

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

**HOUSE**

Wednesday, February 24th, 1915.

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

Prayer by the Rev. Mr. Quimby of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills on First Reading.**

Senate 120: An Act additional to Chapter 48 of the Revised Statutes, relating to the borrowing of money and pledging of securities as collateral therefor by savings banks and institutions for savings.

Senate 121: An Act to amend Section 21 of Chapter 48 of the Revised Statutes of 1903, as amended by Chapter 69 of the Public Laws of 1907, relating to deposits in savings banks and institutions for savings in the names of married women and minors.

Senate 122: Resolve in favor of the Western State Normal school at Gorham for furnishings at the new dormitory at said school.

Senate 123: Resolve in favor of the Western State Normal School at Gorham, for completion of the partially constructed dormitory at said school.

Senate 126: Resolve in favor of the Aroostook State Normal School at Presque Isle, for repairs.

Senate 127: Resolve in favor of the Farmington State Normal School for construction of suitable building for the Household Arts Department.

Senate 128: Resolve in favor of the Farmington State Normal School for completing the furnishings in the dormitory of said school.

The following bills, petitions, etc., were presented and, on recommendation of the committee on reference of bills, were referred to the following committees:

**Banks and Banking.**

By Mr. Goldthwait of Biddeford: An Act to amend subdivision "F" of Section 23 of Chapter 48 of the Revised Statutes with reference to the investment of deposits of savings banks and

institutions for savings. (Ordered printed and referred.)

**Education**

By Mr. Fay of Dexter: An Act to amend Chapter 182 of the Public Laws of 1907, providing that flags shall be furnished to schools. (Ordered printed and referred.)

By Mr. Perham of Woodstock: An Act to amend paragraph seven of Section 100 of Chapter 15 of the Revised Statutes, relating to the course of study in common schools. (Ordered printed and referred.)

By Mr. Ricker of Castine: An Act to amend Section four of Chapter 71 of the Public Laws of 1909, relating to the improvement of free high schools. (Ordered printed and referred.)

By Mr. Allen of Machias: Petition of Harold Feeny and 39 others of Jonesboro in favor of changing the method of distributing our common school money according to Chapter 177 of the Public Laws of Maine.

The following resolutions were presented in favor of distribution of state school funds according to aggregate attendance:

By Mr. Perham of Woodstock: Of Hebron Grange representing 80 members; of East Hebron Grange representing 157 members; of Bear River Grange representing 81 members; of Mount Sugar Loaf Grange representing 87 members; of Pleasant Valley Grange representing 68 members; of Canaan Grange representing 420 members; of Franklin Grange representing 224 members.

By Mr. Tate of Topsham: Of Woolwich Grange representing 149 members.

By Mr. McIntire of Waterford: Of Buckfield Grange representing 90 members; of Rockemeka Grange representing 75 members; of Canton Grange representing 229 members; of Fryeburg Grange representing 142 members; of Mount Cutler Grange representing 91 members; of Frederick Robie Grange representing 82 members; of Waterford Grange representing 46 members; of Oxford Grange representing 75 members; of Sweden Grange representing 59 members; of Norway Grange representing 295 members.

By Mr. Perham of Woodstock: Of West Paris Grange representing 159 members; of Paris Grange representing 215 members; of Haynesville Grange representing 35 members; of Harmony Grange representing 175 members; of Hope Grange representing 75 members; of Golden Sheaf Grange representing 300 members; of Mountain View Grange representing 31 members; of Alder River Grange representing 62 members; of East Piscataquis Pomona Grange representing 475 members; of Enterprise Grange representing 113 members; of Dirigo Grange representing 142 members; of Mountain Grange representing 160 members; of North Franklin Grange representing 211 members; of New Century Grange representing 111 members; of Abbot Grange representing 120 members; of Alamoosook Grange representing 70 members; of Penobscot Grange representing 108 members; of Floral Grange representing 75 members; of Castine Grange representing 147 members; of East Sangerville Grange representing 100 members.

By Mr. Grant of St. Albans: of Harvst Home Grange representing 66 members; of Massapaqua Grange representing 120 members; of Georges River Grange representing 73 members; of Minerva Grange representing 246 members; of Verona Grange representing 161 members; of Seaside Grange representing 98 members; of Penobscot View Grange representing 100 members; of Bayside Grange representing 180 members.

By Mr. Libby of Merrill: Of Cushnoc Grange representing 153 members; of Clinton Grange representing 285 members; of Pittston Grange representing 71 members; of Mattanawcook Grange representing 140 members; of Sidney Grange representing 236 members; of Riverside Grange representing 74 members; of Monmouth Grange representing 288 members; of Readfield Grange representing 245 members; of Capital Grange representing 200 members; of Winthrop Grange representing 210 members; of Mt. Vernon Grange representing 137 members; of China Grange representing 145 members.

By Mr. Perham of Woodstock: of

Wayne Grange representing 90 members; of Chelsea Grange representing 119 members; of Litchfield Grange representing 51 members; of Manchester Grange representing 120 members; of New Sharon Grange representing 91 members.

By Mr. Tuttle of Caribou: of Topsham Grange representing 320 members; of Merrymeeting Grange representing 183 members; of Pine Tree Grange representing 190 members; of Sagadahoc Grange representing 151 members; of North Scarborough Grange representing 161 members; of Cascade Grange representing 220 members; of Norland Grange representing 240 members; of Greenwood Grange representing 142 members; of Wilson Valley Grange representing 53 members; of Lakeside Grange representing 120 members; of Mystic Tie Grange representing 175 members; of Morning Light Grange representing 223 members; of Valley Grange representing 44 members; of Aurora Grange representing 180 members; of Glenwood Valley Grange representing 43 members; of Dirigo Grange representing 120 members; of Goodwin's Mills Grange representing 70 members; of Narraguagus Grange representing 25 members; of Highland Grange representing 50 members; of Lakeview Grange representing 84 members; of East Eddington Grange representing 140 members; of Highland Grange representing 89 members; of Starling Grange representing 116 members; of Monticello Grange representing 281 members; of Houlton Grange representing 1958 members; of Branch Mills Grange representing 100 members; of Alewife Grange representing 74 members; of East Bluehill Grange representing 168 members; of Forest Grange representing 190 members; of Tranquility Grange representing 117 members; of Olamon Grange representing 65 members; of Union Grange representing 160 members; of Sheepscot Lake Grange representing 75 members; of Limerock Valley Grange representing 400 members.

By Mr. Washburn of Perry: of Bucks Harbor Grange representing 180 members; of Pembroke Grange representing 110 members; of Indian River Grange representing 72 members.

#### Inland Fisheries and Game

By Mr. Cobb of Denmark: An Act to amend Section two of Chapter 32 of the

Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in certain waters in Oxford County.

By Mr. Towle of West Gardiner: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Pleasant Pond, Mud Pond, Horseshoe Pond and Oxbow Pond, situated in the counties of Kennebec and Sagadahoc.

By Mr. Gerrish of Greenville: An Act to amend Section two of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Kingsbury Pond, in Somerset and Piscataquis Counties, and in the Bennett Ponds, so-called, in Guilford, in Piscataquis County.

By the same gentleman: Petition of Charles D. Freeman and 67 others in protest against the passage of the resident hunter's license bill.

By Mr. Lombard of Old Orchard: Remonstrance of Oliver G. Lombard and 46 others against same; also remonstrance of Warren Follette and 41 others against same.

By Mr. Welch of Machiasport: Remonstrance of W. S. Cates and 11 others against same.

By Mr. Thibodeau of Fort Kent: Remonstrance of Robert Hafford and 35 others against the closing of Fall Brook to fishing.

By the same gentleman: Remonstrance of Charles E. Jones and 34 others against the closing of First, Second, Third and Fourth Nigger Brook Lakes for fishing.

### Judiciary.

By Mr. McCarty of Lewiston: An Act to amend Section 36 of Chapter 101 of the Revised Statutes, as amended by Chapter 41 of the Laws of 1907, in relation to bail commissioners. (Ordered printed and referred.)

By Mr. Thombs of Lincoln: An Act to make uniform the law of acknowledgments to deeds or other instruments taken outside the United States. (Ordered printed and referred.)

### Legal Affairs

By Mr. Hanson of Sanford: An Act to amend Section 14 of Chapter four of the Revised Statutes, relating to town agent. (Ordered printed and referred.)

### Mercantile Affairs and Insurance

By Mr. Greenleaf of Portland: An Act to repeal Chapter 131 of the Public Laws of 1911, as amended by Chapter 114 of the Laws of 1913, relating to taxing insurance companies not authorized to do business in Maine. (Ordered printed and referred.)

### Sea and Shore Fisheries.

By Mr. McCorrison of Appleton: An Act to provide for licenses for transportation of lobsters beyond the limits of the state. (Ordered printed and referred.)

By Mr. Jameson of Friendship: An Act to amend Section three of Chapter 41 of the Revised Statutes, relating to sea and shore fisheries. (Ordered printed and referred.)

By Mr. Holt of Gouldsboro: Petition of Raymond Bickford and nine others of Gouldsboro remonstrating against change in the present state lobster law.

By the same gentleman: Petition of Fred S. Young and 35 others of Winter Harbor remonstrating against any change in the present law for catching herring east of the Whitehead; also petition of Raymond Bickford and nine others of Gouldsboro against same.

By Mr. Lewis of North Haven: Remonstrance of Leon C. Staples and 25 others of North Haven against any change in the law governing the length of the lobster.

### Ways and Bridges.

By Mr. Bussey of Dixmont: Petition of E. R. Leach and 46 other legal voters of the town of Newport in favor of an appropriation by the state of Maine in aid to the town of Plymouth, Maine, for the repairing and rebuilding of Long Bridge, so-called, in said town of Plymouth; also petition of E. O. Varney and 47 other legal voters of the town of Plymouth in favor of same.

### York County Delegation.

By Mr. Waterhouse of Kennebunk: An Act to amend that part of Section 51 of Chapter 70 of the Revised Statutes of the State of Maine, relating to the regular sessions of the Supreme Judicial Court held in and for the county of York. (Ordered printed and referred.)

### Reports of Committees.

Mr. Washburn from the committee on

agriculture, reported "ought to pass" on bill, An Act to amend Section eight of Chapter 195 of the Public Laws of 1911, as amended by Chapter 74 of the Public Laws of 1913, relating to live stock.

Same gentleman from same committee, reported in a new draft and "ought to pass" bill, An Act to provide for the semi-monthly payment for cream and milk.

Same gentleman from same committee, reported "ought to pass" on Resolve assenting to the provisions of an Act of the Congress of the United States relating to Co-operative Agricultural Work.

Same gentleman from same committee, reported "ought to pass" on Resolve making an appropriation for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.

Same gentleman from same committee, reported in a new draft and "ought to pass" Resolve in favor of the Maine Seed Improvement Association.

Same gentleman from same committee, reported in a new draft and "ought to pass" Resolve for further improvement in the methods of marketing the farm products and purchasing the supplies for the farm.

Mr. Davis from the committee on interior waters, reported "ought to pass" on bill, An Act to amend an Act to incorporate the Sawtelle Brook Dam and Improvement Company.

Mr. Gilmour from the same committee, reported "ought to pass" on bill, An Act to amend Section three of Chapter 285 of the Private and Special Laws of 1911, relative to the water rights of the Dover and Foxcroft Water District.

Mr. Davis from the same committee, reported "ought to pass" on amended Resolve in aid of navigation on Moosehead Lake.

Mr. Gilmour from the same committee, reported in a new draft and "ought to pass" bill, An Act to authorize the Kennebec Lumber Company to maintain piers and booms in Kennebec River above the Augusta Dam.

Mr. Descoteaux from the committee on labor, reported in a new draft and "ought to pass" bill, An Act relative to the hours of employment of women and minors. (Tabled for printing of new

draft pending acceptance, on motion by Mr. Fay of Dexter.)

Mr. Holt from the committee on salaries and fees, reported "ought to pass" on bill, An Act to increase the salary of the recorder of the Houlton Municipal Court.

Mr. Thombs from the committee on revision of statutes, reported "ought to pass" on bill, An Act to amend Sections 23 and 24 of Chapter 221 of the Public Laws of 1913, relating to filling vacancies in nominations made at primary elections.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Sections 8, 46 and 54 of Chapter 23 of the Revised Statutes, relating to the compensation of committees in highway proceedings.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Section 53 of Chapter 66 of the Revised Statutes, relating to the duties of executors and administrators.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Sections 19 and 20 of Chapter 65 of the Revised Statutes, relating to the bond and records of the register of probate.

Mr. Pierce from the same committee, reported "ought to pass" on bill, An Act to amend Section 25 of Chapter three of the Revised Statutes, as amended by Chapter 138 of the Public Laws of 1905, relating to the printing of the reports of the State Departments.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Section 47 of Chapter two of the Revised Statutes, relating to the notification of appointments and qualifications of Justices of the Peace, Trial Justices and Notaries Public.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Section 54 of Chapter two of the Revised Statutes, relating to the bond of the Treasurer of State.

Mr. Greenleaf from the same committee, reported "ought to pass" on bill, An Act to amend Paragraph two of Section 13 of Chapter nine of the Revised Statutes so that the same may conform to Paragraph one of said section, as amended.

Mr. McCarty from the same committee,

reported "ought to pass" on bill, An Act to fix the standard weight of certain commodities not included in Section 39 of Chapter 39 of the Revised Statutes, as amended by Chapter 134 of the Public Laws of 1913, and to correct the standard weight of a bushel of dried apples and to change the standard weight of a barrel of potatoes.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Section nine of Chapter 69 of the Revised Statutes, relating to the authority of guardians of persons over 21 years of age.

Mr. Pollard from the committee on ways and bridges, reported "ought to pass" on Resolve in favor of repairing a highway in the town of Solon.

Same gentleman from same committee, reported in a new draft and "ought to pass" Resolve in favor of the Aroostook River Bridge in the town of Ashland.

Mr. Cobb from the same committee, reported in a new draft and "ought to pass" Resolve in favor of building a road around Cook Hill in the town of Jackson.

Same gentleman from same committee, reported in a new draft and "ought to pass" Resolve in favor of aid in building a bridge in the town of Crystal.

Mr. Pollard from the same committee, reported in a new draft and "ought to pass" Resolve for aid in building a highway bridge across Carrabassett river in the town of Kingfield.

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

Mr. Washburn from the committee on agriculture, reported "ought not to pass" on Resolve for the purpose of constructing an experimental storage plant at Highmoor Farm.

Mr. Davis from the committee on interior waters, reported "ought not to pass" on Resolve in aid of navigation on Moosehead Lake. (Tabled pending acceptance on motion by Mr. Holt of Skowhegan.)

Mr. Washburn from the committee on agriculture, reported "ought not to pass" on bill, An Act to provide that

the live stock sanitary commissioner shall be a veterinary surgeon.

Mr. Pollard from the committee on ways and bridges, reported "ought not to pass" on bill, An Act to enable the county of Sagadahoc to rebuild Merrymeeting Bay bridge.

Same gentleman from same committee, reported "ought not to pass" on Resolve in favor of Jerusalem and Crocker Townships, in Franklin county, for the repair and permanent improvement of highways.

Same gentleman from same committee, reported "ought not to pass" on Resolve in favor of repairing county road leading through Brewer, Holden and Dedham to Ellsworth.

The reports were accepted.

### First Reading of Printed Bills and Resolves.

House 295. Resolve in favor of Frank Francis, Representative of the Passamaquoddy Tribe of Indians.

House 296. Resolve in favor of Edgar S. Fossett, secretary of the committee on State Prison.

House 297. Resolve in favor of the clerk, assistant clerk, messenger, assistant messenger, mail carrier, first folder, assistant folder, doorkeeper, and pages of the 76th Legislature for attendance at the organization of the 77th Legislature.

House 298. Resolve in favor of the board of dental examiners.

House 299. Resolve in favor of Leonard A. Pierce, chairman of the House committee on elections.

### Passed to Be Engrossed.

House 268. Resolve appropriating money to aid the Passamaquoddy Tribe of Indians for the years 1915 and 1916.

House 269. Resolve in favor of the Penobscot Tribe of Indians for general care, maintenance, relief and education thereof.

House 266. Resolve appropriating money for the Farmington State Normal School for the purchase of land.

House 223. Resolve appropriating money for further public instruction in forestry.

House 222. Resolve in favor of the

town of Bridgton in the county of Cumberland relating to the conveyance of a certain lot or parcel of land. (Tabled pending its second reading, and especially assigned for further consideration tomorrow morning on motion of Mr. Plummer of Lisbon.)

House 221. Resolve appropriating money to maintain the State forest nursery and to encourage the reforesting of the waste lands of Maine.

House 220. Resolve authorizing the land agent to sell and convey certain lands in the public lots in Plantation No. 33 in Hancock county.

Mr. PLUMMER of Lisbon: Mr. Speaker, I move that this resolve be tabled pending its second reading.

The SPEAKER: Will the gentleman assign a day for the further consideration of this matter?

Mr. PLUMMER: Mr. Speaker, there are two or three resolves of this nature before the House now, and there is no statement of facts regarding either of them. It is true that this one, and one other which is already on the table, proposed to sell lands at some price; but it seems to me that even in that case some reason should be given why it is desirable to sell them. In relation to the resolve in favor of the town of Bridgton there certainly should be a statement of facts to give us a reason for acting. I will, however, assign Friday, if agreeable.

The motion was agreed to, and the resolve was tabled pending its second reading, and especially assigned for further consideration on Friday of this week.

House 218. Resolve appropriating money for the purchase of the Maine State Year Book for the years 1915 and 1916.

House 217. Resolve appropriating money for the purchase of 125 copies of the History of Buckfield.

House 216: Resolve for an appropriation for traveling libraries suitable for high schools in towns having no public libraries.

House 277: An Act to amend Section 17 of Chapter 352 of the Private and Special Laws of 1905, relating to the salary of

the judge of the Caribou municipal court.

House 276: An Act to amend Section 15 of Chapter 393 of the Private and Special Laws of 1909, as amended by Chapter 220 of the Private and Special Laws of 1913, relative to the salary of the judge of the Millinocket municipal court.

House 275: An Act to amend Chapter 346 of the Private and Special Laws of the year 1905 relating to the appointment of an assistant probation officer for the county of Cumberland, and to an increase in salary for the probation officer.

House 274: An Act to fix the salary of the judge of the Belfast municipal court.

House 273: An Act to amend Section 3 of Chapter 150 of the Private and Special Laws of 1891, as amended by Section 1 of Chapter 515 of the Laws of 1907, relating to the salary of the judge of the municipal court of Portland.

House 272: An Act to amend Section 1 of Chapter 444 of the Private and Special Laws of 1907, relating to clerk hire for the municipal court of the city of Lewiston.

House 271: An Act to amend Chapter 274 of the Private and Special Laws of 1887, as amended by Chapter 360 of the Private and Special Laws of 1897, relating to the salary of the recorder of the municipal court for the city of Portland.

House 267: An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Burnt Land brook, so called, a tributary to Presque Isle stream, and in the east branch of said Presque Isle stream, in the county of Arrostook.

House 219: An Act to amend Section 49 of Chapter 23 of the Revised Statutes relative to loghauers.

House 215: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in North Branch brook and its tributaries in the county of Cumberland.

House 214: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of muskrats in the town of Fryeburg, in the county of Oxford, and in the town of Bridgton, in the county of Cumberland.



House 213: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public laws of 1913, relating to fishing in Ward's brook and in Ward's pond, in the town of Fryeburg in Oxford county.

### The Governor's Message

The SPEAKER: The Chair lays before the House on the question of privilege the following message from the Governor upon Resolve in favor of repair of bridges in the town of Dresden, the same being transmitted to the House by the Senate together with the Governor's message thereon. In the Senate this resolve was read and passed by a yea and nay vote, 31 senators voting in the affirmative, the objection of the Governor to the contrary notwithstanding. The message is as follows:

To the Honorable Senate:

Senate Resolve No. 41, in favor of bridges in the town of Dresden presented to me for approval on the 18th, inst., is returned herewith unsigned.

In stating the objections, as required by the Constitution, your indulgence is requested, that sufficient latitude be permitted to explain the conditions prompting such action.

There is no opposition to the sum of five hundred dollars, as proposed in the resolve, no objection to the purpose of the expenditure, and no antagonism to the town of Dresden or any other town.

No doubt the proposition is worthy, and the assistance asked for is needed, or otherwise it would not have been recommended by your committee, and finally passed by both branches of the Legislature.

This Resolve chances to be the first presented to me to be included in a specific line of appropriation under the title of "Ways and Bridges."

The exact weight of a Resolve proposing an appropriation is not entirely clear to me. It may have been the force of law, or it may be in the nature of recommendation to include a specific item in the final appropriation bill.

It may be a question whether a Resolve proposing an expenditure of money which is duly passed and approved and not included in the regular appropriation bill carries any force of law.

If a Resolve has such a force, what is the need of an appropriation bill, and if both the Resolve and the appropriation act are low, is it a double appropriation, if it is included in each?

If a Resolve has no force of Law, then of course an Appropriation bill is necessary. If it does have such weight then it would appear, that it must be paid whether it is included in the appropriation bill or not, but Article 5, of the Constitution provides, that no money shall be drawn from the Treasury but by the Warrant of the Governor with the advice and consent of the Council, and in consequence of appropriations made by Law.

The appropriation Act is the only Law which authorizes the Governor to draw his Warrant on the State Treasurer. The Resolve does not carry this authority.

At any rate it is not my intention to sign a number of Resolves of this nature, and then, later on, possibly be forced by lack of revenue to send back others of greater importance.

We have three classes of appropriations to care for, one is the necessary, another the mandatory whether it is necessary or not, and the other is optional.

The fixed charges are necessary and the mandatory might be termed the same, as the law commands it, but many expenditures under this title should be optional.

Under the optional there are such items as "Ways and Bridges," "Charitable and Benevolent," "New Buildings, etc., and of course some of the fixed charges may be optional by decreasing or increasing the efficiency of the service.

There appears to be no question, that "Ways and Bridges" and "Charitable and Benevolent" items are purely optional and peculiar to themselves.

Apparently we are practically forced to consider them after the fixed charges have been provided for, and then if there is any available revenue remaining, it can be used for such purpose.

No doubt, there are people who will argue, that the taxes should be increased for this purpose, but that does not seem advisable to me under the present conditions.

Each year appropriations are made for "Ways and Bridges" but the aggregate amount of the appropriations is dependent upon the "Ways and Means" to provide the funds.

Numerous requests have been made from all sections of the State, and all of more or less importance, and there appears to be calls for about \$700,000 for consideration.

A certain number of such resolves will undoubtedly be passed by this Legislature; but many more must be refused for want of revenue to meet the demand.

In view of the fact that it is impossible for you to allow all of the requests, it is difficult to see how you can give a correct analysis of the compound proposition until you arrive at some conclusion as to just what will be eliminated; and when this is accomplished the problem is easy and the total is in sight.

The opportunity has been afforded you to investigate the needs of all these requests; and your judgment on the actual merit of each resolve should be superior to mine, as no evidence may be submitted to me.

It is not anticipated that any occasion will arise which will cause me to object to any specific appropriation for this purpose; although, of course, it is possible.

All these resolves for this session are now before you, and doubtless you will consider them in proper order as their urgency may appeal to you.

Beyond question you have so concluded, on this particular item in favor of the town of Dresden, and although it was returned to you, it is to be expected that you will care for it in the regular appropriation bill at the proper time.

The question which interests me, at this time is the total amount of the resolves you will pass, for the purpose of "Ways and Bridges."

Now that you have all of these re-

solves before you, is it unreasonable for me to request this information? If so, it is hoped you will so inform me, and I shall patiently await your pleasure, but in the meantime will be under the painful necessity of returning to you, all such resolves unsigned.

Of course, it is patent to you as business men, that there must be a limit, over which the State cannot reasonably provide.

The State departments and institutions must be maintained beyond question, the general expenses of these are constantly increasing, and little, if any, curtailment can be reasonably made in their allotment.

A comparatively small amount is available for what may be termed outside purposes, such as these mentioned.

The probable income of the State has been carefully considered and with this in view, the sum of \$125,000 for the two years is deemed a reasonable figure as a total for "Ways and Bridges."

It is possible of course, that you may not agree with me on this estimate.

Unquestionably you have the power to pass resolves for appropriations to any extent you desire for one object or another, even if it reaches the millions, for "Ways and Bridges" alone, and the only check is the veto power of the Governor over which you can go by a two-thirds vote, but of course, you must provide the revenue, and consequently the whole responsibility rests with you.

As stated in my inaugural address, it is not my intention to attempt to interfere with your rights, and trust this has not been the case. It will be my aim to exercise whatever power is vested in me toward the promotion of a fair and just appropriation bill, and feel sure you will cooperate with me to this end, after the whole problem is considered and understood.

A fair and just appropriation bill, to my mind, is one which can be comfortably cared for by reasonably de-

pendable income without excessive taxation.

You will readily understand that my view point, is limited to the income regardless of the importunities of the many wishing accommodation. If you provide more income, my range of vision might change accordingly.

Right here it might be proper to state that the "Charitable and Benevolent" items will be considered by me in the same manner as "Ways and Bridges."

A limit has been estimated on that proposition also, and my interests will be the same; which means the total amount only.

It is to be hoped that these remarks will not be considered a note of defiance, for you are assured that none is intended, but merely suggests the advisability of systematizing the problem by collecting together the most urgent measures and consummating a total within a reasonable limit, which can be passed on intelligently by anyone not acquainted with the details.

To explain a little further regarding the proposition of "Ways and Bridges," it is proper to say, that I conferred with the Chairman of your Committee, at his request, and being informed by him, since that time, that the Committee will recommend a larger amount than a hundred and twenty-five thousand dollars, there appears to be no alternative than to return these Resolves until such time as an exhibit can be made whereby the most urgent of them can be embodied within the said limit.

If this cannot be accomplished then surely some curtailment must be insisted upon elsewhere, or otherwise direct taxation on the people will be compulsory. If you wish to support larger expenditures in this direction, in place of the "Charitable and Benevolent," and not exceed the estimate for both, it will meet no opposition from me.

If I may be so bold as to suggest it, possibly some curtailment could be made in the expense of Legislative printing, for if my information is correct, the expense of this work under Governor Fernald's Administration in 1909, was \$34,327.06; under Governor Plaisted's in 1911, it was \$20,809.40 and under Governor Haines'

in 1913, the amount was \$34,471.95 and naturally there was a corresponding difference in the binding.

This of course is optional with you, as it can be made large or small as you may choose, and the Governor has no control over the amount which you may order, unless he has the right of veto on any order carrying the expenditure of money. I simply refer to this as an illustration, but no doubt other avenues could be controlled where more or less saving could be secured.

If it is possible for you to save \$14,000.00 on the Legislative printing, it would go a long way towards providing assistance to some of the worthy Charitable institutions which are properly calling for aid, or perhaps repair a few bridges.

As already intimated, my only object is to secure a total appropriation for all matters which will come within the total income, and am perfectly willing to leave the distribution in detail to your good judgment, unless some special information comes to me, which might call for objections, in which case, it will be submitted to you.

No information in my possession indicates any increased revenue for the use of this administration but it is evident that in some departments there will be increased expenses.

The consequence is, that curtailment must necessarily be made wherever possible to off-set the inevitable increase in other directions.

I regret the seeming necessity which forces me, to voice the sentiments which control me in this matter, and more especially that the exemplification of the principle I wish to follow should fall upon this particular Resolve carrying a small appropriation of five hundred dollars and the merit of which is not questioned, but in the interests of sound and conservative administration, some system appears to be required to accomplish the proper results commensurate with the resources.

It is certainly to be hoped that these remarks, will not be construed as an attempt to arrogate my judgment, over that of the unquestionable intelligence of your august body, but that it will be received as a suggestion only that the

cold facts of the revenue resources must not be overlooked.

Although the system of arriving at an appropriation bill is crude, confusing and unbusinesslike, it is through no fault of yours or mine. It is difficult in the limited time and busy activity of a Legislative session to depart from oldtime custom, but it is hoped that we may co-operate in such a manner that the people whom we represent will feel that we have done our best, under the circumstances.

Let me repeat! I do not anticipate any occasion which will call for a veto of any resolve on its merits alone.

I have the greatest faith in your integrity and ability to allot these appropriations, fairly and justly without interference from me. I have no personal interest in any of them, except the general welfare. If I feel obliged to return such resolves, it will probably be in the interest of the total appropriation, and not in opposition to the merit of the bills which have had your careful consideration.

OAKLEY C. CURTIS,  
Governor.

February 23, 1915.

On motion by Mr. Chadbourne of Baldwin the vote was reconsidered whereby this resolve was finally passed.

The SPEAKER: This resolve is now before the House, and the question is, shall this resolve be finally passed notwithstanding the objections of the Governor thereto?

Mr. GALLAGHER of Bangor: Mr. Speaker, I would move for the final passage of the resolve over the Governor's veto, and will yield the floor to the gentleman from Houlton, Mr. Pierce, for a further explanation.

Mr. PIERCE: Mr. Speaker, I will say in order to avoid the necessity of any extended remarks upon this subject that I am authorized by the Governor to state that it is his request that this particular resolve and the other—as I believe there is one more in this same class—be passed by this House unanimously over his veto. He feels that he has made his position clear to the Legislature, and that if we proceed and pass the resolves that that particular amount could be taken out of the

amount which he feels may be spent by the State for these purposes; and he has made his position clear to the Legislature, and he does not have any interest in depriving these two towns of the amounts specified in their resolves, and does not wish to have that done, and for that reason he has asked me to say and the House is requested by him to pass these resolves unanimously over his veto.

The SPEAKER: Under the provisions of the Constitution the vote upon this question is required to be taken by the yeas and nays. All those in favor of the final passage of this resolve, notwithstanding the Governor's objections thereto, when their names are called, will answer yes; those opposed will answer no. This requires a two-thirds vote of the members elected to this House. The clerk will call the roll.

YEA—Albert, Allen, Ames, Averill, Ballard, Beal, Benn, Bernier, Besse, Blake of New Gloucester, Blake of Oakland, Bonney, Bourque, Bradbury, Bragdon, Brann, Brawn, Brown of Auburn, Brown of New Sharon, Bussey, Campbell, Carson, Chadbourne, Chaplin, Chamberlin, Clement, Clifford, Cobb, Coffin, Colcord, Connellan, Connors, Corliss, Currier, Danforth, Davis, Descoteaux, Douglass, Drapeau, Drummond, Durgain, Dutton, Edwards, Ellis, Erskine, Evans, Fay, Ford, Fassett, Gallagher, Gerrish, Gilmour, Goldthwait, Gooding, Goodwin, Gould, Grant, Groaton, Greeley, Greenlaw, Greenleaf, Hanson of Saco, Hanson of Sanford, Haraden, Hart, Higgins, Hill, Hobbs, Hodgkins, Holt of Gouldsboro, Holt of Skowhegan, Jameson, Jordan, Lawrence, Lewis, Libby, Littlefield, Lombard, Lord, Mansir, Maxwell, McCarty, McCorrison, McCurdy, McIntire, McKinley, McNally, Michaud, Millett, Mitchell, Morrison, Morse, Mulligan, Mullin, Neilon, Newell, Nicholas, Noyes, O'Connell, Peabbles, Perham, Peterson, Picher, Pierce of Farmington, Pierce of Houlton, Plummer, Pollard, Ranney, Ricker, Roberts, Robinson, Russell of Alfred, Russell of Lewiston, Ryder, St. Clair of Calais, St. Clair of Rockland, Sanborn, Small, Smith, Snow, Tabbutt, Tate, Thibodeau of Fort Kent, Thombs, Tobey, Towle, Trafton, Turner, Tuttle, Varney, Ward, Wassgatt, Washburn, Waterhouse, Webb, Welch, Wescott, Wheeler, Wilkins, Wilson, Wise, Woodman, Wyman—143.

NAY—0.

ABSENT—Daigle, Dilling, Harper, Haskell, Leader, Meader, Perkins, Watts—8.

The SPEAKER: 143 having voted in the affirmative and none in the negative, the Chair declares that this resolve has been finally passed by the

House, notwithstanding the objection of the Governor thereto.

The SPEAKER: The Chair lays before the House Resolve appropriating money to assist the town of Whitefield in building a bridge across the Sheepscot river. This resolve was finally passed in the House Feb. 17, and in the Senate Feb. 18; it was then returned to the Senate by the Governor with his objections thereto; in the Senate, Feb. 24, 1915, the resolve was read and finally passed by a yea and nay vote, 31 senators voting in the affirmative, the objection of the Governor to the contrary notwithstanding. The message of the Governor is as follows:

"To the Honorable Senate:

"Senate Document No. 33, in favor of the town of Whitefield, is returned herewith unsigned.

"There is no objection to the amount of the resolve or the purpose of the expenditure, but the objection is on account of the uncertainty of the total amount you will appropriate for 'ways and bridges,' as explained in my previous remarks regarding the Resolve in favor of the town of Dresden.

"I trust this bill will be properly cared for at the proper time in the regular appropriation bill for this purpose.

"OAKLEY C. CURTIS,  
"Governor."

Feb. 23, 1915.

On motion by Mr. Tabbutt of Columbia, the vote was reconsidered whereby this resolve was finally passed.

The SPEAKER: The question before the House is, shall this resolve be finally passed notwithstanding the objection of the Governor thereto? This requires under the provisions of the Constitution a yea and nay vote and it requires a two-thirds vote of all the members elected to this House. Those in favor of the final passage of the resolve, notwithstanding the Governor's objection thereto, when their names are called will answer yes; those opposed will answer no. The clerk will call the roll.

YE—Albert, Allen, Ames, Averill, Ballard, Beal, Benn, Bernier, Besse, Blake

of New Gloucester, Blake of Oakland, Bonney, Bourque, Bradbury, Bragdon, Brann, Brawn, Brown of Auburn, Brown of New Sharon, Bussey, Campbell, Carson, Chadbourne, Chaplin, Chamberlin, Clement, Clifford, Cobb, Coffin, Colcord, Connellan, Connors, Corliss, Currier, Danforth, Davis, Descoteaux, Douglass, Drapeau, Drummond, Durgain, Dutton, Edwards, Ellis, Erskine, Evans, Fay, Ford, Fossett, Gallagher, Gerrish, Gilmore, Goldthwait, Gooding, Goodwin, Gould, Grant, Groaton, Greeley, Greenlaw, Greenleaf, Hanson of Saco, Hanson of Sanford, Haraden, Hart, Haskell, Higgins, Hill, Hobbs, Hodgkins, Holt of Gouldsboro, Holt of Skowhegan, Jameson, Jordan, Lawrence, Lewis, Libby, Lombard, Lord, Mansir, Maxwell, McCarty, McCarrison, McCurdy, McIntire, McKinley, McNally, Michaud, Millett, Mitchell, Morrison, Morse, Mullin, Neilson, Newell, Nicholas, Noyes, O'Connell, Peabbles, Perham, Peterson, Picher, Pierce of Farmington, Pierce of Houlton, Plummer, Pollard, Ranney, Ricker, Roberts, Robinson, Russell of Alfred, Russell of Lewiston, Ryder, St. Clair of Calais, St. Clair of Rockland, Sanborn, Small, Smith, Snow, Tabbutt, Tate, Thibodeau of Fort Kent, Thombs, Tobey, Towle, Trafton, Turner, Tuttle, Varney, Ward, Waggatt, Washburn, Waterhouse, Webb, Welch, Wescott, Wheeler, Wilkins, Wilson, Wise, Woodman, Wyman—141.

NAY—0.

ABSENT—Daigle, Dilling, Harper, Haskell, Leader, Littlefield, Meader, Mulligan, Perkins, Watts—10.

The SPEAKER: 141 having voted in the affirmative and none having voted in the negative, the Chair declares that this resolve has been finally passed by the House the objection of the Governor to the contrary notwithstanding.

#### Passed to Be Enacted.

An Act to amend Section 5 of Chapter 68 of the Revised Statutes, relative to claims against insolvent estates.

An Act to enable the town of Rangeley to make a fill-in and maintain a dam at the outlet of Haley pond for a park and sanitary purposes.

An Act to incorporate the Englishmen's River Dam Co.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Little Dyer's pond in the town of Jefferson, in the county of Lincoln.

An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public

Laws of 1913, relating to ice fishing in certain ponds in Oxford county.

An Act to amend Section 2 of Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Jimmy pond, in Litchfield in Kennebec county, and in the outlet of said pond.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Island pond and its tributaries in the towns of Harrison and Waterford, in the counties of Cumberland and Oxford.

An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Androscoggin lake, in the counties of Androscoggin and Kennebec.

An Act to prevent the pollution of the water of Wilson lake.

An Act to repeal Chapter 53 of the Private and Special Laws of 1907, relating to driving automobiles on the Turnpike road in the towns of Camden and Lincolnville.

An Act to lessen frauds in the name of charity.

An Act for the better protection of shell fish within the town of Old Orchard, in the county of York.

An Act conferring jurisdiction to grant judgments declaring citizenship, residence and domicile.

An Act to amend Section two of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Lake Hebron, in Monson, in the county of Piscataquis.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in the tributaries to Pattee's Pond and in a portion of Wilson Brook a tributary to the outlet of said pond, in Kennebec County.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Hooper Pond and its tributaries in the town of

Greene, in the county of Androscoggin.

### Finally Passed

Resolve appropriating money to aid in widening the Turnpike Road in Camden and Lincolnville, and providing for the future maintenance thereof.

Resolve appropriating money to aid the plantation of Wallagrass in constructing a bridge.

Resolve appropriating money to aid the plantation of New Canada in constructing a bridge across Perley Brook.

Resolve granting to Arthur F. Merrow permission of the legislature to build a bridge from Fox Island to the mainland in the town of Boothbay.

Resolve appropriating money to complete the replanking of Wiscasset bridge.

Resolve providing a state pension for Ellison Gilbert.

Resolve providing a state pension for L. Prescott Currier.

Resolve appropriating money to aid the town of Canton in purchasing and repairing its toll bridge.

Resolve in favor of the Bangor State Hospital for maintenance thereof for the years 1915 and 1916.

Resolve in favor of the Bangor State Hospital for the purchase of a stone crusher.

Resolve granting a state pension for Bryant Libby.

Resolve providing a state pension for John S. Gaddis.

Resolve in favor of navigation on Lewys, Long and Big Lakes, in Washington County.

Resolve in favor of the Bangor State Hospital for finishing and equipping sleeping quarters for night nurses.

Resolve in favor of the Bangor State Hospital for the erection of sun parlors on wards C-1 and E-1.

Resolve in favor of the Bangor State Hospital for the renovation of certain wards.

Resolve in favor of the Bangor State Hospital for the erection and equipment of a building containing sleeping quarters for night nurses.

Resolve providing for the completion of the book of plans for Knox

County and appropriating money therefor.

Resolve in favor of the joint special committee on salaries and fees of the 76th legislature. (Tabled pending its final passage on motion by Mr. Haraden of Bath.)

Resolve providing for co-operative work with the United States Geological Survey under the direction of the Public Utilities Commission.

#### Orders of the Day

Mr. McCarty of Lewiston presented out of order, under a suspension of the rules the following order, and moved its passage:

Ordered, That the committee on the judiciary to which was referred bill entitled "An Act to create a police commission and board of examiners for the city of Lewiston," be requested to return said bill to the House for printing.

The order received a passage.

On motion by Mr. Welch of Machiasport, Senate Document No. 90, bill, An Act to incorporate the Mopang Dam and Improvement Company, was taken from the table.

Mr. Welch offered House amendment A, to amend by striking out all of Section five after the word "repair" in the fifth and sixth lines thereof, and adding the following words: "said corporation shall keep a correct and full account of all its receipts and expenditures and shall submit the same at any time for examination to any person, firm or corporation liable to pay toll charges under this act."

The question on the adoption of House amendment A,

The amendment was adopted.

The pending question being the third reading of the bill as amended.

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

The SPEAKER: The Chair lays before the House majority and minority reports of the committee on legal affairs on Resolve proposing an amendment to the Constitution of the State of Maine providing for election on the Tuesday next after the first Monday in November, biennially, of Governors, Senators, Representatives and other officers now required to be elected on the second Monday of September, biennially. These reports were tabled by the gentleman from Brewer, Mr. Higgins, pending the acceptance of either report, and specially assigned for consideration today.

Mr. PIERCE of Houlton: Mr. Speaker, by request of the gentleman from Brewer, Mr. Higgins, who has been called home by illness in his family, I would ask that this matter be taken from the table and be re-assigned for consideration on Wednesday of next week, which date is satisfactory to the gentleman from Brewer, Mr. Higgins.

The motion was agreed to, and the majority and minority reports of the committee were again placed upon the table and assigned for further consideration on Wednesday of next week.

On motion by Mr. Wyman of Kingfield,

Adjourned until tomorrow morning at ten o'clock.