

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

**HOUSE**

Wednesday, March 17th, 1915.

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

Prayer by the Rev. Mr. Dunnack of Augusta.

Journal of previous session read and approved.

(Mr. Higgins of Brewer in the chair.)

Papers from the Senate disposed of in concurrence.

**Senate Bills on First Reading**

Senate 130: Resolve in favor of the Madawaska Training School at Fort Kent for permanent improvements and repairs.

Senate 278: Resolve in favor of the Maine Wesleyan Seminary and Women's College for practical instruction in agriculture and domestic science.

Senate 313: An Act to incorporate the Maine Real Estate Title Company.

Senate 314: An Act relating to the amortization of bonds of life insurance companies.

Senate 315: Resolve making an appropriation for the purpose of obtaining information in regard to wild lands for the purpose of taxation.

Senate 316: Resolve providing for the appointment of delegates to conferences of the National Tax Association and for the payment of their actual expenses.

From the Senate: Majority and minority reports from the committee on judiciary on bill, An Act permitting the use of automobiles in the town of Mount Desert, majority report "ought to pass" and minority report "ought not to pass."

Mr. Morrison of Eden moved that the majority report be accepted.

The motion was agreed to.

The bill (Senate Document No. 319) thereupon received its first and second readings and was assigned for tomorrow morning for its third reading.

Senate 320: Resolve providing for the purchase of portrait of the late Joshua L. Chamberlain, formerly governor of this State.

Senate 321: Resolve in favor of the Maine Central Institute at Pittsfield for the maintenance of courses of instruction.

Senate 322: Resolve in favor of the Nasson Institute for maintenance and extension of its work.

Senate 323: Resolve in favor of Anson Academy.

Senate 324: Resolve in favor of the trustees of Freedom Academy.

Senate 325: Resolve in favor of St. Joseph's Academy, of Portland, to assist in the payment of debt and for permanent improvements and equipment.

Senate 326: An Act to amend Section one of Chapter 198 of the Public Laws of 1909, as amended by Chapter 192 of the Public Laws of 1911, and as further amended by Chapter 182 of the Public Laws of 1913, relating to the amount of the school equalization fund.

Senate 327: Resolve in favor of the Augusta State Hospital for maintenance for the years 1915 and 1916.

Senate 328: Resolve in favor of the Augusta State Hospital to complete furnishings for third female wing.

Senate 329: Resolve in favor of the Augusta State Hospital for renovating the second male wing of Stone building.

Senate 330: An Act to amend Chapter 211 of the Private and Special Laws of 1911, relating to the Congregational Conference Society of Maine.

Senate 331: An Act to regulate and define the rights and privileges of newspaper correspondents in attendance upon the Legislature.

Senate 332: An Act relating to the salaries of the subordinate officers of the Senate.

Senate 333: Resolve authorizing the hospital trustees to sell and convey the Chase Merrill place, so-called, owned by the State in connection with the Maine School for Feeble-Minded.

Senate 334: An Act to amend Section 5 of Chapter 144 of the Revised Statutes, as amended by Section 11 of Chapter 160 of the Public Laws of 1907, relating to the transfer of patients from one insane hospital to the other, and to provide for the transfer of patients from the insane hospitals

to the Maine School for Feeble-Minded, and for the transfer of inmates from said school to either of said hospitals.

Senate 335: Resolve for the construction and equipment, services, connections and furnishings of one brick building for central kitchen and bakery at the Maine School for Feeble-Minded.

Senate 336: An Act requiring the disposition of inflammable material along railways and highways of the State.

Senate 337: Resolve authorizing the land agent to lease Indian Ledge in Matinicus harbor, in Knox county.

From the Senate: Report of the committee on salaries and fees on bill, An Act to fix the salary of the Governor.

In the House this bill was passed to be engrossed as amended by House Amendment A; it now comes from the Senate passed in that branch without the adoption of House Amendment A, in non-concurrence.

On motion by Mr. Pierce of Houlton, the House voted to insist upon its action and ask for a committee of conference.

The Speaker Pro Tem appointed as such committee on the part of the House, Messrs. Pierce of Houlton, Thombs of Lincoln and Conners of Bangor.

From the Senate: 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 Bent's pond, so-called, in the town of New Sharon, in Franklin county, and in the town of Vienna, in Kennebec county.

In the House this bill was passed to be engrossed; it now comes from the Senate passed to be engrossed in that branch as amended by Senate Amendment A.

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

On further motion by the same gentleman Senate Amendment A was adopted in concurrence.

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

The following resolves were presented, and on recommendation of the committee on reference of bills, were referred to the following committee:

#### Appropriations and Financial Affairs.

By Mr. Connellan of Portland: Resolve in favor of the official reporter of the House, with statement of facts.

By Mr. Danforth of Foxcroft: Resolve in favor of Dana H. Danforth, secretary of committee on schools for feeble-minded.

#### Reports of Committees

Mr. Gerrish from the committee on inland fisheries and game reported "ought to pass" on bill, An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Belgrade stream, a tributary to Snow pond, in the county of Kennebec, with petition for same.

Same gentleman from same committee on bill, An Act to repeal so much to Chapter 192 of the Private and Special Laws of 1913 as relates to Big Kennebago lake and Little Kennebago lake in Stetson town, so called, in Franklin county, including the outlets, reported same in a new draft under title of "An Act additional to, and 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 Kennebago lake, Little Kennebago lake and the outlets of said lakes," and that it "ought to pass."

Same gentleman from same committee on bill, An Act to amend Section 56 of Chapter 206 of the Public Laws of the State of Maine, for 1913, relating to the registration of guides, reported same in a new draft under title of "An Act to amend Section 56 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the registration of guides," and that it "ought to pass."

Same gentleman from same committee on bill, An Act to regulate the taking of frogs from Big Fish lake, Portage lake, Square lake, Eagle lake, Long lake,

Soldier pond and in the tributaries to said pond and lakes, in Aroostook, with petition for same, reported same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee on bill, An Act to amend Section 43 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of game birds, reported same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee on bill, 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 Baskehegan lake and stream, Hot Brook lake, Schoodic Grand lake, North lake, Brackett lake and their tributaries and waters between Schoodic Grand lake and Chipenticook lake in Washington and Aroostook counties, with petition for same, reported same in a new draft under title of "An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of fish in certain waters in Washington and Aroostook counties," and that it "ought to pass."

Same gentleman from same committee, on Resolve to provide for screening the outlet to Schoodic lake, with petition for same, reported same in a new draft under title of "Resolve to provide for screening the outlet to Schoodic lake, in Piscataquis county," with statement of facts, and that it "ought to pass."

Same gentleman from same committee, on Resolve for the completion of fish screen at the outlet of Beech Hill lake in the town of Otis, reported same in a new draft under title of "Resolve for the completion of the fish screen at the outlet of Beech Hill lake, in the town of Otis, Hancock county," with statement of facts, and that it "ought to pass."

Same gentleman from same committee, on petition of A. W. Walker and 18 others, citizens of Oxford County, asking for additional restrictions upon fishing in Shagg, Abbott and Little Concord Ponds, in the towns of Woodstock and Sumner, Oxford County, reported in new draft bill, 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 Shagg, Abbott and Little Concord Ponds and their tributaries, in Oxford County.

Same gentleman from same committee, on petition of A. M. Jones and 12 others, residents of Eustis and vicinity, asking for additional restrictions upon fishing in Stratton Brook and its tributaries, in Franklin County, reported in new draft bill, 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 Stratton Brook and its tributaries to said brook and in the Mount Bigelow Ponds, in Franklin County.

Same gentleman from same committee, on petition of O. C. Dolbier and 87 others that the Carrabassett River and its tributaries above the bridge at Bigelow be opened to fishing, also that the Great Northern Paper Company be required to build fishways or leave the gates hoisted in any dam they may have on said waters, except at such time as they are actually in use for the purpose of driving lumber, reported in new draft bill, An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Carrabassett River and its tributaries above the bridge at Bigelow and that it "ought to pass".

Same gentleman from same committee, on petition of A. S. Thompson of Jay and 64 others, asking for additional regulations upon fishing in waters in Jay and Chesterville, in Franklin County and in Fayette, in Kennebec County, reported bill, 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 Mud Pond, Mirror Lake, sometimes called Parkis Pond, and their tributaries, and Bog Stream and its tributaries down as far as North Pond Stream, in Franklin and Kennebec Counties and that it "ought to pass".

Same gentleman from same committee, on petition of O. C. Dolbier and 87 others that the Carrabassett River and its tributaries above the bridge at Bigelow be opened to fishing, also that the Great Northern Paper Company be required to build fishways or leave the gates hoisted

in any dam they may have on said waters, except at such time as they are actually in use for the purpose of driving lumber, reported bill, An Act to amend the charter of the Carrabassett Dam Company.

Mr. St. Clair from the committee on military affairs, reported "ought to pass" on Resolve in favor of the Sons of the American Revolution to provide markers for the unmarked graves of the soldiers of the American Revolution in the State of Maine.

Mr. Robinson from the committee on railroads and expresses, on bill, An Act to provide safety appliances for cars running on street railways, reported same in a new draft under same title and that it "ought to pass".

Mr. Danforth from the committee on school for feeble-minded, on bill, An Act amending Chapter 44 of the Public Laws of 1907, relating to the Manie School for Feeble-Minded, reported same in a new draft under same title and that it "ought to pass".

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

Mr. Webb from the committee on labor, on bill, An Act relative to the hours of labor of certain employees in and about the stations of railroad corporations, reported that the same be referred to the next legislature.

Mr. Holt from the committee on salaries and fees, reported "ought not to pass" on bill, An Act to fix the salary of certain public officers.

The reports were accepted.

### First Reading of Printed Bills and Resolves

House 757: An Act to protect agricultural and horticultural societies against fraud.

House 758: Resolve in favor of Leo Shay, representative of the Penobscot Tribe of Indians.

House 759: Resolve in favor of the York County Children's Aid Society of Saco.

House 760: Resolve in favor of the Maine Institution for the Blind.

House 761: Resolve in favor of the Rumford Hospital Association for maintenance.

House 762: Resolve in favor of the

Bath City Hospital of Bath, Maine.

House 763: Resolve in favor of the Trull Hospital Aid Association of Biddeford.

House 764: Resolve in favor of the Augusta General Hospital.

House 765: Resolve in favor of the Presque Isle General Hospital for maintenance.

House 770: Resolve in favor of the Lewiston and Auburn Children's Home.

House 771: Resolve in favor of the Somerset Hospital.

House 772: 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 Ross Lake and in Cary Lake in Littleton, in Aroostook County.

House 773: 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 Dead Cambridge River and other waters in Oxford County.

House 774: An Act to authorize the Maine and New Brunswick Electrical Power Company, Limited, to exercise certain powers in the State of Maine.

House 775: An Act relating to the appointment of non-resident guardians.

### Passed to Be Engrossed

Senate 304: An Act to amend Section 89 of Chapter 48 of the Revised Statutes of 1903, relating to licensing of foreign investment corporations.

Senate 305: An Act to amend subdivision three of Section 23 of Chapter 48 of the Revised Statutes, permitting savings banks and institutions for savings to invest their deposits in the first mortgage bonds of certain bridge companies.

Senate 306: Resolve appropriating money for aid in screening Parker Pond, in Kennebec and Franklin Counties.

Senate 307: An Act to amend chapter thirty-two of the Revised Statutes as amended by chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to the jurisdiction of the Commissioner of Sea and Shore Fisheries.

Senate 308: An Act additional to chapter thirty-two of the Revised Statutes, as amended by chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to fishing in Horse Shoe pond, in West Bowdoin College Township, so called, in the County of Piscataquis.

Senate 309: An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to fishing in portions of Rangeley Stream, Kennebago Stream and Little Kennebago Stream, in the county of Franklin and in the county of Oxford.

Senate 310: An Act relating to the Clark Power Company. (Tabled pending its third reading and specially assigned for consideration tomorrow morning on motion by Mr. Descoteaux of Biddeford.)

House 637: An Act to repeal Chapter 215 of the Private and Special Laws of 1887 and amendatory of Chapter 201 of the Private and Special Laws of 1901, relating to the Eastern Maine Institute.

House 648: An Act to divide the town of Bristol and to incorporate the town of South Bristol.

House 653: Resolve in favor of the secretary of the committee on appropriations and financial affairs.

House 654: Resolve in favor of Fortunate O. Michaud.

House 655: Resolve in favor of Higgins Classical Institute, Charleston, Maine.

House 656: Resolve in favor of Lee Academy for liquidation of its dormitory indebtedness.

House 657: Resolve in favor of Rick-er Classical Institute, for the repair and permanent improvement of said institution.

House 658: Resolve in favor of Westbrook Seminary for payment of debt and furnishings for Alumni hall.

House 659: Resolve in favor of North Yarmouth Academy.

House 660: Resolve in favor of Aroostock Central Institute at Mars Hill.

House 661: Resolve in favor of the town of Rumford for the payment of a claim for State common school fund for the year 1913.

House 662: Resolve in favor of Limerick Academy.

House 663: Resolve in favor of Bridgewater Classical Academy.

House 664: Resolve in favor of Somerset Academy in the town of Athens.

House 665: Resolve in favor of Lee Academy for maintenance.

House 666: An Act to amend Section 4 of Chapter 73 of the Public Laws of 1909, relating to the examination of pupils entering school after absence on account of sickness. (Tabled pending its third reading and specially assigned for consideration tomorrow on motion by Mr. Brann of Winthrop.)

House 667: An Act to provide for professional supervision of schools of remotely situated plantations.

House 668: 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 Simpson pond, so-called, in the town of Roque Bluffs, in the county of Washington.

House 669: 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 Fifteen Mile stream and its tributaries in the county of Kennebec and in the county of Waldo.

House 670: An Act to authorize the Electric System Corporation of Edmundston, New Brunswick, to exercise certain powers in this State.

House 671: Resolve relating to documentary history of Maine.

House 672: An Act to provide for salary for the turnkey or jailer for the county of Oxford.

House 673: An Act relating to the salaries of subordinate officers of the House of Representatives.

House 674: Resolve for the full support of all State charges at the Maine School for Feeble-Minded.

House 675: Resolve providing for permanent outside steam, hot water and sewer service extension to present and proposed new buildings at the Maine School for Feeble-Minded. (Ta-

bled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 676: Resolve providing for additional laundry equipment at the Maine School for Feeble Minded.

House 677: Resolve providing for fencing around the new water supply at the Maine School for Feeble Minded.

House 678: Resolve for the construction of a power and central heating plant at the Maine School for Feeble Minded. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 679: Resolve in favor of improving the roads through the property of the School for Feeble Minded in the towns of Pownal, North Yarmouth, Gray and New Gloucester. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 680: An Act establishing a close time on lobsters in Machias bay and adjacent waters, in the county of Washington.

House 681: An Act establishing a close time on lobsters in the waters of Jonesboro and Roque Bluffs, in Washington county.

House 682: An Act regulating the taking of clams in the town of Lamoine.

This bill received its third reading and was passed to be engrossed.

On motion by Mr. Plummer of Lisbon the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman the bill was tabled pending its third reading and specially assigned for consideration on Friday of this week.

House 682: An Act for the protection of forests on the island of Mount Desert.

The SPEAKER pro tem: The Chair would like to say at this time that in case of any bills which are tabled at this time it would be advisable and would greatly convenience the work of the clerk if the gentlemen making such motions would assign a particular date for the consideration of such matters. The Chair would also suggest that in case a roll call or a division of the House is neces-

sary that the members would call for a division where it is possible, in order to save time, as it takes about 35 minutes to have a roll call, and a division of the House in many cases will accomplish the same purpose. The Chair simply offers this suggestion at this time.

House 707: An Act to incorporate the Northport Village Corporation.

Mr. Mullin of Lincolnville offered House Amendment A, to amend by striking out Section 5 of said bill and substituting therefor the following:

"Section 5. The town of Northport shall from time to time as taxes are collected, pay over to the treasurer of said corporation, out of the taxes collected from the inhabitants and estates within the territory of the Northport Village Corporation aforesaid, a sum equal to 50 per centum of all taxes collected from said inhabitants and estates, exclusive of their proportion of State and county taxes assessed against said town of Northport."

On motion by Mr. Millett of Belfast the bill and amendment were tabled and specially assigned for consideration tomorrow morning.

House 705: An Act to disorganize Muscle Ridge Plantation, in the county of Knox.

House 695: Resolve in favor of Edmund E. Gould, state agent for the Society of Prevention of Cruelty to Animals.

House 696: Resolve in favor of Charles S. Pearl of Bangor, Maine, and Frederick J. Ranlett of Boston, Massachusetts, executors of the will of the late James C. Braman, to reimburse the estate of said James C. Braman for collateral inheritance tax erroneously assessed against said estate and paid by said executors.

House 697: Resolve in favor of relief of the heirs of Revolutionary soldier. (Tabled and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 698: Resolve in favor of Joseph J. Roberts, agent for the Society for Prevention of Cruelty to Animals. (Tabled pending its second



reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 699: Resolve in favor of the town of Pittsfield. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 700: Resolve in favor of William F. Mason of Wiscasset, Maine to reimburse him for loss occasioned by quarantine on Christmas week.

House 701: Resolve in favor of Benjamin M. Jenness, for burial expenses of honorably discharged soldiers of the Civil War. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 702: Resolve reimbursing the town of Clifton for money paid to the State Treasurer as dog licenses in excess of the amount actually collected as such in said town for the year 1912. (Indefinitely postponed on motion by Mr. Plummer of Lisbon.)

House 703: Resolve in favor of the town of Mexico, reimbursing said town for money paid out for support of state paupers.

House 704: Resolve in favor of the Live Stock Sanitary Commissioner, Bureau of Animal Industry. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 706: An Act to incorporate the North Bridgton Village Corporation.

House 708: Resolve in favor of aid in constructing a bridge between the Cities of Portland and South Portland.

House 709: An Act to amend section one of chapter one hundred thirty-nine of the Private and Special Laws of eighteen hundred ninety-nine.

House 710: Resolve in favor of reimbursing the County Commissioners of Penobscot County for cost of repairs to the State Bridge between the towns of Old Town and Milford.

House 711: Resolve in favor of the Old Town-Milford Bridge.

House 712: An Act directing the Treasurer of State to correct the State Treasury records for the years 1908 and 1909 relating to the payment of State, County and Forestry District Taxers on 1-48 part of Township No. 2, Range 9, W. E. L. S., in Piscataquis County.

House 713: An Act to amend chapter two hundred seventy-two of the Private and Special Laws of nineteen hundred and nine, entitled "An Act to amend the charter of the City of Belfast."

House 714: An Act to amend section fourteen of chapter four of the Revised Statutes relating to Town Agent.

Mr. Hanson of Sanford offered House Amendment A, to amend the title of said bill so as to read, "An Act to abolish the office of Town Agent, by amending Section 14 of Chapter four of the Revised Statutes, as amended by Chapter 213 of the Laws of 1913." Said bill is amended by striking out the whole thereof and inserting in its place the following:

Be it enacted by the people of the State of Maine, as follows:

'Section 14 of Chapter four of the Revised Statutes, as amended, by Chapter 213 of the Laws of 1913 is hereby amended by striking out the words "and Town Agent" in the second line thereof, and inserting the word "and" in the second line before the words "school committee," and striking out at the end of said section the words "The Town Agent shall act under the direction of the selectmen and shall receive from the treasury of the town such compensation for his services as may be fixed by vote of the town; otherwise, as the selectmen shall allow."

On motion by Mr. Hanson House Amendment A was adopted, and the bill then received its third reading and was passed to be engrossed as amended.

House 715: An Act relating to the qualification and duties of the inspectors of steamboats.

House 716: Resolve in favor of

Everett A. Record, of Bryants Pond, for a state pension.

House 717: Resolve in favor of Henry Golding for military pension.

House 718: Resolve in favor of Mary Harmon, of Bangor, for a state pension.

House 719: Resolve providing a state pension for Arthur H. Murch of Paris.

House 720: Resolve in favor of Alice L. Gasper, of Winthrop.

House 721: An Act to incorporate Mount Pleasant Semetery Corporation.

House 722: An Act directing the insurance commissioner to abrogate the license of foreign insurance companies under certain conditions.

House 723: Resolve in favor of Susan E. Dawson of Monroe for State pension.

House 692: An Act to amend Section 1 of Chapter 62 of the Private and Special Laws of 1905, entitled "An Act to protect cod and other ground fish in waters off the coast of Lincoln and Sagadahoc counties." (Tabled pending its third reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 693: An Act to amend Section 39 of Chapter 41 of the Revised Statutes, relating to the taking of alwives by the West Harbor Ice Company.

House 694: Resolve for the purpose of providing and operating patrol boats to be used in enforcing the laws relating to sea and shore fisheries. (Tabled pending receipt of statement of facts and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 724: Resolve for providing a State pension for Charles H. Kelley.

House 725: Resolve in favor of Luella Darling for a State pension.

House 726: Resolve providing a State pension for Francis H. Orrok.

House 727: An Act to extend the charter of the Washington County Light and Power Company.

House 728: An Act to exclude automobiles from a branch road in town of North Haven.

House 729: Resolve in favor of the town of Castine for reimbursement of

money spent in excess of a State road appropriation. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 730: Resolve in favor of Will T. Collins, Mary Collins and Alice A. Collins.

House 731: Resolve in favor of the town of Harmony for expenses in the support of State paupers.

House 732: Resolve in favor of Alfred Yankauer. (Tabled pending its second reading on motion by Mr. Plummer of Lisbon.)

House 733: An Act to amend Section 2 of Chapter 25 of the Public Laws of 1909, relating to supplies furnished to any person or family while placed in quarantine by the Board of Health.

House 734: An Act to establish the offices of superintendent and matron of the Portland City Home, and to determine the tenure of office of same.

House 735: An Act relative to the granting of licenses by the municipal officers of the city of Portland. (Tabled pending its second reading and specially assigned for consideration on Friday of this week on motion by Mr. Plummer of Lisbon.)

House 736: An Act relating to the appointment of harbor masters for the harbor of Portland. (Tabled pending its third reading and specially assigned for consideration on Wednesday of next week on motion by Mr. Roberts of Portland.)

House 737: Resolve in favor of Mary S. Hillman.

House 738: Resolve in favor of Mrs. Georgie S. Bates of Augusta.

House 739: Resolve in favor of Meldon Nealley of Brewer, for State pension.

The SPEAKER Pro Tem: The Chair lays before the House Resolve in favor of the Bath Military and Naval Orphan asylum for maintenance and repairs.

Mr. PIERCE of Houlton. Mr. Speaker, in regard to that measure I wish to say that I tried to get from the engrossing clerk all the bills for maintenance of institutions already existing where there is no dispute in regard to the amount of the appropria-

tion asked. This is the only one I could find, and after conference with the gentleman from South Portland, Mr. Sanborn, relative to having the rule holding these matters up suspended, I will now move that the order of the House providing that no measure carrying an appropriation of money shall be finally passed prior to March 18, be suspended, and that this resolve be finally passed.

The question being on the motion that the order passed by this House whereby all bills and resolves carrying an appropriation of money should not be finally passed prior to March 18th, be suspended, for the passage of this resolve,

The motion was agreed to.

The resolve was then finally passed.

#### Orders of the Day

On motion by Mr. Campbell of Island Falls, the rules were suspended and that gentleman was granted unanimous consent to present out of order the following order:

Ordered, the Senate concurring, that there be and hereby is created a commission of five, consisting of the President of the Senate and one member of the Senate appointed by the President of the Senate, the Speaker of the House and two members of the House appointed by the Speaker of the House. This commission shall serve without pay except actual expenses. The duties of such commission shall be to report to the next Legislature recommendations for suitable legislation to open up the timber lands and wild lands of the State of Maine to settlers and homemakers.

On further motion by Mr. Campbell, the order received a passage.

Mr. St. Clair of Calais moved that the House reconsider its vote by which it indefinitely postponed House Doc. No. 702, Resolve in favor of the town of Clifton.

Mr. PLUMMER of Lisbon: Mr. Speaker, inasmuch as I assume the object of the gentleman from Calais, Mr. St. Clair, is to take different action than the action of the House whereby it was voted to indefinitely

postpone this resolve, it seems to me it would be just as well for us to consider the main question now, and I would be glad to hear from the gentleman from Calais, Mr. St. Clair, in relation to the matter at this time.

Mr. ST. CLAIR: Mr. Speaker, as I understand it this resolve, the title of which is, "Resolve reimbursing the town of Clifton for money paid to the State treasurer as dog licenses in excess of the amount actually collected as such in said town for the year 1912"—assuming that that title correctly describes the matter, it seems to me that it is a matter of simple justice to pay back to the town of Clifton any money that that town has overpaid to the State. I am assuming, although I may be wrong, that the town has paid for this particular item more than they owed the State of Maine, owing to a clerical error. Now, if that be the fact, it seems to me it would be an act of simple justice for the State of Maine to pay back to the treasurer of that town that sum, because there is no reason why the town treasurer should pay it, and it would not be right. As I said, I may be wrong about this, but if I am right I think it is only an act of simple justice. The matter as I understand it, is a small item, only five dollars, but five dollars in these hard times is quite a lot of money, and it ought to be given to the man to whom it belongs and not be kept by the State of Maine, which has no right to it, if the bill is correctly described.

Mr. WOODMAN of Auburn: Mr. Speaker, to make the facts clear in regard to this matter I might simply add to the statement of the gentleman from Calais, Mr. St. Clair, that this money was paid to the State by a mistake on the part of the town clerk, owing to the killing of one female dog, and before the report got to him he paid the money to the State and the State has got his money, and they have no female dog.

Mr. PLUMMER of Lisbon: Mr. Speaker, if this resolve is intended to cover an appropriation for a dog, I don't know as I would object to it, but the situation with regard to the dog tax, as I understand it, is like this—although

I may be mistaken about it—that this dog tax is sent to the State Treasury and that after the fees are taken out of it which are required to be paid for domestic animals killed by dogs the balance is returned to the town pro rata on what they pay. Now I am told this morning by a man who is town clerk in a town in this State that usually about four-fifths of the money comes back; so as a matter of fact, if I can figure it out right, allowing that last year or the year before, whichever it might be, was about the average amount returned, this town got back the sum of four dollars, so that all the State would owe would be a dollar anyway. If the gentleman from Calais, Mr. St. Clair, will move to amend the resolve by striking out the word “five and inserting in its place the word “one”, I don’t know but what I will vote for it.

The question being on the motion to reconsider the vote whereby this resolve was indefinitely postponed,

A viva voce vote being taken,

The motion was lost.

Mr. Ricker of Castine moved that the vote be reconsidered whereby House Doc. No. 114, bill, An Act to require certain vehicles to carry lights at night on public highways and bridges, was indefinitely postponed.

Mr. RICKER: Mr. Speaker, if I am in order, I would like to explain that it was understood there was to be an amendment to this bill to which I was perfectly agreeable and also those associated with me; but unfortunately the amendment was not ready at the time the matter was reached, and by vote of the House this bill was indefinitely postponed. Now, the subject matter of this bill is of considerably more importance than it looks, and I should like to have the vote reconsidered and the matter specially assigned for consideration tomorrow at which time I think we can produce what evidence we have in the matter.

Mr. Grant of St. Albans called for a division of the House upon this motion.

Mr. CONNELLAN of Portland: Mr. Speaker, I wish to endorse all that has been said by the gentleman from Castine, Mr. Ricker, in relation to this bill. Yesterday afternoon, after the session opened, and almost before the gentleman

were seated here, the motion to indefinitely postpone this bill was made. Now, it might be that I was in fault for not getting here exactly at the moment when the session opened. Had I been here, I for one should have voted against the indefinite postponement of this bill, and I understand that a great many of the members of this House feel the same way; so that I hope you will sustain the motion made by the gentleman from Castine, Mr. Ricker, to reconsider this vote whereby this bill was indefinitely postponed, in order that it may be thoroughly considered, and then if it is the desire of the members of the House that the matter should be postponed, it can be done.

Mr. PIERCE of Houlton: Mr. Speaker, I rise simply for the purpose of seconding the remarks of the two previous speakers. This is an important measure, and it is the law in a number of states, and it does not seem to me that the House should vote as it has upon this measure. I do not wish to accuse anybody of anything unfair, as the action of the House was alright, and the gentleman making the motion had a perfect right to make that motion; at the time I was in attendance at a committee hearing and was unable to get here on time. It certainly seems to me that this matter is a matter which requires serious consideration, and I do not see why the gentleman should object to taking it up tomorrow.

The SPEAKER pro tem: The Chair will state for the information of the House that he is informed by the clerk that this bill is not now in the possession of the House, having been sent to the Senate for concurrent action, and therefore we cannot act upon it at this time. The Chair would suggest that at some future time we have a request made in the proper form requesting the Senate to send this matter back to the House for its further consideration.

Mr. Grant of St. Albans withdrew his motion calling for a division of the House.

Mr. Thombs of Lincoln moved that the House do request the Senate to return to this body House Doc. No. 114 for its further consideration.

The motion was agreed to.

Mr. ST. CLAIR of Calais: Mr.

Speaker, I will now move that House Doc. No. 702, Resolve reimbursing the town of Clifton, receive its second reading and be passed to be engrossed.

The SPEAKER pro tem: The Chair will state to the gentleman from Calais, Mr. St. Clair, that his motion is not in order, the matter having been disposed of.

Mr. ST. CLAIR: Mr. Speaker, I sort of got lost in the shuffle, and was not certain as to what disposition was made of the matter.

The SPEAKER pro tem: The Chair lays before the House majority and minority reports of Committee on Temperance on bill, "An Act to provide for the sale of intoxicating liquors, majority reporting "ought not to pass," and minority "ought to pass," tabled March 10th by the gentleman from Portland, Mr. Fossett pending acceptance of either report, and specially assigned for today.

Mr. FOSSETT of Portland: Mr. Speaker, I move you that we substitute the minority report for the majority report in new draft.

Mr. DUTTON of Bingham: Mr. Speaker, this matter was taken up here before the Temperance Committee, and no one at that time appeared in favor of it and willing to actually father this bill. It comes in here not properly labeled. It comes here labeled as a druggists' bill, when in reality it should have been labeled a rumsellers' bill. When this matter came before your Committee on Temperance I noticed that all those who were in favor of this bill made it very plain that they were not the father of the bill. The druggists themselves appeared here with an able attorney, our former Attorney-General, and first declared that the druggists were not the father of this bill and were opposed to it in its present form. I understand there have been some slight amendments since; but amending this bill is like amending a bottle of whiskey: when you turn out half of the whiskey and turn in a corresponding amount of alcohol, you still have an intoxicating beverage; and that is

what you have got here in this bill. Now I do not find any fault, gentlemen, with this bill,—the penalties placed in this bill; but I do object to the things which this bill permits you to do before you have broken any law. They say that this bill is filled with teeth. I want to ask you gentlemen what you think of the teeth that they have got in it. Here are the provisions: Take Section 2: "Every such druggist or apothecary, whether dealing in drugs or medicines at wholesale or retail," etc. They argued that there was no means whereby a druggist might dispense liquors for purely medicinal purposes, and they introduce a bill here to permit druggists to dispense liquors for medicinal purposes, and ask that they be dispensed at wholesale. Now is there any member of this House who ever expects to be so sick that it will be necessary that the druggist shall administer to him intoxicating liquor by the wholesale? Just a little farther on, in lines 6 and 7, it says: Such application shall set forth under oath the name, residence and place of business of the applicant, and that neither he nor any servant, employee, agent, clerk or co-partner of such applicant, or any officer of employee of the corporation for which such permit is sought has been convicted of any offenses under Chapter 29 of the Revised Statutes, or of a similar offense in any other state within one year," etc. Now they appear here, gentlemen, in the interests of a druggists' bill! We assume that the druggists of the State of Maine are honest, law-abiding, citizens. The time has gone by when the druggists are to be considered as rumsellers and the drug business as of a secondary nature. They say this, 'who has been convicted of the offense within one year;' that is, ex-convicts cannot be eligible to the provisions of this act if they have been convicted within one year. They have got to wait more than one year before they can sell rum under this provision. Now we come to one of the teeth. The first tooth in this bill is that they shall pay to the treasurer of the city or town the sum of five dollars, if a retail drug-

gist, and the sum of twenty-five dollars, if a wholesale druggist, for the use of the State, and one dollar for the use of the clerk of such city or town. I do not know how you would describe that unless you described it as a silver filling to a rotten tooth. The five dollars which the druggist must pay for a license I think might well be classified as a gold filling; and then when it is required that they shall pay the insignificant sum of twenty-five dollars for a wholesaler's license,—I do not know; perhaps that may be a gold front. "The municipal officers upon being satisfied as to the facts set forth in such application, may issue a permit to any such druggist or apothecary, which shall authorize him to sell and dispense such intoxicating liquors under this act until the first day of May following," and he can sell liquor in any town in the State of Maine, in any quantity that he desires, for the sum of five dollars. Gentlemen, had there come into this House a bill providing for the resubmission of the prohibitory law to the people of Maine, there would have been opposition to it and strong opposition; but when it comes in here a wolf in sheep's clothing and asks for passage as a druggists' bill, we may possibly vote without realizing what we are doing. Under this act, gentlemen, it would be possible for a druggist to dispense liquors in such quantities as they may see fit to any person in the State of Maine except an Indian for purely medicinal or mechanical purposes and for the arts; and, gentlemen, if you ascribe to those three words the broad meaning which is given them in Webster's Dictionary, I think you will realize, and will agree with me, that a druggist may dispense liquor almost unrestricted under the provisions of this act. The penalty of the act is all right; but it is the things that may be done under this act without violating the act itself. It provides that minors shall not be able to purchase liquors from these druggists. If they are to dispense liquor for the use of minors, for minors who are sick, they must have the prescription of a physi-

cian. Now if a minor requires a prescription from a physician, why should not the adult? If this act required that all persons should have a prescription from a physician, it would not be quite so bold-faced as it is in its present form. And, gentlemen, I leave it for your consideration if a minor is not just as likely to be sick as an adult, and just as likely to need liquors for medicinal purposes? They go a little further, and stipulate somebody else who shall not be allowed to purchase these liquors: "A person who has been arrested on the charge of intoxication within six months prior to the date of such sale or delivery," etc. Now, gentlemen, you know it is a very small percentage of those who make actual abuse of liquor who are ever arrested and convicted; and all the rest of the people of the State of Maine who make such use of intoxicating liquors would be permitted to purchase, unless they had been convicted within six months.

It goes on still further and provides that a druggist may sell these liquors to minors, to children, unless a parent, guardian, or agent of any society for the protection of children shall forbid the same; that is, your children can go to a druggist under this act and purchase all the liquors they want unless a parent, guardian, or some agent for the protection of children has filed an objection thereto.

I want you gentlemen to think of what you are asked to vote for. Further on, in the bond, they provide that you shall not dispense any intoxicating liquors to an Indian. Now why not include in that Yankees, Frenchmen and Irishmen? Would it not be just as fair? The Indian is just as likely to need this liquor for medicinal purposes, he is just as likely to need it for mechanical purposes, and I know of no reason why he may not need it as much for the arts, for all the Indians I have ever seen drunk were just as artistic as the Yankees. If this act, gentlemen, had provided that the druggist might dispense this liquor when it was absolutely necessary purely for medicinal purposes, it would have some merit; but when the druggists themselves appear here with an able attorney and

deny that they are the parents of this child, when the corridors are lined with people lobbying for this bill—not druggists but rumsellers and ex-rumsellers—I think it is time for the members of this House to sit up and take notice. Gentlemen, I hope that the Committee on Temperance, who listened to this bill, who listened to the proponents and to the opponents, and who gave a majority report on this bill “ought not to pass”—I sincerely hope, gentlemen, that their report will be sustained by this House.

Mr. FOSSETT of Portland: Mr. Speaker, I have been very much amused at the remarks of the gentleman (Mr. Dutton) who has preceded me. For the benefit of those of you who may not have read our Constitutional amendment prohibiting the sale of intoxicating liquors, I will read it; it is only short.

“The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping for sale of cider may be permitted under such regulations as the legislature may provide. The legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale and keeping for sale of intoxicating liquors, with the exceptions herein specified.”

Now, Mr. Speaker, and gentlemen of the House: This bill is drafted in accord with the provisions of the prohibitory amendment adopted and placed in our Constitution. There never has been a prohibitory law enacted in this State, or any other state, except Kansas lately, without a provision in some way providing liquor for medicinal and mechanical purposes. Our own prohibitory law, first enacted in 1851, was known as “An Act for the suppression of drinking houses, and tippling shops.” This act provided that the selectmen of towns and the mayor and aldermen of cities on the first Monday of May, annually, should appoint some suitable person as an agent to sell at some central and convenient place spirits, wines, or other intoxicating liquors, to be used for me-

dicinal and mechanical purposes, and for no other. A little later, Governor Morrill, one of our old and staunch governors, and a temperance man as I always thought, in his message to the legislature said: “Under the present law, the traffic in intoxicating drinks for a beverage, is becoming quite common in all the cities and towns. It is fraught with ills innumerable to the State—with beggary and crime. It may well be considered whether, for such use, it should not be considered contraband.”

“While experience and history clearly indicate the duty of the State to prohibit the traffic for a beverage, it is not equally clear that those liquors have not an important use in medicine and the arts—if indeed the converse be not true, and therefore it would seem their sale for such purposes should be provided for, to such an extent, and under such restrictions and regulations, as the public interest and safety require.”

Later, in his third annual report, Liquor Agent Shaw “quoted improved conditions and that the liquors furnished the city and town agencies, so far as he had been able to learn, had been as judiciously disposed of as could be expected and gave general satisfaction. Mr. Shaw believed that the prohibitory law made it absolutely necessary to have places where people could obtain liquor for legitimate uses.”

Now the gentleman who has spoken in opposition to my motion, Mr. Dutton, I think can construe the English language the worst of any man I have ever seen; and in reading this bill, which I shall do later, I will show you where he has misconstrued it in several points. He says that the bill introduced before the committee here had no sponsor. It did have a sponsor, and would have been defended on the floor of the House if I had not been one of the judges on the committee. He says that the druggists appeared against that bill. I admit they did, because the druggists said it did not have teeth enough in it. He said our ex-attorney-general, Mr. Wilson, whom I respect very highly, appeared against that bill. I admit that he did. Now, gentlemen, this bill that I hold here is drawn and drafted by that same ex-attorney-general in toto. Every bit of it, every word of it, was put in by him. Now I want

to show you what the druggists who appeared against this bill in its original form say of this one. Mr. George Tuttle, the chairman of the Committee on Legislation for the Maine Pharmaceutical Association, appeared against the bill in its original form. He says as follows:

Portland, Maine, Mar. 10, '15.

Mr. E. S. Fossett care of Temperance Committee House of Representatives Augusta, Me.

Dear Sir:

I consider your Temperance bill in its new draft and as now pending before the House, to be a most excellent measure, and one which deserves favorable consideration from every fair-minded Temperance man. This bill has received careful consideration by the committee of which I am chairman, also many other prominent pharmacists, and we are united in the hope that this bill may become a law, and in the belief that it would be a great benefit to the cause of Temperance throughout our State, in providing enforcement officers with the means of eliminating that class of liquor dealers who pose as druggists, and are a detriment to any community and a disgrace to our calling.

We believe that pharmacists should have the right to supply alcohol and alcoholic liquors when actually needed for medicinal purposes. But we realize that such a privilege must be safe-guarded in order to avoid abuse, and the restrictions and penalties which your bill embodies appeal to us very strongly.

Heartily wishing you success in this commendable undertaking, I remain,

With regards,

GEORGE O. TUTTLE.

Chairman of Legislation Committee, M. P. A.

Danforth, Maine, March 5, 1915.

Hon. E. S. Fossett, Augusta, Me.,

My dear sir:—

I am in receipt of a copy of your bill in new draft, and I must say that it is a good one.

How could any fair minded man object to it?

It is a much more stringent law than the old agency was run under.

I surely hope that you may be able to get it passed, and I can assure you

that it will have the hearty support of the legislative committee of the Maine Pharmaceutical Association.

I would like to see the bill printed in every daily paper in the State, and could you not arrange to have it done?

I could use about 25 copies of it, if you would kindly send them to me.

Please advise me about what time you think the bill will come up in the House.

I wish this bill could be read by every voter in the State as I truly believe that it will meet with the approval of all temperance people.

Hoping to see you next week, I remain,

Yours very truly,

M. L. PORTER.

"Bath, Maine, Mar. 9, 1915.

Hon. E. S. Fossett, Augusta, Maine.

"My Dear Mr. Fossett:

I hope that the new draft of the Temperance bill will become a law, and wish to thank you for the good work you are doing for it.

D. T. DOUGHERTY."

"Bangor, Maine, Mar. 9th, 1915.

Mr. E. S. Fossett, Augusta, Maine,

Friend Fossett:

"I have been informed today that the temperance bill (so called) is soon to come up in a new draft and that the same has the endorsement of the Legislative committee of the Maine Pharmaceutical Association and therefore must be a stringent measure as the respectable druggists of this State want only a bill that will allow them to use the same in emergency and medicinal cases without being classed as a criminal (under the most stringent restrictions) as no respectable druggist wishes to turn his profession over as a saloon and I have confidence in our legislature committee that they would not endorse a lax law and therefore as a member of the committee on temperance I ask you to give the same your support. I wish also to thank you for the kindly interest you have taken in behalf of the druggist as you personally know the very humiliating position our profession is classed in today and any interest you may take in this measure will be keenly appreciated.

Yours very truly,

FRANK H. TUPPER.



President of Maine Pharmaceutical Association for 1914."

"Bangor, Maine, March 9, 1915.

Mr. E. S. Fossett, Representative, Augusta, Maine,

Dear Sir:

"I wish to thank you for the stand you have taken in favoring legislation to take the legitimate druggist from the criminal class. It has always seemed a hard proposition to frame a law regulating the sales of alcoholic liquors for medicinal purposes, but the draft which you now champion seems to me to be not only sufficiently strong to protect the drug trade from slander and competition by irregular drug stores, but strong enough to put out of business those who are already engaged in irregular business.

"I have always felt that a sound druggists law for the dispensing of alcoholic liquors insured the retention of our prohibitory law from the fact that it would remove the argument that liquors could not be procured for medical purposes even in the most urgent cases, which argument is always the strongest brought forward when prohibition is under discussion.

Yours very truly,

CHAS. H. DAVIS."

The foregoing answers the proposition of my friend, Mr. Dutton, that no one is sponsor for this bill. The druggists do not want it, he says. I have proven to you gentlemen that the druggists do want it; the honest druggists want it, not the rumsellers.

This bill says that "any duly registered druggist or apothecary actively engaged in the business of dealing in drugs and medicines in this State, at wholesale or retail, whether as an individual, firm or corporation, by conforming to the provisions of this act, may sell and dispense, but only for medicinal and mechanical purposes and for the arts, such intoxicating liquors as are classed as medicinal in the United States Pharmacopeia and no others." Now, gentlemen, the great trouble with the so-called drug stores, the little drug stores, is that they compound their own medicines, their own liquors, and they make up a concoction one drink of which will make a man think he has got to have another, and,

when he gets another, he is a fit subject for an insane asylum. Those are the druggists that this bill is going to put out of business for this reason: The minute you pass this bill, and it becomes lawful for a druggist to handle liquors in any way, the United States Government takes care of the quality of the liquors that he sells, just the same as it does his medicines; and it has an inspector who goes and examines them all. This would do away with the sale of liquors that cost ninety cents a gallon and are sold for \$1.75 to the poor fellow who can get it, where the temperance man cannot under the present system. I have been told right here by a Representative in this House that in the town he comes from there are three drug stores. He knows as well as can be that they are all selling, and any bum on the street can go and buy liquors there; but his wife was sick, and they, knowing that he was a temperance man, although alcohol was prescribed by her physician, refused to sell it because they were afraid that she might "peach" on them. A clergyman in the city of Portland told me within two weeks that his daughter was sick with pneumonia, that she was at the critical point, the turning point, and was sinking. The doctor told him she had got to have some stimulant, some whiskey, in order to give her heart strength to bear up, and that unless she did have it he would not answer for the consequences. The clergyman said he telephoned to his druggist, of whom he had been buying drugs for the last fifteen years, paying him probably ten or twelve dollars a month, and that the druggist said "no, I can't sell it; I can't do it." The clergyman said his wife telephoned to a lady who was stopping at the Congress Square Hotel, and in that way they let her have a little whisky. He said that he had no doubt the child would have died, and the doctor said she would, unless she had the stimulant. One of our own members right here has been sick for the last two weeks. The doctor ordered some alcohol for bathing purposes. He told me this morning that his wife went to every drug store in the city of Augusta and could not buy it. Now that is a curious condition of affairs!

The one State that does not make any

provision for the obtaining of liquor for medicinal and mechanical purposes and the arts is Kansas. I see that they are almost as strong as my friend Dutton is against the liquor traffic. I see they introduced a bill the other day in the legislature to prosecute any man who drives an automobile with the least particle of odor of liquor on his breath. Now he could not get through on our old cider law in the State of Maine, because that gives you the same smell as liquor does when it gets a little old; and every farmer in Aroostook county who has some cider and drives an automobile would be arrested if he drank a glass of cider before he started out. I do not think that the State of Maine wants to get to that point.

Now in reading further along in this bill: "All such intoxicating liquors so sold and dispensed shall be of the commercial standard, quality and chemical composition defined in said United States Pharmacopeia." The United States inspector, and our own inspector from the University of Maine, takes care of these things.

Now Section 2. "Every such druggist or apothecary, whether dealing in drugs or medicines at wholesale or retail, shall, before selling or dispensing such intoxicating liquors under the provisions of this act, first make application to the municipal officers of the town in which his business is located for a permit so to do." Now my friend Mr. Dutton spoke about selling it at wholesale, as though a man was going into a retail drug store and buy five or ten gallons of whiskey. That means that we have four or five good, nice, legitimate, wholesale druggists in the State of Maine. Our present law allows every retail druggist to keep a certain amount of alcohol and spirituous liquors for compounding, and that means that this is to be obtained from those wholesale druggists and in no other way. I will state further that in the last year three whole-druggists in the city of Portland have lost over \$500,000 in legitimate trade that has gone to Boston to wholesale druggists, because they could not supply their trade with the alcohol that they needed for manufacturing and prescribing. That is a business view to take of this matter, gentlemen.

Under the provisions of this act he "must first make application to the municipal officers of the town in which his business is located for a permit so to do." If Mr. Dutton, who comes from Bingham—and they have a fine druggist there, a man who I think never sold a drop of liquor for other than medicinal purposes; I think he has supplied his customers for medicinal purposes, and probably Mr. Dutton has overlooked that, because he may want to get it sometimes himself, even at the expense of his druggist friend making himself a criminal to furnish it to him. Now if a town does not want a druggist to sell liquor, all it has to do is to refuse to grant him a permit to do so under this bill. "Such application shall set forth under oath," mind you, gentlemen, "under oath," "the name, residence, and place of business of the applicant, and that neither he nor any servant, employee, agent, clerk or co-partner of such applicant, or any officer or employee of the corporation for which such permit is sought has been convicted of any offenses under Chapter 29 of the Revised Statutes, or of a similar offense in any other state within one year." Now to explain that! There are other druggists just as honest as my friend's druggist in Bingham who have been supplying their trade with liquor for medicinal purposes, and saving lives sometimes, maybe, as in the case that I cited, and they have let it go to somebody who was wrong, and they were complained of and convicted of a single sale, or search and seizure, or something of that kind. Now that, according to the gentleman from Bingham, Mr. Dutton, makes a criminal of that man. Now this bill provides, not that he has committed any crime such as burglary, theft or murder, or anything of that kind, within a year; but if you or I, gentlemen, go to a druggist of whom we are buying goods, and our doctor has ordered alcohol, whiskey or brandy, and we say to him that we must have it because our people are sick, and we have got to have it because the doctor has ordered it, and he lets us have a pint

of whiskey or brandy, that man under this present law is a criminal; and this is put in there to provide for a case of that kind.

The bill further says: "and shall pay to the treasurer of the city or town the sum of five dollars for a retail druggist and the sum of twenty-five dollars for a wholesale druggist." Why, gentlemen, is that put in that way? This bill is not made for druggists to sell liquor for a profit. If it had been, we should have put in \$1000, \$1500, or \$2000. We put it in that way to raise money enough to pay the inspector of the State of Maine. We are not proposing a bill that will enable a man to sell liquor for a profit, because when you talk of alcohol being sold at a profit, there is no more profit between a wholesaler and a retailer in alcohol than there is between a wholesaler and a retailer in the grocery business in sugar. They are sold on the same basis of a five per cent. profit. To continue: "and one dollar for the use of the clerk of such city or town for keeping the records required by this act." That is to pay the expense of the clerk and nothing more. "The municipal officers upon being satisfied as to the facts set forth in such application, may issue a permit to any such druggist or apothecary, which shall authorize him to sell and dispense such intoxicating liquors under this act until the first day of May following. All moneys collected for the benefit of the State under this section shall be immediately forwarded to the State treasurer and be credited to the appropriation of the board of commissioners of pharmacy to defray the expenses of administering this act."

"Sect. 3. It shall not be lawful for any such druggist or apothecary, directly or indirectly, by himself, his clerk, agent or servant, at any time to sell, furnish or deliver any such intoxicating liquors to any minor or to any person who is apparently under the influence of intoxicating liquors, or whom he, or the person so selling, furnishing or delivering such

liquors, knows to be habitually addicted to the excessive use of intoxicating liquors as a beverage, nor to any person not known to him to be the person he represents himself to be, unless such persons presents a prescription signed by a reputable physician actively engaged in practice within this State, nor to any person who has been arrested on the charge of intoxication within six months prior to the date of such sale or delivery, nor to any person mentioned in Section 4 of Chapter 69 of the Revised Statutes, nor to any person whose husband, wife, parent, child, guardian, employer, or any of the municipal officers of the town or city in which such persons resides or any agent of any society for the protection of children, shall in writing forbid the same, nor to any person whatsoever to be used as a beverage."

Now it says "nor to any person not known to him to be the person he represents himself to be, unless such person presents a prescription signed by a reputable physician actively engaged in practice within this state." It does not say that he can sell it to minors on a prescription but it says that no man unknown to him shall be sold. This is another distortion of the bill in reading. Here is another distortion "nor to any person whose husband, wife, parent, child, guardian, employer, or any of the municipal officers of the town or city in which such person resides, or any agent of any society for the protection of children shall in writing forbid the same." It says that the child shall forbid its being sold to the father; it does not say that it shall be sold to a minor in any way, shape or manner. Now Section four says as follows.

"Sect. 4. It shall be lawful for any such druggist or apothecary who has obtained the permit provided for in section 2 of this act, to sell and dispense any of the intoxicating liquors described in section 1 for medicinal and mechanical purposes and for the arts, but for no other purposes and under the following conditions: Every person purchasing or obtaining any such intoxicating liquors of a retail

druggist or apothecary, shall subscribe his own name and that of the person for whom it is obtained, upon a form or record sheet to be furnished by the secretary of the board of commissioners of pharmacy. There shall also be recorded opposite the name of the person to whom such liquor is delivered, the date, kind and amount of liquor sold or delivered and the purpose for which the same is obtained, which shall all be recorded before delivery. Any false statements or deception practiced by the person obtaining such liquors or failure to keep a correct and full record of every such sale or delivery, of such liquors, shall be a violation of this act and subject the offender to the penalties hereafter provided. On the first day of each month every retail druggist shall return to the clerk of the city or town in which he does business, the forms or record sheets containing the sales and deliveries of all intoxicating liquors dispensed by him during the month last past, which shall be kept in a book or binding suitable for the purpose and become a part of the public records of such city or town and so remain for a period of at least three years. Any failure to make such return within five days after the first day of each month shall be deemed a violation of this act and shall work a forfeiture of the permit of the druggist failing to make such return within said time and any sales or deliveries of any such intoxicating liquors after such permit is forfeited shall render such druggist subject to any of the penalties provided in chapters 22 and 29 of the revised statutes."

"Sect. 5. Every such druggist or apothecary engaged in the wholesale dispensing of drugs and medicines having obtained the permit provided for in section 2, may lawfully sell the intoxicating liquors described in section 1, but only to such druggists as have obtained the permit provided for in said section 2. Every such wholesale druggist shall keep a record of all such sales according to such forms as may be prescribed by the secretary of the board of commissioners of pharmacy, in which shall be kept the name and place of business of the purchaser, the amount and kind of liquor sold or

delivered and the date of delivery. No such wholesale druggist shall sell and dispense any such liquors at retail without also obtaining a retailer's permit as provided in section 2 and conforming to the other provisions of this act relating to retailers. Quarterly on the first day of January, April, July and October, every such wholesale druggist shall make a return to the city clerk showing the names of the purchasers, the kind and amount of all such liquors sold by him at wholesale in the preceding three months, which shall be kept on file as a public record for a period of at least three years."

"Sect. 6. Every druggist or apothecary selling and dispensing liquors at retail under this act shall on the first day of April and October of each year file in the office of the clerk of the city or town in which he does business, a statement under oath showing the total amount expressed in gallons and fractions thereof, of the several kinds of intoxicating liquors purchased and sold by him during the previous six months, and the several amounts then on hand, which return shall be preserved as a public record for at least a period of three years from the date of filing."

"Sect. 7. Upon complaint by any citizen to the municipal officers of any city or town that any such druggist or apothecary has been guilty of any wilful violation of this act, said municipal officers upon being satisfied of the truth of such complaint, or upon being furnished with evidence of a conviction of such druggist or apothecary for any violation of this act, or of any of the provisions of chapter 29, of the revised statutes, by any court of competent jurisdiction, shall revoke any such permit and no such permit so revoked shall be renewed for a period of one year. Upon a second conviction of any offense under chapter 29 of the revised statutes, or upon any conviction under section 1 of chapter 22 of the revised statutes, the board of commissioners of pharmacy shall forthwith, and for any wilful violation of this act may, revoke the registration certificate of any such druggist or apothecary, and such druggist or apothecary shall not again be registered for a period of five years, nor shall he, during said period, be engaged or interested in, directly or indirectly, either through himself or his

agent, in the business of dealing in drugs or medicines in this state under a penalty of five dollars for each day he shall be so engaged or interested in such business, to be recovered by complaint or indictment."

Now, gentlemen, has there ever been a bill so drastic as this before, in this or any other state, that deprives a man of his business for five years, and stops him from being interested in his business for five years? Do you think that legitimate druggists are going to sell liquor contrary to this law, if it is passed, and run the risk of being put out of business? I do not believe it.

"Sect. 8. There shall be appointed by the governor by and with the consent of the council, a secretary of the board of commissioners of pharmacy, who shall serve for a term of two years and shall receive a salary of fifteen hundred dollars per year. He shall receive actual expenses when away from his office at the state house in the discharge of his duties. He shall keep the records of the board and devote the remainder of his time to the administration of this act. He shall investigate all complaints of violations of this act and institute prosecutions in case of violations. He shall have the right at all times during business hours to enter all stores or places of business to examine all records and books required to be kept under this act, and all intoxicating liquors kept by any such druggist, take samples of the same for the purpose of determining whether they meet the standard required by section 1 of this act, and shall report to the board all violations and especially such convictions as require a revocation of any certificate of registration, or any willful violation that would, in his opinion, warrant action by said board. He shall annually make report to the governor and council of the workings of this act. He may call special meetings of said board whenever he has information of any violation of this act requiring action by said board."

Sect. 9. Every such druggist or apothecary before obtaining a permit under the provisions of section 2, shall execute and file with the treasurer of the city or town wherein he is doing business, a bond to said treasurer in the penal sum of five hundred dollars in a town, and one thou-

sand dollars in a city, for persons engaged in the retail drug business, and in the sum of two thousand dollars for persons engaged in the wholesale drug business, with two good and sufficient sureties approved by the municipal officers, which bond shall be in lieu of all other bonds and which shall substantially read as follows:

#### BOND.

KNOW ALL MEN BY THESE PRESENTS, that we.....as principal and.....as sureties, are held and firmly bound to the treasurer of the city, town of.....in the county of.....in the State of Maine, in the sum of.....dollars, to the payment whereof well and truly we bind ourselves, our heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated this .....day of.....in the year of our Lord one thousand nine hundred and.....

"Whereas the above named principal proposes to carry on the retail wholesale business of apothecary or druggist at .....in the county of.....and State of Maine,

And whereas the said principal has covenanted and agreed and doth hereby covenant and agree as follows:

That he will not, directly or indirectly, by himself, his clerk, agent or servant, at any time, sell, furnish, give or deliver any intoxicating liquors to any minor or to any person who is apparently under the influence of intoxicating liquors, or whom he, or the person so selling, furnishing or delivering such liquors, knows to be habitually addicted to the excessive use of intoxicating liquors as a beverage, nor to any person not known to him to be the person he represents himself to be, unless such person presents a prescription signed by a reputable physician actively engaged in practice within this State, nor to any person who has been arrested on a charge of intoxication within six months prior to the date of such sale or delivery, nor to any person mentioned in section 4 of chapter 60 of the Revised Statutes, nor to any person whose husband, wife, parent, child, guardian, employer, or any of the municipal officers of the town or city in which such

person resides, or any agent of any society for the protection of children, shall forbid the same, nor to any person whatsoever to be used as a beverage; nor to any adult person whatever who is at the time intoxicated; nor to any person who is in the habit of getting intoxicated; nor to any Indian or person designated in section 5, chapter 60 of the Revised Statutes, nor to any person whose husband, wife, parent, child, guardian, employer or the municipal officers of the city or town have forbidden the same; that he will not sell such liquors to any person except for medicinal and mechanical purposes and for the arts; that he will pay all damages actual and exemplary that may be adjudged to any person or persons for injuries inflicted upon them either in person, his property or means of support by reason of his selling, furnishing, giving or delivering any such liquors, contrary to the provisions of this act.

"Now the conditions of this obligation is such that if said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements and shall pay any judgment for actual and exemplary damages that may be recovered against him in any court of competent jurisdiction and all fines that may be imposed upon him for violation of this act, then this obligation shall be null and void, otherwise the same shall be in full force and effect.

"Signed and sealed in the presence of  
 ..... Seal  
 ..... Seal  
 ..... Seal

"Sect. 10. The county attorney of the several counties shall prosecute all violations of the provisions of this act.

"Sect. 11. Any person violating the provisions of this act, shall upon conviction be deemed guilty of a misdemeanor and be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars for each conviction and costs of prosecution, or in lieu thereof by imprisonment in the county jail for not less than ten nor more than ninety days, but nothing herein contained shall be construed as exempting any person who sells or dispenses intoxicating liquors contrary to

the provisions of this act, from the penalties imposed under section 1 of chapter 22 and under chapter 29 of the revised statutes."

Mr. Speaker and gentlemen, I thank you for listening to me so patiently. I think I have explained the bill very fully to you, and do not mix this bill with the bill that was introduced here the other day. This is an entirely new draft, not a hodge-podge of that one, but an entirely new draft in every way, shape and manner except the title; and I hope, gentlemen, that you will give this bill careful consideration, and vote as you think. I desire that when the vote is taken on this that it be taken by a division of the House.

Mr. DUTTON: Mr. Speaker, I would like just briefly to reply to the gentleman from Portland (Mr. Fossett). I hope that in the discussion of this bill, as well as in the discussion of any bill that may come before this body, I may never find it necessary to indulge in personalities. The gentleman from Portland stated that there is no more profit in the wholesale rum business than there is in the sale of flour, and a few moments afterward he stated that the wholesale druggists in Portland, or in the State of Maine, are losing \$500,000 annually because they cannot wholesale rum. Gentlemen, I can understand why any community which is losing \$500,000 by not being able to sell intoxicating liquors, would object, and why they would send a representative here who would be pledged to support a measure which would permit them to do that. I am very sorry that the gentleman from Portland (Mr. Fossett) found it necessary to cast any reflection on anybody's head in this House. He says that the druggists want this bill passed. Now I have talked with a few honest druggists who are not in the liquor business, and they tell me that the prevalence of the disposition among druggists to sell rum has been to some extent wiped out, and they cite the lamentable conditions which existed in some of the cities in our State where the druggists were selling intoxicating liquors, keeping up an appearance in their front rooms of a drug store, and devoting the entire back room to the sale of rum. The gentleman from Portland stated that the bill would have had a sponsor on the floor if he

had not been on the committee. I submit that a bill, when it comes in here and does not have a sponsor because the man who introduced it is on the committee, there is something decidedly wrong with it. They claim now that the Maine Pharmaceutical Society—

Mr. FOSSETT: Mr. Speaker, I rise to a point of order.

The SPEAKER pro tem: Will the gentleman from Portland state his point?

Mr. FOSSETT: Is the gentleman speaking of the druggists' bill that was before the committee, or is he speaking on this bill?

Mr. DUTTON: Mr. Speaker, I will state to the gentleman from Portland (Mr. Fossett) that I am speaking on the bill here today; not on the other bill. He states that the Maine Pharmaceutical Association wishes to father this bill now. It may be possible that they do; but I do not believe the honest druggists of the State of Maine want it, and I believe that if the Maine Pharmaceutical Society becomes the sponsor for the bill, that forever afterwards in the State of Maine the Maine Pharmaceutical Society will be known as the Maine Rum-aceutical Society. Here is another proposition: They say that a man is the sole judge of how much liquor he wants, how long he wants it and in what quantities the doses shall be, and how long he may continue to take the doses. Gentlemen, please do not be misled. He says that the druggists of the State of Maine are all selling; I am not going to make that accusation, but he seems to be better acquainted than I am with the situation. I just simply want you when you vote upon this question to vote intelligently. I should have supposed that the gentleman from Portland, Mr. Fossett, in his speech or in what portion of it I could hear, was reading from the report of the Brewers' Association, if he had not given the names of the writers of some of the letters.

Now, Mr. Speaker and gentlemen, I have just been informed that the Senate has passed the Women's Suffrage Bill by a vote of 26 to 4, and I hope when this House votes upon this matter of retaining prohibition for Maine that it will stand for prohibition in

the same proportion that the Senate has stood for Women's Suffrage. (Applause.)

Mr. HANSON of Sanford: Mr. Speaker, I move the previous question.

Mr. FOSSETT: Mr. Speaker, I would like to ask for unanimous consent in order that I may answer one or two of the charges made by the Gentleman from Bingham, Mr. Dutton.

Mr. CONNELLAN of Portland: Mr. Speaker, I rise to a point of order. I think the gentleman has a right to have five minutes before the previous question is put.

The SPEAKER pro tem: The point is well taken.

Mr. FOSSETT: I am very glad, Mr. Speaker, that the gentleman from Bingham (Mr. Dutton) cleared up one item that I made in my talk, and I want also to talk so he can hear me, and that is in regard to the wholesale drug business. I made the statement that the sale of alcohol by a wholesale druggist to a retail druggist was on the same plane as sugar sold by a wholesale grocer to a retail dealer. I did not say "intoxicating liquors;" I said "Alcohol." Furthermore, I said that the prohibitory law as it is today has carried more than \$500,000 worth of legitimate drug business, not liquor business, from the State of Maine. The drug business is done differently from any other business anywhere. If there is a druggist here, he will tell you that a druggist keeps a list of his wants on his want book, and that he hangs it in a certain place in his store, and the traveling man comes in and takes that list and goes over it. If he has got three or four hundred dollars worth of legitimate drugs in that bill and two gallons of alcohol, he says "I can fill the order with the exception of the alcohol; but I cannot fill that." Then the druggist says, "if you cannot fill that, I will get my drugs where I get my alcohol, in Boston." That is where it has mitigated against a wholesale druggist in Maine. The gentleman from Bingham (Mr. Dutton) says that I stated that the druggist has a right to sell liquor to a certain extent now. I did not say any such thing. I said that he had the right under the present law to keep liquors, not to sell them

in any way, shape or manner. That is all I care to say.

Mr. ST. CLAIR of Calais: Mr. Speaker, I was a member of the Temperance Committee, and I signed the majority report. I would like a chance to say a few words to the House as to why I signed the majority report.

The SPEAKER pro tem: The question before the House is the previous question. If the gentleman wishes to speak on that, he has five minutes under the Rules of the House.

Mr. ST. CLAIR: I understand the previous question to be, whether we shall accept the minority report or not?

The SPEAKER pro tem: That is correct.

Mr. ST. CLAIR: I wish to say that the committee considered this whole question carefully, and a majority of them signed a report in opposition to the bill, if that has any weight with the House.

Mr. FOSSETT of Portland: I would ask through the Chair if this bill has ever been before the committee?

The SPEAKER pro tem: The gentleman from Portland, Mr. Fossett, desires to know if this bill that he refers to has ever been before the Committee on Temperance?

Mr. ST. CLAIR: I do not know about that, Mr. Speaker. He has labeled it a minority report. The majority report is "ought not to pass."

The SPEAKER pro tem: Is it the pleasure of the House that the main question shall now be put?

A viva voce vote being taken,

The motion was agreed to.

The SPEAKER pro tem: The gentleman from Portland, Mr. Fossett, moves the main question, which is that the minority report be substituted for the majority report.

Mr. PERHAM of Woodstock: Mr. Speaker, if it is in order, it seems to me that there is a peculiar situation here. The gentleman from Portland (Mr. Fossett) claims that this is an entirely new bill and has not been before this committee. This matter has been argued at great length—

Mr. CONNELLAN of Portland: Mr

Speaker, I rise to a point of order.

The SPEAKER pro tem: Will the gentleman state his point?

Mr. CONNELLAN: That debate is not in order at the present time. The motion is on the main question.

The SPEAKER pro tem: The point is well taken, and the gentleman from Woodstock (Mr. Perham) is out of order.

Mr. PERHAM: Mr. Speaker, I move that we indefinitely postpone the adoption of either report.

The SPEAKER pro tem: The motion is not in order. In order that you may fully understand the reports, the Chair will read them. The majority report "ought not to pass" is signed by Senators Boynton, Thurston and Herrick, and Representatives Allen, St. Clair, Bragdon, Russell of Alfred and Brown. The minority report, "ought to pass" is signed by Representatives Fossett and Brawn. The gentleman from Portland, Mr. Fossett, has asked for a division of the House on the question that the minority report be substituted for the majority report. All those in favor of substituting the minority report for the majority report will stand until counted. The monitors will attend to their duties, and I will assign the gentleman from Gardiner, Mr. Ellis, as monitor in Division 1.

A division being had,

Thirty-seven voted yes, and 86 no, and the motion of the gentleman from Portland, Mr. Fossett, was lost.

On motion by Mr. Dutton of Bingham, the majority report was accepted.

The Chair lays before the House, Senate Document 150, bill, "An Act to regulate the salaries of the registers of probate," tabled by the gentleman from Portland, Mr. Greenleaf, pending the printing of the amendment, and the pending question is upon the adoption of the amendment.

Mr. GREENLEAF of Portland: Mr. Speaker, I move the adoption of the amendment, which is to increase the



salary of the Register of Probate for Cumberland county from \$1700 to \$2000. There is only a word or two to be said in this matter. The salaries of all officials of Cumberland county during the past forty years have increased much more than that of the Register of Probate. That has been increased only 13 per cent., while the others have been increased from 42 to 100 per cent. The salary of the register of probate was established as now ten years ago, and there has been no increase in that time. During that time the City building of Portland was burned, causing the absolute destruction of all the probate records. That department was handicapped to a greater extent than any department by that fire. A limited appropriation was made to assist in the work made necessary by the destruction of the records, and that has been exhausted; so that we get back now to the original work of the department which is constantly increasing. The register tells me that he has found it necessary to keep three clerks, and has been obliged to pay a part of their wages out of his own salary. Also his duties are constantly increasing. The inheritance tax, which amounts to over \$100,000 now in Cumberland county, and is, of course, increasing rather than otherwise, all passes through his hands, and he is responsible for it. The duties of the judge are not to be disparaged in any way; but those who know anything about office work know that it is very easy to push the button and call George to do a thing, rather than do it one's self; and that the laborious part of the work falls upon the register and his subordinates. The salary of the judge has been increased, rightfully, from \$2500 to \$3,000. Now it is right and fair that the Register of Probate, having this amount of work to do, increasing as it is, with the responsibilities attached, should be raised from \$1700 to \$2000. It is little enough, gentlemen, taking into consideration that Cumberland county is the largest county in the State and has the largest amount of work. I hope that you will allow this little addition of only \$300, bringing the salary up to \$2000. I hope the amendment, Mr. Speaker and gentlemen, will be allowed the courtesy of a unanimous passage.

The question being on the adoption

of Amendment C, the amendment was adopted, and the bill was then passed to be engrossed as amended.

On motion by Mr. Thombs of Lincoln, a recess was taken until four o'clock.

#### Afternoon Session

The SPEAKER pro tem: The Chair would like to say that there has been several complaints made to the Chair that the gentlemen in the rear of the hall make a great deal of unnecessary noise in conversing with one another, to such an extent that the gentlemen who are members of the House are unable to hear the business that is usually transacted. I trust, however, that the gentlemen in the rear seats of the House have had no trouble in hearing the remarks of the Speaker this morning, but it is for the future that I speak more particularly; and I would ask that as far forth as it is possible, the gentlemen in the rear of the hall refrain from conversation or whistling. We have a lobby which we are very glad for you to use for that purpose; I trust a second request of this nature will not be necessary.

I also want to call the attention of the House at this time, for fear I may not have another opportunity, to the parliamentary practice which has not to some extent been observed by the gentlemen of the House, and that is that during debate a member of the House should not refer to another gentleman by name. I believe you will all agree with me that it is better not to do that, and simply to refer to the gentleman from such a town or city as he comes from, without referring to his name.

I would also call attention to the indulgence of the Chair not only today but in other days to the fact that members have spoken more than twice upon the same things, gentlemen, in order to facilitate the handling of the business of the House, and I know that you will take them in the spirit in which they are given and intended.

On motion by Mr. Morse of Rumford,

unanimous consent was granted and that gentleman introduced out of order the report of the Oxford county delegation on bill, An Act to authorize the construction of a public building in Rumford for municipal and county purposes, reporting same in a new draft under same title and that it "ought to pass."

The report was accepted and the bill was tabled for printing under the joint rules.

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Mr. PIERCE of Houlton: Mr. Speaker. I wish to ask unanimous consent of the House to introduce a public measure. It is of course now too late to get it before a committee, and I will ask not that it be referred to a committee but that it be introduced and that it be printed and taken up for consideration by the whole House after it has been printed.

Unanimous consent was granted and Mr. Pierce introduced out of order bill, An Act amending Section 11 of Chapter 130 of the Public Laws of 1913.

The bill was then tabled for printing.

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The SPEAKER pro tem: The Chair lays before the House bill, An Act relating to the salary of the judge and the recorder of the Bangor municipal court, House Doc. No. 307, tabled by the gentleman from Corinth, Mr. Hill.

Mr. Hill moved that the bill be indefinitely postponed.

Mr. THOMBS of Lincoln: Mr. Speaker, if you will bear with me for just a moment I think I can show you some reasons why I hope that the motion now before the House will not prevail. The judge and recorder of the Bangor Municipal Court feel that they were adequately recompensed for their services, had a bill introduced in this legislature which was referred to the committee on salaries and fees to the effect that their salaries be raised. That matter, as I say, was referred to the committee and a hearing was had upon it. The committee reported the bill in a new draft unanimously, and the matter came into the House and my friend, the gentleman from Corinth, Mr. Hill, if you will remember, asked that it be recommitted to the committee, and upon that proposition 65 of the members of this House voted

with him and 64 voted with me. The matter was recommitted and a day was appointed for the hearing. I am informed today by the chairman of that committee that on the date of the second hearing the proponents were here ready to take up their case, but that no opposition appeared, and the committee therefore renewed the recommendation which they had already made.

Now, gentlemen, I do not think that you want me to go into details respecting the merits or the reasons why the salaries relating to this municipal court should be altered. I think you have confidence enough in your committee reports to sustain them in their action, especially in view of the facts that I have already stated. But, there is a circumstance which I might relate to you and which I think would be a justification for a raise in the salary of these officers. There has been an act passed by both branches of this legislature whereby the jurisdiction of the Bangor Municipal Court has been extended so that now, or in 90 days from now, the judge of that court will have exclusive jurisdiction over a class of cases in which he formerly has had only the power to bind over prisoners appearing before him.

The lawyers in this body will recognize immediately just what that means in a saving of expense to the county. Formerly if a man was arraigned on a larceny charge, for instance, we will say, and I use that merely for purposes of illustration, —the judge of the court had no power except to bind him over to a higher court. In the higher court of course witnesses had to be summoned before the Grand Jury, and he might or might not there be indicted. Now, this act confers jurisdiction upon this judge so that he can find either that the prisoner is innocent or that he is guilty; and in the event that he finds him guilty, and the prisoner appeals from this decision, his case then goes immediately upon the docket of the Supreme Court and is not considered by the Grand Jury. So that in those instances there would be a saving for the reason that the witnesses are not sum-

moned before the Grand Jury for the purpose of giving in their testimony as to whether or not there should be an indictment.

Now that is an additional reason, I say, at the present time, if any were needed, why there might be a change in the salary of these officers; but as I stated before, it does not seem to me that perhaps even that would be necessary. I believe, gentlemen, that you will agree with me that your committee on salaries and fees has heard this matter once and made a recommendation, and the matter was then recommitted to them for another hearing, and at that time no opposition appeared. It seems to me there can not be much of any reason for disturbing a committee report of that kind; and I move, Mr. Speaker, that when we vote upon this question it be by a division of the House.

Mr. HILL of Corinth: Mr. Speaker and gentlemen of the House, I do not rise here to claim that I am always right, but I did rise here to have this matter recommitted, and on Saturday before this was to come up before the committee on the next Tuesday, a man came into my house and stole some fourteen hundred dollars' worth of securities, and I was detained at home and had him arrested and bound over to the Grand Jury. I did not get back here until Tuesday, and I would have endeavored to present this matter before the committee if I had been able to. I want to say here that if I put in an amendment to give an increase in the judge's salary of \$500 more than it is now, you never would have heard a word of opposition from those who appear here today, not one word. This committee on salaries and fees has been ignored entirely, in many instances where they recommended that the salaries should remain where they are, they have been increased.

Now in regard to this question of the salary of the judge of the municipal court of Bangor, I was talking with the recorder of this court only a few days ago, and he told me that the judge comes in there in the morning and spends sometimes an hour and sometimes all the forenoon, and that

ends his duties, and he draws a salary from the county of Penobscot of \$1500 a year and \$600 more for being city solicitor.

Now, gentlemen, in the condition that our county is in today, I think he is being well paid, amply paid; and I would hazard the guess today that if you should reduce that salary to a thousand dollars he would not resign. I was talking with a prominent lawyer here at the Augusta House this morning, and I asked him what per cent of the lawyers in Bangor he thought earned a thousand dollars a year in their practice. I asked him if he thought fifty per cent of them earned it, and he said he didn't think I got it high enough.

The judge of this court has got to be a lawyer, because the lawyers of the several Bars in the State have put the safeguard around all the municipal courts to the effect that no man can hold that position unless he is a member of the Bar. I say, consequently, that he must be a lawyer. That does not prohibit him from practicing before every court in this State except in the one where he presides. I think I will be borne out by the legal fraternity in making that statement.

Now, as I say, we have a bankrupt county. I hate to say it because it is my own county. We sold last year to tide us over \$15,000 worth of sinking fund bonds; we used up our borrowing capacity, and this year we are asked to increase our estimates from \$50,000 to \$70,000, and there is a bill introduced here to increase our borrowing capacity \$20,000. I think we had when we started in this year something like \$5,000 in the treasury to do the business with until the taxes come in next year. Now, under these conditions should we increase the salary of any man who is now drawing a good salary? Furthermore than that, when this man took that position he knew what the salary was; he was not obliged to accept it for one moment.

In reply to the gentleman from Lincoln, Mr. Thomas, I would like to ask

how much more is the duty imposed upon that officer under the new law than it has been previously, whether he hears a case and decides to bind a man over or whether he binds over without a hearing? It may sometimes take half an hour longer, or perhaps a little more, but can't he afford to spend a few hours every day in the week for a salary of \$1500, when we have here to appropriate for things in order to tide us over for another two years, from \$50,000 to \$100,000. It has been so from start to finish in this legislature. What the cause is I don't know. I don't care, as far as I am concerned personally, how you view this act, whether you vote to indefinitely to postpone it, or whether you give this man \$1500 or \$2000, but I tell you as long as I stand in this House I shall do what I was sent here to do by my constituents, and that is to stand between the tax payers and the grafters of my county.

Mr. THOMBS: Mr. Speaker, just an observation or two. Of course, gentlemen, it is very apparent that whatever the judge of the municipal court of Bangor earns in another and distinct office has nothing to do with his salary in connection with that office. I think that is very apparent. I think perhaps the gentleman from Corinth, Mr. Hill, would have you think that it does not take a great deal of time to perform the duties connected with this office. The Bangor Municipal Court is a large court; it is a court that has a civil jurisdiction of \$300; it has two terms a month which last from Monday until Wednesday afternoon, and it has a large civil docket in addition to the large criminal docket; and I submit to you, as an attorney, that it does take a great deal of an attorney's time if he properly attends to the duties of his office. I think the present judge we have there is worth every dollar of this salary to the county of Penobscot. He is a competent man, a man who can earn as much or more without the office, I have no doubt; and I simply want to say to you, gentlemen, that I don't think there is any graft in it. I don't think the gentleman from Corinth, Mr. Hill, meant just exactly what he said. There is a not a member of

the Penobscot County Delegation but what stands between the tax-payers of his county and any graft; there is no such thing in this matter; this is a plain business proposition. Your committee has told you what they think this man is reasonably worth and is fairly entitled to from the county of Penobscot, and I say to you, gentlemen, that you will satisfy the tax-payers of the county of Penobscot in my opinion if you follow their recommendation.

Mr. CONNERS of Bangor: Mr. Speaker, as the gentleman from Lincoln, Mr. Thombs, has pointed out, this act in its present form was reported back by the committee on salaries and fees unanimously two or three weeks ago, and it went along and received its two or three readings until our self-appointed watchdog of the treasury had it re-committed to the committee. It now comes back here in the same form, and that changes the present law as it stands only in this particular—the recorder of the Bangor Municipal Court now gets an annual salary of \$1450, and the judge gets a salary of \$1500. Why the recorder's salary was ever placed at the odd figure of \$1450, I don't know, but if the place is worth \$1450 it surely is worth \$1500.

The judge of that court is a very capable man, and he is giving good satisfaction to the citizens of Bangor and to the citizens of the whole county. I have not heard one word of complaint from any citizen of Bangor regarding this increase, and the valuation of Bangor is one-half of the whole valuation of Penobscot County, and therefore we pay one-half of the taxes. This increase of \$300 a year for the judge and \$50 a year for the recorder will not materially increase the taxes for the tax-payers there. Regarding the opinion of the lawyers there, I don't know that I saw any petitions personally, but I understood there was a petition favoring the increase and it was signed by a substantial number of the lawyers of the city of Bangor; and gentlemen, I hope you will vote against the indefinite postponement of this matter and let the bill go along as it now reads.

Mr. HILL: Mr. Speaker, I want to say a few words more in reply to the remarks already made. This bill was framed in a manner similar to that in

which bills have been framed in Congress, that is to say, it has been attached on to another bill as they sometimes do in that body, as a rider, I think they call it. Now, if these bills came up here separately I would like to have voted upon them separately, but they come here together; and while I have at this time moved for the indefinite postponement of this bill, it was because I could not single them out.

Now, gentlemen, take into consideration the way you will be situated when you get home; you are not going to be here always; we are going home sometime, where we will milk the cows and feed the pigs and look over our whole family. How much do we earn there? I want to say here that if the judge of that court spent 54 hours in the week that he would be earning more than any two or three men could earn on our farms. Now, is that a hardship? I don't think so. The judge of that court told me when I asked him about the time that he spent at the office, he said he planned to come in in the morning and sometimes he would spend the whole forenoon. The gentleman from Lincoln, Mr. Thombs, knows this better than I do, and he has practiced before this court, and he knows better than I do that if the judge of that court wants to go away for a week or two weeks or longer that the recorder of that court can do the business. He asks here for \$1500, and they have another clerk there at \$600. Without going into details I could tell you how the courts of our county have run us behind during the last year, where they have put us in debt, but I won't refer to that because it is not touching the bill at all. I want everyone of you to think about this matter and see where the opposition comes from to this judge's salary. Where does it come from? The men who practice before that court know very well, and it is really an insult to the court, that if they come over here and make any opposition to the raising of the salary of that judge that when they come up before that court this matter will be remembered. That is one reason why they come here, they practice before that court, and they know, as I have had it intimated to me since I have been here, if you tackle these courts or these lawyers you will

get skinned when you get into court. I told them that if they were going to skin me to skin me now; I have nothing to fear from the courts. I do not pretend to be any silver-tongued orator, but I do pretend that I am a fair business man, just an average business man, and I know pretty nearly at my time of life what it means to earn a dollar.

Now, gentlemen, we have 125 lawyers in the Penobscot Bar. What does it mean, gentlemen? It simply means that somebody has got to support them. (Laughter.) I will admit that this is a small matter, but small matters sometimes lead to larger ones when you put them together. They said that I stirred up a hornets' nest the other day, but I am going to say that I got into a hornets' nest, I didn't stir one up. I don't care personally whether you vote for or against this bill! I know one thing, and that is that I can go home with clean skirts to face my constituents.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Corinth, Mr. Hill, that this bill be indefinitely postponed. Upon that motion the gentleman from Lincoln, Mr. Thombs, has asked for a division of the House. All those in favor of the indefinite postponement will rise and stand in their places until counted.

A division being had, 44 voted in favor and 48 against.

So the motion was lost.

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

The SPEAKER pro tem: The Chair lays before the House bill, An Act to equalize the salaries of the clerks of the supreme judicial court, Senate Doc. No. 160. The pending question is the third reading of the bill, the same having been tabled by the gentleman from Calais, Mr. St. Clair.

Mr. Pierce of Houlton offered House Amendment A, to add in line six the words "and expenses of self and subordinate while attending the sessions of the supreme judicial court at Caribou."

The question being on the adoption of the amendment,

The amendment was adopted.

The bill was then passed to be engrossed as amended.

The SPEAKER pro tem: The Chair lays before the House bill, An Act to equalize the salaries of sheriffs, Senate Doc. No. 148, tabled by the gentleman from Portland, Mr. Connellan, the pending question being on the adoption of House Amendment A.

Mr. CONNELLAN of Portland: Mr. Speaker, the committee on salaries and fees in reporting in regard to the sheriff of Cumberland county reported that the salary be fixed at the sum of \$3400. The present salary of the sheriff of Cumberland county is \$3500, and that salary was fixed some fifteen years ago in this way: At that time among the several candidates for sheriff was a candidate of the Prohibition party, called the Parson Sheriff, who was elected by stickers. During the campaign he had made the assertion that if elected sheriff he would be willing to serve at a salary of \$3000. After his election and at the following legislature he appeared before the legislature and asked for \$5000, claiming that in the interim between the time of election and the time of the convening of the legislature, he had investigated the duties of the sheriff of Cumberland county and had come to the conclusion that the position was one of such responsibility and of such magnitude that it was worth \$5000,—and I think he was right; but the legislature at that time fixed the salary at \$3500. Since that time the population and valuation of Cumberland county have increased in ratio about 12½ per cent., and there has been no difference in the salary attached to the office of sheriff in that county.

Now in order that the members of the House may understand just what the office of sheriff in that county is I will make some comparisons, and in making these comparisons I wish it understood that I do not wish to reflect upon the action of the House in fixing the salary of the gentleman to whom I refer. I simply do it for the sake of comparison. Kennebec county has for sheriff a gentleman whom the House decided a few days ago should receive the salary of \$2800. I myself voted for that, and will vote for it again if occasion requires.

The population of Kennebec county is 62,800, and its valuation is \$34,469,000. Now, if that is a fair salary for the sheriff of Kennebec county, why wouldn't \$4000 be a fair salary for the sheriff of Cumberland county which has a population of 112,000, twice the population of Kennebec county and a valuation of \$96,500,000, three times the valuation of Kennebec county?

York county has a sheriff to whom this House has seen fit to vote to give a salary of \$2500 per year, and I am pleased to say that I also voted for that. But the comparison is as follows: The population of York county is 68,500, as against 112,000 in Cumberland county; the valuation of York county is \$37,750,000 as against a valuation in Cumberland of \$96,500,000.

Now, in addition to that the sheriff of Cumberland county is obliged to attend, either by himself or through his deputies—and as a courtesy to the court he usually attends by himself upon the terms of court,—he is obliged to attend nine terms of the superior court a term being held once every month, on the first Tuesday of every month, with the exceptions of the months of June, July and August, and the term lasts through the entire month, not for one, two or three days or one or two weeks, but through the entire month; he also has three terms of the supreme court which lasts anywhere from ten days to a month, and one term of law court which also lasts usually about four weeks.

In addition to that (and I am sorry to say it, but it is a fact) we have a pretty large jail in Cumberland county, and its population is usually in the neighborhood of 100, sometimes more and very seldom less, and the care and keeping of the prisoners in that jail, the sanitary conditions and the various other things required in the keeping of such a large number of prisoners is a heavy task and a heavy responsibility upon the sheriff of that county. In addition to that, Cumberland county jail is required to receive prisoners coming from violations of the United States laws, what we call United States prisoners, when they are committed for a term of less than one year, and then when they are committed for a term of over one year and are finally sent to

Atlanta to the Federal penitentiary there, Cumberland county is obliged to keep them until the final decision comes, which may be one week, one month or three months.

In addition to that, the responsibility of the sheriff of Cumberland county does not lie, as most people think, in the enforcement of the liquor business. That is a minor consideration in connection with the duties of the sheriff. The responsibility of the office of sheriff, whether it be Cumberland county or any other county in this State, is in the exercise of its civil functions, and that is where the responsibility lies and lies most heavily. For instance, in the attachment of large stocks of merchandise, in the enforcement of its civil processes and in the carrying out of the orders of the civil courts; that is where the responsibility lies, not so much in connection with the liquor question that they all seem to think is the main thing connected with the sheriff's office. As an illustration of this I wish to tell you, gentlemen, of an incident that occurred within the last three weeks in the county of Cumberland, where the sheriff through one of his deputies made an attachment of a schooner, and it is claimed by the defendant that the attachment is void and of no effect, and he was notified to obtain a bond; he informed the plaintiff that he must have a bond of \$10,000, which the plaintiff gave him or tendered to him, and which he accepted. In the course of six or eight or ten days he received a notification from the defendant's attorney, one of the best lawyers in Maine, Benjamin Thompson of Portland, by name, that the damage in case his act or the act of his deputy would be illegal,—the damage would amount to the sum of \$1000 a day, and that he had better secure himself by a bond from the plaintiff in the sum of \$100,000. I merely mention this to show the tremendous responsibility in connection with the office of sheriff in that county; and I say to you, Mr. Speaker and gentlemen of the House, in view of all those facts, in view of the work required of him, in view of the heavy responsibilities placed upon him, it seems but fair and just that he should receive such a salary as is commensurate with the responsibility of his work. 1

therefore hope, Mr. Speaker and gentlemen, that you will adopt this amendment.

Mr. BLAKE of Oakland: Mr. Speaker, I would like to inquire if the gentleman from Portland, Mr. Connellan, through the Chair, if this is the salary recommended by the Cumberland county delegation?

Mr. CONNELLAN: Mr. Speaker, if I may be permitted to answer the gentleman, I will say that the Cumberland county delegation are unanimously of the opinion that the salary should be \$1000 per year.

The pending question being on the adoption of House Amendment A,

The amendment was adopted.

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

The SPEAKER pro tem: The Chair lays before the House Senate Doc. No. 146, bill, An Act to equalize the salaries of county commissioners, tabled pending its third reading on motion by the gentleman from Portland, Mr. Connellan.

On motion by Mr. Connellan the bill received its third reading and was passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House the report of the committee on legal affairs on bill, An Act to extend the charter of the Waldo County Electric Light and Power Company, tabled pending acceptance of the report of the committee by the gentleman from Jackson, Mr. McKinley.

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

The SPEAKER pro tem: The Chair lays before the House bill, An Act relating to the construction of bridge over tide waters between Orr's Island and Bailey's Island, House Doc. No. 326, tabled pending its third reading on motion by Mr. Mullin of Lincolnville.

Mr. MULLIN: Mr. Speaker, this bill was tabled by me at the request of another gentleman, and I have no interest in it; I therefore yield the floor to the gentleman from Lewiston, Mr. McCarthy.

Mr. McCarthy of Lewiston moved that the bill be indefinitely postponed.

Mr. POLLARD of Solon: Mr. Speaker,

as a member of the committee on ways and bridges I wish to say that we gave on this matter a fair and impartial hearing; we gave the proponents and the opponents of the measure ample time to be heard, and our committee reported unanimously that this bill "ought to pass," and I hope that the motion of the gentleman from Lewiston, Mr. McCarty, will not prevail.

Mr. ROBERTS of Portland: Mr. Speaker, it seems very strange that a bill of this kind which has been reported unanimously by the committee on ways and bridges should at this late date come up for no other reason than to be indefinitely postponed, without any legitimate reason being given. I think that some member of the committee who heard all the evidence should explain the matter to the House, and I think the House might be guided by that, because the committee had a chance to hear the whole case, and the last end of the last struggle on the part of the opponents is in the indefinite postponement of the measure. I, for one, would like to hear from the gentleman from Woodstock. Mr. Perham.

Mr. PERHAM of Woodstock: Mr. Speaker and gentlemen of the House, I am very much surprised at the move which has been made in relation to this bridge. There are certain facts that I think the members of this House should understand before they vote to indefinitely postpone this bill. In the first place, because it does not call for any appropriation it should be of interest to the members of this House; the people of this town, of which Orr's and Bailey's Islands are a part, simply wish for a chance to build this bridge themselves; they do not come to this State asking for an appropriation; they simply ask for a right to build this bridge themselves. After three town meetings the town has voted to build this bridge, and they have even raised a portion of the money required to build this bridge, and that money at the present time is in the bank waiting to be used for the purpose for which it was raised. Through the efforts of certain parties, the desires of this town have been thwarted, and they appeal to the legislature of the State of Maine to grant them the right to appeal to the county commissioners to give them

the right to build this bridge themselves, for their own personal safety and accommodation. There have been several lives lost in attempting to cross this channel to the main land; and every man on that committee I think was firmly convinced that this was one of the most just measures that have been brought to our attention. I think I can speak for all those who are in this end of the House, and they are willing to speak or themselves upon this question, if necessary to the effect that this matter should pass, and that the people of those islands should be allowed another chance with the rest of their town to build this bridge.

Mr. HODGKINS of Harpswell: Mr. Speaker, I simply wish to say a few words upon this question. In the year 1882, the legislature gave the town of Harpswell the right to build a bridge from Bailey's Island to Orr's Island. A few years ago the War Department and the State Highway Department told the town what kind of a bridge they could build. They told us the cost of such a bridge would be between \$35,000 and \$40,000. The effect of this bill would give the county commissioners or the court power to order this bridge built, putting a debt on the town of Harpswell almost up to the debt limit. Now, when the town voted to build this bridge it was represented that the bridge could be built for \$17,000, but when they got to examining the bids the lowest bid was found to be \$33,000. Of course the town has no authority to go ahead and build the bridge, and the matter has hung that way ever since; and now when we get ready to build a bridge we want the town to have something to say about it, and not have the matter left wholly in the hands of the county commissioners.

Mr. McCarty of Lewiston: Mr. Speaker, and gentlemen, I do not question the sincerity of the gentlemen who compose the committee on ways and bridges, nor do I question the truth of the statement made by the gentleman when he says that the town of Harpswell does not demand from the State of Maine any appropriation in order to enable them to construct this bridge. The town of Harpswell for the last 32 years has had the privilege of constructing this bridge



by reason of the permission granted to them by an act of the legislature in 1883. If this bill should be passed then this permission that was granted 32 years ago to the inhabitants of Harpswell is taken away from them, and the privilege of deciding for themselves whether they wish this bridge or not, is placed in the hands of the county commissioners. I wish to call your attention to the wording of this bill, which says, "If said municipal officers unreasonably neglect or refuse to lay out and construct said bridge on petition of an inhabitant, or of any owner of land therein," certain proceedings will follow.

Now, I appeal to this House if that is a fair proposition, that a single inhabitant of the town of Harpswell may force an entire town to take action in regard to the construction of this bridge. If this bridge could be constructed at a reasonable figure, something within the limits that the town of Harpswell could pay, then the representative of that town who is here today would not be objecting to its construction, to the building of that bridge, which means a saddling on to that town of some \$38,000 or \$40,000, and I think that this legislature should go pretty slow before it allows a single inhabitant of that town who might be a fisherman without any property to force that action upon them. I sincerely trust that such an amendment as that will not receive the serious consideration of this House. If the amendment provided for a majority vote of the inhabitants of the town of Harpswell nobody could object to it, but when a single inhabitant can throw that town into a position where it will take years to emerge from debt that he might create, then I object to it, even though it means nothing to me.

MR. ST. CLAIR of Calais: Mr. Speaker, the gentleman from Lewiston, Mr. McCarty, has so well stated the proposition that it leaves nothing for me to say.

MR. BROWN of Auburn: Mr. Speaker and gentlemen: This bill seems to be in rather an unfortunate position, and that is that it is the few against the many. If I understand this proposition, the town of Harpswell has voted to build this bridge. They appropriated money to

build it and then they decided that they would not. I happen to know something about Bailey's Island, because I have been down there and stayed all night. I looked at the town report today, which was laid on my desk, and I found that the valuation of the town of Harpswell in round numbers, as given in the town report, is about \$1,000,000; a little short of that. I find that the liabilities and resources of the town leaves a balance of a little over \$7000 to the town's good; not a very bad showing. It is unfortunate, perhaps, that there are about seventy families who live on Bailey's Island all the year around. There is a big place, if you will allow me to call it a place, between Bailey's Island and Orr's which is not at all times safe passing. It seems to be a narrow place and the water is very low and shallow; and with the tide ebbing and flowing, the water is, of course, higher sometimes than others. There is, however, a ledge bottom from one shore to the other. Now Bailey's Island is one of our summer resorts. I took notes from the postmaster of the place, and I think he is a fair man. I find that the number of resident families on Bailey's Island is 70. The valuation of Bailey's Island is \$167,000. When the town thought they would build this bridge, they got the figures from the contractors of \$24,960, a little less than \$25,000. Now, gentlemen, it is for us to help these people over on that island. They cannot get that bridge unless we help them. As I understand it, they simply ask permission to call on the county commissioners of Cumberland county, and no one would dare to presume to say that those commissioners would not be fair. They are men of judgment, and if those commissioners deem it wise and prudent for the inhabitants of Bailey's Island to have a bridge across there, of course they will lay it out; otherwise they will report, I suppose, that the petitioners may have leave to withdraw. As I understand it, that is simply the situation. It is very unfortunate for

a small portion of a town to be off by itself. The bigger portion always rules and always carries the day. I do hope, and I think it is the sense of this House, to grant those people down there their request that they may have the right to call on the county commissioners, which I think is neither unjust nor unfair. I hope, Mr. Speaker, this motion to indefinitely postpone will not prevail.

Mr. BESSE of Clinton: Mr. Speaker, I would like to say just one word. Harpswell was well represented before the committee on this bridge affairs, and it was the best judgment of that committee that they should have a bridge. This bridge calls for a bridge about 1200 feet long, with one span 50 feet and one 7, and the rest of it is approaches. It is not going to cost \$55,000 nor \$40,000 to do the job in my opinion. I think it can be done, as stated before the committee, for around \$20,000 or \$24,000; and I hope that the report of the committee will be sustained.

Mr. ROBERTS of Portland: Mr. Speaker, I think that the committee's familiarity with the evidence coming before that committee should be satisfactory to this House; and I hope that every member of this body will vote not to indefinitely postpone, but to pass this bill, and give these people a chance which they are simply asking for, not at our expense, but at their own.

Mr. PERHAM of Woodstock: Mr. Speaker, I would like to add one word to the remarks that have been made. The War Department was referred to the United States Government. They have been on and looked over the matter and have given their consent that this bridge may be constructed. A majority of this town, the whole town—a small part of it you say is on this island—in three town meetings, with all the strength out that was opposed to it, voted to build this bridge. The specifications for this bridge, as we were informed, and it was proven indisputably before our committee by the proponents of this measure, as put out by the municipal officers, who were opposed to its construction, called for a quality

of material not needed in that location. There were plenty of rough stone right at hand to build these bridges, and at a very moderate expense; while the specifications called for dressed granite imported from some other part of the State, which was entirely unnecessary and uncalled for. This was simply a ruse to make the expense so much that the people would refuse to build it. As to the statement that one inhabitant should have the right to appeal to the county commissioners. I do not know why one inhabitant of the State of Maine is not as worthy of consideration as another. At the hearing the opponents of this bill were ably represented by distinguished counsel, while these men from the island came here personally, unassisted by any counsel, and argued their cause so ably and so well against the learned counsel of the opponents that the committee were unanimous that their demand should be granted. Nearly every day since that hearing was held, we have seen the same learned counsel in this House, and I have reason to believe that many words have been spoken to members of this House by those interested in opposing the granting to these people the rights that are theirs, and which the town in open town meeting has three times voted to grant them. I hope, Mr. Speaker and gentlemen of the House, that you will not override the demand of these people, and that this matter will not be indefinitely postponed, but that they will be allowed their claim.

Mr. GREELEY of Portland: Mr. Speaker, I have a great many friends in Harpswell, and many of them good citizens and tax-payers. I have been approached on this matter by many of those interested parties, and been informed by people who have looked both bids over. The bridge as mentioned at \$24,000 was not for a suitable bridge, but for a bridge of wooden pilings—a wooden bridge. Now the bridge that was wanted was one costing \$38,000 or \$40,000. It is very easy, gentlemen, for us to come into this session of the Legislature, and vote this and vote that regardless of the poor tax-payer who has to assume the obligations after we get through. What we do in two minutes it will take that man thirty years to overcome. Now, gentlemen, there is

a great percentage of poor, hardworking people in this town of Harpswell who have a hard time to get an existence. You members in this Legislature do not know Harpswell as we know it. There is no demand for such a bridge as that one. It would be good, of course—we all acknowledge that; and nobody would like to see a bridge there more than I, because I spend a great deal of my time in Harpswell. But you are inflicting a hardship on a great many of the tax-payers of that town if this goes through.

Mr. FOSSETT of Portland: Mr. Speaker, I did not intend to say anything on this matter, and I hate to disagree with my colleague from Portland, Mr. Greeley; but I take into consideration those people on Bailey's Island, and I think they could have some other way of getting from Bailey's Island to the mainland than by boat. I hope the bill go through. I do not think it will work a hardship on anybody.

Mr. McINTIRE of Waterford: Mr. Speaker, I am sorry to take your time for a minute; but I cannot help it. This is a case of the weak against the strong. This is not a case of deciding whether we will build a bridge or whether they will build a bridge. Some one must decide that. Give these poor people on the island a fair show. They have come here and asked for it, and let us stand up here and give it to them. I cannot think for a minute that the members here will refuse to give these poor people a chance. I will be mightily surprised if they do not stand up here and favor it.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Lewiston, Mr. McCarty, that this bill be indefinitely postponed. All those in favor will manifest it by saying yes, and those opposed no.

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

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

The Chair lays before the House Bill, "An Act requiring reports from property owners in case of fire and

fixing liability of owners under certain conditions," House 379, tabled by the gentleman from Houlton, Mr. Pierce, on March 13th.

Mr. PIERCE: I tabled it, Mr. Speaker, simply because there were amendments in the Senate. I yield to the gentleman from Bingham (Mr. Dutton) who is on the committee.

On motion by Mr. Dutton of Bingham, it was voted to concur with the Senate in the indefinite postponement of this bill.

The Chair lays before the House, Senate Document 153, bill, "An Act to provide for the classification and compensation of clerical employees in state and county offices," tabled March 13th by the gentleman from Houlton, Mr. Pierce, pending its second reading.

Mr. PIERCE: Mr. Speaker, might I inquire what of the Senate amendments to Senate Document 153 were passed by the Senate? I understand some of them were rejected.

The SPEAKER pro tem: Senate amendments, B, C, D, E, and F were adopted, and the bill was passed to be engrossed. A was defeated apparently by this report.

Mr. PIERCE: Mr. Speaker, I would move that we non-concur with the Senate in the adoption of Senate amendment B. It is practically the same question on every one of the amendments; so what I have to say is upon all of the amendments.

The SPEAKER pro tem: I will state to the gentleman from Houlton (Mr. Pierce) that, if you are to non-concur, you can take them together rather than individually, if you wish.

Mr. PIERCE: Then, Mr. Speaker, I make the motion upon all of the amendments and speak upon all of them. The reason is this: We have been talking much about the reports of committees; and I do not mean to say that the report of the committee may not be all right in certain respects. But these particular amendments absolutely eliminated for all practical purposes all of the first part of the bill. In other words there is nothing left of the first thirteen

sections—of the general idea of the first thirteen sections of Senate Bill No. 153. Now that bill, if you recollect, gentlemen, has been one of the longest advertised and debated measures before this Legislature. In the first place, it was in the report of the committee on salaries and fees. In the next place, there was another set of hearings before the committee on salaries and fees of this Legislature and they have made a unanimous report in favor of Senate Bill No. 153, which was a Senate Bill. Now the purpose of all these amendments is this, plainly and simply, to remove all control whatsoever by the Governor and Council over the clerks in the various State departments. In other words, each department can hire any and all the clerks it wishes; that is the purpose of this amendment. The purpose is obvious, to take from the Governor and Council the authority which they possess—and mind you, gentlemen, almost every department except the highway department and perhaps one or two others lately created, and from 1872 until the present time he always had that power. These different clerks have always been under the control of the Governor and Council. This act classifies the different departments—classifies the clerks. For that we do not care so much, and then the act goes ahead and removes from the Governor and Council not only its control over the new departments but over all departments of which they heretofore had control. Before I came down to this Legislature I was approached by a man who had seen service in both branches of this Legislature on both branches and on a Republican Governor's Council, and what he advocated was that we should amend the law so that the clerks in the highway department and the new departments should come under the Governor and Council because in his judgment and experience that was necessary that a proper management of the affairs of the State, that the Governor and Council should have some control over an unnecessary and wasteful piling up of expense in the different

departments by the hiring of clerks. It is perfectly obvious that any department likes to have every facility it can have for doing its own work. Nobody seriously believes that any Governor and Council of the State of Maine is going to object to giving any department enough clerical assistance to do its work; but it must be obvious that unless you have a head somewhere, if you let each department run wild in its own field, that the expense is going to increase. For that reason, gentlemen, I ask that the unanimous report of the committee on salaries and fees be sustained, and that these amendments which are not really amendments but are intended to tear the heart out of those sections—that we non-concur with the Senate and defeat those amendments.

The pending question being on the motion of the gentleman from Houlton, Mr. Pierce, to non-concur with the Senate in the adoption of Senate amendments, B, C, D, E and F.

The motion was agreed to.

On motion by Mr. Connellan of Portland, Senate Document No. 153 was re-tabled and specially assigned for consideration on Tuesday of next week.

The SPEAKER pro tem: The Chair lays before the House, Senate Document No. 298, bill, An Act relating to the commitment of idle and vicious girls to the Maine Industrial School for Girls, tabled March 16th by the gentleman from Calais, Mr. St. Clair, pending its passage to be engrossed.

MR. ST. CLAIR: Mr. Speaker, I was somewhat interested in that bill and looked it up to see what it was, but I do not get any information from it. I will read the title as given in Senate Doc. No. 298, "An Act to repeal Section 25 of Chapter 143 of the Revised Statutes of 1903, relating to the commitment to the Maine Industrial School for Girls. Be it enacted by the people of the State of Maine as follows: Section 25 of Chapter 143 of the Revised Statutes of 1903 is hereby repealed. Now I intended to look up that chapter to see what was repealed but I was rather busy

and neglected to do so, and I would like to have the matter go over one day.

On further motion by Mr. St. Clair the bill was re-tabled and specially assigned for consideration to-morrow.

The SPEAKER pro tem: The Chair lays before the House, House Doc. No. 270, bill, An Act to authorize the Mousam Water Company to increase its capital stock, tabled March 16th by the gentleman from Sanford, Mr. Hanson, pending its second reading.

Mr. HANSON: Mr. Speaker, there is some error in the bill and it is desired that it be recommitted to the committee on legal affairs and reported in a new draft, and I make a motion to that effect.

The motion was agreed to.

The SPEAKER pro tem: The Chair lays before the House majority and minority reports of the committee on claims on resolve in favor of Fred R. Smith, House Doc. 688, tabled on motion by the gentleman from St. Albans, Mr. Grant, pending the acceptance of either report.

On motion by Mr. Grant the bill was re-tabled and specially assigned for consideration on Friday of this week.

The SPEAKER pro tem: The Chair lays before the House House Doc. 691, report of the committee on claims on resolve in favor of DeForest Keyes, tabled by the gentleman from Houlton, Mr. Pierce, pending the acceptance of the report of the committee.

On motion by Mr. Pierce the report was again tabled and specially assigned for consideration on Friday of this week.

On motion by Mr. Pierce of Houlton, House Doc. 69, report of the committee on claims on resolve of Herbert L. Kimball, tabled March 13th by the same gentleman pending the acceptance of the report, was again tabled and especially assigned for consideration on Friday of this week.

Mr. CONNELLAN of Portland: Mr. Speaker, yesterday either I made a mistake or the Clerk, and I don't know which; but I thought I moved to re-

commit a bill to extend the powers of the Limerick Water and Electric Company. I see the calendar says it was laid upon the table and unassigned. That is a mistake and I would like to have unanimous consent to take it from the table at this time and make a motion to again table it.

The SPEAKER pro tem: The Chair is informed that the point raised by the gentleman from Portland, Mr. Connellan, is correct, and it was referred as the gentleman desired to the judiciary committee.

The SPEAKER pro tem: The Chair lays before the House House Doc. 487, bill, An Act to provide for the convenience of travelers upon electric cars, tabled on motion of the gentleman from Hampden, Mr. Smith, the pending question being the concurrence with the Senate in the indefinite postponement of the bill.

Mr. SMITH: Mr. Speaker, because of the fact that last Saturday the proponent of this bill was not present when it came up, I tabled it, and I now yield to the gentleman from Auburn, Mr. Brown.

Mr. BROWN of Auburn: Mr. Speaker, I am very thankful to the gentleman from Hampden, Mr. Smith, for tabling this matter for me in my absence. I do not rise with the idea of making any more discussion on the matter. The members of the House remember the discussion that we have had. I believe there is not a member of the House here who will say it is not necessary, but in the Senate they have seen fit to indefinitely postpone it. Now all I ask of you gentlemen is to insist on your former vote and upon that I will ask for a committee of conference; and without any further delay, Mr. Speaker, I will ask the House to sustain me to the extent of insisting upon its former vote.

The motion was agreed to.

On further motion by Mr. Brown the House voted to insist upon its former action and ask for a committee of conference Messrs. Brown of Auburn, Smith of Hampden and McKinley of Jackson.

The SPEAKER pro tem: The Chair

would state to the members of the House that there are quite a few items still on the calendar and unassigned, and the Chair wonders if it is not possible to do something with them.

On motion by Mr. Connors of Bangor, unanimous consent was given and that gentleman was permitted to introduce at the present time out of order under suspension of the rules bill, An Act to amend Chapter 47 of the Public Laws of 1911, relating to liens on land.

On further motion by the same gentleman the bill was referred to the committee on judiciary.

On motion by Mr. Ryder of Brownville, House Doc. 583, bill, An Act to amend Section eighty-nine of Chapter nine of the Revised Statutes, as amended by Chapter one hundred and eighty-four of the Public Laws of nineteen hundred and seven, Chapter

ninety-four of the Public Laws of nineteen hundred and nine, and Chapter forty-six of the Public Laws of nineteen hundred and eleven, relating to the Choice of Assessors of Taxes, was taken from the table, and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.

On motion by Mr. Perham of Woodstock, unanimous consent was given and that gentleman was permitted to introduce at the present time under a suspension of the rules, out of order, resolve relating to the distribution of proceeds of the issue of bonds for State highway.

On further motion by the same gentleman the resolve was referred to the committee on ways and bridges.

On motion by Mr. Jameson of Friendship,

Adjourned until tomorrow morning at nine o'clock.