

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

HOUSE

Friday, March 5th, 1915.

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

Prayer by the Rev. Mr. Dow of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

The SPEAKER: The Chair lays before the House the following communication:

Honorable Herbert W. Trafton,

Speaker of the House of Representatives.

Dear Sir:

Under the provisions of Rule 3 of the House Rules I hereby appoint Gardiner K. Heath of Augusta to act as my assistant during the term of my service as clerk pro tempore of the House.

Respectfully,

Fortunat Belleau,

Clerk Pro Tem.

The SPEAKER: I read this communication for the purpose of making it a part of the records of the House.

Senate Bills on First Reading

Senate 205: An Act to amend Section six of Chapter 489 of the Private and Special Laws of 1901, entitled "An Act to supply the town of Lubec with pure water."

Senate 237: An Act to amend Section four of Chapter 65 of the Revised Statutes, relating to the proceedings of judges of probate in vacation.

From the Senate: Report of the committee on state lands and forest preservation, reporting "ought not to pass" on Resolve authorizing the Land Agent to sell and convey whatever interest the State has in and to Potato Island, situated in Harrington, Washington County. (Recommitted to the committee in non-concurrence on motion by Mr. Washburn of Perry.)

From the Senate: Report of the committee on ways and bridges, reporting "ought not to pass" on Resolve in favor of replanking and repainting

bridge between East Millinocket and Medway.

In the House the report of the committee was accepted, and comes from the Senate recommitted to the committee in non-concurrence.

On motion by Mr. Douglass of Webster, the House voted to recede and concur with the Senate in recommitting the report to the committee.

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

Education

By Mr. Ricker of Castine: An Act to provide for professional supervision of schools remotely situated plantations. (Ordered printed and referred.)

By Mr. Gallagher of Bangor: An Act to amend Chapter 73 of the Public Laws of 1909, relating to the examination of pupils entering school after absence on account of sickness. (Ordered printed and referred.)

By Mr. Tuttle of Caribou: Resolution of Woodland Grange, representing 81 members, in favor of distribution of state school funds according to aggregate attendance; of Ashland Grange, representing 204 members, in favor of same; of Green Ridge Grange, representing 173 members, in favor of same; of Eureka Grange, representing 200 members, in favor of same.

Placed on File

By Mr. Tuttle of Caribou: Resolution of Woodland Grange, representing a membership of 81, favoring equal suffrage for women; of Ashland Grange, representing a membership of 204, favoring same; of Green Ridge Grange, representing a membership of 173, favoring same; of Eureka Grange, representing a membership of 200, favoring same.

Inland Fish and Game.

By Mr. Millett of Belfast: Remonstrance of W. F. Weshe and 17 others against the passage of any bill relative to a resident hunter's license.

Judiciary.

By Mr. Sanborn of South Portland: An

Act to regulate partnerships. (Ordered printed and referred.)

By the same gentleman: An Act to amend Section 20 of Chapter 47 of the Revised Statutes, relating to corporations. (Ordered printed and referred.)

By Mr. Gallagher of Bangor: An Act to amend Section 11 of Chapter 101 of the Private and Special Laws of 1909, relating to the Bangor municipal court.

By Mr. Haskell of Portland: Resolve in favor of conference of commissioners and of the commissioners from Maine for the promotion of uniformity of legislation in the United States. (Ordered printed and referred.)

By Mr. Tuttle of Caribou: Resolution of Ashland Grange, representing a membership of 204, favoring an Act to amend Chapter 129 of the Public Laws of 1913, relating to corporations for the operation of telegraphs or telephones; of Green Ridge Grange, representing a membership of 173, favoring same; of Eureka Grange, representing a membership of 200, favoring same; of Woodland Grange, representing a membership of 81, favoring same.

By Mr. O'Connell of Millinocket: Resolution of Glenwood Valley Grange, representing a membership of 43, favoring same; of Union Grange, representing a membership of 160, favoring same; of Evening Star Grange, representing a membership of 174, favoring same; of North Penobscot Pomona Grange, representing a membership of 600, favoring same; of Nobleboro Grange, representing a membership of 146, favoring same; of Frost Mountain Grange, representing a membership of 72, favoring same; of Medomak Valley Grange, representing a membership of 130, favoring same.

Legal Affairs.

By Mr. Nillon of Biddeford: An Act relating to the accounts of the various State examining boards and to provide for the bonding of all officials and clerks who handle public moneys. (Ordered printed and referred.)

Public Health.

By Mr. Sanborn of South Portland: An Act to regulate cold storage of certain articles of food. (Ordered printed and referred.)

Railroads and Expresses.

By Mr. Benn of Hodgdon: An Act to regulate the time for moving freight on railroads. (Ordered printed and referred.)

State Lands and Forest Preservation.

By Mr. Dutton of Bingham: An Act relating to scaling round timber and marking the contents on same. (Ordered printed and referred.)

Revision of Statutes.

By Mr. Pierce of Houlton: An Act to provide for the record in the registry of deeds of notices waiving testamentary provisions for husband and wife.

By Mr. St. Clair of Calais: An Act to amend Chapter 1 of Public Laws of 1907, providing for notice to registers of probate of names of corporate surety companies qualified to do business in the State.

By Mr. Connors of Bangor: An Act to provide for the binding of original papers filed in probate courts.

By Mr. Greenleaf of Portland: An Act to amend Section 13 of Chapter 67 of the Revised Statutes, relating to the return of commissioners of partition appointed by probate courts.

By Mr. St. Clair of Calais: An Act to amend Section 32 of Chapter 69 of the Revised Statutes, relating to petitions for the adoption of children.

By Mr. Clifford of Lewiston: An Act to amend Section 9 of Chapter 65 of the Revised Statutes, relating to transcripts of examinations of testimony taken in the probate courts.

By Mr. Thombs of Lincoln: An Act to confer jurisdiction in equity upon the probate courts.

By Mr. Pierce of Houlton: An Act to amend Section seven of Chapter 66 of the Revised Statutes, relating to proofs of wills.

By Mr. Connors of Bangor: An Act to amend Section four of Chapter 73 of the Revised Statutes, relating to notices upon petitions for sale of real estate.

By Mr. Clifford of Lewiston: An Act to amend Section 35 of Chapter 101 of the Revised Statutes, relating to the authority of bail commissioners.

Ways and Bridges

By Mr. Meader of Chelsea: An Act to repeal Section one of Chapter 213 of the

Public Laws of 1913, relating to the appointment of road commissioner. (Ordered printed and referred.)

By Mr. Mullin of Lincolnville: An Act to amend Chapter 130 of the Public Laws of 1913, to provide for a more equitable distribution of funds for state aid roads. (Ordered printed and referred.)

By Mr. Smith of Hampden: An Act to provide for the systematic maintenance of the principal thoroughfare in each municipality in the State. (Ordered printed and referred.)

Orders

On motion by Mr. Drummond of Winslow, it was

Ordered, That the committee on inland fisheries and game be granted the use of the Hall of Representatives on Tuesday evening, March ninth, for the purpose of holding a public meeting.

Reports of Committees.

Mr. St. Clair from the committee on counties, reported in a new draft and "ought to pass" on bill, An Act in relation to the collecting and preserving of plans.

Mr. Edwards from the committee on interior waters, reported "ought to pass" on resolve in aid of navigation on Sebec Lake.

Same gentleman from same committee reported "ought to pass" on resolve in aid of navigation on Rangeley Lake, Mooselucmeguntic Lake and Cupsuptic Lake.

Mr. Webb from the same committee, reported "ought to pass" on bill An Act to enable the Newcastle Lumber Company to erect and maintain piers and booms in Big Wood Pond, in Somerset County.

Mr. Thombs from the committee on legal affairs, reported "ought to pass" on bill, An Act to make valid the annual town meeting of the town of Robbinston.

Mr. Greenleaf from the same committee, reported "ought to pass" on bill, An Act and petition to enlarge the powers of the Portland Female Charitable Society.

Mr. Clifford from the same committee, reported "ought to pass" on bill, An Act to amend Chapter 30 of the Private and Special Laws of 1911, as amended by Chapter 107 of the Private and Special

Laws of 1913, authorizing the Wiscasset, Waterville and Farmington Railway Company to dispose of a part of the property of said company.

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

Mr. Perkins from the same committee, reported in a new draft and "ought to pass" bill, An Act to create a Board of Examination and registration of nurses.

Messrs. Hill, Greenleaf, Clifford, Thombs, Hanson and Lewis from the committee on legal affairs, reported "ought to pass" on bill, An Act to require certain vehicles to carry lights at night on public highways and bridges.

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

Mr. Hill from the committee on legal affairs, reported "ought not to pass" on bill, An Act to regulate the practice of chiropody.

Mr. Davis from the committee on interior waters, reported "ought not to pass" on resolve in aid of navigation on Sebec Lake, same being covered by House Resolve under same title.

The reports were accepted.

Passed to Be Engrossed

Senate 134: An Act to amend Section 1 of Chapter 35 of the Public Laws of 1911, relative to the better protection of forests along railroads from fire.

Senate 133: Resolve in favor of the Eastern State Normal school at Castine for construction of a suitable gymnasium building and for repairs and permanent improvements.

Senate 199: An Act to amend Section 2 of Chapter 32 of R. S., as amended by Chapter 206 of the Public Laws of 1913, relating to fishing through the ice in Martin pond, sometimes called Long pond in Forks Plantation in Somerset county.

Senate 200: An Act additional to Chapter 32 of R. S., as amended by Chapter 266, P. L. of 1913, relating to fishing in certain waters in Township 6, R. 2, N. B. K. P., or Forsyth Township and in Township No. 6, R. 1, N. B. K. P., or Holeb Township, in Somerset county.

Senate 201: Resolve appropriating money for the installation of equipment in, purchase of specimens for and maintenance of the Maine State Museum.

Senate 202: An Act additional to Chapter 32 of R. S., as amended by Chapter 206 of U. L., of 1913, relating to the protection of fish, game and birds on the southerly point of Swan Island, in the town of Perkins, in the county of Sagadahoc.

Senate 203: An Act to amend Section 48 of Chapter 32 of R. S., as amended by Chapter 206 of P. L., 1913, relating to hunting on Kineo Point, in Kineo, in the county of Piscataquis.

Senate 204: Resolve for the purpose of operating the fish hatcheries and feeding stations for fish for the protection of fish, game and birds, and for printing the Report of the Commissioners of Inland Fisheries and Game.

Senate 206: An Act to incorporate the trustee of St. Joseph's Academy and College for Women.

Senate 207: An Act to amend Section 1 of Chapter 2 of P. L. of 1911, providing for a close time on scallops.

Senate 208: An Act to amend Section 110 of Chapter 15 of R. S., relating to the course of study of State Normal schools.

Senate 209: An Act to amend Section 6 of Chapter 188 of the P. L. of 1911 relating to industrial course in evening schools.

Senate 210: An Act to amend Section 3 of Chapter 58 of the P. L. of 1913, relating to the State certification of teachers of public schools.

Senate 212: An Act to amend Section 17 of Chapter 15 of the R. S., as amended by Chapter 29 of the P. L. of 1909, relating to the number of weeks that schools shall be maintained annually.

Senate 213: An Act to amend Section 97 of Chapter 15 of the R. S., as amended by Chapter 45 of the P. L. of 1905, as amended by Chapter 87 of the P. L. of 1909, as amended by Chapter 29 of the P. L. of 1911, as amended by Chapter 162 of the P. L. of 1913, relating to the appropriation of the

schooling of children in unorganized townships.

Senate 218: Resolve in favor of Gorham P. Grant for refund of money paid in lieu of military service in the late war of the Rebellion. (Tabled pending its second reading on motion by Mr. Plummer of Lisbon.)

Senate 219: Resolve, reimbursing the town of Lubec for moneys expended for the care and burial of a State pauper.

Senate 220: An Act to extend the charter of the Fairfield and Skowhegan Railway Company.

Senate 221: An Act to extend the charter of the Farmington and Augusta Railway Company.

Senate 222: An Act to extend the charter of the Quebec Extension Railway Company.

Senate 223: An Act relating to the payment of salaries of judges of probate. (Tabled pending its third reading on motion by Mr. Plummer of Lisbon.)

Senate 224: An Act to amend Section 17 of Chapter 77 of the R. S., relating to proceedings if husband or wife refuses to release interest in real estate.

Senate 225: An Act to amend Chapter 104 of the P. L. of 1905, relating to insane criminals.

Senate 226: An Act to amend Section 11 of Chapter 123 of the R. S., relating to the reception of bribes for neglect of duty by sheriffs and other officers.

Senate 227: An Act to amend Section 6 of Chapter 122 of the R. S., relating to the penalty for manufacturing or having in possession implements and materials for counterfeiting.

Senate 228: An Act to amend Section 16 of Chapter 128 of the R. S., relating to injuries to fruit gardens.

Senate 229: Resolve in favor of the State School for Boys at South Portland, for general maintenance.

Senate 230: Resolve in favor of the State School for Boys at South Portland, for permanent improvements and insurance.

Senate 231: Resolve for the permanent improvement of buildings and for increasing water supply at the Maine Industrial School for Girls at Hallowell.

Senate 232: Resolve for general Maintenance of the Maine Industrial School for Girls at Hallowell.

Senate 233: An Act to set off a part of

the town of Centerville and annex the same to the town of Northfield.

House 302: An Act to provide for a closed time on bull moose.

House 461: Resolve in favor of Alonzo J. Nevers.

House 462: An Act providing for pensions to employes of the city of Bangor.

House 463: Resolve providing a State pension for Eliza E. Philbrook.

House 464: Resolve providing a State pension of Clarence M. Smith.

House 465: Resolve in favor of Lucy A. Owens.

House 466: Resolve in favor of Mary Allen.

Mr. Small of Mount Desert offered House Amendment A, to amend by striking out the word "three" in the first line and adding after the word "hundred" in the second line the words "ninety-two."

The amendment was adopted and the resolve was passed to be engrossed as amended.

House 467: An Act to amend Section 1 of Chapter 44 of R. S., as amended by Section 3 of Chap. 116 of P. L. 1913, relating to local sealers of weights and measures.

House 468: An Act to consolidate Sections 14 and 38 of Chap. 40, R. S., relating to the penalty for unlawful use of containers marked with registered devices, and to amend Section 39 of said chapter relating to search warrants therefor.

House 469: An Act to amend Section 6 of Chap. 44 of R. S., providing a penalty for neglect of duty by local sealers of weights and measures.

On motion by Mr. Higgins of Brewer, the House voted to take up at this point orders of the day, Reports A and B from the Committee on Legal Affairs on "An Act to repeal Chapter 221 of the Public Laws of the year 1913, entitled 'An Act to provide for nomination of candidates of political parties by primary elections,' and amendments thereto," Senate Document 34.

The SPEAKER: This was tabled March 4 by the gentleman from Houlton, Mr. Pierce, and the pending question is the acceptance of either report. I will read the reports.

"Report A. The Committee on Le-

gal Affairs, to which was referred the bill entitled "An Act to repeal Chapter 221 of the Public Laws of the year 1913, entitled 'An Act to provide for nomination of candidates of political parties by primary elections,' and amendments thereto," have had the same under consideration, and ask leave to report that the same "ought to pass." This report was signed by Messrs. Hill, Garcelon, Bartlett, Clifford and Greenleaf.

Report B. On the same bill, "ought not to pass." Signed by Messrs. Walker, Lewis, Hanson, Thombs and Perkins.

In the Senate Report B was accepted. The matter is now sent down for concurrence, and the pending question here is the acceptance of either report.

Mr. PIERCE of Houlton: Mr. Speaker, I yield to the gentleman from Portland, Mr. Greenleaf.

Mr. GREENLEAF of Portland: Mr. Speaker, I wish to preface the few remarks I may make on this bill by saying that the action of the Senate has no influence on the position that I shall take, for my mind was clear on the proposition before it even went before that body. It struck me as rather immaterial which report was signed, inasmuch as a divided report was to be made; and it was with that end in view that the report was so shaped that it might go before the Senate as one might say without prejudice, or as a Justice of the Court would say, to carry the case up on report, without intimating any opinion of the presiding justice.

I am satisfied, Mr. Speaker and gentlemen, that my constituency prefer the law to remain as it now is for at least a while longer; that the matter of primary election is in a so-called embryo condition; that is, the people have not had a fair opportunity to try it out to its full and fair text. There are, it is admitted, many imperfections in the bill. There are features in it which I, personally, would criticize, as no doubt do you gentlemen; but I doubt if anything was ever incorporated into or placed on our statute books that was acceptable to

all people at all times and under all conditions. Perfection is the aim of life; but it is a goal which none of us can claim that we have yet reached. I do not intend to inflict a speech on this matter because that would consume time and is unnecessary. I am here to represent my constituents. When I have done so I can go back to them with my skirts clear. The proposition before the House has no tincture so far as I can perceive—and I submit that it has none—of politics. Had it that, I might hesitate to speak for fear that some of you might mistrust my party affiliations, and guess or surmise, or at least imagine, the position that I might take. I think, gentlemen, that I voice a section outside of my own people, and I am bold enough to say that, with the exception of perhaps certain isolated localities, I voice the sentiment of the people of this State, both city and country, when I say and submit that it is fair and right that the people should have at least one more opportunity of testing out and making nearer certain, if not absolutely sure, whether they do or do not want to retain the law as it now stands. It was introduced as a progressive measure. It was hoped to correct certain evils; and, if it has overcome more than it has originated, it has done at least some good. So I hope that I have made my position clear in the report and in the presentation of the views of my people, and I hope that Report B will be accepted in concurrence with the other body. I can appreciate how some of you may feel; but I think the people are behind this bill, and I urge, as I weakly may, the retention of this for another trial. Then, if it does not work out better, it will be time to consider it later. I understand there are some movements on foot to correct certain irregularities and so-called imperfections in the bill, thereby improving it to some extent. If we can proceed along those lines and improve it, we may get a bill that will be satisfactory to all of you. It is what the people have asked for, and they have had only a limited opportunity

to try it out, and we now ask that it be given a further extension of time in order that it may be tested out. Then if it proves to be an utter failure, or if it does not work out improved conditions, there will be time enough to defeat the matter and substitute something that may be an improvement. In conclusion, I hope that Amendment B will prevail in this body without regard to political affiliations.

Mr. HIGGINS of Brewer: Mr. Speaker, I want to say that I appreciate the fact that the distinguished gentlemen who compose the committee of legal affairs have referred this matter to the highest court in this end of the State House, because I am sure that we shall dispose of it to the entire satisfaction of all the members who signed both reports. I think, Mr. Speaker and gentlemen, that this is the people's measure. I cannot understand how a man would introduce an act to repeal this law. You and I had nothing to do with it; the people did it; and the time has not come when we shall say to the people "you do not know what is best for you." The people are always right. Sometimes we do not think so individually; but eventually they are right. I quite agree with my friend from Portland (Mr. Greenleaf) that the time has not arrived when we should make any change in this law. It may be imperfect in certain instances, but those imperfections can be remedied in time; and, as the gentleman from Portland (Mr. Greenleaf) has stated, it would be impossible to put a law upon our statute books that would be entirely satisfactory to every person and every voter in the State of Maine. Therefore, Mr. Speaker, without further remarks on this matter, I move concurrence with the Senate in the adoption of Amendment B, and that when the vote is taken it be taken by the yeas and nays; because I would like, if there are any opponents to the adoption of this Amendment B, to have a record of it, so that the people may know where they stand on the people's rights and the people's bill.

Mr. CLIFFORD of Lewiston: Mr. Speaker and gentlemen of the House: Some time ago the members of the legal affairs committee had this hearing relative to whether or not we should submit

this question to the people and allow them to vote again on the retention of this primary law. There were two reports submitted, and both the majority and minority reports were signed by Democrats and Republicans alike. That, on its face, shows that it is not a party measure; but when that measure came up for hearing, and when we discussed it in executive session, I do not know of one single man on the committee who did not say that the law at the present time is bad. The only reason given for not submitting it to the people was the fact that it had not had a sufficient trial. Now I do not know how this law has worked in the other counties of our State; but I do know how it has worked in the county of Androscoggin. When this law had its first trial, the people of the city of Lewiston, the largest city in the county (much larger than Auburn) did not realize the power that this primary law placed within their hands, and as the result of it, by some hook or crook, one or two farmers did get on the county ticket; but on the second trial when this thing was brought up last June, we found that we had as the result of the primaries two county commissioners from the city of Lewiston, one register of deeds from the city of Lewiston, and the sheriff, treasurer and clerk of courts. Now these men are all efficient, there is no doubt about that; but there are men in the country communities who are just as efficient and just as well fitted to carry on the duties of those offices, as are the citizens of our city. We got this law from the Western states, the states that seem to be most engaged in progressive legislation; but in those Western states we all know that their towns are of uniform size in every county, and as the result of that the primary law works fairly. On the other hand, in many of the counties of our State we find one large city, such as Bangor, Portland, Lewiston, or Augusta, and we find that when the citizens of those cities, which ever party it may be, go out after an office, those in the country communities have no chance whatever to get that office. It virtually is a disfranchisement of the country voter from participating in any of the salaried offices of the county. During the past several years, in campaign time, I have gone

into the country towns, into every one of them in our county; and I say now that I do not know and cannot name one single man in the country who is in favor of the retention of this primary law. Now it seems to me that where this is not a party measure—as I stated, the report is signed by both Democrats and Republicans—that it is up to you men from the country to represent your constituents here today and vote as they would themselves vote if they could only be here; and to the members from the city it seems only fair that we should adopt the big, broad policy and be willing to give these men in the country a chance to enjoy and to administer and to get the salaries of these county officers. I hope that when this does come up we will vote to sustain Report A, and not concur with the Senate.

Mr. SANBORN of South Portland: Mr. Speaker, If the form of the act under discussion were the absolute repeal of the direct primary law, I might hesitate somewhat as to the position I would take; but in view of the suggestion that has been made that an opportunity ought to be given to all of us to go on record that our constituents may know what position we take, I think it proper that I should in just a word say that in voting as I intend to vote today in support of the passage of the act, I feel that I assume no responsibility. In the first place, I have had extended conversations with numerous people in my constituency and the word that has come to me agrees with the report given by my distinguished friend from Lewiston (Mr. Clifford). People, as they talk to me, say that they think they have already had enough of the direct primary law; and I certainly can see no reason why, even though we concur in the fullest extent (and I am free to say that I do) with the proposition that whatever the people want they should have,—I can see no objection whatever to voting on this question in harmony with a proposition to refer to the people again, if that is what this bill is, the question of whether or not they want

to continue the operation of this law. I can see no way in which it can be construed as reflecting upon the rights or prerogatives of the people to say to them that we would like to have you say this year whether or not, after having had two trials of the direct primary, you want to continue it; and it is because it takes the form it does, namely, a referendum to the people, that I am perfectly willing to go on record, even though in a marked minority, as being willing to let the people express themselves in this matter.

Mr. St. CLAIR of Calais: Mr. Speaker, I am no mind-reader. I do not know what was in the mind of the man who brought this measure into the Legislature to repeal the direct primary law. I do know this: that the direct primary law has not been in operation in this State a great while. I think there is a great deal in the contention of the gentleman from Portland (Mr. Greenlaf) that we have not given it a full trial. Now I have noticed since I have been here this session that the matters in which the people are greatly interested are supported by petitions. They come in here with hundreds of names upon them. The question of women's suffrage, for instance, is one which seems to interest the people of the State from end to end. We have here petitions signed by hundreds of the citizens of the State in regard to that measure, some for and some against, showing that the people are interested in it. I may not have been attentive, Mr. Speaker, but I have not heard one petition read by the clerk intimating that anybody, from Quoddy Head to Kittery Point, from Penobscot Bay to the most northern point in our State, wants this law repealed or that they want it retained. Now, Mr. Speaker, that seems to have some emphasis to me; to have meaning. I do not see that there is any demand on the part of the people of the State generally for the repeal of this law. As I understand it, this law was passed originally to correct the evils of the old caucus system. I did not admire the old caucus system; but I was not one who voted for the primary law. I did not apprehend that that would

correct the evils, and I did say to people in my own city that it seemed to me that it would throw the nomination of candidates into the thickly settled communities; that cities like Portland, or Lewiston, or Bangor, or Augusta, could control the county nominations. But I did not know as that was a great evil, because I was not prepared to say that the citizens of the city of Portland, for instance, were not as interested in the welfare of the whole county of Cumberland as any other citizens in any any other part of the county would be; and while it might not happen that the farming communities would have so many of the county offices, that might not be a great evil. The evil which the bill was supposed to correct might more than counteract that. I am not prepared to say as to that; but I do say this: I am willing to trust the people of the State of Maine to work along under this direct primary law until they find that it does not work well, and when they are satisfied that it does not work well, we will hear from them. I believe in retaining the law; I believe in giving it a fair trial. Let the people decide and work out in their own minds which proposition is better—to nominate their candidates by the direct primary or to nominate them by convention. It seems to be the tendency of the age to prefer the direct primary. There is one thing about it: The boss cannot use his hand quite so cleverly and adroitly at the primary as he can in a convention. He has got to travel much further, put out a great deal more money, and visit many more people, than he would if he went to a convention; and that I think is one great reason in favor of the direct primary. I hope that this House will stand by this law which the people asked for and which they have not asked to be repealed.

Mr. LEWIS of North Haven: Mr. Speaker, as one of the committee who signed Report B, "ought not to pass", I wish briefly to express my reasons for doing so. In the first place, I express the views of my constituents in particular and of the people of the State in general in so doing. So far as my own constituents are concerned, I am positive that my action was right, and there was not sufficient evidence produced at

the hearing to indicate that the people of this State as a whole desire to express their views on this matter at this time. I also voted against this measure because it is a direct attack on the primary law, a law put on our statute books by the people of this State and which should be kept there. Any move looking to the repeal of this law without first making all possible improvements and amendments is not worthy of our support. We are satisfied with it in Knox County, Rockland, and only one county official elected at the last election was from that city; the rest of them were from various parts of the county.

Mr. PLUMMER of Lisbon: Mr. Speaker, I would like to explain my position upon this matter very briefly. It is to be remembered, it seems to me, that in any case of a change from one method of doing a thing to another, whether the change may be for the better or for the worse, there is temporarily some disadvantage. As some of us know, when we get a new pair of shoes, even if they were better than the other ones, that for a short time there is some discomfort; we have to break in, as it were. Now, that seems to be the case with regard to a proposition of this kind. As I say, it is true, whether the scheme may be better or may be worse than the one under which we have previously been working. But it is necessary for us as a people to bear in mind these things and to be patient until we get ourselves adjusted to the new condition.

Now, with regard to the demand amongst the people of this state for this change. I am satisfied that some of my constituents do not like the present law, but they did not like the caucus system altogether; they voted, if I remember right, in favor of changing that. No political party has dared in its platform as yet to bring this matter up; although it is a question that affects the people as a whole. The whole people of the state, and it is a matter of wide-spread interest if there is any interest at all in changing, no political party which had its convention last spring dared—I think I may use that word, dared to put in-

to its platform this provision, although no doubt perhaps most all of the leaders or a good many of them would like to have done so—no party dared to put it in there because they were afraid of being accused of trying to take a step backwards. Now, if the people did not think it was a step backwards—and I do not say now that it is or that it is not, that it would be or would not be, but I say that if they were not afraid that the people would think it was a step backwards they have no need to have been afraid to incorporate that plank in their platform calling for the repeal of the primary.

As to the proposition of the gentleman from South Portland, Mr. Sanborn, that this will give the people an opportunity to vote upon the matter, I would ask my friend to bear this in mind that the people, if 12,000 of them wish to do so, could bring this matter before themselves; but if I remember correctly the gentleman did not yesterday favor very strongly the bringing of the matter before the people in regard to the change in the date of the state election, although without doubt many would rather have it changed, and perhaps many more who did not desire it changed would be willing or glad to have it voted upon. But that matter, gentleman, can not be presented to the people by direct petition. If the gentleman from South Portland, Mr. Sanborn, wishes to be consistent, although I think it was Nelson who said that "Consistency is vice of a small mind," so that my friend may be above any such small matter as that. But I say, if he does wish to be consistent in the matter let him vote when the case arises to present the matter to the people, a matter which the people haven't it within their power to bring before themselves, let him vote for that as well and better than to vote for a proposition which they do have the power to bring before themselves, on the ground that he is willing that they should vote upon it irrespective of his own opinion.

Mr. McINTIRE of Waterford: Mr. Speaker, as I am one of the farmers

here in this House, I have been waiting to hear a word from some farmer, and the reason why I rise now is because of the remarks of the gentleman from Lewiston (Mr. Clifford), who said that he had not seen any one from the country who favored this measure. I live ten miles from the railroad and I think I can rightly claim to be living back in the country. I want to call your attention to why we have not had any better success with this law. It is through ignorance and indifference. Now if you have got something before the people in regard to which you can give out some knowledge through the country districts and help to educate us poor farmers, don't take it away from us. Now, I hope that all my farmer friends here will look at this matter as I do and vote, as I certainly shall, to retain this present primary law.

Mr. THOMBS of Lincoln: Mr. Speaker, and gentlemen of the House, in line with what the gentleman who have proceeded me have said, I wish to emphasize this fact. There seems to be a good deal of solicitude here this morning in regard to the country vote. I claim that I represent a country section, and I further claim that the country people are not all by any means unanimous in their opposition to this bill. I think the matter up to that point has been very correctly and properly discussed here this morning; but, gentlemen, if this is so much in the interest of the farmer and the country people, why in Heaven's name, do they select the busiest month in the whole year to submit it to him?

Mr. PERHAM of Woodstock: Mr. Speaker and gentlemen, I simply wish to call the attention of the House to one fact which might come in under the head of practical politics. The gentleman from Lewiston (Mr. Clifford) referred to the situation in Androscoggin county. Now there is a question that will naturally take care of itself as this law develops. I think if the people of Androscoggin county are not satisfied to have all of their county officers in Lewiston, when it comes around to another primary elec-

tion, those very people in the country will suggest to the people of Lewiston that the country wishes to be fairly represented on that ticket; and if their request is not heeded by those who have the voting and the power to give it, then when it comes around to the time of election, there will be a great liability that these candidates nominated from the city of Lewiston would not get the support of the country town. That is a matter that will naturally take care of itself from the standpoint of practical politics.

Mr. HILL of Corinth: Mr. Speaker, I come here as a representative from one of the country towns, representing the farmers in my section and I want to put myself on record as to the sentiment in that section. I will say here today that I think 90 per cent. of my constituents and the people in the surrounding country towns are opposed to the present primary law. We used to have under the old law our senators distributed around over the country; now they are all bunched in the cities that we have in our county. You can not get the farmers out at these primary elections; it is impossible. In a town where they threw a hundred votes I think there were six votes thrown on both sides in the last primary election; you cannot get them out, and they won't come out; and I know I am correct when I say that 90 per cent. of the farmers here are opposed to the present primary law; and one reason why they have not had their petitions here is because it was considered to be a foregone conclusion that there is so much dissatisfaction over this law that there would be no opposition to its repeal; and when you look around and see where the sentiment comes from in favor of retaining this law, it is enough to satisfy every farmer in this House as to the manner in which he should vote today. (Applause.)

Mr. MULLIN of Lincolnville: Mr. Speaker, I will say that I know the primary law has its defects, and perhaps we ought to have the old caucus system; but I also know that in the old county of Waldo quite a large proportion of the county officials are

from the country. They were nominated at the primaries as other officials are, and elected, some of them in opposition to the city candidates; and I do not think the men from the country, the farmers, are unfairly dealt with on account of the primary law in our section.

Mr. WASGATT of Deer Isle: Mr. Speaker, I come from a county that is not either blessed or cursed, as the case may be under this law, with large cities; and I think that I feel as most do who have much to do with the management of the political part of the matter, that this law to quite an extent and in many ways works an evil; but I believe it better to let the law remain as it is until such time as the people get their minds made up about it. I think we had better leave it as it is.

Mr. SMITH of Hampden: Mr. Speaker, last fall in Penobscot county, quite a portion of the officers went to the residents of cities; but I have yet to hear from any one of my constituents any blame laid upon the direct primary law, or upon the residents of those cities who favored their own townsmen on the ticket. The country community from which I come blame themselves for not having attended the primary election and securing the nomination of such men as they wished to vote for in the September election. I think that this matter if left alone, that they will have seen its evils by the time of the next election, particularly if a change in the date of that election can be had. We have talked this matter over, and it has not worked out as we hoped it might; but if that vote could be taken on the day of our March meeting, perhaps some day when it would not require our especially traveling for that purpose, and taken at a time when nearly all the people of the town were present, I think it would work out all right. We have had so short a trial of it that my idea would be, and I think that I voice the sentiments of my constituents, that it be left for a time as it is.

The SPEAKER: The question before the House is on the motion of the gen-

tleman from Brewer, Mr. Higgins, to adopt report B of the committee on legal affairs, reporting "ought not to pass" on bill, An Act to repeal Chapter 221 of the Public Laws of the year 1913 entitled "An Act to provide for nomination of candidate of political parties by primary elections," and amendments thereto. Upon this motion the yeas and nays have been called.

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

The SPEAKER: All those who are in favor of concurring with the Senate in the adoption of report B on this bill to repeal the primary law, the report being "ought not to pass," will vote yes when their names are called; all those who are opposed to the adoption of that report will vote no. The clerk will call the roll.

YEA—Albert, Allen, Ames, Ballard, Beal, Benn, Besse, Bourque, Bragdon, Brawn, Brown of New Sharon, Bussey, Campbell, Carson, Chaplin, Chamberlin, Clement, Cobb, Coffin, Connellan, Connors, Corliss, Currier, Danforth, Descoteaux, Dilling, Drapeau, Durgain, Dutton, Ellis, Evans, Fay, Ford, Fossett, Gallagher, Gerrish, Goldthwait, Gooding, Goodwin, Gould, Grant, Groaton, Greenlaw, Greenleaf, Haraden, Harper, Hart, Haskell, Higgins, Hobbs, Hodgkins, Holt of Gouldsboro, Holt of Skowhegan, Jameson, Jordan, Lewis, Lombard, Lord, Maxwell, McIntire, McKinley, Michaud, Mitchell, Morrison, Mullin, Nicholas, Noyes, Peabbles, Perham, Peterson, Pierce of Farmington, Plummer, Ranney, Ricker, Roberts, Russell of Alfred, Ryder, St. Clair of Calais, St. Clair of Rockland, Smith, Snow, Tabbutt, Thombs, Tobey, Towle, Turner, Tuttle, Varney, Ward, Wasgatt, Washburn, Waterhouse, Watts, Welch, Wescott, Wise, Wyman—97.

NAY—Blake of New Gloucester, Brann, Brown of Auburn, Chadbourne, Clifford, Colcord, Douglass, Drummond, Edwards, Erskine, Hanson of Saco, Hill, Lawrence, Libby, Littlefield, McCurdy, Meader, Millett, Morse, Mulligan, Newell, O'Connell, Pierce of Houlton, Russell of Lewiston, Sanborn, Small, Tate, Trafton, Wheeler, Wilkins, Wilson, Woodman—32.

ABSENT—Averill, Bernier, Blake of Oakland, Bradbury, Davis, Gilmour, Greeley, Hanson of Sanford, Leader, Mansir, McCarrison, McNally, Neilon, Perkins, Picher, Pollard, Robinson, Webb—18.

PAIRED—Bonney yes, McCarty no; Daigle yes, Thibodeau no.

The SPEAKER: Ninety-seven having voted in the affirmative and 32 in the negative, the House has voted to adopt re-

port B of the committee in concurrence with the Senate.

The SPEAKER: Without objection we will now return to the regular order of business.

Passed to be Enacted

An Act to amend Section 53 of Chapter 66 of the Revised Statutes, relating to the duties of executors and administrators.

An Act to repeal Section 24 and amend Section 25 of Chapter 3 of the Revised Statutes, as amended by Chapter 138 of the Public Laws of 1905, relating to printing of the reports of State departments.

An Act to amend Section 47 of Chapter 2 of the Revised Statutes, relating to the notification of appointment and qualification of justices of the peace, trial justices and notaries public.

An Act to amend Section 54 of Chapter 2 of the Revised Statutes, relating to the bond of the treasurer of State.

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 of the city of Portland.

An Act to amend Paragraph 2 of Section 13 of Chapter 9 of the Revised Statutes, as amended by Chapter 80 of the Public Laws of 1909, as further amended by Chapter 173 of the Public Laws of 1913, relative to the taxation of personal property owned outside the State.

An Act to amend Section 3 of Chapter 150 of the Private and Special Laws of 1891, as amended by Chapter 115 of the Private and Special Laws of 1897, relating to the salary of the judge of the municipal court of the city of Portland.

Finally Passed.

Resolve providing a State pension for Elias Lyon.

Resolve providing a State pension for Hannah M. Condon.

Resolve providing a State pension for Annie L. Durham.

Resolve providing a State pension for Sarah A. Robinson.

Resolve in favor of Frank P. Washburn, secretary of the committee on Indian affairs, to defray expenses of said committee in visiting the reservations at Pleasant Point and Old Town.

Resolve in favor of the assistant folder and pages of the 76th Legislature for attendance at the organization of the 77th Legislature.

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

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.

Resolve in aid of navigation on Moosehead lake.

Resolve providing for the payment of State pensions.

Resolve appropriating money to promote seed and crop improvement in Maine.

Resolve assenting to the provisions of an Act of the Congress of the United States, approved May 8th, 1914, entitled "An Act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an Act of Congress approved July 2d, 1862, and Acts supplementary thereto, and the United States department of agriculture."

Resolve memorializing Congress relative to the retirement and pensioning of Civil Service employees.

Orders of the Day

The SPEAKER: The Chair lays before the House, House Doc. No. 376, bill, An Act providing licenses for adjusters of fire losses, tabled by the gentleman from Lisbon, Mr. Plummer, and specially assigned for consideration today. The pending question is the passage of the bill to be engrossed.

On motion by Mr. Plummer, the bill was passed to be engrossed.

The SPEAKER: The Chair lays before the House, House Doc. No. 378, bill, An Act to amend Chapter 64 of the Public Laws of 1913, relating to the qualifications of insurance agents, tabled by the gentleman from Lisbon, Mr. Plummer, and specially assigned for consideration today. The pending question is the third reading of the bill.

On motion by Mr. Plummer, the bill

received its third reading and was passed to be engrossed.

The SPEAKER: The Chair lays before the House, Senate Doc. No. 150, bill, An Act relating to the salaries of registers of probate, tabled by the gentleman from Belfast, Mr. Millett, and specially assigned for consideration today. The pending question is the first reading of the bill.

On motion by Mr. Millett, the bill received its first and second readings.

Mr. Millett then offered House Amendment A, to amend by striking out in line 18 of Section 1 the words "nine hundred" and inserting in place thereof the words "one thousand."

The amendment was adopted.

The bill was then assigned for tomorrow morning for its third reading.

On motion by Mr. Jordan of Baileyville, the report of the committee on State lands and forest preservation, reporting "ought not to pass" on Resolve authorizing the land agent to sell and convey whatever interest the State has in and to a certain island in South bay in Eastern Grand lake, was taken from the table, and on further motion by the same gentleman the report was recommitted to the committee on State lands and forest preservation.

Mr. Meader of Chelsea moved that House Doc. No. 422, bill, An Act relating to employment of superintendents of schools, be taken from the table.

The SPEAKER: The Chair would state that that matter has been specially assigned for consideration on March tenth, and it would not be in order to take it from the table at this time.

Mr. MEADER: I would say, Mr. Speaker, that the matter was tabled on my motion.

The SPEAKER: The Chair would rule that it would not be in order to

take any definite action on this matter at this time. Where a special assignment is made, the Chair would rule that it would not be in order to take it from the table previous to the date of the assignment.

On motion by Mr. Conners of Bangor, the vote was reconsidered whereby House Doc. No. 224, bill, An Act to amend Section 17 of Chapter 77 of the Revised Statutes, relating to proceedings of husband or wife refuses to release interest in real estate, was passed to be engrossed.

Mr. Conners then offered House Amend A, to amend House Section 17 by adding to the last sentence in said section of words "or the interest and right by descent therein of the husband or wife of the judgment debtor."

Mr. CONNERS: Mr. Speaker, I might just add a word of explanation. This relates to an old statute which came up for consideration before the committee on revision of the statutes. A amendment was made to it but by oversight on the part of the committee they left off a few words at the end of the section. I might say that it relates to the sale of real estate in cases where the wife or husband of the owner refuses to sign and in cases of a non-resident. It also provides that an assignee for the benefit of creditors, or in insolvency, or a trustee in bankruptcy, or any person holding under title by levy or sale on execution may make application to the court, and in making our provision we left off a few words, and this amendment simply provides that those words should be added.

The question being on the adoption of House Amendment A,

The amendment was adopted, and the bill was then passed to be engrossed as amended.

On motion by Mr. Dilling of Easton,

Adjourned until tomorrow morning at nine o'clock.