable in the dark, and I have had as much trouble from the ordinary carriage as I have from the automobiles; so much so that I have used lights on my carriages for several years. I do not believe that it will be a great hardship for the farmers of our State to suitably light their carriages so that they can be seen in the dark. I hope the bill will receive a passage.

Mr. SPENCER of Berwick: Mr. Speaker, I was a member of the committee who signed the majority report. I would like to say that I own neither a driving carriage nor an automobile, although I have been accus-

ed of it. As far as this bill is concerned, I have supported it because my constituents so far as I am acquainted with their wishes have so desired, and if it is any particular hardship upon anybody in this State to carry a light, of course, I should not insist upon its passage. But if it means the destruction of life to the extent of even one or two instances it seems to me that all the expense that might be incurred by all the farmers of this State would not be sufficient to be really any argument against it.

Mr. JENKINS of Wales: Mr. Speaker, I am not interested in this matter to any extent, but I would like to make one suggestion, that if you pass this bill what position do you place the farmers in? As I look at it, you increase the liability of fire, and therefore I hope that this bill to oblige all people to carry lights at night will not prevail. I may go out on the road with a lantern or light attached to my carriage and come home and forget to extinguish the light, and the consequence would be perhaps my buildings would burn up. For that reason I think it will be a hardship on the farmers, and I hope the bill will not prevail.

Mr. SKELTON of Bowdoin: Mr. Speaker, as for my constituents blaming me for passing a law obliging them to carry a lantern, I think a great many of them would blame me far more if I did not help in the passage of such a law. I find that a great many of my constituents or the people in my neighborhood carry lanterns, and think it is all right. I hope this bill will pass.

Mr. O'CONNELL of Milford: Mr. Speaker, I wish to call the attention of the House to the provisions of Section 2 of this bill. If this bill is needed, why allow a town to exempt certain vehicles from the provisions of this act? If it is needed for one vehicle it is needed for all. I claim there is hardly a man in this House but what could go to his own town authorities and get exemption from the provisions of this act. If you are exempt from the provisions of this act and are injured, you have either no redress or else you are caught breaking the law.

The gentleman from Westbrook (Mr. Scates) lays great stress on the fact

that a great amount of danger comes in rounding a turn. There is no automobile but what is fitted up with a horn or some arrangement, and why shouldn't he use caution in rounding that turn to protect people who are liable to be there? I do not believe any automobilist in crossing a railroad track crosses it without taking precaution, both for his own safety and convenience, and why shouldn't he use the same precaution in rounding a turn in the road?

Mr. SCATES of Westbrook: Mr. Speaker, I am surprised that any man should appeal to the prejudice of the members of this House on a matter so important as this. I want to say that I hold no brief from the automobilists. In consideration of the fact that the automobilists of this State have lately assessed themselves to pay two million dollars for the roads of this State, for the benefit of the farmers of this State, it seems to me that that comes with little grace at this time.

Speaking about the matter of danger from fire, doesn't every farmer of this State have a lantern? And as long as he has that, how is the danger from fire increased. It is said that they should blow a horn. Nearly every automobilist does blow his horn, but you must remember that the team is ahead driving on the righthand side, and the automobilist coming up is also driving on the righthand side, and if he is within ten feet where is that team on that turn going? It must go over into the ditch. We say that is not right, the wagon should have some signal so that when the automobile comes up behind it can be seen and the automobile be allowed to turn out on the left and go by.

Mr. UMPHREY of Washburn: Mr. Speaker, I think if this bill is passed it will be more of a job in the rural districts to enforce it than it will be to enforce the prohibitory law.

Mr. COOK of Vassalboro: Mr. Speaker, in regard to the remarks about the two million dollars, the idea that the automobilists pay that two million dollars is about in keeping with the whole discussion on that side of that question. The banks pay that two million dollars just as much

as the automobilists; the automobilists are taxed for a certain amount of revenue, and so are the banks, and you can't say that one pays that money any more than the other. If you didn't make the roads you would have that money to do something else with, and that is all nonsense; the tax payers all over the State pay for the roads and the automobilists only pay their share.

Mr. Eastman of Benton called for a division of the House.

The SPEAKER: The question is on the motion of the gentleman from Benton, Mr. Eastman, that the bill be indefinitely postponed. On this question the gentleman has called for a division of the House.

A division being had, the motion was lost by a vote of 50 to 63.

The bill then received its third reading was passed to be engrossed.

#### Passed to Be Enacted.

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

An Act for the improvement of streets in thickly settled portions of cities and towns.

An Act to amend Paragraph 2 of Section 13 of Chapter 9 of the Revised Statutes, relating to the taxation of personal property, as amended by Chapter 80 of the Public Laws of 1909.

An Act to amend Section 71 of Chapter 79 of the Revised Statutes, as amended by Chapter 196 of the Public Laws of 1911, relating to the jurisdiction of the superior court for Cumberland county.

An Act to incorporate the Interurban Ferry Company.

An Act amending Section 37 of Chapter 28 of the Revised Statutes, relating to the protection of life in buildings used for public purposes.

An Act to provide for the determination and payment of damages in connection with the building of the State bridge between the city of Old Town and the town of Milford and the grading of the highway and approaches thereto.

An Act to amend Section 3 of Chapter 256 of the Private and Special Laws of 1907, in relation to the Cumberland

County Power and Light Company.

An Act to incorporate the Hampden Water Company.

An Act to amend Section 5 of Chapter 117 of the Revised Statutes, relating to the salary of the officer appointed to attend the superior court of Cumberland county.

An Act to amend Section 20 of Chapter 67 of the Revised Statutes, as amended by Chapter 134 of the Public Laws of 1911, relating to the distribution of personal estate.

An Act to permit the town of Pittsfield to obtain a pure water supply.

An Act to amend Sections 14 and 15 of Chapter 393 of the Private and Special Laws of 1909, relating to the Millinocket Municipal Court.

An Act to regulate the sale of morphine and other hypnotic and narcotic drugs.

An Act to incorporate the Kingman Telephone Company.

An Act to incorporate the Winthrop Water District.

An Act to amend Section 61 of Chapter 7 of the Revised Statutes, relating to the prevention of fires from locomotives run through forest lands.

An Act to amend Section 15 of Chapter 8 of the Revised Statutes, relating to the board of State assessors.

An Act to amend Section 51 of Chapter 51 of the Revised Statutes in relation to certificates of safety granted by the railroad commissioners.

An Act relating to the Portland Gas Light Company.

An Act to incorporate the York County Power Company.

An Act relative to compensation to employes for personal injuries received in the course of their employment and to the prevention of such injuries.

#### Finally Passed.

Resolve authorizing the State treasurer and State auditor to ascertain and adjust the accounts in the State treasurer's office.

Resolve appropriating money to reimburse Charles M. Conant, chairman of the committee on ways and bridges for certain committee expenses.

Resolve for the revision and consolidation of the Public Laws.

Resolve relating to the payment of fees to town clerks for reporting in relation to inheritance taxes.

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

Resolve in favor of the official reporter of the House.

Resolve in favor of the superintendent of public buildings, to provide for a rail in the Senate chamber.

Resolve authorizing the land agent to investigate the cuttings of lumber on the public lots in the county of Aroostook.

Resolve in favor of the Healey Asylum for Lewiston for maintenance.

Resolve in favor of M. J. Flaherty, clerk of the committee on mercantile affairs and insurance for services rendered.

Resolve in favor of Marian B. Holway, stenographer to the recording officer of the Senate.

Resolve in favor of the Maine Anti-Tuberculosis Association for maintenance.

Resolve in favor of Helen Gaffney, for services as stenographer to the committee on claims.

Resolve in favor of William H. Mitchell, secretary of the committee of the 76th Legislature for investigation into the causes of the high price of coal.

Resolve in favor of the clerk, stenographer and the messenger to the judicial committee for services rendered.

Resolve in favor of the Maine Insane hospital for the erection of piazzas.

Resolve in favor of the Eastern Maine Orphans' Home for maintenance.

Resolve in favor of the Good Samaritan Home Association for maintenance.

Resolve in favor of the Maine Home for Friendless Boys, for maintenance.

Resolve in favor of the Augusta General Hospital for maintenance.

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

Resolve for the scientific investigation of scallops and scallop fisheries.

Resolve in favor of the Saint Elizabeth's Roman Catholic Orphan Asylum for maintenance.

Resolve in favor of the Central

Maine General Hospital for maintenance.

Resolve in favor of the Children's Protective Society for maintenance.

Resolve in favor of the North Yarmouth Academy for repairs and improvements.

Resolve in favor of the Children's Heart Work Society of Maine for aiding neglected and unfortunate children.

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

Resolve in favor of the Waldo County General Hospital for maintenance.

Resolve in favor of the York County Children's Aid Society for maintenance.

Resolve in favor of the Bar Harbor Medical and Surgical Hospital to partially defray running expenses.

Resolve in favor of the Oldtown-Orono Anti-tuberculosis Association for the treatment of tuberculosis among the Penobscot Indians.

Resolve in favor of the People's Ferry Company for maintenance.

Resolve in favor of the Central Maine Association for the relief and control of tuberculosis for maintenance.

Resolve in favor of the Bangor Anti-tuberculosis Association for maintenance.

Resolve in favor of the Lee Normal Academy for maintenance.

Resolve in favor of Ina E. Chadbourne for services as clerk and stenographer of the committee on insane hospitals.

Resolve in favor of the Children's Aid Society of Maine for maintenance.

Resolve in favor of the Trull Hospital Aid Association for maintenance.

Resolve in favor of the Daughters of Wisdom for maintenance.

Resolve in favor of the Holy Innocent's Home for Infants for maintenance.

Resolve in favor of the official reporter of the Senate.

The SPEAKER: The Chair will lay before the House on its passage to be enacted bill, an Act relating to the assessment of county taxes in the several counties for the year 1913. This bill bears the emergency clause and on its passage to be enacted a

vote of two-thirds of the members elected to this House, or 101 votes. All those in favor of the passage of the bill will please rise and stand in their places until counted.

A division being had,

One hundred and twenty voted in the affirmative and none opposed.

So the bill was passed to be enacted having received the necessary two-thirds.

The SPEAKER: The Chair will lay before the House on its final passage resolve for an amendment to the Constitution providing for the classification of property for the purposes of taxation. This resolve does not carry the emergency clause, but requires the vote of two-thirds of the members present, a quorum being present. All those in favor of the final passage of the resolve will please stand in their places until counted.

A division being had,

Ninety voted in the affirmative and none opposed.

So the resolve was finally passed, having received the vote of two-thirds of the members present.

The SPEAKER: The Chair will next lay before the House Senate Document No. 575, bill, An Act relating to the compensation of employes for personal injuries received in the course of their employment and to the prevention of such injuries.

Mr. Mooers of Ashland moved that the bill be indefinitely postponed.

Mr. Descoteaux of Biddeford moved that the bill be laid upon the table and specially assigned for consideration, tomorrow morning.

Mr. Dunbar of Jonesport asked that the yeas and nays be called on that motion.

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

The SPEAKER: All those in favor of the motion of the gentleman from Biddeford, Mr. Descoteaux, that this bill be laid upon the table and specially assigned for consideration, tomorrow morning, when their names are called will say yes; those opposed will say no. The clerk will call the roll.

YEA:—Austin, Bass, Boland, Bragdon of Sullivan, Cochran, Cook, Descoteaux, Donovan, Dunton, Eastman, Eaton, Folsom, Gallagher, Goodwin, Gordon, Leader, LeBel, Mathieson, Morgan, Morse, Newbert, O'Connell, Plummer, Quinn, Robinson, Rousseau, Skelton, Stevens, Stuart, Sturgis, Swift, Tryon, Wheeler—<sup>33</sup>

NAY:—Allen, Benn, Benton, Bither, Boman, Bowler, Bragdon of York, Brennan, Brown, Bucklin, Butler, Churchill, Clark of Portland, Clark of New Portland, Crowell, Currier, Cyr, Davis, Doherty, Dresser, Dunbar, Eldridge, Elliott, Estes, Farnham, Farrar Franck, Gamache, Greenleaf of Auburn, Greenleaf of Otisfield, Hancock, Harper, Harriman, Haskell, Higgins, Hodsdon, Hutchins, Irving, Jenkins, Jones, Kelleher of Portland, Kelleher of Waterville, Kimball, Lawry, Leary, Leveille, Libby, Marston, Mason, Maxwell, Maybury, McBride, McFadden, Merrill, Metcalf, Mildon, Mitchell of Kittery, Mooers, Morneau, Morrison, Nute, Packard, Peacock, Pendleton, Peterson, Pitcher, Putnam, Reynolds, Roberts, Rolfe, Sanborn, Sanderson, Sargent, Skillin, Smith of Auburn, Smith of Patten, Smith of Presque Isle, Snow, Spencer, Swett, Thombs, Thompson, Tobey, Umphrey, Violette, Washburn, Waterhouse, Winchenbaugh, Wise, Yeaton—<sup>90</sup>

ABSENT:—Chadbourne, Chick, Connors, Durgin, Emerson, Gardner, Haines, Harman, Hogan, Jennings, Johnson, Kehoe, Mitchell of Newport, Peaks, Price, Ramsay, Richardson, Ricker, Scates, Sherman, Smith of Pittsfield, Sprague, Stanley, Stetson, Taylor, Trimble, Twombly—<sup>27</sup>.

The SPEAKER: Thirty-three having voted in the affirmative and 90 in the negative, the motion is lost.

Mr. Mooers of Ashland then moved that the bill be indefinitely postponed and called for the yeas and nays.

Mr. BUTLER of Farmington: Mr. Speaker, I object to this proposition. One of the reasons for my objection is that I do not think that the bill is properly labeled; it won't pass the pure food inspection; this should have come in under the head of public charities. We have heard it discussed of late in regard to the position in which we are placed regarding the Bangor platform. I like to see a party keep their pledges, and I like to see an individual keep his pledges. I don't understand because this was written in the party platform that we should have a workmen's compensation with the understanding at that time by everyone that had considered the problem that the workmen should pay a share of this expense; I don't understand we are bound by this propo-

sition where none of the expense of insurance is placed upon the employee. I have heard for 20 years of the Bangor plan, but I never felt as though I was bound by it. I have no more respect for this translation of the Bangor platform than I have for the Bangor plan.

It was the plan to exempt the farmer in this bill. What have you done? You say the expense is placed on the article manufactured. The theory sounds well. What position does this place the farmer in? The farmer with a family buying shoes, for instance, contributes equally as much towards the expense of this insurance, or any man working for him with a family contributes an equal amount to the employee working in the shoe factory. The employee in the factory is injured and he gets from four to ten dollars a week for a period not exceeding 300 weeks. A man on his farm or his employee is hurt, and he gets nothing. I have no objection to assisting any laboring man, but the same rule holds true here that does in taxation. When you relieve one class from a burden you must place a greater burden upon some other class; and in opposing this proposition the expense that comes from any increase in the cost of production must be borne as much by the farmer or as much by the common laborer who is working for less wages and whose work is as hazardous as the factory work.

Now, is it just to place this extra burden upon the common laborer. If it cannot be added to the cost of production is it just? Our manufacturers are having and will have, with an extra session of Congress and the tariff question before them, they will have all the business they want to run their factories, and I doubt if there is a man who will make any more than his expenses in running his factory. What is the use of placing this extra burden at this time. Two years will soon come around and this same proposition will be on hand, and if it is a good thing you can take it then.

Mr. Cook of Vassalboro moved that the House take a recess until 2 o'clock this afternoon.

A viva voce vote being taken,

The motion was lost.

Mr. WASHBURN of Perry: Mr. Speaker, this seems to be a day when the farmer must express himself, and I want to ask the indulgence of the House to express my opposition to the passage of this act. I speak solely in behalf of the small manufacturers of our State, and particularly of the small lumbermen and fish packing establishments in the eastern part of the State. I am aware that this position that I am taking may not be very popular, but a sense of duty compels me to do it.

I have been surprised that there has been no more discussion in opposition to this bill. On all other subjects which have been presented here we have had floods of oratory on both sides for the last 14 weeks, but on this subject only one side has been heard. None of our great men have had the temerity to attack this measure which I hold to be the most unpopular popular measure that has come before us. As near as I can find out, about two-thirds would vote against it if we knew that no one else was going to know how we voted. That is to say, we are going to pass this measure because it is not good politics for the leaders of any of the parties to appear against it.

I simply want to say that while I believe the large manufacturer can live under it, and probably the working man is protected, I tremble for the little fellow in between who is already overburdened with competition and with the high cost of labor. Let us take the small manufacturer and the small operator in our woods and on our drives. I do not believe that any scheme of insurance could be worked out satisfactorily to cover those industries. They talk about the consumer. I ask you now, hasn't the consumer reached pretty nearly the limit of his endurance? And I want in passing to pay my respects to one of the provisions of the bill which exempts farm laborers. I am a farmer and I resent these little sops which are put into this bill to catch the farmer. The time has gone by when we ask for any special concessions for the farmer. If this bill is good for one it should be

good for all, and there should be no question of concession.

I am not attacking this bill in the hope of defeating its final passage or of changing the vote of a single member of this House, because the time has gone by when argument is of any avail here. I should be unjust to my own belief and to the interest of the small manufacturer, of the small manufacturing establishments upon which many of my people depend if I fail to raise my voice in opposition to this bill; and I hope that the motion to indefinitely postpone will prevail. (Applause.)

The SPEAKER: The question is on the motion of the gentleman from Ashland, Mr. Mooers, that this bill be indefinitely postponed. On that motion the gentleman has demanded the yeas and nays. Those favoring the demand will please rise.

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

The SPEAKER: All those in favor of the motion to indefinitely postpone when their names are called will answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Allen, Bass, Benn, Benton, Bither, Bragdon of York, Brennan, Brown, Butler, Chadbourne, Churchill, Clark of Portland, Clark of New Portland, Crowell, Currier, Cyr, Davis, Doherty, Donovan, Dresser, Dunbar, Eldridge, Elliott, Estes, Farnham, Franck, Gamache, Greenleaf of Auburn, Greenleaf of Otisfield, Hancock, Harper, Harriman, Haskell, Hodson, Hutchins, Irving, Jones, Kelleher of Portland, Kelleher of Waterville, Kimball, Leary, LeBel, Levell, Libby, Mason, Maxwell, Maybury, McFadden, Merrill, Metcalf, Mildon, Mooers, Packard, Peacock, Pendleton, Peterson, Pitcher, Putnam, Roberts, Rolfe, Sargent, Smith of Presque Isle, Snow, Sturgis, Swett, Thompson, Umphrey, Washburn, Wheeler, Winchenbaugh, Wise, Yeaton—73.

NAY:—Austin, Boland, Boman, Bowler, Bragdon of Sullivan, Bucklin, Cook, Descoteaux, Duntun, Eastman, Eaton, Farrar, Folsom, Gallagher, Goodwin, Gordon, Higgins, Leader, Marston, Mathieson, McBride, Mitchell of Kittery, Morgan, Morneau, Morrison, Morse, Newbert, Nute, O'Connell, Peters, Plummer, Quinn, Reynolds, Richardson, Robinson, Rousseau, Samborn, Sonderson, Skelton, Skillin, Smith of Auburn, Smith of Patten, Spencer, Stevens, Stuart, Swift, Thombs, Tobey, Tryon, Violette, Waterhouse—51.

ABSENT:—Chick, Cochran, Connors, Durgin, Gardner, Haines, Harman, Hogan, Jennings, Kehoe, Mitchell of Newport, Peaks, Price, Ramsay, Ricker,

Scates, Sherman, Smith of Pittsfield, Sprague, Stanley, Stetson, Taylor, Twombly—23.

PAIRED:—Emerson yes, Trimble no; Jenkins yes, Johnson no.

The SPEAKER: Seventy-three having voted in the affirmative and 51 in the negative, the motion prevails.

Mr. Wheeler of Paris moved that the House adjourn.

A viva voce vote being taken,

The motion was lost.

Mr. Dunbar of Jonesport moved that the vote be reconsidered whereby the House moved to indefinitely postpone the bill known as the workmen's compensation act.

Mr. Bowler of Bethel called for a division of the House.

A division being had, the motion was lost by a vote of 1 to 63.

On motion by Mr. Clark of Portland the rules were suspended and that gentleman was permitted to introduce out of order resolve providing for an amendment to the constitution relating to the sale and manufacture of intoxicating liquors.

On further motion by Mr. Clark the resolve was tabled for printing under the joint rules.

On motion by Mr. Austin of Phillips, the House voted to take a recess until three o'clock this afternoon.

#### After Recess.

On motion by Mr. Sturgis of Auburn the rules were suspended and that gentleman introduced out of order the following joint resolution:

Whereas, a portrait of Rear Admiral Royal B. Bradford, U. S. N., retired, has recently been presented to the State and has now been hung in the rotunda of the Capitol, and

Whereas, it is fitting that portraits of distinguished sons of Maine should be thus placed, both as a memorial of their public services and as a part of the history of achievement of this generation for the benefit of posterity,

Now therefore be it

Resolved, by the Legislature that the portrait of Admiral Bradford is accepted with satisfaction and that a copy of this resolution signed by the President of the Senate and the Speaker of the House

be transmitted to Admiral Bradford by the Secretary of State.

On further motion by Mr. Sturgis the joint resolution received a passage.

The SPEAKER: The first matter assigned for consideration is bill, An Act to amend Section 50 of Chapter 51 of the Revised Statutes, as amended by Chapter 165 of the Public Laws of 1911, relating to the duties of the railroad commissioners.

On motion by Mr. Wheeler of Paris, under a suspension of the rules, the bill received its three several readings and was passed to be engrossed without reference to a committee.

On motion by Mr. Putnam of Houlton bill, An Act to revise, collate, arrange and consolidate the inland fish and game laws of the State, both general and public and private and special, and the rules and regulations of the commissioners of inland fisheries and game now in force, was taken from the table.

Mr. Austin of Phillips then offered House Amendments A, B, C, D and E, and moved their adoption.

The amendments were adopted.

On motion by Mr. Austin the bill received its second reading, and on further motion by Mr. Austin the rules were suspended and the bill received its third reading and was passed to be engrossed as amended by House Amendments A, B, C, D and E.

The SPEAKER: The next matter assigned for consideration is bill, an Act to provide for the care and treatment of tubercular patients. In the House this bill was referred to the committee on public health, and came from the Senate in that branch indefinitely postponed in non-concurrence.

Mr. PUTNAM of Houlton: Mr. Speaker, there has been a tendency of late years for us to go into other states and adopt laws which have been adopted in those states. It strikes me that it would be an admirable scheme before we adjourn to enact a law that the State of Maine really needs. We have before us, this afternoon, a bill which provides for the establishment of a State sanatorium for the care and treatment of



persons afflicted with tuberculosis. To my mind this is the most important piece of legislation that has confronted this Legislature. This bill was introduced in to the House and referred to the committee of public health, and that committee gave a very full and extended hearing. I think there were some 30 people who appeared in favor of the bill, and no one opposed to it. The committee reported favorably on the measure, and subsequently in the Senate it was indefinitely postponed.

The proposition is simply this: The State is called upon at this session of the Legislature to appropriate the sum of \$100,000 for private institutions of this same kind. This bill calls for \$100,000. If the State is going to care for these people, why not do it directly and let the State have supervision over the matter? The State has already appropriated \$100,000 to stamp out this dread disease among cattle and swine, and it seems to me it might justly appropriate a like amount for human beings. I am not criticising the private institutions, they are doing good work, but a person without means cannot go to those institutions; there is no place for the poor man with tuberculosis to go. These institutions only take those cases which are curable, but there are a great many people all over this State who cannot get into those institutions. In Massachusetts they provide four institutions of this kind, and they have been eminently successful. It may be said that the State cannot afford to establish this State sanatorium, but I say to you that the State of Maine cannot afford to throw this measure down at this time. The Governor in his message to the Legislature referred to this subject. I suppose the reason for the indefinite postponement of this bill in the Senate was on account of the amount of money called for, and consequently I wish to offer an amendment which provides for the sum of \$50,000 instead of \$100,000, and I move its adoption.

The SPEAKER: The Chair will state that the report of the committee reporting "ought to pass" has not been accepted.

On motion by Mr. Putnam the report of the committee was accepted.

Mr. NEWBERT of Augusta: Mr. Speaker, I believe this to be one of the most meritorious measures before this Legislature, and in the press of business of the session it has not received due consideration. This is a humane measure; it is a measure that responds to the demand of a great many people of this State. Tuberculosis is a disease that is widespread and general. Other states all over the country are taking precautions, devising treatment for the prevention and cure of this awful scourge. It takes away our young people, and we have a death rate in Maine from this cause of 1000 a year. We have many private institutions in this State; Hebron is a private institution, but that institution would not be disturbed if Maine were to have a State institution; it would be there for the treatment of the disease in the richer families. There is no place in Maine where a poor person can go for free treatment, and tuberculosis is found more among the poor. I understand that the state of Massachusetts has four institutions for the treatment of tuberculosis. Maine would do well to start now.

Mr. MAYBURY of Saco: Mr. Speaker and gentlemen, the only way to eradicate tuberculosis is to prevent it and also cure the incipient cases. We have at Hebron a quasi-public institution to which, I am sorry to say, the State has contributed very liberally, more than \$100,000. I am sorry for the fact that it is mainly a private institution. Their motto is and always has been "God pity the rich; the poor can beg." It is an institution that is as hard to get into as it was for the proverbial camel to go through the eye of a needle. The superintendent of that institution has no fixed salary. He depends simply upon the fees he gets for the examination of patients and the examination of the sputum of the patient, and so that is an incentive for him to keep people there who have money rather than those who are poor.

Under the provisions of this bill I

understand it would be under the care of the trustees of the insane hospital, and they have certainly demonstrated their ability in the treatment of tuberculosis among the insane patients. We have already appropriated \$15,000 for additions to be made at the Augusta Hospital for the benefit of these cases which may arise there; and it seems only just and fair that the poor, the worthy poor of our State who are afflicted with this disease should have a chance where they can receive scientific treatment at a reasonable figure, or at no price at all if they are not able to pay; and I hope the report of the committee will be accepted.

Mr. DONOVAN of Lewiston: Mr. Speaker, I feel it a duty to say a word in behalf of the victims of tuberculosis. It seems to me the State of Maine should do something for the relief of those suffering from that disease. When I began practice tuberculosis was treated very much as other ordinary diseases are treated, with medicine and with good food and as good treatment as was known to the profession. Since that time it has been discovered that tuberculosis is a germ disease and that it is infectious, and consequently it needed a different line of treatment. Seclusion became necessary, and you can imagine the result of a contagious disease improperly managed in a poor family. Tuberculosis spares no part of the body. The lungs are more generally affected than the other tissues of the body because they are more susceptible. These conditions render it necessary to care especially for the victim of tuberculosis.

I think you are all sufficiently versed in the nature and in the severity of this plague to know that it is necessary to make some provision for it. I recommend as much generosity as the state of our finances will allow to make some provision for the arrest of this dread disease. I hope to live to see an antidote for this awful calamity. Research is active, and as I said, I hope to live to see the time when tuberculosis may be controlled by vaccine, and also that other dread disease, cancer. If that should occur the face of nature would soon be changed. Those are the

principle diseases to be dreaded of the chronic kind. I hope that you will favor the passage of the bill.

Mr. SMITH of Presque Isle: Mr. Speaker, I heartily endorse what has been said and I am heartily in accord with the purposes of that bill. I am one of those who believe that the time has come when the State of Maine should establish a sanatorium for the people who are afflicted with tuberculosis, an institution to which they can have access and where the charges will be small, and which will be open to people who are unable to pay anything. I know from my own observation that there are a great many cases of incipient tubercular trouble even in the great county of Aroostook where the air is supposed to be clear and invigorating and where at one time it was supposed tuberculosis did not exist. I know there are many cases in that county where the people should have a chance to go to some sanatorium for treatment but who are unable to do it on account of the prohibitive prices charged; and I trust that this House will see to it that this bill, as far as this House is concerned, has a passage. I am not one of those who believes that the State of Maine is as poor as it is sometimes represented to be. The State of Maine is able to build an institution of this kind, whether it costs \$50,000, \$100,000 or \$150,000. It is not a question of money, but it seems to me it is a question of saving the lives of our men, women and children. I hope the bill will receive a passage. (Applause)

Mr. PEACOCK of Readfield: Mr. Speaker, I am in favor of this bill. I do not think there is any man on this floor but what realizes the necessity of stamping out this dread disease. The only question that has been raised is the question of finances. Is the State of Maine able to do it at the present time? My answer is, can the State of Maine afford to sacrifice the many hundreds of lives that are being annually sacrificed by this what plague. The State of Maine cannot afford to let this matter be delayed any longer, and I hope the bill will receive a passage.

Mr. O'CONNELL of Milford: Mr. Speaker, I notice that the sum of \$50,000

has been appropriated for the cattle commission of Maine for the year 1913 and the same amount for the year 1914, and most of that sum is to be used to stamp out tuberculosis among cattle. Are not the people of Maine entitled to one-half as much as the cattle commission are getting?

Mr. EATON of Oxford: Mr. Speaker, I agree in the proposition that this is one of the best bills introduced at this session of the Legislature. I want to call attention to the many poor people in the different parts of the State, and I ask if the lives of those poor people are not as dear to them as it is to the more favored class of people, those who have means with which to fight this dread disease? I hope the bill will receive a passage.

The question being on the adoption of the report of the committee,

The report was accepted.

The question being on the adoption of House Amendment A, to amend Section 7 by striking out the words "money not exceeding one hundred" and inserting in place thereof the word "fifty,"

The amendment was adopted.

The bill then received its second reading, and on further motion by Mr. Putnam of Houlton, the rules were suspended and the bill received its third reading and was passed to be engrossed, as amended by House Amendment A.

The SPEAKER: The next matter for consideration is resolve waiving a forfeiture of the public lots in the north half of township No. 27, Washington county, eastern division. The pending question is the second reading of the resolve.

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

The SPEAKER: The next matter for consideration is the report of the committee on interior waters to which was referred bill, entitled "An Act to amend Section 15 of Chapter 54 of the Revised Statutes, relating to provisions for safety on inland steamers," reporting "legislation thereon is inexpedient." The pending question is the acceptance of the report of the committee.

On motion by Mr. Peacock of Readfield

the report of the committee was accepted.

The SPEAKER: The next matter for consideration is bill, An Act to amend Sections 2, 9 and 12 of Chapter 195 of the Public Laws of 1911, in relation to the control of contagious diseases among cattle, sheep and swine. The pending question is the third reading of the bill and its passage to be engrossed, as amended.

On motion by Mr. Peacock of Readfield the bill received its third reading and was passed to be engrossed, as amended by House Amendment A.

On motion by Mr. Trimble of Calais the rules were suspended and that gentleman was permitted to introduce out of order the following joint resolution:

Whereas the policy adopted by the Boston & Maine and Maine Central Railroads, under their present management, for the development of their great resort business in the State of Maine, which, under that policy might be made one of the most profitable industries of such a character on the continent to both State and railroad, has been made the subject of attack in a published and widely circulated report, lately issued by the Boston Chamber of Commerce.

Whereas this railroad policy has been approved and endorsed by men whose names are synonymous the country over with sound business judgment and far-sighted intelligence in financial matters, and has been followed with conspicuous success by one of the most profitable and extensive railroad lines upon the continent, the Canadian Pacific Railway;

And whereas the State grants the railway valuable franchises and rights of way in return for which it has the right to ask that what the railroad and the State unite in regarding as best in policy for the development of the business interests of both shall be pursued as rapidly as opportunity affords;

Be it resolved that this Legislature record its strong condemnation of this attack upon the railroad's present policy in Maine, and its full endorsement of that policy as wisely conceived with reference alike to the development of the

business interests of the State and to the rapid and sound increase of profitable business for the railroad.

The Legislature wishes, in according this resolve, to point out the fundamental misconception involved in the specific attack made in the Boston Chamber's report upon the wise and far-sighted policy adopted by Mr. Mellen and his associates in regard to the development of the great resort possibilities of the State through hotel construction at important points. The State of Maine has a wonderful coast line, longer in actual extent than that possessed by any other in the country owing to its picturesquely broken character and many sheltered water-ways and bays; it has a vast network of beautiful inland waters, lakes and streams; and it has wild mountain and forest regions of great extent, rich in all wild life. These, combined with its proximity by land and sea to the great Eastern centers of population in the United States, give it extraordinary opportunities for resort development, which cannot be taken advantage of, however—even partially—unless adequate provision be made for taking care, in pleasant and attractive ways, of the rapidly increasing public which the railroad then could count upon with certainty; nor will private capital be expended upon investments whose success must be absolutely dependent upon railroad enterprise, railroad support, and the continuance of a management and policy favorable to them.

The railroad, on the other hand, not only can count with definite certainty upon its support in furtherance of whatever enterprises of this kind it deems necessary or best to undertake but will draw a double profit from them—profit from the largely increased transportation which they lead to, both directly and indirectly, and profit from the hotels themselves. Nor will capital be ever wanting to it for enterprises whose profitable character is thus assured and has been amply shown by actual experience in Maine and elsewhere. Unlike the vast sums necessary for tunnelling under cities or for the electri-

fication of existing lines, whatever sums—relatively small to these—are expended upon well planned resort development in a region of definitely assured value for the purpose, the investment returns will be direct, ample and quick.

A difficult problem of reconstruction has lain before the B. & M. Railroad under its present management; great expenses have had to be undertaken by it for new equipment, expenditure for which had been too long delayed, and it has had, besides, to initiate a policy of development with reference to neglected needs and opportunities in the territory served, whose great resort and allied agricultural and business possibilities have been clearly recognized by it for the first time. This re-organization has involved of necessity some present sacrifice to soundness of condition, to efficiency of service, and to future growth. The need for this was evident at the start; what was not to be foreseen was the long series of bitter and persistent attacks upon the railroad management that has operated to temporarily injure the credit of one of the naturally soundest and strongest railway systems in the country.

Mr. TRIMBLE of Calais: Mr. Speaker, in explanation of the introduction of these resolutions and my motion that they receive a passage at this time, I desire to say a few words to the House. As most of us are probably aware, the directors of the N. Y. & N. H. R. R. Co. had elaborate plans outlined for the construction and operation of several large summer hotels in Maine, notably at Bar Harbor, where land is already purchased and work expected to begin, this year. Recently we have learned that these plans have been given up or at least delayed and the reasons given are financial ones. But it seems there are also other reasons. The directors of the Boston Chamber of Commerce, to whom Boston seems to be the only important part of New England, have recently been conducting a very thorough investigation into the management of the N. Y., N. H. & H. and B. & M. R. R., and their report

which has just been made finds that the scheme of encouraging agriculture and summer business in Maine is altogether wrong and that all the money should be spent in Boston to develop her harbor terminal, improve her freight terminal and even tunnel across the city to facilitate business there. This policy of booming Boston is all right from their point of view but we object to their doing it at our expense and also to their method of trying to accomplish their purpose by unfair criticism of the management of the railroads. Should the recommendations of this committee be adopted and the policy of developing Maine be given up now, it would be years before the plans could be taken up again because the Boston proposition involves the expenditure of millions of dollars, before they will be satisfied, and Maine would get no consideration for many years to come. Our State offers distinct opportunities and possibilities of development in business ways which must be studied and dealt with as a separate problem. The best way to accomplish due consideration of Maine will be in the presence of the Boston agitation to as publicly as possible and as authoritatively as possible throw the whole weight of the State through its Legislature now in session in favor of such policies as the railroad is now pushing for the development of Maine, and which it approves. And against interference with the pursuance of such policies from Boston or elsewhere. Maine is as necessary to the railroad as the railroad is to Maine, and she has the advantage also in this, that what she needs and asks for can be given her at far less expense, a mere fraction only of what Boston asks, and that the return on what she asks is certain and will come much sooner than that which may be made on electrification, tunnels or great systems of trolley lines as they want in Massachusetts.

Mr. SCATES of Westbrook: Mr. Speaker, I don't know the object of that resolution. I am not opposed to railroads, but I am and I think every man in Maine should be opposed to

the system of railroads which starts down east and ends in New York, under the Mellen management. President Mellen has spent money like a drunken man upon his system, simply in order to monopolize the business between Boston and New York; he has spent enough in buying in all kinds of electric roads and steamship lines between Boston and New York and Boston and Philadelphia to build a railroad from Boston to San Francisco. And what has been the result of that management? When he took hold of the New York & New Haven, a railroad that had a credit equal to no railroad in the country, New York & New Haven stock was just as good for collateral in London as it was in Boston or New York, and its stock was selling for \$250 a share. What is it today? \$118 a share. And he then went to work to get control, in order to carry out this scheme of monopoly, of the Boston & Maine Railroad, and he cared nothing for the people. His idea that "the people be damned" might have been good 25 or 30 years ago, but it don't go today. He took this Boston & Maine Railroad when its stock was selling for \$190 a share, paying a 7 per cent. dividend as it had for years, and where is it today? It is selling for \$70; and here last week, or the first of this month it paid the last dividend that it will pay for years to come.

The Boston & Maine controls the Maine Central, and when Mellen got control of the Maine Central Railroad through the ownership of the Boston & Maine, the Maine Central Railroad was the best piece of railroad property east of the Mississippi River, barring the Delaware and Lackwanna Railroad. It had more physical value for its securities than any other railroad I know of; and its stock was then selling for \$200 a share; and today it is selling for \$103. That is the result of President Mellen's administration, done in order that he could create a monopoly of all the transportation facilities between New York and Aroostook county.

I am not opposed to the resolve that I know of, but I am opposed to the present management of the New

York, New Haven & Hartford and the Boston & Maine and the Maine Central Railroads, because I think it is detrimental not only to the stockholders and bondholders, but detrimental to the people of the State of Maine and Massachusetts and Connecticut. (Applause.)

Mr. TRIMBLE: Mr. Speaker, I wish to state that the object of the resolution is to place the State of Maine on record as preventing the plan which was made by the directors of the New York, New Haven & Hartford Railroad to continue their building of hotels and operating hotels in the State of Maine. It seems to me it means something to our State.

Mr. AUSTIN of Phillips: Mr. Speaker, it seems to me that the gentleman from Westbrook (Mr. Scates) is looking at this matter somewhat in the attitude of a stockholder. I think he does not realize just what the resolution is trying to bring about. It is intended as a declaration of the attitude of we, the representatives of the people of Maine in Legislature assembled, as to what the future policy of that road shall be in Maine.

Regardless of what may have happened to the owners of stock in the New York, New Haven & Hartford Railroad, the Boston & Maine and the Maine Central, let us go back a few years and see what the conditions were in our State regarding railroads. It was only a few short years ago when there were many independent railroad corporations operating within the bounds of our State, the Maine Central, the Somerset, the Washington County, the Seabastcook & Moosehead, the Sandy River, the Franklin & Megantic and various other roads which I do not at this time recall. Regardless of what dividends President Mellen's policy may have brought to his stockholders, I doubt if there is a man within the hearing of my voice who will not say that since the New Haven interests have obtained control of these various lines of transportation in Maine our transportation facilities have been very much better than they ever have been before; we are having at the present time better train service into and out of our State than ever before in the history of our State.

Now it is good to get up and rail at monopoly; it sounds well, but any man

knows that when the lines of any railroad, which as they are now are under the restraint of the Interstate Commerce Commission, and as they will be soon under the restraint of our own Public Utilities Commission—as I say, when a combination is made of several independent lines which are to say the least only paying their way, and nine times out of ten not doing that, the public is very much better served; there is no question about that. The Interstate Commerce Commission stands between the people of this State and the railroads, today; they cannot charge us too excessive rates, and my contention is that whether this good development is done under the direction of a monopolistic system, as the New York, New Haven & Hartford is, or whether it is done by independent lines of railroad, it is good for the State of Maine.

The point is this, as I understand it, the Boston Chamber of Commerce says through its committee: "You must stop development outside; you must put your capital into electrification and development right here in the city of Boston." As I understand it, the resolution is nothing more or less than registering our protest as legislators of the State of Maine toward a scheme of that kind. I think we should be ready and anxious to signify to the country that we favor the continuance of development in our State.

The SPEAKER: The Chair will state that it has some information on this subject not available at the present moment, and if the gentleman from Westbrook, Mr. Scates, will lay the matter upon the table the Chair will be glad to submit the information to that gentleman.

On motion by Mr. Smith of Auburn the joint resolution was laid on the table for printing.

On motion by Mr. Wheeler of Paris the rules were suspended and that gentleman was permitted to introduce out of order bill, An Act to amend Chapter 129 of the Public Laws of 1913, entitled "An Act to create a Public Utilities Commission, prescribe its powers and duties and provide for the regulation and control of public utilities."

On further motion by Mr. Wheeler the rules were suspended and the bill received its three readings and was passed to be engrossed without reference to a committee.

On motion by Mr. Wheeler of Paris the rules were suspended and that gentleman was permitted to introduce out of order bill, An Act relative to the increase of stock by corporations.

On further motion by Mr. Wheeler the rules were suspended and the bill received its three several readings and was passed to be engrossed without reference to a committee.

On motion by Mr. Plummer of Lisbon, bill, An Act relating to the fee for

the registration of physicians and surgeons, was taken from the table.

The SPEAKER: The Chair will state that the report of the committee on this matter was "ought not to pass." In the House the bill was substituted for the report and was passed to be engrossed; in the Senate the report of the committee, reporting "ought not to pass," was accepted in non-concurrence.

On motion by Mr. Plummer the House voted to recede and concur with the Senate in the acceptance of the report of the committee.

On motion by Mr. Butler of Farmington,

Adjourned until tomorrow morning, at 9 o'clock.