

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

**HOUSE.**

Wednesday, March 31, 1915.

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

Prayer by the Rev. Mr. Gibson of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act relating to the use of automobiles in the town of Mt. Desert, Hancock County.

In the Senate this bill received its two readings and was passed to be engrossed.

On motion by Mr. Small of Mt. Desert, the rules were suspended, the bill received its three several readings and was passed to be engrossed.

From the Senate: Resolve in favor of Michael Burns.

In the House the minority report of the committee, "ought to pass" was accepted, and the resolve read twice and passed to be engrossed.

It now comes from the Senate with the majority report accepted in that branch in non-concurrence.

Mr. Drummond of Winslow moved that the House recede and concur with the Senate.

On motion by Mr. Greeley of Portland, the resolve was laid upon the table.

From the Senate: Report of the committee of conference on the disagreeing action of the two branches of the legislature on Resolve in favor of the town of Pittsfield, reporting that the House recede and concur with the Senate in the passage of the resolve, signed by Senators Walker, Cole and Murphy, on the part of the Senate, and Messrs. Plummer, Ricker and Brown on the part of the House.

The report was accepted.

On motion by Mr. Ricker of Castine, the vote was reconsidered whereby the House voted to indefinitely postpone this resolve, and on further motion by the same gentleman the resolve received

its second reading and was passed to be engrossed in concurrence.

**Reports of Committees.**

Mr. Higgins from the committee on appropriations and financial affairs, reported "ought to pass" on Resolve in favor of Ina E. Chadbourne.

The report was accepted.

On motion by Mr. Higgins, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve appropriating money to pay Irene D. Chase, stenographer and typist to the clerk of the House.

The report was accepted.

On motion by Mr. Nicholas of Eastport, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of P. H. Fitzgerald.

The report was accepted.

On motion by Mr. Holt of Skowhegan, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of William C. Hanson, clerk to the committee on labor.

The report was accepted.

On motion by Mr. Haskell of Portland, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, on Resolve in favor of William C. Hanson, for services as clerk and stenographer to the committee on salaries and fees, reported same in new draft under same title and that it "ought to pass."

The report was accepted.

On motion by Mr. Sanborn of South Portland, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, on Resolve in favor of Reuel B. Soule, for services as clerk and stenographer to the committee on banks and banking, reported same in

new draft under same title and that it "ought to pass."

The report was accepted.

On motion by Mr. McKinley of Jackson, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Mr. Holt of Skowhegan from same committee, on Resolve in favor of Edward S. Austin, document clerk, for preparing weekly printed index, reported same in new draft under same title and that it "ought to pass."

The report was accepted.

On motion by Mr. Holt, the rules were suspended and the resolve received its two readings and was passed to be engrossed.

Mr. Pierce of Houlton from the committee on revision of the statutes, on bill, An Act to amend Section 82 of Chapter 79 of the Revised Statutes, and Sections 8, 9 and 14 of Chapter 108 of the Revised Statutes, relating to venires for grand jurors, reported same in new draft under same title and that it "ought to pass."

The report was accepted.

On motion by Mr. Pierce, the rules were suspended and the bill received its three several readings at the present time and was passed to be engrossed.

Mr. Holt of Skowhegan from the committee on appropriations and financial affairs, reported "ought not to pass" on Resolve in favor of the State House employees.

Same gentleman from same committee, reported "ought not to pass" on Resolve in favor of the committee on insane hospitals.

Mr. Morse from the committee on railroads and expresses, on bill, An Act to authorize the re-organization or consolidation of the railroad companies that constitute the Boston & Maine Railroad system, reported that the same "ought not to pass" as subject matter has been considered under another bill.

Same gentleman from same committee, on bill, An Act to regulate the time for moving freight on railroads, reported that bill is inexpedient as the matters involved may properly be

considered by the Public Utilities Commission and that it "ought not to pass."

Mr. Pierce from the committee on revision of the statutes, reported "ought not to pass" on bill, An Act relating to the employment of clerks in the state departments.

The reports were accepted.

Committee on ways and bridges on Resolve relating to the distribution of the proceeds of the issue of bonds for state highways, reported that this resolve was introduced in the House on the seventeenth of March, but owing to an oversight it was not referred to the committee on ways and bridges by the Senate in concurrence until Friday, March 26th. By reason of the delay in referring the matter to your committee, there has not been sufficient time to give a public hearing. However, your committee believes the subject matter of the resolve is of great interest to the people of the state, and after careful consideration and such investigation as its individual members have been able to make, is of the opinion that the resolve should have a passage, but owing to the fact that no opportunity for a public hearing has been given, your committee, therefore, respectfully recommends that the resolve be referred to the next session of the legislature, signed by Messrs. Conant, Burleigh, Colby, Perham, Pollard, Durgain, Colcord, Besse, Cobb and Wilkins.

Mr. PERHAM of Woodstock: Mr. Speaker, this matter is of unusual interest to the people of the State of Maine and has been carefully considered by the members of the Highway Commission, and you all know that that commission undertook a great job, and I want to say that it is wonderful that they have made no more mistakes than they have. It is admitted that they have made some mistakes and they are in position to benefit by the experience which they have had, and it is a wonder that they have not made more mistakes than they have. I know that there must be a feeling of unrest throughout the State generally in regard to the expenditure of this bond issue. That has been shown before our committee

and it has been put up to the commission and the engineer in charge of that department, and I think they will profit by the criticisms that have been made here during this session of the Legislature; and while there has been no method adopted for the actual distribution of that bond issue money, still the members of the commission have made their promise and given their word of honor as men that they will adhere practically to the plan of distribution **as laid out in the original resolve until such time as this or some succeeding Legislature can determine definitely what that plan shall be.** I have, in consideration of the great interest shown in this matter, prepared the following statement in the way of an additional report, which I will present at this time. It is as follows:

"The purpose of this resolve originally introduced by me was to have this Legislature define the meaning of certain words in the Constitution of Maine. The Constitution two years ago was amended to provide for an issue of bonds for highway purposes, but requires that the proceeds of such bonds shall be expended equitably in the several counties. This word "equitably" has been the cause of much discussion and difference of opinion and it was the purpose of this resolve to lay down a basis or rule which would be in effect an equitable division of this expenditure. As stated in the report from the Ways and Bridges Committee, to whom this resolve was referred, the committee believe that the rule established in this resolve is eminently fair, just and equitable; but that the matter has come up too late in this session to be given as careful consideration as such an important matter demands.

"The development of good roads is the greatest economic question in the State of Maine today. The prosperity of our State depends more upon the development of our highway system than upon any other one thing. While this question has been under discussion for many years, it was given its greatest impetus by the bond issue idea. It was this bond issue, floated, as you all know, by the automobile fees that was at the bottom of the formation of the State Highway Commission. We have

a body of men in this highway commission who are unusually capable, efficient and concerning whom no taint of criticism as to honesty and integrity has ever been raised. But they have a difficult task to please all the inhabitants of this State in the distribution of this bond money, and the purpose of this resolve was in a measure to take this burden, from the shoulders of the highway commission and have it settled by this legislature, an accomplishment which would have been as much to their advantage as it would be to the advantage of the various counties to know that they will positively receive a fair and equitable part of the \$2,000,000 now authorized. Every member of this Legislature is interested in seeing that his county gets a square deal. I am told that the 1914 report of the Highway Commission will shortly be published and every member may then appreciate not only what an enormous amount of work this commission has done, but also what part of this bond issue for highways has been expended in his community. We shall then all be better equipped to pass upon this vastly important question. I hope that the report of the Ways and Bridges Committee, as rendered, will be accepted by this House and this matter thus be referred to the next session of the Legislature."

The question being on the acceptance of the report of the committee.

The report was accepted.

Majority and minority reports of the committee on judiciary on bill, An Act to amend Section 20 of Chapter 47 of the Revised Statutes, relating to corporations; majority report, reporting "ought not to pass" signed by Messrs. Sanborn, Durgin, Campbell, Butler and Conners; minority report, reporting "ought to pass" signed by Messrs. Pierce, McCarty, Waterhouse and Cole.

On motion by Mr. Sanborn of South Portland, the majority report of the committee was accepted.

Mr. Pierce of Houlton moved that the vote be reconsidered whereby the majority report was accepted.

Mr. PIERCE: Mr. Speaker, this bill was introduced in order to cure an evil

which has become prevalent with people outside the State of Maine in regard to corporations organized in this State. The present law provides that any stockholder in a corporation, even if he only owns one share, has an absolute right to a copy of the stock list. That has been abused in this way: he might come down into Maine and buy one share of stock in a corporation that might cost him ten dollars and demand a copy of the stock list for no legitimate purpose whatever,—simply for the purpose of getting a copy of that stock list and selling it again, either to brokers who are interested in opposing companies or else for the purpose of selling it to the local assessors of towns out of the State so that they can get at some of those people for the purpose of taxation, which causes annoyance to the clerks of the companies and carries out a purpose which never was contemplated. This act in its present form protects, I believe, every stockholder in every corporation who has any legitimate reason for wishing to see the stock books of his company; but if he does not have some legitimate purpose for seeing these stock books, he shall not have the right to look at them. It also provides if he is engaged in litigation that he shall have the right to look at the stock book; but that is too narrow a provision, because a man ought to have the right to investigate in order to see whether or not there is anything wrong about such a transaction in a way in which the rights of the minority should not be imposed upon. But this is not limited to that particular class of people, and it allows anyone who has any legitimate reason for wishing to see the stock book of any corporation to do so; it prohibits people who have no such legitimate reason. In case such an examination is required and the clerk of the corporation will not let them do it, they have got to go to the court to get an order; and it seems to me this bill is aimed to correct an unreasonable practice which has grown up in regard to State of Maine corporations; and for that reason I am opposed to the adoption of the majority report.

Mr. SANBORN of South Portland:  
Mr. Speaker, I certainly regret the ne-

cessity of being obliged to engage in a discussion of this matter, but I think it is a matter which requires careful attention on the part of this House. It is a pretty well known fact, I suppose, not only in Maine but outside of Maine, that the Maine corporation laws have been made use of, at least by unscrupulous people, for the purpose of exploiting all sorts of schemes for getting money outside the State. It is a well-known fact that our corporation laws are not regarded outside of Maine as an institution altogether to our credit. It has been remarked by some people that it would be a good idea to reorganize the corporation laws of this State, and I apprehend it might be a good thing to do. Those people who come into Maine for the purpose of organizing their corporations, while they frequently do organize genuine corporations for the actual promotion of industries, many come in here to organize corporations which shall be exploited outside the State for the purpose of getting money from individuals outside the State.

Now, there are attorneys who derive considerable income from organizing corporations and keeping the records of those corporations; they may do that lawfully and they may do it properly, but the whole arrangement as at present worked out is in favor of certain things that are not altogether to our credit as a State. Among other things, it has been discovered that there is a little inconvenience to the fellow from outside the State who comes in here to get his corporation organized; and I fully agree with the gentleman from Houlton, Mr. Pierce, that from the standpoint of those fellows it is an evil; it is certainly an inconvenience that nobody who owns a share of stock should have the right to come to the office of the corporation and learn who the rest of the stockholders are, because he can if he sees fit take that list and use it for a mailing list and send out to somebody who is looking for other investors, and he can say, "Here is a list of men who are stockholders in a concern, and they have gone into this concern and put in some money, and perhaps you can get them for yours." I say, perhaps that has been done. It

may be true that those men have gone out and told certain assessors that these men have stock in these companies, and thus enable them to get at some taxable property which otherwise would not be known about. That may be true, and as far as I know that is the extent of the evil. It may be an annoyance and an inconvenience; it probably has been and probably would be again, and that I agree ought to be cured if it is possible. But let us see, if we cure that evil, what we are doing along with it. We are saying to a stockholder who may have been victimized that we are going to dictate the policy of this corporation and you can not control it, and more than that you can not find out who your fellow stockholders are; and if you think it is time an investigation should be conducted and would like to know the list of stockholders so that you can communicate with them and see if they can not by concerted action get in here and rearrange things,—but you can not know who are your fellow stockholders for that purpose. This act says that the stockholder may not see the stock books unless he has already commenced litigation, unless a law suit has already been commenced in relation to it, or unless it pertains to the business of the corporation. I submit that if I were a member of a corporation and I believed they were working a flim-flam game on me, I would like to know who my fellow stockholders were, and I submit that when I go to the clerk and ask for a list that he may properly say to me, "Have you started a suit yet?" and if I were to say that I had not, because I did not know there were grounds for an action, I would have no redress. As this bill is framed it would prevent a judgment creditor from having any view of the stock records and list of stockholders, a right which he now has and properly should have. It is my idea that we should not go any further than we have already gone in building up a financial aristocracy here in Maine for the benefit of outside exploiters. I think we have gone far enough, and many think we have gone too far. In this case I am positively opposed to anything which shall go farther in protecting that sort of a trust.

Mr. ST. CLAIR of Calais: Mr. Speaker, it seems to me that the minority stockholders are bad enough off most of the time without passing any further laws to limit their rights. It may be some inconvenience for a corporation to have a single stockholder come in and demand to see the list of stockholders; but he ought to have some rights and the Legislature should be careful not to curtail them. There is a principle of law which might be stated in this way, that it is better that some guilty men escape than that any innocent man should suffer. I look at it in the light that the minority stockholder needs a good deal more protection than the corporation does. The corporation ordinarily can take care of itself. I do not think this is a fair proposition, because I think it is crowding the little fellow too hard.

The question being on the motion that the majority report, reporting "ought not to pass" be accepted.

The motion was agreed to.

On motion by Mr. Pierce of Houlton, unanimous consent was given and that gentleman introduced out of order under a suspension of the rules, bill, An Act for the assessment of a State tax for the year 1915.

On further motion by Mr. Pierce, under a suspension of the rules, the bill received its three readings and was passed to be engrossed.

On motion by Mr. McCarty of Lewiston, unanimous consent was given and that gentleman introduced out of order under a suspension of the rules, bill, An Act relating to the assessment of the county taxes in the several counties for the year 1915.

On further motion by Mr. McCarty, under a suspension of the rules, the bill received its three several readings and was passed to be engrossed.

#### **Bills on Their Passage to Be Engrossed**

House 960: An Act to amend Sections four and five of Chapter 35 of the Public Laws of 1909, relating to the duties of the commissioner of agriculture in relation to the manufacture, transportation and sale of dai-

ry products and their imitations.

Mr. Peterson of New Sweden moved that the bill be indefinitely postponed.

Mr. McINTIRE of Waterford: Mr. Speaker, this measure is in the nature of an improvement to our dairy conditions in this State. You will remember that a few years ago we had to start the campaign in regard to the inspection of milk, and there is no one here who will deny but what that was needed and but what it has been a good thing for the farming interests of our State. Now this calls for an inspection of cream as well as milk in this way: The department of agriculture will issue a license to anyone asking for it without any expense whatever; all that you have got to do is to live up to certain requirements established by our commissioner. We have a department of agriculture and it is the business of that department to improve and build up the agricultural interests of our State, and our dairy interest is one of those. Now if you fail in that department, and if you are willing to work with it for bettering the conditions here is a bill under which you can work. I think it is a just and a fair bill. I am a producer of cream and milk in a small way, and I am perfectly willing to come under the requirements of this bill which I think will help greatly towards improving our present conditions.

Mr. BRANN of Winthrop: Mr. Speaker, I am sorry that the department of agriculture or any gentleman here on the floor of this House should want to force on the farmers of this State a bill of this kind. It seems to me that we already have too much inspection, and I think we now have too many bureaus. Personally, I am tired of all these inspections and investigations of the farming industries of our State, and telling our farmers what to do and how to do it. I think the agricultural interests are now very generously endowed, and perhaps too much so in this State. And what has come of it? Successful agriculture depends upon the success of the individual farmer, and the best work is accomplished through his own effort, energy, initiative and executive capacity. Two years ago the agricultural department

had and there passed through that department the sum of \$140,797.42. I don't know how much it will be at this session, but it will probably be in excess of that amount. This bill carries a provision so that for both years it will amount to about \$10,000 to pay for the expense of carrying out the provisions of that law. I sincerely hope you will not force this upon the farmers of this State; and when the vote is taken upon this matter I would like to have it taken by the yeas and nays.

Mr. WASHBURN of Perry: Mr. Speaker, I desire to support the motion made by the gentleman from New Sweden, Mr. Peterson. This is a bill requiring that all persons having cream for sale in this State shall procure a license, which license is revocable at the will of the commissioner of agriculture. The matter was given an extended hearing before the committee on agriculture, and while we submitted a majority report in favor of the passage of the bill there were two of the members of that committee who felt such legislation was unnecessary at this time, and that nothing could be accomplished by it that could not already be accomplished under the provisions of the pure food law. The provisions of this act would simply be placing a few more wheels in the machinery of the department of agriculture, and an appropriation is asked for the purpose of keeping the wheels going around. It is said that the bill would be a benefit to the farming industry of the State. If that is true, then it certainly was not appreciated, for every farmer who appeared before our committee was opposed to it. I believe if the bill had been advertised under a different title which would have more clearly disclosed its true nature that there might have been still more opposition to it. For these reasons I am opposed to the passage of the bill.

Mr. HOLT of Skowhegan: Mr. Speaker, I am in favor of this bill. This measure was introduced early in the session and was referred to the committee; it was advertised in the usual way in the daily papers, and I was not aware of the fact that it was advertised under any false title; and I will say that I have been informed by members



of the committee that there was no opposition that appeared at the time of the hearing on the measure. At the suggestion of the commissioner of agriculture this bill was sent to his department and was there drafted in its present form.

Now, it does not seem to me that this works any imposition upon the farmers of this State, who shall once in two years apply to the commissioner of agriculture for a license which does not cost them anything. It would seem to me that there is nothing in this bill that the milk producers should oppose very much; it seems to me that if there was any one who would be in opposition to this bill it would be the parties who buy the milk and cream or the dealers. I have here a letter from the secretary of the Maine Creameries Association which says that there is no opposition on the part of the creameries of the State; and for this reason I hope the motion will not prevail.

Mr. BROWN of Auburn: Mr Speaker, the statement has been made here that no one appeared before this committee when this matter was brought up. The reason for that was that there was no one to appear but the poor innocent farmers back in our country towns who were attending to their own business and having all they could do to support their families without coming down here to attend committee hearings of this Legislature. They send us here to take care of their interests, and because they did not come here it is claimed that there was no one appeared in opposition. That is the position of the matter, gentlemen; and I hope that this motion will prevail.

Mr. HANSON of Sanford: Mr. Speaker, this bill provides for a score card for the establishment of a grade of milk and cream, and it also provides that any milk or cream producer who in the judgment of the commissioner has complied with the requirements will be placed in the position where his product shall be considered on a parity with the products of everybody else. Now, I don't know exactly what that means; I don't understand that provision, and I don't think anybody can thoroughly understand it. It seems to me that it would be a wise act on the

part of this House to let this bill go by at this time.

Mr. SNOW of Mars Hill: Mr. Speaker, I believe this is unnecessary legislation. This bill says that any person who shall sell or deliver milk, and who will that provision apply to? In every village in our State you will find men with a few cows, perhaps one or two cows, who sell milk to their neighbors, and it does not seem to me that it would be right and proper to oblige those men to comply with the provisions of a law like this. Perhaps they don't keep their cows more than six months, or perhaps they don't have an opportunity to sell their milk for more than six months in the year, and it would place them under the same requirements as one who made that his regular business. It seems to me that there is no cause for any such legislation as this, and I hope the motion will prevail.

Mr. Drummond of Winslow called for the previous question.

Mr. COBBE of Denmark: Mr. Speaker, I wish to say just a word in relation to this matter. I have very nearly a hundred cows on two farms, one in the county of Cumberland and one in the county of Oxford. My Cumberland County farm is situated in Westbrook, and in connection with that farm I own and run a milk route, running two milking machines, and sell my milk in glass bottles, the cleanest and purest kind of milk that it is possible to produce. There are 20 other milk dealers in the city of Westbrook, and in my opinion a great many of them are not delivering as good and pure an article as mine. As far as I have been able to examine into this matter there is not a word in this bill to which I have any objection from the standpoint of one who would be affected by the provisions of this bill. I think it is wise and wholesome that we should have clean and pure food, and surely that is something that we all want; and I hope that the motion will not prevail and that the bill will be passed.

Mr. Drummond of Winslow moved that the vote be now taken on this question.

Mr. HIGGINS of Brewer: Mr. Speaker, I would ask the gentleman

from Winthrop, Mr. Brann, if he would not withdraw his request for the yeas and nays, and if a division of the House would not accomplish the same purpose.

Mr. BRANN: Mr. Speaker, I think I would like to have the vote taken by the yeas and nays.

The SPEAKER: The yeas and nays have been called for. As many as are in favor of demanding the yeas and nays will stand until counted.

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

The SPEAKER: The question is on the motion of the gentleman from New Sweden, Mr. Peterson, that this bill be indefinitely postponed.

Upon this motion the yeas and nays have been ordered.

All those in favor of the motion, when their names are called, will answer yes; all those opposed will answer no. The Clerk will call the roll.

YEA—Ames, Ballard, Beal, Benn, Bernier, Besse, Bourque, Brann, Brown of Auburn, Brown of New Sharon, Bussey, Carson, Chadbourn, Chaplain, Chamberlin, Clement, Coffin, Currier, Daigle, Danforth, Davis, Dilling, Drapeau, Drummond, Edwards, Erskine, Evans, Fay, Ford, Fossett, Gerrish, Gould, Grant, Groaton, Greeley, Greenlaw, Hanson of Saco, Hanson of Sanford, Hart, Haskell, Higgins, Hill, Hodgkins, Jameson, Lawrence, Leader, Lewis, Libby, Littlefield, Lombard, Lord, Mansir, McCorison, McNally, Meader, Michaud, Mitchell, Morse, Mullin, Neilson, O'Connell, Peterson, Picher, Pierce of Farmington, Pierce of Houlton, Plummer, Pollard, Ranney, Robinson, Russell of Alfred, Ryder, Sanborn, Snow, Tabbutt, Tate, Thombs, Tobey, Towle, Trafton, Turner, Tuttle, Ward, Waggatt, Washburn, Waterhouse, Welch, Wescott, Wilson, Wise, Woodman, Wyman—91.

NAY—Albert, Blake of New Gloucester, Blake of Oakland, Bonney, Bradbury, Bragdon, Brawn, Cobb, Colcord, Corliss, Descoteaux, Douglass, Durgain, Dutton, Ellis, Gilmour, Gooding, Goodwin, Harper, Hobbs, Holt of Gouldsboro, Holt of Skowhegan, Maxwell, McIntire, McKinley, Millett, Morrison, Mulligan, Newell, Noyes, Peabbles, Perkins, Ricker, Roberts, St. Clair of Calais, St. Clair of Rockland, Small, Smith, Varney, Watts, Wilkins—41.

ABSENT—Allen, Averill, Campbell, Clifford, Connellan, Connors, Gallagher, Goldthwait, Greenleaf, Haraden, Jordan, McCarty, McCurdy, Nicholas, Perham, Russell of Lewiston, Thibodeau of Fort Kent, Webb, Wheeler—19.

The SPEAKER: Ninety-one having voted in the affirmative and 41 in the neg-

ative, the motion prevails and the bill is indefinitely postponed.

The SPEAKER: The Chair lays before the House bill, An Act fixing the pay of night watchmen of public buildings, tabled by the gentleman from Lisbon, Mr. Plummer.

On motion by Mr. Plummer the rules were suspended, the bill received its three several readings at the present time and was passed to be engrossed.

The SPEAKER: The Chair lays before the House bill, An Act to equalize the salaries of county commissioners, Senate Doc. No. 146. The House yesterday refused to adopt Senate Amendment A to this bill in non-concurrence, and the bill was passed to be engrossed. It now comes from the Senate, that branch voting to insist and asking for a committee of conference.

On motion by Mr. Roberts of Portland the House voted to join a committee of conference.

The Speaker thereupon appointed as such committee of conference on the part of the House Messrs. Roberts of Portland, Greenleaf of Portland and Haskell of Portland.

The SPEAKER: The Chair lays before the House bill, An Act to authorize the town of Lisbon to supply gas and electricity, House Doc. No. 778. In the House this bill was passed to be engrossed, as amended. It now comes from the Senate amended by Senate Amendment A.

On motion by Mr. Plummer of Lisbon the bill was laid upon the table temporarily.

From the Senate: Resolve authorizing DeForest Keyes to bring a suit at law or in equity against the State of Maine for money claimed to be due him from the State, House Doc. 691.

In the House this resolve was passed to be engrossed, and now comes from the Senate in that branch indefinitely postponed in non-concurrence.

On motion by Mr. Waggatt of Deer Isle the House voted to recede and concur with the Senate in the indefinite postponement of the resolve.

From the Senate: Resolve authorizing Herbert L. Kimball to bring a suit at law or in equity against the State of

Maine for money claimed to be due him from the State.

In the House this resolve was passed to be engrossed, and now comes from the Senate in that branch indefinitely postponed in non-concurrence.

On motion by Mr. Wasgatt of Deer Isle the House voted to recede and concur with the Senate in the indefinite postponement of the resolve.

The SPEAKER: The Chair lays before the House, Senate Document 146, bill, An Act to equalize the salaries of county commissioners. In the House yesterday the House refused to adopt Senate Amendment A in non-concurrence with the Senate, and the bill was passed to be engrossed. It comes back from the Senate, and the Senate asks for a committee of conference.

On motion by Mr. Roberts of Portland, it was voted to appoint a committee of conference.

The Chair appointed as such committee Messrs. Roberts, Greenleaf and Haskell of Portland.

The SPEAKER: The Chair lays before the House, House Doc. 778, bill, An Act to authorize the town of Lisbon to supply gas and electricity. In the House this bill was read three times and passed to be engrossed as amended. In the Senate Senate amendment A was adopted. This was read and passed in the Senate as amended and sent down for concurrence.

Mr. SANBORN of So. Portland: Mr. Speaker, I would move that we concur with the Senate in the adoption of the amendment.

Mr. PLUMMER of Lisbon. Mr. Speaker, I hesitate to inflict on the House any further legal opinions in view of the fact that so many are inclined to question their authority; but it seems to me that this Public Utilities act would compel the town to come before the Public Utilities Commission anyway without any such amendment on the bill. My particular objection to the amendment is this: I will say that it is hardly questionable whether under the generally statute the town of Lisbon might not engage in the business of supplying electricity to lighting

streets; but when it came to selling electricity I have no doubt that it would have to go, as I said before, before the Public Utilities Commission. Inasmuch as this act grants to the town both the right of lighting streets and the right to sell its other right under the general statute might be invalidated by the amendment such as is suggested; and it seems to me that the definitions that are given here in the Public Utilities act are such as to require us to come before the Commission. The term "public utility" when used in this act includes every common carrier, gas company, electrical company. Now the term "electrical company" when used in this act includes "every corporation, or person, their lessees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any electric plant for compensation within this state." At some other place it is stated that all these corporations include municipal and quasi-municipal corporations, and I think it was the opinion of the committee that reported the bill that the Legal Affairs Committee thought no amendment of this kind was necessary in order to bring this matter under the jurisdiction of the Public Utilities Commission. I therefore hope, Mr. Speaker, that the motion of the gentleman from South Portland will not prevail.

Mr. SANBORN of South Portland: Mr. Speaker, I feel like apologizing for attempting to interfere with a matter that is out of my jurisdiction; but as I understand the situation it is after all something of a question. I have not myself gone into it, and I am going to frankly admit that I am not informed as to the ins and outs of it, and am depending on information given me to the effect that effort should be made that when this is passed, it shall be of use to Lisbon, so that it may be carried into effect without expensive litigation and delay; and, while nobody claims to doubt the sincerity of purpose of the gentleman from Lisbon, Mr. Plummer, it does seem to me a question whether he may not be in error; and, if in error, his error should not be permitted to react on the people whom he represents,—even innocently. Certainly we

would not want to do something here that would injure his constituents, nor put them in a situation that will result in delay, inconvenience and expense, and perhaps defeat the very purpose of the act. This amendment is in the line of practice in similar matters, as well as in line with the rules laid down by our courts governing procedure in such cases.

On motion by Mr. Plummer of Lisbon, the bill was temporarily tabled.

The SPEAKER: The Chair lays before the House Resolve to authorize DeForest Keyes to bring a suit at law or in equity against the State of Maine. This resolve was passed in the House to be engrossed, and comes back from the Senate indefinitely postponed in non-concurrence.

On motion by Mr. Wasgatt of Deer Isle, the House voted to recede and concur with the Senate in the indefinite postponement of this resolve.

The SPEAKER: The Chair lays before the House, Resolve to authorize Herbert L. Kimball to bring a suit at law or in equity against the State of Maine for money claimed to be due him from the State. It was read twice and passed to be engrossed in the House yesterday, and now comes back from the Senate indefinitely postponed in non-concurrence.

On motion by Mr. Wasgatt of Deer Isle, the House voted to recede and concur with the Senate in the indefinite postponement of this resolve.

The SPEAKER: The Chair lays before the House bill An Act to amend Section seven of Chapter 222 of the Public Laws of 1909, relating to the licensing of dogs, Senate Doc. No. 400. In the House, on motion of the gentleman from Hodgdon, Mr. Benn, this act was indefinitely postponed in non-concurrence. In the Senate it was voted to insist and ask for a committee of conference.

On motion by Mr. Sanborn of So. Portland, it was voted that the request be granted and a committee of conference appointed.

The Chair appointed Messrs. Benn

of Hodgdon, Peterson of New Sweden and Washburn of Perry.

The SPEAKER: The Chair lays before the House, bill, An Act to amend Sections 4, 7 and 8 of Chapter 65 of the Public Laws of 1911, relating to the department of labor and industry, and to further amend said chapter by adding Section 12 thereto, House Doc. 401. In the House, on motion of the gentleman from Lewiston, Mr. McCarty, this bill was passed to be engrossed in non-concurrence with the Senate, the House refusing to adopt the Senate amendment. In the Senate it was voted to insist on its former action and asked for a committee of conference.

On motion by Mr. McCarty of Lewiston, it was voted that the request be granted and that a committee of conference be appointed.

The Chair appointed Messrs. McCarty of Lewiston, Descoteaux of Biddeford and Wescott of Bluehill.

The SPEAKER: The Chair lays before the House, Report of committee of conference on Act directing the insurance commissioner to abrogate the license of foreign insurance companies under certain conditions, House Doc. No. 885, tabled by the gentleman from Bowdoinham, Mr. Bonney, pending the acceptance of the report.

Mr. BONNEY: Mr. Speaker, this is a unanimous report from the committee of conference, and I move that it have its passage.

Mr. HIGGINS of Brewer: Mr. Speaker, I desire to oppose the motion of my friend from Bowdoinham, Mr. Bonney. I want to say to the members of this House that I desire at this time to congratulate you upon having done the biggest day's work yesterday that has ever been done in the history of this State, so far as I am aware. (Applause.) I also want to say that the Legislative Record of yesterday was the largest, so far as I am aware, that was ever printed, containing ninety-two pages so yesterday we were working over time. And, Mr. Speaker and gentlemen I had pledged myself not to take

any more time of this House, feeling that you had been kind to me during this session; but, when this bill came up, or this committee report, I felt it a duty that I owed the State of Maine to speak to you once again on this proposition.

This bill as originally introduced was one of the most cunningly devised bills that ever was presented to this Legislature, and it met with a storm of protest from all sides. A committee of conference was finally asked for, and they substituted a bill, or a report of the committee of conference, applying only to accident and health insurance. Prior to that it applied to any insurance company. Now, gentlemen, I am somewhat in the class of my friend from Lisbon, Mr. Plummer. I have quoted to you Federal law during the session which was borne out by the Justices. Now I propose to quote a little more along the same line. I want to say to you, gentlemen, that you cannot prevent any one going to the Federal court in a case of an unjust claim; but you can pass a law that will revoke their license afterward. Now there is not an Eastern state in this Union that has got this law, not one. New York state had it, but they had so much trouble with it that they repealed it. New Jersey, within the past year, tried to put such a law on its books, and they refused to accept it. Now, gentlemen, I want to read some law to you, just a bit, if you will pardon me.

"A number of our states prescribe that in case a foreign insurance company doing business therein shall remove to a Federal court a suit against it begun in a State court, its license to do business shall be revoked." In the case of *Doyle vs. Insurance Company*, the court thus attempted to reconcile its judgment with its decision, wherein it said: "It is said that we thus indirectly sanction what we condemn when presented directly; to wit, that we enable the State of Wisconsin to enforce an agreement to abstain from the Federal courts. This is an 'inexact statement.' The effect of our decision in this respect is that the State may compel the foreign company to abstain from the Federal courts, or to cease to do business in the State. It gives the company

the option. This is justifiable, because the complainant has no constitutional right to do business in that State; that State has authority at any time to declare that it shall not transact business there. This is the whole point of the case, and, without reference to the injustice, the prejudice, or the wrong that is alleged to exist, must determine the question."

In this case, Mr. Justice Bradley, Mr. Justice Swayne and Mr. Justice Miller concurring, dissented, saying:

"Though a state may have the power, if it sees fit to subject its citizens to the inconvenience of prohibiting all foreign corporations from transacting business within its jurisdiction, it has no power to impose unconstitutional conditions upon their doing so. Total prohibition may produce suffering, and may manifest a spirit of unfriendliness towards sister states; but prohibition, except upon conditions derogatory to the jurisdiction and sovereignty of the United States, is mischievous, and productive of hostility and disloyalty to the general government. If a state is unwise enough to legislate the one, it has no constitutional power to legislate the other."

Now, gentlemen, I simply want to say to you that while it is true, as I said in the first instance, that we have the right to take away the license of any foreign insurance company which does carry its case to the Federal court, you cannot prevent them from going there; and I say to you that it is a mighty unfair proposition to the people of this State, and you are taking away from them the means of obtaining the advantage of insurance in these various companies; and, as I further said, you have no precedent to act upon. No Eastern state has adopted it. New York tried it, but it was so unsatisfactory that they repealed it. New Jersey had a similar bill less than a year ago which they refused to consider and threw out of the Legislature.

Now, Mr. Speaker and gentlemen of the House, with all due respect to my friend from Bowdoinham, Mr. Bonney, this insurance committee which originally passed on that bill, if my memory serves me correctly, consisted of three insurance men out of ten. I do

not know how many members of that committee signed that report in the first place; it makes no difference. There is only one man on the committee who understands anything about the class of insurance that is referred to here, accident and health insurance, and they have taken away from us all other classes, and they want something left of the bill. Now, gentlemen, it is not wise for this Legislature to adopt any such legislation. I therefore hope, Mr. Speaker and gentlemen of the House, that the motion of the gentleman from Bowdoinham, Mr. Bonney, will not prevail.

Mr. WARD of Augusta: Mr. Speaker, while I am not interested particularly in this line of health and accident insurance, it is a fact, gentlemen, that this is the most dangerous bill that has been before the Legislature this winter. I hope when the vote is taken it will be taken by a division of the House.

Mr. BONNEY of Bowdoinham: Mr. Speaker, I want to say just a word about this bill, and I will only take but a very few minutes. The committee of insurance, gentlemen, was made up of men of perhaps equal ability with the other committees as made up in the Legislature at the present session. We had hearings, and every bill that was reported out of that committee was reported unannounced, and was signed by every individual member of the committee, this one included. I do not imagine we reported 33 1-3 per cent. of the bills that came before us. We had the assistance and advice of the Insurance Department, the assistance and advice of previous commissioners of insurance, and we took careful account of whatever they had to tell us in regard to these matters. We had hearings that were advertised and well attended. Now when this bill came up in its original form, there never was a single word of opposition to it in the committee; nobody ever appeared against it; and I want to say to you that every other bill that we had there was opposed by some insurance men of the State, and that was as it should be, because we were glad always to get the advice of insurance men. As I say, not one word of objection came to this

bill. It was tabled in the Senate. The provisions of the original bill applied to all insurance. We had the opinion of about eight or nine lawyers in the Senate and House, a Judge of the Supreme Court and the present Attorney-General, and I never found one of them who said it was unconstitutional. It does not prevent any company from entering a suit in the Federal court if it wants to do so. It simply provides that if a suit is started in the State court, it shall not be transferred to a Federal court. About two years ago a prominent man in this State died, leaving a large accident liability, \$15,000, and the company refused to pay it. He was a prominent man and a good friend of mine. (Suit was entered in the Federal court, judgment was obtained, and the company said "our next step will be the United States Circuit Court of Appeals of New York, and, if we cannot get judgment there, we will take you up to the United States Supreme Court.") A settlement was made for \$6500, rather than go through that long process and taking the chance of a settlement, basing it on a previous case that had been taken through those courts. The point is right here, gentlemen: We believe in the integrity and ability and justice of our own courts; and, if these insurance companies want to come down here and write insurance, we can see no reason why they should not settle all complaints, if any arise, in our State courts. The brief that the gentleman from Brewer, Mr. Higgins, has just read from, if it is the one I think it is, was brought up in committee, and it was prepared by the lawyers of foreign insurance companies. The only objection that has arisen to this bill has come from outside insurance companies. It comes down to this: whether you want to trust your own courts or run the risk of being dragged up through the Federal courts. Mind you, this bill does not prevent a company from entering a suit in the Federal court if they want to in the first place; but it provides that if once started in the Federal court, it shall be settled there.

Mr. HIGGINS: Mr. Speaker and gentlemen of the House: I want to say in reply to the gentleman from Bowdoin-

ham, Mr. Bonney, that there is no outside interest so far as I am concerned; it is in the spirit of fair play. The particular case to which he refers,—all contracts I found from the legal standpoint are null and void in case of fraud, without referring particularly to the case; and I probably know as much about it as he does. Now in regard to being unconstitutional, I said in my prior remarks that if you go to work and allow this bill to become a law, a foreign company might take the case to the Federal court; but, if they do, you punish them by taking away their license. I venture to say that not one case in 25,000 ever goes to the Federal courts; so our own courts must be giving pretty satisfactory service.

The SPEAKER: The question before the House is on the motion of the gentleman from Bowdoinham, Mr. Bonney, that the report of the conference committee be accepted. A division of the House is called for. All those in favor of the motion of the gentleman from Bowdoinham, Mr. Bonney, will rise and stand in their places until counted.

A division being had, 32 voted in the affirmative and 61 in the negative, and the House refused to accept the report.

On motion by Mr. Higgins of Brewer, the House voted to indefinitely postpone the bill.

The SPEAKER: The Chair lays before the House, bill, An Act for temporary licensing of automobiles, House Doc. No. 885, tabled by the gentleman from Old Orchard, Mr. Lombard, pending passage to be engrossed.

On motion by Mr. Lombard of Old Orchard, the House reconsidered its vote whereby Senate Amendment A was adopted in concurrence.

On further motion by Mr. Lombard, the House voted to non-concur with the Senate in the adoption of Senate Amendment "A".

Mr. LOMBARD: I now offer House Amendment "A" to House Doc. 885, by adding after the last word in said bill the following: "The person receiving such tag shall return the same to the officer or person from whom it was ob-

tained within ten days of the date of its issuance under penalty as above imposed. It shall be the duty of the officer or person issuing the tag to report to the Secretary of State each week the names of all persons, with their addresses, who have not returned their tags within the specified time."

On motion by Mr. Lombard, the House voted to adopt the above amendment.

On further motion by Mr. Lombard, the bill was passed to be engrossed as amended.

Mr. GREELEY of Portland: Mr. Speaker, I move that we take from the table House Doc. No. 58, Resolve in favor of Michael Burns, tabled this morning, and I yield the floor to Mr. Perkins of Augusta.

Mr. PERKINS of Augusta: Mr. Speaker, I move that the House insist on its former action and ask for a committee of conference.

A viva voce vote being doubted,

Division was had, and 60 voting in the affirmative and 41 in the negative, the motion of Mr. Perkins prevailed, and a committee of conference was ordered.

The Chair appointed as members of the Committee of Conference, Messrs. Perkins of Augusta, Greeley of Portland, and Sanborn of South Portland.

The SPEAKER: The Chair lays before the House, bill An Act to amend the charter of the City of Lewiston and to provide for a Police Commission, House Doc. No. 945, tabled by the gentleman from Lewiston, Mr. McCarthy, the pending question being the adoption of an amendment.

Mr. McCARTY: Mr. Speaker and gentlemen of the House: I am free to confess at this time that I am rather diffident in addressing the House, inasmuch as I realize that perhaps I have talked to the members more than I should have; and, if I were to follow my own personal inclination this morning, I would not be on my feet now, but, rather, would be keeping silent, as I intend to do hereafter. But this matter that is now before the House for its consideration is of so much importance that I would be derelict in my duty were I to fail to present what I consider are the rights of the question.

The question of the adoption of an amendment to a certain bill is that which is now pending here, and, in order to arrive at an intelligent stand on this matter, it necessarily follows that it will be incumbent upon me to discuss—I hope as briefly as I may—the real question involved here, and that is, the passage of the bill which is sought to be enacted.

For some years there has been agitation in the city of Lewiston in regard to the conduct of its police force. As the situation now exists there, it is composed of twenty-nine patrolmen, a marshal and a deputy marshal, in addition, who are appointed for a term of three years—the patrolmen—and for three years only. It has been the experience, at the present time and during the past, that this method of conducting the affairs of the Lewiston Police Department has proven very unsatisfactory. It has been the experience that men who have qualified physically and mentally for the position of patrolmen have in their make-up the same elements that most men have, and that is, a desire to retain the position once it has been given them. It is common knowledge in Lewiston that a policeman, once appointed, spends the first year of his three years' appointment in getting acquainted with his duties, the second year in performing them, and the third year in making preparations to be re-appointed. By reason of that conduct,—and I do not blame them for doing it, I probably would do it myself, as each gentleman here probably would under the same circumstances,—that has led to one result, and that result the placing of the Police Department in politics. Now, then, I do not think there is a single member of this House who will gainsay but that such a condition should not exist. If there is any department in any municipality that should be free from politics, where its members should perform their work in the open and without the fear of hurting somebody's feelings, and without the fear that if they perform their work faithfully, a rebuke might come to them, then it is certainly the Police Department that should be removed so far as possible from the entangling alliances of politics. But just so long

as the conditions which exist today continue to exist, you are going to have your Police Department mixed up and right in the middle of politics.

Now, then, the bill that has been presented here seeks to remedy what the people of Lewiston consider a great evil. The bill itself provides for the reorganization of the police force, making it instead of a temporary organization a permanent organization, an organization that a man from the time of his election to it may continue, safe in the hope and safe in the knowledge that his position is assured him just so long as he behaves himself, and so long as he performs his duty, until he arrives at the age of sixty-five years, when he is automatically retired on half pay. That commission in the first instance is appointed by the Governor of the State of Maine. It is non-partisan so far as it is able to be made so by this bill. It consists of three members, no more than two of whom shall belong to the same party, appointed for one, two and three years; and, after the expiration of these terms, then the City Council of Lewiston shall elect their successors. It further provides that this commission, once it is appointed, shall have absolute control of the Police Department, and shall make all rules and regulations for the government, control and efficiency of the same. It is a bill that is modeled largely on bills that now exist in certain cities in the State of Maine, which bills I am told by representatives from those cities have worked out very satisfactorily indeed. The agitation which I spoke of a few moments since in regard to the desire for the creation of some legislation that would give Lewiston an opportunity to rid itself of this evil, finally culminated in open meetings in the city. The Chamber of Commerce, with its membership of 450, took the matter up. Individuals not connected with that organization also interested themselves, and the result of it was that there were two bills presented here earlier in this session, which were referred to the Committee on Judiciary. Those bills were assigned for a day certain; they were heard at the same time; and that committee room was crowded with citizens of Lewiston demanding from that com-



mittee some relief from existing conditions. The committee took the same under consideration and, as a result of their work, reported to this House the bill which is now before you. That bill, the committee hopes, will seek to relieve the conditions that they were informed of at the time. I think it will. I do not think there is a single representative from Lewiston who will deny that it is a good bill. Up to the present time I have not heard the bill itself attacked,—any feature of it whatever. I think perhaps it might be subject to criticism, the same as every bill regarding private legislation may be subject to criticism. Men's minds are not all constituted the same; we do not all have the same ideas; and just so long as we are constituted as we are, it will be impossible to frame any legislation upon which we can all entirely agree. It is satisfactory to the Chamber of Commerce of the city of Lewiston, although it is not the identical bill that they introduced; because, at a meeting held in Lewiston Monday night of this week, that Chamber voted to extend the thanks of that body to the Committee on Judiciary for the effort being made in reporting from that committee a bill with the idea in view of reforming conditions. Therefore I do not think it at all necessary for me to discuss the merits of the bill further except, as I said before, to give you gentlemen an idea of what the bill is.

Now, then, the proposition before this House is whether or not that bill shall be so amended that it shall be sent back to the voters of Lewiston for their approval at an election to be called by the Mayor sometime during the first part of the month of October of the present year; and that is the only question involved at the present time. Now this question of referendum, gentlemen, is not being exposed here for the first time so far as this bill is concerned. It was widely advertised prior to the hearing before the Committee on Judiciary. At that hearing, which had been agitated in the newspapers for weeks before it came up, anybody who had a desire to find fault with the bill, or to present amendments containing referendums or any other

suggestions, had that opportunity; and yet at that hearing before the Judiciary Committee only one voice was raised in support of the referendum. I am not opposed to referendums under certain conditions. If this bill was being introduced for the first time, and the citizens of Lewiston had no knowledge of its contents, and had had no opportunity to express themselves upon the same, then I should say refer it to them. If this were a piece of legislation that was sought to be slid through quietly and under cover, then I would be the first to raise my voice in objection to any such procedure as that. But that is not the case here. Here is a bill that has been discussed pro and con upon the streets of Lewiston, has been discussed in the Chamber of Commerce at various meetings, has been widely advertised in the papers of Lewiston, and yet we find no objection raised to it so far as the referendum is concerned until the gentleman (Mr. Clifford) introduced his amendment here yesterday. Now then, do you think there is need of a referendum on this question? I anticipated, gentlemen, that perhaps that very amendment might be raised by those who have objection to the creation of a police commission, by those who in objecting to the creation of a police commission, favor and support the conditions that exist in the Police Department of the city of Lewiston today; and in anticipating this very amendment, I had circulated among the citizens of Lewiston petitions, and they read as follows: "To the members of the Legislature: The undersigned, residents and taxpayers of the city of Lewiston, respectfully urge upon your honorable body the passage of an act entitled 'An Act to amend the charter of the city of Lewiston and to provide for a Police Commission' without alteration or amendment." If I could pass among the members of this Legislature that bunch of petitions, I think you would plainly see that there is no necessity for a referendum of this bill, because it has already been referred to them, and here is the result of that referendum. I do not say that every legal voter and every resident of the city of Lewiston has signed

those petitions, gentlemen; they have not, and I would not be stating the truth if I made that statement. They have not all signed. There are a few on the outside, and those few are represented by the practical politician, who sees in the present police force a weapon to be used in future elections. There are sixteen police officers, more than half of the present force, whose terms expire next spring. Those sixteen will be loowring for reappointment, and the practical politician will promise those sixteen, or perhaps one hundred and sixteen, or ten hundred and sixteen, in the city of Lewiston,—and I am not charging one party more than the other, because they both do it,—as a result of that you will have some four or five hundred men actively engaged in politics. What for? For the discussion of any question involving civic improvement? For the question of improving the roads or of improving the schools or municipal building? For the purpose of discussing and passing upon questions regarding the municipal conduct of affairs? Oh no! When those men get out next spring, unless this bill passes, you will have a force of men working in Lewiston whose only interest will be, who will get the job, and the questions of greater moment will be thrown into the discard. If you have the opportunity to examine these petitions closely, you will find every priest, every preacher, every doctor, every professional man, every business man almost without exception, praying and begging this Legislature to pass this bill without amendment. We do not need any referendum, gentlemen. It is not a new proposition; it is something which the people of Lewiston have passed upon in their own minds many, many times. They have now passed upon it here by means of these petitions with the numerous signatures upon them, some thousand or more. I have not counted them, I have not had the time to do it. They have passed upon it and have decided this question. They want this bill and they want it now. They do not want to put it off until October, until the busy politicians get at work in the caucuses and kill the bill. As I said before, I have no objection to any referendum when

a referendum is necessary; but in this case, gentlemen, I maintain that the necessity does not exist. The necessity has long passed so far as that is concerned, and now demands enactment into law. This is a non-partisan measure, I come here, it is true, as a representative of the Democratic party from the city of Lewiston; but I have enough pride in my make up, I have enough honor, I hope, in my make up, to look to one thing only so far as that city is concerned, and so far as that bill is concerned, and that is the city's good and welfare I know that if this bill is passed that perhaps it may place in these positions more Democrats than Republicans; but I want to throw that aside, I want to throw aside all political discussions of the phases that this question might present and lay it right down to you as a plain, honorable, business proposition: will the petition of these professional and business men and the ordinary laymen be worth your consideration? If they are, gentlemen, you will vote down this amendment, and let that bill go through on its final passage when the time comes. (Applause.)

Mr. CLIFFORD of Lewiston: Mr. Speaker and gentlemen of the House: My brother McCarty and myself are usually together on most things, on most questions which have come up for consideration before this House, and I am sorry today if I must disagree with him and in my own way try and picture out to you the situation as I view it. I have not the power, because I do not possess that genius that my brother McCarty possesses, to picture eloquently to your minds the position which he and I are to place before you; and, if you will bear with me for a few minutes, I will endeavor to concisely, and as clearly as I am able, place this bill before you for your consideration. I, gentlemen, am not against this bill. I am not going to discuss the merits or the demerits of the bill itself, because the amendment which I introduced here yesterday is an amendment simply to refer to the people of our city this bill; and, if there are as

many in favor of it as those petitions would indicate, those in favor of the bill need have no fear of trusting it in the hands of the people.

Now, gentlemen, some little time ago, before this Legislature convened, our Chamber of Commerce started some agitation for a police commission. There were various meetings, as brother McCarty has stated. They appointed a sub-committee, and this sub-committee drew up a bill. This bill which was drawn up, and which was endorsed by the Chamber of Commerce of the city of Lewiston, contained as the last clause the referendum. That was on the original Chamber of Commerce bill. It went to the committee, and when they got here there was some opposition to it. Some were in favor of the referendum and some were not. Now the people of Lewiston, reading in the papers of our city this bill introduced by the Chamber, saw on that bill the referendum clause, and they assumed that they were going to have the right to vote upon this question and decide this question themselves; and out of this great body of 450 members we found appearing before the Judiciary Committee 23 citizens,—not 125, as we were told came down from the city of Bangor 100 miles away in favor of their bill; but 23 citizens came over here from a city of 30,000, in a special car, and asked you gentlemen to pass this law, without giving the people of our city a chance to express themselves. Now this bill in its new draft came out of the committee and was printed only last Saturday. I have here a card sent out by the Chamber of Commerce to each of its 450 members; and, if you will bear with me a second, I will read to you just what that card says. "A special meeting of the Lewiston Chamber of Commerce will be held at the rooms on Monday evening, March 29th, 1915, at 7.30 o'clock, to discuss the police commission bill. The Committee on Judiciary of the Legislature having substituted a changeling which its parents are unable to recognize for the police commission bill prepared by the Chamber of Commerce, this

meeting is called to determine whether the Chamber will approve or oppose the bill in its present form. A large attendance is earnestly requested." Now, gentlemen, I live near the home of one of the prominent members of the Chamber of Commerce, and I got on the car with him on his way down to this meeting at Lewiston on Monday night, and he said to me: "Clifford, you fellows are going to catch it tonight, and especially George McCarty is going to get it." "Well," I said to him, "Did you realize that George is going to be right there and is coming right back at you? You had better look out." He said, "Oh, is George going to be there?" I said "He certainly is." "Well," he said, "if he wasn't there he would get it." George was there, and he asked them why they delayed in starting the meeting. We all know why they delayed, because we have seen him right here in this house. One of them, a brave spirit, Mr. Turgeon, got up and stated that he was unalterably in favor of the referendum, so the paper stated the next morning; but later on I understand after a conversation with our distinguished friend he changed his view, and said that he did not know but what he was in favor of the bill as it is today. Now we have seen these petitions brought in here. I have no objections to petitions. We all know how, if a policeman comes into our office, or into our store and says, "Here, John, will you sign this petition?" what are you going to say to him? Are you going to turn him out? He is a pretty good fellow, and they have got some good fellows on that force, and I am not against them; but I am in favor of the referendum, gentlemen; and, if there are so many in favor of this question, let them express themselves by their ballots as well as on those petitions.

Now I introduce this amendment, and unlike the amendment containing the referendum which was introduced in the Bangor charter, we state there that all we ask is a majority of those voting; not a majority of the regis-

tered voters; just a majority of those voting upon the question. Perhaps some of our citizens there might oppose; some of the taxpayers might oppose the paying or the pensioning of these men after they reach the age of 65 years. I do not know and I do not believe Brother McCarty knows, because the people have not had a chance to say.

As I stated before, I have nothing to say one way or the other about the bill itself; but I do believe that the people of our city have a right to expect this Legislature, the representatives of the State, to allow us to settle this question of whether or not we desire to amend our own charter, a charter which affects absolutely no other part of the State of Maine. Now we want to know whether or not there is a demand for it. I have no petitions. I did not circulate petitions. I come here and ask you to take my word upon this question because what I tell you is just exactly the truth. Now in the first place, we have the Morning Sun, one of our two papers, independent in its politics, and morning after morning there has appeared protests against this police bill, the bill itself. That in itself would show because the papers either make public opinion or reflect it, that there is some opposition to this bill. There are plenty in favor of it, but there is considerable opposition to it. I have received letters asking whether or not the people were going to get a chance to vote upon it. Some of those very proponents have since seen me and asked me to try and have this Legislature put an amendment on this bill which would refer it to the people. Even this morning I received several telephone calls from citizens there disinterested in the bill itself, only interested in the welfare of the city. The mayor of the city has asked me to do all I can to have this Legislature place the referendum on this bill. Eleven out of the 13 members of the Andros-coggin delegation are in favor of this referendum being attached. Does not that have some weight with you, gentlemen? It would with me if any man stood up here and said that a majority

of his delegation was in favor of a certain measure, it would have some effect with me. Yesterday we had a long discussion of the referendum in regard to the Bangor charter. In the city of Bangor it was considered several years, I believe. If we had had the opportunity of voting upon an amendment to our own charter and the majority had said we wanted this police bill, for instance, I would not stand up here today and ask you to refer it back again to the people if I had thought there was a fair expression of opinion; and in the city of Bangor they voted to accept that charter 2500 to 1900. Now, gentlemen, we never have had that chance. Here is a chance to give us the referendum and let the people vote upon it. It is a local question that hits only that particular locality, that one particular city, and it seems to me that every man here should vote to allow that one city, that one particular locality, to decide whether or not it desires to amend its own city charter. It is the cardinal principal of home rule. That is what we are asking for, gentlemen, the old home rule doctrine. Give the people a chance to say whether or not they desire this police bill. The people of Lewiston will do the right thing; if they want it they will adopt it and if they do not want it they will reject it. All we ask in this amendment is that the people be given a chance to express themselves fully and freely upon this measure, and I feel confident, and the other members feel confident that they will decide it correctly. Gentlemen, I am not going to take up any more of your time and I want to thank you for your very kindly consideration that you have given to my remarks. (Applause).

Mr. McCARTY: Mr. Speaker and gentlemen, I cannot sit by here and let the charges which have been preferred by my brother from Lewiston, Mr. Clifford, go unchallenged. I do not want to think, or let any member of this House think, for one moment that I possess qualities which I am frank to say I do not believe I possess; that my personality is so charming or that my voice is so win-

ning that I can change men's minds, because I am honest enough to believe that that is not the fact, although perhaps I wish it might be.

By Brother has spoken about a certain Chamber of Commerce meeting which was held last Monday night, and at which meeting I was supposed to receive some sort of a verbal if not a more vigorous chastising, and it was called for the purpose of discussing this very bill. Now I was there. I represented the bill in a way, being the only member from Lewiston of the committee which presented it, and I felt that if there was any information that I could give that body in regard to the make-up of the bill I would be only too pleased to do so. I did not go there expecting a chastisement of any kind, because perhaps if I had thought such a thing was coming to me I would have been far away from the spot; but I will say this, and I did not say it before because I was too modest to say so, that instead of that Chamber of Commerce meeting voting thanks to the committee on judiciary for their efforts in behalf of a police commission bill for the city of Lewiston, they included in that vote your own humble servant.

Mention has been made here about the Morning Sun. Now I do not know whether you men are acquainted with the reputation of the Sun or not; but from remarks made about a couple of daily journals in the city of Bangor I have an impression that the Morning Sun is entitled to membership in the same class, because anything that the Morning Sun does not want you may be sure a majority of the people do want, and the best endorsement any proposition can receive that is of interest to the people of Lewiston is the opposition of the editorial column of the Morning Sun. This police commission bill has it and I consider it one of its best assets.

My colleague has had considerable to say about the mysterious telephone messages that he has been receiving and the communications that have been coming to him in such numbers that it has been almost necessary for him, if you can believe him, to employ

a stenographer in order that he may attend to his extensive correspondence, and have a page waiting at his elbow to call him to the telephone as the messages come in to him rapidly across the wires from the city of Lewiston. Have you heard any of the letters read? The gentleman who so ably presented the cause of Bangor yesterday has his communications at hand. He read them to you, and unless Brother Clifford is ashamed of the men who wrote those letters I think he would have read them to you if he had them.

Now talk about your caucuses! I do not want to discuss the methods of conducting the caucuses in the city of Lewiston. You may have read something about them recently. I do not want to let this question go back into the hands of professional politicians to be decided, because if you place it back there you will get caucuses just the same as they have been having them. The whole thing will be killed deader than a door-nail. I dislike to make any charge of that kind against the city of Lewiston, but it is true nevertheless. If they do not want this bill, why do they not come out in the open and say so, and come in here like men and fight the bill, instead of tacking on something like a subterfuge to carry it over to next October and then in the booths stick in the knife in one way or the other, and they know how to do it, believe me. Referendum! I am not going to talk any more about this. You have a thousand men here in these petitions, I guess. I have counted them, who are satisfied with this bill as it is, and they are the kind of men, gentlemen, who do not go out and mix in politics and rub elbows with this man and the other man and seek this man's favor to get him to vote for the proposition. This is not peculiar to Lewiston, but it is country-wide that the men who are most interested in propositions tending toward the advancement of municipalities are the men who will not get out and allow their rights to be subverted to those of the practical politician.

Now, gentlemen, I am not going to

say any more upon this question. I say the matter has been referred already in the public mind. Sure, they have not gone to the ballot box and expressed their opinion one way or the other. They do not have to. You know in your various towns and cities how your citizens feel on any special questions, which may be up before them without having it down in black and white. You know in talking with your neighbors and friends just how they feel upon certain questions. That is just as satisfactory a referendum as though they went into a booth and marked their question one way or the other. Holding a special election next October is an expensive proposition for the city of Lewiston, and it is absolutely unnecessary. Here are the ballots cast right here on my desk against any referendum, and I trust that you will have confidence enough in me and in the men who have signed these petitions to honor their request to pass this bill without an amendment; and I trust that when the question comes up as to the adoption of the amendment you will vote it down decisively.

Mr. CLIFFORD: Mr. Speaker, I do not intend to take up any more of your time with my remarks because I think the question is sufficiently before you now. I have already stated that there are eleven men out of the thirteen from Androscoggin county who are in favor of this referendum. I have stated to you the matter as I see it and as I view it. If you do not want to believe that I have heard from these people, then I do not ask you to do so. I am simply stating these things, and I hope you men will take my word for it. Now then, it seems to me that the only way the proper sentiment of the people of the community can be arrived at is by allowing them to go and vote upon a proposition. We have heard, as we all undoubtedly expected to hear, the very plausible explanations of why the people of Lewiston do not want the referendum; but gentlemen, the only people who do not want the referendum are the members of the present police force, and if I were one of those gen-

tlemen I do not know but what I would be in favor of asking this Legislature to put that law into effect without giving the people of our city a chance to express themselves upon it. I am going to ask you to support one of the cardinal principles of our government in voting for this amendment—the principle of home rule. Mr. Speaker, I ask for a division of the House.

The SPEAKER: The question before the House is on the adoption of the amendment offered by the gentleman from Lewiston, Mr. Clifford. A division has been called for. All those in favor of the adoption of the amendment will rise and stand in their places until counted.

A division being had, the motion prevailed by a vote of 89 to 21.

So the amendment was adopted.

Mr. McCarty then offered House Amendment B to House Doc. 945, to amend Section 1 by striking out the words "twenty-eight" in the second line thereof, and inserting in place thereof the word "thirty;" amend Section 5 by striking out the word "commissioner" in the fourth and sixth lines of said section and inserting in place thereof the words "chief of police;" amend Section 6 by inserting after the words "date of their election" in the fifth line thereof the following sentence: "And in the event that said sergeants or either of them shall fail of a re-election to the office of sergeant after their terms of office shall have expired, then he or they shall resume their former office as patrolmen;" amend Section 7 by striking out the second sentence of said section and inserting in place thereof the following: "When any sergeant or patrolman shall have arrived at the age of 65 years, he shall then be retired from the active force and shall thereafter be carried upon the payrolls of said department and shall receive one-half the pay of regular patrolmen."

On further motion by Mr. McCarty the amendment was adopted.

On motion by Mr. Clifford the bill, as amended by House Amendments A and B, received its third reading and was passed to be engrossed, as amended.

On motion by Mr. Higgins of Brewer the House voted to take a recess until 2 o'clock in the afternoon.

**After Recess.**

On motion by Mr. Greenleaf of Portland, unanimous consent was granted and that gentleman presented out of order under a suspension of the rules the following order:

Ordered: That Representative Clarence Goldthwait of Biddeford be excused from further attendance at this session, and that his pay and mileage be made up to the end of this session.

The order received a passage.

On motion by Higgins of Brewer, unanimous consent was granted, and that gentleman presented out of order under a suspension of the rules resolve in favor of P. H. Fitzgerald for services as mail carrier for the House of Representatives.

On further motion by Mr. Higgins, the rules were suspended and the resolve had its two several readings and was passed to be engrossed.

On motion by Mr. Higgins of Brewer, unanimous consent was granted, and that gentleman presented out of order under a suspension of the rules resolve in favor of Edward S. Austin for services as Document Clerk.

On further motion by Mr. Higgins, the rules were suspended and the resolve had its two several readings and was passed to be engrossed.

The SPEAKER: On March 18 and 19, a joint order was passed in the House and Senate ordering the appointment of a committee to investigate the general subject of the preservation, perpetuation and increase of the forests of Maine, this committee to consist of two on the part of the Senate and three on the part of the House. The Chair will appoint as the House members of that committee Messrs. Pierce of Houlton, Cobb of Denmark, and Durgain of Bangor.

The SPEAKER: The Chair lays before the House An Act relating to Inland Fisheries and Game, tabled by the gentleman from Greenville, Mr. Gerrish, pending its passage to be enacted.

Mr. PLUMMER of Lisbon: Mr.

Speaker, I dislike to take the time of the House, and I dislike also to do anything that would seem to retard business; but I understand that the emergency clause is on this bill, and it seems to me that this is not such a measure as contemplated by the Constitution to be enacted under the emergency clause. I move that we reconsider the vote whereby this was passed to be engrossed.

Mr. GERRISH of Greenville: Mr. Speaker, I was given to understand by a great number of the members of the House this morning that their impression is that this emergency clause is in aid of the fishermen for black bass. While there is a clause here referring to the catching of black bass, I do not consider that of any importance whatever so far as the emergency clause is concerned. You will see by the title of Senate Document 292 that it is An Act to correct certain clerical errors in and to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913. During the rush of the last days of the 76th Legislature, it seemed that a great many clerical errors got by unnoticed, as well as some very undesirable features in the laws; and, as I understand, this emergency clause was asked in order that this might be corrected to aid in enforcing the fish and game laws the following spring. I believe I said the other day in regard to this that it did not affect public peace, health or safety. Now I wish to retract that statement. You will find in the last clause of Section 59 in that document, on page 16, the following: "Provided further that no person shall set a bear trap at any time unless the same is enclosed in a hut, so-called, and unless a written or printed notice stating that such a trap has been set is posted conspicuously in the immediate vicinity, under a penalty of \$50 and costs for each offense." Now I know, and probably every man knows who has traveled in the woods of Maine, especially the wild woods, that it is the habit of trappers, especially those trapping bears, to set bear traps in paths running through swamps; and at one of our committee

hearings there were several men testified that they had had narrow escapes from stepping into bear-traps. I can assure you that anyone who gets his foot into such a trap will not get it out alone. Now I claim that this one clause is sufficient to cover the requirements of the Constitution so far as regards the passing of an emergency clause. I realize that there is opposition to this emergency clause from the other side of the House, and there may be some on this side. I do not believe I will take any more of your time on this matter.

The SPEAKER: The question is on the motion of the gentleman from Lisbon, Mr. Plummer, that the House reconsider its action whereby this bill, Senate Doc. No. 292 was passed to be engrossed.

Mr. GERRISH. Mr. Speaker, I ask for a division of the House.

The SPEAKER: A division is asked for. All those in favor of the motion of the gentleman from Lisbon, Mr. Plummer, that the House reconsider its action whereby this bill was passed to be engrossed will rise and stand in their places until counted.

A rising vote being taken the motion of the gentleman from Lisbon, Mr. Plummer, was lost.

The SPEAKER: The pending question is the passage to be enacted of bill "An Act to correct certain clerical errors in, and to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the public Laws of 1913, relating to Inland Fisheries and Game." This bill carries the emergency clause, and requires a two-thirds vote of all the members elected to this House. All those in favor of the enactment of this bill will rise and stand in their places until counted. It requires 101 votes.

A division being had, 79 voted in the affirmative; but failing to receive the necessary two-thirds vote, the motion was lost.

Mr. FOSSETT of Portland: Mr. Speaker, there were members here who did not understand that that motion had got to have a two-thirds vote

to carry it. I would move that the vote be taken over.

On motion by Mr. Fossett, the House voted to reconsider the vote whereby the House just refused to finally enact this bill with the emergency clause.

On motion by Mr. Higgins of Brewer, the bill was tabled pending its passage to be enacted.

The SPEAKER: The Chair lays before the House bill An Act relating to fishing in certain waters in Washington and Aroostook counties, tabled by the gentleman from Houlton, Mr. Pierce, the pending question being its passage to be enacted.

Mr. Pierce yielded the floor to Mr. St. Clair of Calais.

On motion by Mr. St. Clair, the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House bill An Act relating to Fort Kent Village Corporation, tabled by the gentleman from Houlton, Mr. Pierce, the pending question being its passage to be enacted.

On motion by Mr. Pierce, An Act to amend Section two of Chapter 297 of the Private and Special Laws of 1907, relating to Fort Kent Village Corporation was passed to be enacted.

The SPEAKER: The Chair lays before the House Resolve appropriating money for the purpose of providing and operating patrol boats to be used in enforcing the laws relating to sea and shore fisheries, tabled by the gentleman from Houlton, Mr. Pierce, pending final passage.

Mr. PIERCE: I move, Mr. Speaker, that the rules be suspended, and that we reconsider the vote whereby this resolve was passed to be engrossed. I do this for the purpose of offering an amendment.

The motion was agreed to.

The same gentleman then offered Amendment "A": Amend by striking out the word "Commission" in the eighth line thereof, and insert in lieu thereof the words "Governor and Council."

Mr. SMALL of Mt. Desert: Mr. Speaker, I would like some information from the gentleman from Houl-



ton, Mr. Pierce. We do not want to lose these patrol boats, because that is the only way of enforcing our lobster laws. Does the amendment offered by the gentleman from Houlton, Mr. Pierce, leave it optional with the Governor and Council? If so, we might not get our patrol boat at all.

The SPEAKER: Will the gentleman from Houlton, Mr. Pierce, give the gentleman from Mt. Desert, Mr. Small, the information he asks for?

Mr. PIERCE: As I understand it, Mr. Speaker, it is simply a question of to whom the authority is issued? Obviously, it does not change the direction. I do not understand that the original bill, or the bill as amended, will be an absolute direction.

Mr. MULLIGAN of Nobleboro: Mr. Speaker, this seems to be a new departure in legislation. It seems strange to me that the Governor and Council are going to undertake to enforce our fishery laws. I want to say that the committee on sea and shore fisheries have given a great deal of time to this matter this winter, and this is one of the measures by which they have expected to help the lobster industry. We have been in session day in and day out, adjourning after 12 at night on more than one occasion, trying to arrive at something that would preserve this industry; and above every other matter we have considered it was felt by this committee, and it was unanimous in its judgment, that this patrol boat or boats would be the one thing that would help out the lobster industry. We interviewed 100 fishermen, and I am going to say that 91 per cent of those fishermen said, "give us the old law and something to enforce it with." As this House well knows, we have the old law. Another law was suggested, but it failed. Unless we can have something now with which to enforce our present law, the lobster industry must soon become depleted. Statistics show this. I hope that this amendment will not prevail.

Mr. PIERCE: Unless the gentleman from Nobleboro, Mr. Mulligan, is insistent that this matter shall not lie on the table, I think I can explain it

to his satisfaction. I have not the slightest wish to injure the lobster industry; but if he insists on taking a vote now, I have no right to ask a postponement.

Mr. MULLIGAN: Mr. Speaker, I realize that we have now arrived at the dying days of this legislature, and now, when we have reached the last act in the drama, I do not see the necessity of tabling it. I believe that this House is ready to receive it and should receive it at this time, and decide whether we are to have the boats or not.

Mr. ST. CLAIR of Calais: Mr. Speaker, I may be obtuse, but I can see no merit in the motion of the gentleman from Houlton, Mr. Pierce. I hate to see so much time wasted over this. It does not make any difference who buys that boat.

Mr. WASGATT of Deer Isle: Mr. Speaker, it seems to me that the gentlemen who have spoken are entirely off the question. It is not a question of whether they shall have patrol boats, but whether the Governor and Council or the Commission shall buy them. It has been my experience in watching commissions that they are liable to tend toward extravagance in what they buy, and, as the exact price is not fixed, I think it would be quite as well for the Governor and Council to buy the boats and let the fisheries commissioners use them.

Mr. SANBORN of South Portland: Mr. Speaker, I may be obtuse, and I may be over-suspicious; but this comes to my mind: While I never have had much experience in bringing up children, I have always understood that it was a pretty good rule when the baby cries for anything that won't hurt him to let him have it in order to keep him quiet. Now I have been inclined all this session not to take seriously what we have been hearing about humoring the Governor and Council; but here is a situation where I am not so certain. I supposed at the outset when this amendment was offered that the bill required the purchase of these patrol boats, and I, certainly, should have no objection whatever, if the bill required the purchase of patrol boats, to say that the

Governor and Council should purchase them; in fact I am inclined to the view that it would be eminently fitting and proper that the Governor and Council should make the purchase. But if it is simply that there is permission for boats to be bought, it is a well known fact, I suppose, that our present Commissioner of Sea and Shore Fisheries is exceedingly interested in the enforcement of the laws regulating the fisheries, and he had a good record last year. I am told that he collected more in fines last year than any commissioner has collected in years. I am also told that he made return of his fines as required by law, and as has been required for years, to the State Treasurer, and that when he asked to see the record of returns made by his predecessors, he was informed in the Treasurer's office that no such return had been made of late years. The Treasurer's office did not even know that such a return was required to be made. Now if the effect of this amendment is going to be to fix it so that the fellow who wants to have a boat for the purpose of enforcing the law cannot have it because somebody else thinks it unnecessary to purchase a boat, I should be inclined to object to this amendment. If I could be assured that under the act the purchase of the boat is imperative, I would not have the slightest objection; in fact I would approve of the change from the Sea and Shore Fisheries Commissioner to the Governor and Council; but if the effect of it will be to nullify the act, to leave it to someone from whom we have no assurance as yet that the purposes of the act will be carried out, I think the gentlemen who object to this amendment are justified in so doing.

Mr. LEWIS of North Haven: Mr. Speaker, I want to see these patrol boats along our coast, and I do not care who buys them. I think that the Commissioner of Sea and Shore Fisheries has the disposition to buy such boats if the appropriation is made. Whether there is such disposition on the part of the Governor and Council, I cannot say.

Mr. PIERCE: Mr. Speaker, if the gentleman from North Haven (Mr. Lewis) would yield the floor for just a

moment, perhaps I can straighten this matter out.

Mr. LEWIS: I yield the floor to the gentleman from Houlton, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, if it will make anybody feel better about this matter to oblige the Governor and Council to buy the boat, I am perfectly willing to fix the amendment that way. I will withdraw my amendment until I can get an opportunity to redraft it, and something else can be taken up in the meantime.

The SPEAKER: We will lay this matter aside temporarily, and recur to it again when the gentleman from Houlton, Mr. Pierce, presents his amendment.

On motion by Mr. Higgins of Brewer, bill An Act to correct certain clerical errors in and to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to Inland Fisheries and Game was taken from the table, the pending question being the passage of the bill to be enacted.

The SPEAKER: The Chair will state again that this act has the emergency clause attached to it, and requires a two-thirds vote of all the members elected to this House in order to enact it. All those in favor of the motion of the gentleman from Brewer, Mr. Higgins, that this bill be now passed to be enacted will rise and stand in their places until counted.

A division being had, 110 voted in favor and none against.

So the bill was passed to be enacted.

On motion by Mr. Gallagher of Bangor, unanimous consent was granted and that gentleman presented out of order under a suspension of the rules the following order:

Ordered: That Representative Frank Robinson of Bangor be excused from further attendance at this session, and that his pay and mileage be made up to the end of the session.

The order received a passage.

The SPEAKER: The Chair lays before the House resolve appropriating money to aid in constructing a bridge between Portland and South Portland, tabled by the gentleman from Houlton,

Mr. Pierce, the pending question being its final passage.

Mr. PIERCE: Mr. Speaker, I realize fully that the role of an economy advocate, the man who attempts to kill this appropriation or that appropriation, no matter how apparent it may be that it ought to be killed, is not a popular one. I have said already about all that I can say about it. It seems to me just as plain as the simplest lesson in arithmetic that we learned when we went to school, that if you have got one million to spend, you cannot appropriate two and pay your bills. There is no opportunity for argument or controversy about it. The gentlemen who have taken the opposite position on some of these appropriations have not offered the slightest alternative for it. Now it is easy enough to make a good speech on any one of these different measures. They are worthy; they are meritorious, and I know it. The question of economy is not attractive; it does not lend itself to eloquence in any way. But it is a question that we come up against here in the closing days of this session. I do not care to take up unnecessary time this afternoon; but I must urge on you that I do not see how the State can afford to appropriate this amount without taking it away from charitable institutions. I would now move that this Portland bridge bill be indefinitely postponed, and I do this without the slightest ill-will to the city of Portland or any of its representatives, because I feel that the time has come when we have got to stop; otherwise we will be up against the proposition of a tax rate higher than any in the State of Maine for years. (Applause.)

Mr. ROBERTS of Portland: Mr. Speaker, I am very much surprised at this attempt to have this bill indefinitely postponed. We went before the committee on ways and bridges, had a full hearing, and got a unanimous report. We asked for very much more, but they gave us \$40,000. Our county has for the last fifty years paid seven per cent. towards all the bridges that have been appropriated for in this State. That amounts to about \$25,000 a year for fifty years. In that time we have

had one bridge that we got \$3,000 for, in the town of Casco. That has been our record. We have paid for everybody's bridges for the last fifty years, and the first time we come here for aid is when we are building a bridge that will cost a million dollars. Two years ago we built a bridge between Portland and South Portland at a cost of between \$200,000 and \$300,000, and Portland had to pay 90 per cent. of it. Six or seven years ago we had to build the bridge that we call Tukey's Bridge, costing some \$200,000. We have got another bridge to build very soon that will cost half a million dollars—Martin's Point bridge. We have bridges. Our bridges cost all the way from \$200,000 to a million dollars. They are not these small bridges that you have in the country. This is the first time we have come before this Legislature asking for any part of what we have paid out. If we had our part of what we had paid out we could build two such bridges.

Now as to this great cry about economy! You would think that a few men paid all the taxes. I think that the mass of the people pay the taxes. They get it back; this money does not go out of existence. It simply changes hands and goes on. I believe this is a meritorious bill and should be passed. We asked, as I say, for very much more, and were entitled to more; but, under the conditions, the committee gave us that amount and did it willingly. We have simply been paying out for fifty years, and all we have ever got back is the \$3,000 I have already mentioned. I think if the members of the House knew the history of this thing as well as do the gentlemen from Portland every one of you would vote us this appropriation. Gentlemen, I hope it will pass.

Mr. SANBORN of South Portland: Mr. Speaker, I want to say just a word on this matter in the interest of what seems to me to be fair play. I concur fully in the view of the gentleman from Portland, Mr. Roberts, that, if you gentlemen of this House fully and fairly appreciated the situation as it is, you would not by any means vote to indefinitely postpone this resolve. I doubt

my ability to present the matter so that it will be clearly understood; but this is the situation: We first had Vaughan's bridge built. It had to be built by the two cities of Portland and South Portland. They let that go, as it was a passable bridge, until the Federal Government ordered its summary rebuilding, a command which could not be set aside. It was impossible to build that bridge by borrowing within the constitutional limit of the two cities, and a bridge district was formed. But the burden rests on the people and the property of Portland and South Portland just the same. That bridge was built. Then we came to the Portland bridge, which had gone on to the point where the public feeling as to the physical condition of the bridge was such that a large percentage of the people absolutely refused to cross it. This Legislature four years ago, after an exhaustive hearing, declared that that bridge was unsafe and was a menace to the public safety. That was a command that we could not set aside, and we were obliged to rebuild. The cost to the County of Cumberland is \$500,000. Consider that sum in the light of the small amounts you are asked to appropriate here! \$500,000 is the sum that that bridge will cost the County of Cumberland. When the wealth of Cumberland County is called to your attention, remember that that wealth is taxable, and that her annual share of taxes go into our State treasury, and are distributed for all kinds of purposes all over the State, and that willingly, and then say that we are not entitled to this paltry sum of \$20,000 for two years.

Now one more word! I voted yesterday for the appropriation for the Jackman road, and I voted for that appropriation believing that it was a commendable proposition; but I did cast that vote, I am going to say to you frankly, in the full conviction and belief that that was one of several matters which were going through without interruption, and that were entitled to go through because they had been reported by the committees; and that we should be unfair to those people to cut them off. That under-

standing carried with it the understanding that you would do the same by us in our matter which comes up today. Now two years ago I had the very pleasant experience of going through the session of the Legislature in the feeling that there was no need of log rolling or trading. I did not see any of that spirit which I used to hear talked about of one fellow helping the other fellow's matter in order to get his support. So far I have seen nothing of that kind at this session. Certainly, we who are interested in this matter of the Portland bridge have not in any way offered to make our votes on any other matter contingent on your action. We have relied on your good faith, and we believe that, when you remember that we have cheerfully voted for these other resolves, there other matters of State aid for bridges and roads all over the State,—we believe that your sense of fairness will prompt you to say that the State can stand that small amount as compared with the total sum; but it will help Cumberland county that much.

Mr. GREELEAF: Mr. Speaker, at the risk of being charged with talking too much, I cannot, with justice to myself and my good people at home, remain entirely silent in this matter. I cannot expect to add anything to what has been so clearly presented by my colleague from Portland (Mr. Roberts), and by the gentleman from South Portland (Mr. Sanborn), men who are well conversant with the situation and who have given you a full, clear and detailed account of the conditions that prevail in that locality. The gentleman from Portland (Mr. Roberts) has clearly demonstrated to you that Cumberland county will pay its full share of this matter. I have great respect for the intelligence, diligence, care and painstaking work which committees do, and I also have exceedingly high respect for the intelligence and care which this committee on ways and bridges have exercised during this entire session. I know that that committee took into full consideration the financial condition of the State, our appropriations, and our anticipated or expected income

that will accrue to the State during the next two years. It has not been demonstrated to my mind, and I doubt if it has to yours—because it has come from no authentic source, nor can anyone tell to a certainty—what the income of the State will be; and with that end in view the proponents of this bill thought that \$150,000 or \$175,000—I do not now quite recollect, but \$150,000 surely—\$75,000 for each year—would be nothing more than adequate, right and fair for Cumberland County to have. The committee, I think, took into consideration the condition which I have stated, and they gave us a cut to \$20,000 a year. In view of the situation, and with high respect for that committee, considering everything, we are content and must be satisfied; and we will be satisfied if you sustain the report of that committee, and give us the percentage, the cut down; but this we feel we ought to have. The condition of Cumberland county as to its bridges has been gone into thoroughly, as well as the amount of her taxes; and I think it is clearly demonstrated to your minds, gentlemen, that the meager sum of \$20,000 a year is little enough to appropriate to this county which has never before asked at your hands any help to support the large number of bridges which it has to maintain and has maintained for a great number of years. I do hope that we will not cross bridges until we come to them. The future will take care of itself. Posterity has done very little for us, gentlemen, so we will let posterity take care of itself. Give us this small appropriation, this percentage if you please to call it, but sustain the committee, and Cumberland county will have to be satisfied; although we would like to have had a much larger sum. We have supported you in your Jackman road; I voted for it. I thought you ought to have it and I think so now. Now we ask you in turn to help us with this small sum in return.

Mr. DURGAIN of Bangor: Mr. Speaker, I wish to state that this was not a unanimous report of the commit-

tee. There were four of us who did not vote.

Mr. SMITH of Hampden: Mr. Speaker and gentlemen of the House; yesterday I objected to the amount asked for the Jackman road; and in fairness to my friends from the other end of the State I rise today to extend to them the same courtesy. It always has appeared to me a pretty good idea to cut your garment according to the cloth. We can determine with quite a degree of accuracy the amount of money that the State will probably have available within the next two years. I acknowledge as a matter of history that Portland has done its share and Cumberland county its share in the taxation of the State. If financial conditions were otherwise, I would vote to give them the State aid which they now ask for. We have just learned that that report was not unanimous on the part of the committee. It appeals to me that, with the great wealth of Portland, surrounded by the wealth of Cumberland county, with all its many commercial interests, it is fully capable of taking care of these matters without help. I feel that Portland should tax herself a little more, and I trust that this may be indefinitely postponed.

Mr. COLCORD of Portland: Mr. Speaker, until a few moments ago, I was not aware that this was not a unanimous report of the committee on ways and bridges. The matter came before us in the regular manner. Each member had an opportunity to express himself and give his views as to the amount that should be awarded. The report came in in the usual manner without any dissenting report. There were tabulated estimates by every member of that committee, the individual amounts that they approved of. So far as I knew, until a few moments ago, the report was to the satisfaction of every member of the committee, and was as much a unanimous report as any that has come from that committee. This committee recommended total appropriations of \$164,000 for the coming two years, inclusive of the Jackman road, which was the only matter where there was

a divided report—five and five. Every other report that has come from that committee has been unanimous. Two years ago the legislature appropriated \$220,000, and there was actually expended in 1913 and 1914 \$187,000. Now if there is any financial crisis at this stage of the legislative session, this certainly should not be laid to any shortcomings of the committee on ways and bridges. The resolves total \$23,000 less this year than the expenditures of the last two years, including this \$40,000 recommended for the Portland bridge. Certainly, if all the other committees had recommended resolves with as stout regard for economy as this committee has done, there would be no necessity for a motion to indefinitely postpone this bill. Should this resolve prevail, the county will pay \$8,000 of that \$40,000, leaving \$32,000 as the share of the rest of the State. If the total recommended by the committee carries through this legislature, Cumberland county will pay \$34,000. Consequently, if that county receives \$40,000, and pays \$8,000 of it, it still means \$2000 more outgo than income for ways and bridges.

The SPEAKER: The question before the House is on the motion of the gentleman from Houlton, Mr. Pierce, that this bill be indefinitely postponed.

Mr. PIERCE: Mr. Speaker, I ask for a division of the House.

The SPEAKER: A division of the House has been called for. All those in favor of the motion will rise and stand in their places until counted.

A division being had, 50 voted in the affirmative and 65 in the negative, and the motion to indefinitely postpone was lost.

On motion by Mr. Greenleaf of Portland, the resolve was finally passed.

The SPEAKER: The Chair lays before the House Resolve to provide for the construction and equipment of a central school building at the Maine Industrial School for Girls, tabled by the gentleman from Houlton, Mr. Pierce, pending final passage.

Mr. PIERCE of Houlton: Mr. Speaker, I have not much to say. I

move that this resolve be indefinitely postponed. There is nothing I can add to what I have said before, except that I would call attention, gentlemen, to the fact that we have not been niggardly with charitable institutions and benevolent institutions or with those who are poor and in distress. We have appropriated \$50,000 for the State Prison, \$40,000 pensions for the blind, \$75,000 for the Tubercular Institution, and \$50,000 for a Reformatory for Women, all new appropriations. We have appropriated \$103,000 for new buildings at the Bangor Insane Asylum. Now, gentlemen, as I said before, a stop has got to come somewhere. The other day on the floor of this House an ex-trustee of this institution now under discussion stated that they could get along for the next two years without this building. It seems to me that the time to stop making appropriations that are not necessary has come. I would say, gentlemen, that appropriating, and appropriating and appropriating, and advocating in each case in favor of the particular measure, is not a reasonable business way to look at this proposition. It is easy to make a good argument on the merits of all these measures; but we have got to stop somewhere, gentlemen. We have not been niggardly with the charitable and benevolent institutions of this State; but it does seem to me that this institution, worthy and deserving as it is, should not receive this appropriation which they say themselves that, although they could use it and do good work with it, yet it is not absolutely needed to carry on the work of the institution. I move that this resolve be indefinitely postponed.

Mr. HIGGINS of Brewer: Mr. Speaker and gentlemen of the House: I do not intend to take the time of the House to debate this question; I have spoken on it before. I will simply ask at this time that when the vote is taken it be taken by the yeas and nays.

Mr. ST. CLAIR of Calais: Mr. Speaker, I have not the least idea that the gentleman from Houlton (Mr. Pierce) would misrepresent me or any other gentleman on the floor of the

House; but when he states that the extrustee said that they could get along without that appropriation for this building, he puts it in a way that does misrepresent me. What I said was, in answer to a question of the gentleman from Corinna (Mr. Hill), who wanted to know if the institution could not get along without it, and my reply was that of course they could get along, that it would not kill the institution. But, Mr. Speaker, this is a State institution, and it was established for a particular purpose. To carry out that purpose, with its present equipment it is sadly crippled. I hope the House understands the position, and understands my position in that matter. I do not want to be quoted before this House as saying that that institution can get along without this building, except with the qualification that I have made, that of course the institution would go along. It cannot get along as well without this appropriation as the institution across the river could get along without that \$85,000 to renovate a wing that they could use not only for two years but for ten.

The SPEAKER: The question is on the motion of the gentleman from Houlton, Mr. Pierce, that this resolve be indefinitely postponed. The yeas and nays have been called for. As many as desire the yeas and nays will rise and stand in their places until counted.

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

The SPEAKER: All those in favor of the motion of the gentleman from Houlton, Mr. Pierce, that this resolve be indefinitely postponed when their names are called will answer yes; all those opposed will answer no. The clerk will call the roll.

YEA—Ballard, Blake, New Gloucester; Bourque, Brann, Brawn, Brown, Auburn; Brown, New Sharon; Campbell, Chadbourn, Colcord, Corliss, Currier, Davis, Descoteaux, Douglass, Drapeau, Durgain, Edwards, Erskine, Evans, Fossett, Gallagher, Gerrish, Gilmour, Gooding, Greeley, Greenleaf, Haraden, Haskell, Hill, Hobbs, Hodgkins, Holt, Skowhegan, Jameson, Lewis, Libby, Maxwell, McCarrison, McCurdy, McIntire, Michaud, Millett, Mullin, Neilon, Newell, Picher, Pierce, Farmington; Pierce, Houlton; Plummer, Pollard, Robinson, Small, Tabbutt, Tate, Trafton, Turner, Wasgatt, Watts, Welch, Wheeler, Wilkins, Wilson, Woodman, Wyman.

NAY—Albert, Ames, Beal, Benn, Besse, Blake, Oakland; Bradbury, Bragdon, Bussey, Carson, Chaplin, Chamberlin, Clement, Cobb, Coffin, Danforth, Dilling, Drummond, Dutton, Ellis, Fay, Ford, Gould, Grant, Greateon, Greenlaw, Hanson, Saco; Hanson, Sanford; Harper, Hart, Higgins, Holt, Gouldsboro; Littlefield, Lombard, Lord, Mansir, McKinley, McNally, Meader, Mitchell, Morrison, Morse, Mulligan, Nicholas, O'Connell, Peabbles, Perham, Peterson, Ranney, Ricker, Roberts, Russell, Alfred; Ryder, St. Clair, Calais; St. Clair, Rockland; Sanborn, Smith, Snow, Thombs, Tobey, Towle, Tuttle, Varney, Washburn, Waterhouse, Wescott, Wise.

ABSENT—Allen, Averill, Bernier, Bonney, Clifford, Connellan, Connors, Goldthwait, Goodwin, Jordan, Lawrence, Leader, McCarty, Noyes, Perkins, Russell, Lewiston; Ward, Webb.

Yeas, 64.

Nays, 67.

Absent, 18.

Paired: Daigle, Yes; Thibodeau, no.

The SPEAKER: Sixty-four having voted in the affirmative and 67 in the negative, the motion of the gentleman from Houlton, Mr. Pierce, to indefinitely postpone is lost.

On motion by Mr. Higgins of Brewer, the resolve then received its final passage.

On motion by Mr. Sanborn of South Portland, unanimous consent was granted and that gentleman presented out of order under a suspension of the rules the following order:

Ordered: That Representative J. Frank Davis of Old Town be excused from further attendance at this session and that his pay and mileage be made up to the end of the session.

The order received a passage.

Mr. Greenleaf of Portland moved that the vote be reconsidered whereby the House finally passed Resolve to aid in the construction of a bridge between the cities of Portland and South Portland.

The motion was lost.

Mr. St. Clair of Calais moved that the vote be reconsidered whereby the House voted to indefinitely postpone bill, An Act relating to fishing in certain waters in Washington and Aroostook Counties.

The motion was lost.

The SPEAKER: The Chair lays before the House Resolve in favor of the Maine Wesleyan Seminary and Women's College for practical instruction in

agriculture and domestic sciences, tabled by the gentleman from Houlton. Mr. Pierce, the pending question being the final passage of the resolve.

On motion by Mr. Pierce of Houlton the resolve was finally passed.

Mr. Higgins of Brewer moved that the vote be reconsidered whereby the House finally passed Resolve appropriating money for a central school building at the Maine Industrial School for Girls at Hallowell.

The motion was lost.

The SPEAKER: The Chair lays before the House Resolve for the purpose of operating the fish hatcheries and feeding stations for fish. Senate Doc. No. 204, tabled by the gentleman from Houlton, Mr. Pierce, the pending question being the final passage of the resolve.

On motion by Mr. Pierce, the vote was reconsidered whereby this resolve was passed to be engrossed.

Mr. Pierce then offered House Amendment A, to amend by striking out the words "seventy-five" in the first line and substituting therefor the word "fifty"; also to amend by striking out the words "one hundred" in the fifth line and substituting in place thereof the words "seventy-five."

The question being on the adoption of House Amendment A,

Mr. THOMBS of Lincoln: Mr. Speaker and gentlemen of the House, I just wish to take a moment of your time on this matter which is of State-wide importance. We have been considering financial matters relating to certain localities in Maine, and those members who live in those sections or nearby have come very ably to their defence. You are now asked to consider a matter of State-wide importance, something which affects each and every one of us and all the people of the State of Maine. I am sorry that I have not details with which to enlighten you with respect to the needs and to the workings of the department of inland fisheries and game. I think that department is deserving of such an exposition to the members of this House; but I am glad to rise here and say a word

in a general way in support of that department. I know they are subjected to some criticisms; there is no department in the State of Maine but what is subjected to some criticisms, but for all that, I believe, and I think you will agree with me, that the fish and game interests of the State of Maine have been and are now being ably looked after. This brings us down to the question as to what is to be the policy of the State of Maine from now on with respect to the preservation of the fish and game interests. You are confronted with the question here as to whether you will curtail this department in its work.

I am advised that in 1909 the fish and game commission had at its disposal something like \$41,000, in fees, and from an appropriation of that year the further sum of \$47,500, giving them a total at that time of \$89,072; in 1910 the commission had in fees \$44,380, and an appropriation that year of \$47,500, giving them a total of \$91,880; in 1911 the commission had in fees \$48,000 and from appropriations of that year \$26,000, giving them a total of \$75,000. Now so be it, the law in 1911 was changed so that the fees which before that time had gone for the use of that department were taken away and turned over practically into the State Treasury and became a part of the common fund there. So that beginning with that year it was necessary for the legislature to give by granting an appropriation whatever sum of money the fish and game interests of the state of Maine had for the next two years. In 1912 they had the sum of \$75,000; in 1913 they had the sum of \$100,000, and in 1914 the further sum of \$100,000.

It should be noted that the license fees and fines collected during the years 1912, 1913 and 1914 were not used by the department, as I have already stated, but were paid to the State Treasurer and turned into the general state funds. I have here a statement of the fines and license fees collected and turned over for those three years, as follows: In 1912 \$42,103; in 1913 the sum of \$50,148, and in 1914 the sum of \$45,488. That makes, as you will readily observe, a net cost to the State of



Maine for the maintenance of its fish and game interests about \$50,000. Now, gentlemen, I want to submit to you can you afford to appropriate a less sum than has heretofore been appropriated? I have not been advised that there has been any misuse of these funds, and I have yet to hear a criticism along that line. In view of the fact of the increasing interest and the increasing work of the fish and game interests of the State of Maine, it seems to me we hardly afford to curtail on this expenditure at this time. It seems to me that the State of Maine from a financial standpoint, if from none other, should adopt a liberal course in this matter; and I trust today that in voting for this appropriation you will not only see the wisdom but you will also see the necessity of voting for this purpose a sum equal to that which they have had in the last two years.

Mr. PIERCE of Houlton: Mr. Speaker, I would simply emphasize the fact that I am fully in favor of protecting the fish and game of the State of Maine, but the connection between the appropriation for fish and game and the protection of the game is so far removed that it is not an easy question to be decided in favor of the State. The gentlemen who live in the wild land counties see a lot of game wardens sitting around hotels smoking cigars and riding on the trains, and they know about how much a good many of those wardens do in the line of protection of the fish and game. When they are not a political asset they are a set of loafers, and I firmly believe that we can save money in this department without jeopardizing the interests of the fish and game at all, and in that way have considerable money to be expended for some other purpose. As I say, I have no hostility towards this commission, and it is simply that the results procured from this appropriation are not what they should be, and I firmly believe that an appropriation in accordance with the terms of this amendment would be as beneficial to the interests of the fish and game as under the present warden service.

Mr. THOMBS: Mr. Speaker, I am very glad the gentleman from Houlton, Mr.

Pierce, has qualified his remark which he made in his criticism of the warden service of this State. Had he not done so, I should have felt obliged to call him to task for that. I say to you, I know that the fish and game department of this State is criticised; and I say to you that much of the criticism is unjust and unmerited; and I say to you further that I believe not only if any man in this House but if any man in the State of Maine should report a negligent warden to the fish and game commission, that he will be dealt with as justice requires and as the merits of his case deserve. I am glad to say that I have confidence in this commission and I do not wish to see them handicapped; I want to see the people of the State of Maine take hold with their fish and game commission as with every other public officer, and instead of trying to override them with criticism, to offer suggestions and lend them whatever aid they may be able to give, and then and only then can we get the best results from the dollars that this legislature puts into the hands of the public officers of this State to expend.

The question being on the adoption of House Amendment A.

Mr. Pierce called for a division of the House.

A division being had, the amendment was lost by a vote of 53 to 61.

On motion by Mr. Thombs, the resolve was then passed to be engrossed, and on further motion by the same gentleman, the rules were suspended, and the resolve was finally passed.

The SPEAKER: The Chair lays before the House Resolve appropriating money for the construction of certain buildings at the University of Maine, tabled by the gentleman from Houlton, Mr. Pierce, the pending question being the final passage of the resolve.

On motion by Mr. Pierce, the vote was reconsidered whereby this resolve was passed to be engrossed.

Mr. Pierce then offered House Amendment A, to amend by striking out after the word "dollars" in the fourth line and before the word "for" in the fifth line the words "for dairy building, twenty-five thousand dollars."

The question being on the adoption of the amendment.

Mr. RICKER of Castine: Mr. Speaker, this seems to be the first bill from the educational committee upon which there has been any question, and I can see no reason whatever for cutting down this appropriation \$25,000. The original bill includes an appropriation of \$25,000 for a dairy building. In addition to these three buildings there were two others asked for by the university. Now, that is the largest institution there is in this State, and it is an institution of great importance especially to the farming interests. I think at this time it is too late to attack an institution of this kind, and I sincerely hope the amendment will not be adopted.

Mr. SNOW of Mars Hill: Mr. Speaker, being a member of the educational committee and one who visited this institution, I wish to say that that committee gave careful consideration to this matter, and after spending one entire day at the University of Maine, and after a long hearing upon the needs of the University, the committee reported unanimously upon this bill. It was stated to us that the boys in that institution were also obliged to take a course in dairy work and that their dairy building is inadequate to meet the demands made by reason of the large classes that they have there. They presented requests for other buildings, but the committee asked them what they needed most at the university and they went down the whole list and signified what was most needed, and among them was this dairy building; some other things were laid aside by the committee to be taken up at some future time. The boys who graduate at the University of Maine are going out and getting positions in the universities of other states, and they want the best that can be given them from the state of Maine and they are going there to get this education to fit them for these other places; it seems to me we can not afford to lessen the efficiency of the University of Maine and give them a partial course when they ought to have the very best and the most complete that they can get.

Mr. PLUMMER of Lisbon: Mr. Speaker, I would like to inquire of the gentleman from Mars Hill or anyone else who can tell me, how many cattle they have there at the University of Maine?

The SPEAKER: If any gentleman on the floor can answer the question for the gentleman from Lisbon, he may do so.

Mr. PERHAM of Woodstock: Mr. Speaker, when I visited the University of Maine with the committee on education I spent practically all of my time in the barns, and my ideas in relation to the barns they have there at the present time coincided entirely with the other members of the committee and with the administration of that institution. When we got to discussing the question of new barns, we did not agree, but I won't at this time enter into a discussion of the new barn. There is one fact that I want to bring to the attention of this House—I did not count the number of cattle there, but it seems to me that there were cattle everywhere you went, every place was full, and they were well bred cattle, and they were in places that were not suitable in which to keep cattle, but it was all the space they had, and they are overrun with cattle and need the barn.

Mr. PIERCE of Houlton: Mr. Speaker, this resolve carries \$60,000 for the University as amended; it carries \$25,000, I think, for a new barn; it is not intended to diminish their work in agricultural lines at all. The trustees of that institution stated that if it was necessary for them to lose any of the buildings provided for in this resolve that they could get along better without this building than they could with either of the others. I do not mean that they are willing to get along without any of them, because none of the institutions are willing to get along without any; but I do state that this amendment was drafted after consultation with several gentlemen who were greatly interested in the institution and to enable us to reduce the expenditures at this session. This is not unfair towards the university, because they will have an appropriation of \$60,000 this

year for new buildings. I am not opposed to the university by any means, but there comes a time when some of our institutions can not receive everything that they ask for. This idea of relying upon the unanimous reports of committees, and allowing such reports to settle the matter of appropriations is the most ideal system for over-extravagance that could be imagined; I do not know how we could arrange any method which would work any better; but the report of a committee upon a matter of appropriation is not entitled to that absolute and unswerving fidelity which some gentlemen would urge for those reasons. The members of a committee do not always know what is going on before other committees, and the result is that we have appropriations brought in here before other committees, and if this system is continued you will have a set of appropriations presented by committees in this legislature that will make the tax rate, instead of ten mills, —in two years the tax rate will be twenty mills. I believe that this university can get along for the next two years without this dairy building and that the interests of economy will be subserved, and I trust the amendment will be adopted.

Mr. MCINTIRE of Waterford: Mr. Speaker, there is no one who would like to see every institution have all the money they ask for any more than I would, but it seems to me they can get along without something that they think they want. I say, let us get what we can, let us get something, and I am going to urge you, gentlemen, as friends of the university to adopt this amendment.

The question being on the adoption of House Amendment A.

Mr. Pierce called for the yeas and nays.

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

The SPEAKER: The question is on the adoption of House Amendment A. Upon this question the yeas and nays have been ordered. All those in favor of the adoption of the amendment, when their names are called, will answer yes; all those opposed will answer no. The clerk will call the roll.

YEA—Ballard, Benn, Blake, New Gloucester, Blake, Oakland; Bourque, Brann, Brown, Auburn; Brown, New Sharon, Bussey, Campbell, Chadbourne, Clement, Colcord, Conners, Corliss, Currier, Descoteaux, Dilling Douglass, Drapeau, Drummond, Durgain, Dutton, Edwards, Ellis, Erskine, Fay, Ford, Fosssett, Gerrish, Gilmour, Gooding, Grant, Groaton Greeley, Greenlaw, Greenleaf, Hanson, Saco; Haraden, Hart, Haskell, Higgins, Hill, Hobbs, Hodgkins, Holt, Skowhegan; Jameson, Lawrence, Lewis, Littlefield, Lombard, Lord, Mansir, Maxwell McCarrison, McCurdy McIntire, McKinley, McNally, Meader, Michaud, Millert, Morrison, Morse, Mulligan, Mullin, Neilon, Newell, Nicholas, O'Connell, Peabbles, Peterson, Picher, Pierce, Farmington, Pierce, Houlton, Plummer, Pollard Roberts, Robinson, Russell, Alfred, Small, Smith, Tabbutt, Tate, Towle, Trafton, Turner, Tuttle, Ward, Wasgatt, Washburn, Waterhouse, Watts, Welch, Wescott, Wheeler, Wilkins, Wilson, Wise, Wyman—99.

NAYS—Albert, Beal, Besse, Bragdon, Brawn, Chaplin, Chamberlin, Cobb, Coffin, Danforth, Dutton, Evans, Gallagher, Gould, Hanson, Sanford, Harper, Holt, Gouldsboro; Libby, Mitchell, Perham, Ranney, Ricker, Ryder, St. Clair, Calais; St. Clair, Rockland; Sanborn, Snow, Thombs, Tobey, Varney, Woodman—31.

ABSENT—Allen, Ames, Averill Bernier, Bonney, Bradbury, Carson, Clifford, Connellan, Davis, Goldthwait, Goodwin, Jordan, Leader, McCarty, Noyes, Perkins, Russell, Lewiston; Webb—20.

PAIRED—Thibodeau, yes; Daigle, no.

The SPEAKER: Ninety-nine having voted yes and 31 having voted no, the motion prevails and the amendment is adopted.

On motion by Mr. Pierce of Houlton, the resolve was then passed to be engrossed, as amended.

The SPEAKER: The Chair lays before the House Resolve in favor of the physician at the Maine State Prison, tabled by the gentleman from Woodstock, Mr. Perham, the pending question being the final passage of the resolve.

On motion by Mr. Fossett of Portland,

the vote was reconsidered whereby this resolve was passed to be engrossed.

Mr. Fossett then offered House Amendment A, to amend by striking from said resolve the emergency clause.

The Speaker after examining the proposed amendment stated that the same was not in proper form and that the portion of the resolve left would be inapplicable with the amendment as presented.

On motion by Mr. Thombs of Lincoln, the matter was tabled pending the preparation of a proper amendment.

The SPEAKER: The Chair lays before the House Resolve authorizing John G. Fleming to bring a suit against the State of Maine, tabled by the gentleman from Woodstock. Mr. Perham, the pending question being the final passage of the resolve.

Mr. PERHAM: Mr. Speaker, this resolve is one of the matters to which I am personally opposed as a general proposition, but that is not the reason why this measure was held up by me. The justice of the case to my mind does not warrant this unusual proceeding. It is a matter which if allowed to go forward would tie up our State Highway Commission to a certain extent and involve them in the defense of a suit with regard to a matter that is entirely taken care of in the terms of the contract. I have before me a form of the contract which is entered into by all the contractors for state road work, and this matter is all taken care of in that contract. There have been other questions of this nature which have arisen in regard to state road work, and every one of them has been settled on the basis as provided in this contract; it seems to me that this matter should not be allowed to go on, and that this individual should not be allowed to bring suit against the State of Maine for a matter that is entirely taken care of in the contract, and is accepted by all the contractors working under that department.

Mr. THOMBS of Lincoln: Mr. Speaker and gentlemen, John G. Fleming of Lincoln, in Penobscot County, made a contract last year with the State Highway Commission to do certain highway work in Lincoln County near the town

of Wiscasset, and it is quite true, as has been stated, that he signed and agreed with the State Highway Commission, and signed a contract; and he started in under this contract, and his work has been performed and completed. Certain payments have been made on the contract by the Highway Commission; and during the progress of the work, as I understand it, Mr. Fleming was requested by the State Highway Commission, or by their agent, to make some changes in the construction of the work, at least, such changes were made, and thereby arises the controversy.

I do not think it is necessary for me to discuss the rights and wrongs of this matter; it would not be fair for me to attempt to do that because you might say that I was prejudiced in favor of a gentleman whom I know. I would not attempt to do so unless I knew that the side of the State Highway Commission could be presented too. In what I may say I do not offer a single word of criticism against the State Highway Commission; I think they are doing a grand, good work in Maine and they ought to have our support and approval. There is a controversy at the present time between Mr. Fleming, the contractor, and the State through its Highway Department. Of course, as it is probably known to you all, an individual has no remedy in law against this State; he has no authority to sue the State unless such license be given him by the legislature, and that is the only thing this resolve purports to do, and the only thing Mr. Fleming asks of this legislature is that some impartial tribunal be selected to settle the differences between these contending parties. I think I am perfectly safe in saying that Mr. Fleming does not care what tribunal that may be.

Now, it has been suggested to me that Mr. Fleming should have brought this matter before the committee on claims of this legislature, but I think and I believe that there is a question of law involved in this matter as well as a question of fact, and I think the recommendation which the judiciary committee gave to this matter will bear me out in making that statement. I say to you that in all probability a matter

of this kind could not be considered in less than a day, and I submit that it is not a fair proposition to ask any legislative committee to give so much of their time as would be necessary to consider such a matter. I believe the judiciary committee is competent to pass upon the matter, but I do not think it would be fair to ask them to pass upon it; the committee on claims would undoubtedly be competent as far as the matter of fact is concerned, and if they could be instructed in the law governing this matter I should be perfectly content if I were attorney for Mr. Fleming to have that committee consider this matter. I think I am right in saying that the State Highway Commission now has in its hands which they acknowledge to be due to Mr. Fleming about \$4500. I am informed they will not pay this balance to Mr. Fleming unless he gives them a release in full. I do not criticise them for that, and I think I should take the same position if I were in their place; but I think you should allow this individual the privilege he is asking here, and if you do not he will be compelled to accept the \$4500 and release all claim he may have against the State, or else he will be compelled to wait for two years until another Legislature meets before which he might present his claim. Is there anything unfair in allowing him to litigate this claim with the State of Maine wherein there is an honest difference of opinion? In this matter a unanimous report was returned by the committee, and I think it is only fair, as I have stated, in view of the fact that this man's money must be tied up for two years unless he complies with the conditions forced upon him, and it seems to me that we ought to grant him this reasonable privilege, and I trust that you will agree with me in this contention.

Mr. Hill of Corinth moved that the resolve be indefinitely postponed.

Mr. PIERCE of Houlton: Mr. Speaker, this matter came up before the judiciary committee and the proposition looked to us absolutely fair and reasonable. There is no such question involved here as in the case of Deforest Keyes. This man asks to be put in the

same situation with the State of Maine as if it was a matter of contract with a private individual, and I can not see any reason why as a matter of fairness it is not proper that he should be allowed to sue the State of Maine. It does not seem to me that the legislature is the proper place to settle the matter, but it seems to me that the court is the proper place to do it, and for that reason I assented in the unanimous report.

Mr. HIGGINS of Brewer: Mr. Speaker, it seems in this case that there is a question of about \$4500 which is due this man, and he has either got to take that or whatever adjustment he can make with the State Highway Commission or wait two years before he may have an opportunity to present another resolve allowing him to take this matter before our courts. I have looked into the matter quite thoroughly, and I see no objection to the passage of the resolve.

Mr. GREENLAW of Presque Isle: Mr. Speaker, it seems to me that this House should extend the same courtesy to this man as it did to Michael Burns, and that the work which this man did was just as legal as that of Michael Burns, and I think it is no more than fair that he should be treated the same.

Mr. THOMBS: Mr. Speaker, I am very glad to say to the members of the House that the Attorney General, who is sitting at my left here, has just advised me that he has advised the State Highway Commission that in his opinion this is a proper way to settle this matter.

Mr. Libby of Merrill moved that the vote upon this matter be now taken.

The question being on the motion to indefinitely postpone the resolve.

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

Mr. Perham then called for a division of the House.

A division being had.

The SPEAKER: It is evidently not a vote, and the motion is lost.

On motion by Mr. Thombs of Lincoln, the resolve was then finally passed.

On motion by Mr. Gallagher of Bangor, unanimous consent was granted

and that gentleman presented under a suspension of the rules out of order the following order:

Ordered, that Representative Fortunat O. Michaud of Van Buren, be excused from further attendance at this session, and that his pay and mileage be made up to the end of the session.

The order received a passage.

The SPEAKER: The Chair lays before the House bill, An Act relating to arrests and disclosures on leaving the State, tabled by the gentleman from Old Orchard, Mr. Lombard, the pending question being the passage of the bill to be enacted.

Mr. LOMBARD: Mr. Speaker, the law is such now and has been for some time that a creditor having reason to believe and believing that his debtor is about to leave the State and taking with him means more than sufficient for his immediate support, has a right of action against this debtor, if the sum of ten dollars or more is due to the plaintiff or the creditor, he, by subscribing to an oath to that effect on the back of a capias writ has the right given to him to arrest that debtor and the sheriff is commanded to attach the estate of the debtor and for want thereof to take the body. The law as it is now limits that amount to ten dollars, and perhaps the limitation of ten dollars as it now stands is a proper limitation, although I submit it is an arbitrary matter; the matter of establishing a limit of ten dollars must have been arbitrary, and the establishment of a limit of twenty dollars is much more arbitrary, I submit. In my town of Old Orchard, during the course of the summer season, we have a great many transient visitors and unfortunate as it may be for us, they are not all honest and they come into our state and contract debts for board, milk, groceries and for other articles, and then when the time comes they pick up their baggage and depart for some place unknown, and in certain cases the creditor is helpless because the amount of the debt is under ten dollars. If there is any merit in this matter, it seems to me it certainly should be raised from ten dollars to twenty dollars, and I submit there should be

some process whereby a man can be helped if he is imposed upon by these people who intend to defraud. I move that the bill be indefinitely postponed.

Mr. HILL of Corinth: Mr. Speaker, being a member of the committee on legal affairs, I wish to say that the proponents and opponents of this bill came before that committee and made their statements, and after that we laid the matter on the table for a day or so to see if they might not get together; they did get together and then they came before us and both sides agreed on twenty dollars being the amount, and we gave a unanimous report upon that proposition and I hope the committee will be sustained.

Mr. LOMBARD: Mr. Speaker, I would like to ask the gentleman from Corinth, Mr. Hill, how many there were of the proponents and opponents that agreed upon this?

Mr. HILL: Mr. Speaker, I will say that there was an attorney who appeared before the committee, and from his remarks it appeared to us that that was his business.

Mr. LOMBARD: Mr. Speaker, I question the right of any proponent or opponent to get together and compromise on a matter which is of vital importance to every trader and hotel keeper in the State of Maine, and I should doubt if that has any binding effect on the members of this House. I think the sum of ten dollars is a very good amount as it was established originally, and I think it is enough now.

Mr. GREELEY of Portland: Mr. Speaker, I am interested in this measure, and when it was introduced we little thought it was going to strike any particular member of this House. That law is not taken advantage of by attorneys in general; it is a mighty risky measure and very few good attorneys care to touch it in any way; it is a bad measure. The matter was properly advertised and a hearing was held, and at that hearing there were three proponents and but one lawyer in this State who came before that hearing and said anything against the bill, and his argument was not very convincing; I trust the bill have a passage.

The question being on the motion to indefinitely postpone.

A rising vote being had, 77 voted in favor and 13 against.

So the motion prevailed and the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House, bill An Act relating to the appointment of cruelty agents, tabled by the gentleman from Portland, Mr. Greenleaf, the pending question being the passage of the bill to be enacted.

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

Mr. Greenleaf then offered House Amendment A, to amend by striking out in lines six and seven the following words: "and provided that not more than two such agents shall at one time be commissioned in any county."

The amendment was adopted, and on further motion by Mr. Greenleaf the bill was passed to be engrossed as amended.

Mr. Lombard of Old Orchard moved that the vote be reconsidered whereby the House voted to indefinitely postpone bill, An Act relating to arrests and disclosures on leaving the state.

The motion was lost.

The SPEAKER: The Chair lays before the House bill, An Act relating to the appointment of harbor masters for the harbor of Portland, tabled by the gentleman from Portland, Mr. Roberts, the pending question being the passage of the bill to be enacted.

On motion by Mr. Roberts, the bill was passed to be enacted.

The SPEAKER: The Chair lays before the House bill, An Act creating the Southern Maine Forest District and providing for protection against fire therein, tabled by the gentleman from Houlton, Mr. Pierce, the pending question being the passage of the bill to be enacted.

Mr. PIERCE: Mr. Speaker, I will say that I am heartily in favor of the principle involved in this act and the only objection I have to it is on the ground of the appropriation which is provided by the terms of this bill; and while I

am in favor of the purposes of the bill I do not believe now is the proper time to pass such a bill, and I therefore move that it be indefinitely postponed.

The motion was agreed to.

The SPEAKER: The Chair lays before the House bill, An Act relating to the assessment of county taxes in the several counties for the year 1915. The pending question is the passage of the bill to be enacted. This bill carries the emergency clause and upon its passage to be enacted requires a two-thirds vote of all the members elected to this House. All those in favor of the passage of this bill to be enacted, will rise in their places and stand until counted.

A division being had, 122 voted in favor and none against.

So the bill was passed to be enacted.

The SPEAKER: The Chair lays before the House bill, An Act for the assessment of the state tax for the year 1915. The pending question is the passage of the bill to be enacted. This bill carries the emergency clause, and upon its passage to be enacted requires a two-thirds vote of all the members elected to this House. All those in favor of the passage of the bill to be enacted will rise and stand until counted.

A division being had, 120 voted in favor and none against.

So the bill was passed to be enacted.

On motion by Mr. Fossett of Portland, Resolve in favor of the physician at the Maine State Prison was taken from the table.

Mr. Fossett then offered House Amendment A, to amend said resolve so that it shall read as follows: "Resolved that there be appropriated the sum of \$104.16 for the payment of the salary of said physician for the five months ending June 30, 1915."

The amendment was adopted.

On further motion by Mr. Fossett the resolve was passed to be engrossed, as amended.

The SPEAKER: The Chair lays before the House bill, An Act to provide for a reorganization or consolidation of the railroad companies constituting the Boston & Maine Railroad system. The

pending question is the passage of the bill to be enacted.

On motion by Mr. Pierce of Houlton, the bill was then passed to be enacted.

The SPEAKER: The Chair lays before the House bill, An Act to grant a new charter to the city of Bangor, House Doc. No. 920. In the House this bill was passed to be engrossed. It now comes from the Senate amended by Senate Amendment B.

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

Mr. Conners then moved that Senate Amendment B be adopted in concurrence.

Mr. CONNERS: Mr. Speaker, in explanation I would say that the Senate agreed with the House in the adoption of Draft A of the bill, without the referendum. This amendment B is Section 78, the original draft, rewritten in order to conform with an understanding had between the proponents and the opponents of the bill reported in this House, and through an oversight the matter was not made in exactly the same form as the agreement. This is satisfactory to everybody concerned.

The question being on the adoption of Senate Amendment B in concurrence.

The amendment was adopted.

On further motion by Mr. Conners, the bill was passed to be engrossed, as amended, in concurrence.

#### REPORTS OF COMMITTEES.

The following reports were presented from the committee on salaries and fees:

On bill, An Act to amend Chapter 151 of the Public Laws entitled "An Act relating to the compensation of registers of deeds, reporting "ought not to pass," the subject matter having been covered by another bill.

On bill, An Act relating to the compensation of clerks of courts, reporting "ought not to pass."

On bill, An Act to provide for clerk hire for the register of deeds in Oxford County, reporting "ought not to pass."

On bill, An Act relative to the compensation of clerks of courts for Cum-

berland County, reporting "ought not to pass."

On bill, An Act to fix the salary of the clerk of the municipal court of the city of Auburn, reporting "ought not to pass."

On bill, An Act to amend paragraph 15 of Section one of Chapter 173 of the Public Laws of 1905, relative to the salary of register of deeds of Waldo County, reporting "ought not to pass."

The reports were accepted.

The SPEAKER: We will now recur to Resolve appropriating money for the purpose of providing and operating patrol boats to be used in enforcing the laws relating to sea and shore fisheries, tabled by the gentleman from Houlton, Mr. Pierce.

Mr. Pierce then offered House Amendment A, to amend by striking out the words "the commissioner is authorized" in the eighth line and inserting in lieu thereof the words "the Governor and Council are authorized and directed."

The amendment was adopted.

On further motion by Mr. Pierce, the bill was passed to be engrossed, as amended.

#### REPORTS OF COMMITTEES.

The following reports were presented from the committee on appropriations and financial affairs:

On Resolve in favor of Donald C. Gates, for services as messenger to the committee on towns, reporting "ought to pass."

The report was accepted and on motion by Mr. Holt of Skowhegan the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve to pay Winifred M. Bearce, stenographer to the secretary of the Senate, reporting "ought to pass."

The report was accepted and on motion by Mr. Holt of Skowhegan the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Neil S. Gray, for services as clerk to the committee on towns, reporting "ought to pass."

The report was accepted, and on motion by Mr. Smith of Hampden the



rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of shorthand reporter to the committee on railroads and expresses, reporting "ought to pass."

The report was accepted, and on motion by Mr. Greenleaf of Portland the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Niles L. Perkins, secretary to the committee on insane hospitals, reporting "ought to pass."

The report was accepted, and on motion by Mr. Welch of Machiasport, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Neil L. Violette, clerk to the committee on State lands and forest preservation, reporting "ought to pass."

The report was accepted, and on motion by Mr. Tobey of Eliot, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On resolve in favor of Claude W. Townsend, Jr., messenger to the committee on inland fisheries and game, reporting "ought to pass."

The report was accepted, and on motion by Mr. Hanson of Sanford, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of the clerk, stenographer and messenger to the committee on appropriations and financial affairs, reporting "ought to pass."

The report was accepted, and on motion by Mr. Nicholas of Eastport, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Josephine I. Cony, reporting "ought to pass."

The report was accepted, and on motion by Mr. St. Clair of Rockland, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Louis Garcelon, clerk to the committee on School

for Feeble-Minded, reporting "ought to pass."

The report was accepted, and on motion by Mr. Mitchell of Newfield, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of M. H. Hodgdon, for services as clerk and stenographer to the committee on inland fisheries and game, reporting "ought to pass."

The report was accepted, and on motion by Mr. Ryder of Brownville, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve, in new draft, under title of "Resolve in favor of Charles R. Kingsbury, for services as clerk, messenger and stenographer to the committee on Indian Affairs," reporting "ought to pass."

The report was accepted, and on motion by Mr. Mansir of Pittston, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of the clerk, stenographer and messenger to the committee on judiciary, reporting "ought to pass."

The report was accepted, and on motion by Mr. Sanborn of South Portland, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of H. P. Hawes and Constance A. Gage, clerk and stenographer to the committee on ways and bridges, reporting same in new draft under same title and that it "ought to pass."

The report was accepted, and on motion by Mr. Varney of Windham, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Charles R. Kingsbury, for services as clerk, messenger and stenographer to the committee on interior waters, reporting same in new draft, under same title and that it "ought to pass."

The report was accepted and on motion by Mr. Gilmour of Westbrook, the rules were suspended, the resolve re-

ceived its two readings and was passed to be engrossed.

On Resolve in favor of George T. Hindcliff, for services as clerk, stenographer and typewriter to the committee on sea and shore fisheries, reporting same in new draft under same title and that it "ought to pass."

The report was accepted, and on motion by Mr. Jameson of Friendship, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of the clerk and messenger to the committee on railroads and expresses, reporting same in new draft under same title and that it "ought to pass."

Mr. Haraden of Bath moved that the original resolve be substituted for the new draft.

The motion was lost.

The report of the committee was accepted, and on motion by Mr. Higgins of Brewer, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of H. P. Hawes, for services as clerk to the committee on insane hospitals, reporting same in new draft under same title and that it "ought to pass."

The report was accepted, and on motion by Mr. Wasgatt of Deer Isle, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Brooks Newbert, for services as clerk, messenger and stenographer to the committee on taxation, reporting same in new draft under same title and that it "ought to pass."

The report was accepted and on motion by Mr. Millett of Belfast, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

On Resolve in favor of Louis Garcelon for services rendered as clerk of the committee on agriculture, reporting same in new draft, under same title and that it "ought to pass."

The report was accepted, and on motion by Mr. McIntire of Waterford, the rules were suspended, the resolve re-

ceived its two readings and was passed to be engrossed.

On Resolve in favor of Charles P. Barnes, for services as messenger to the committee on revision of the statutes, reporting "ought to pass."

The report was accepted, and on motion by Mr. St. Clair of Calais, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

Final reports were presented by the following committees, reporting that they had acted on all matters referred to them:

Committee on Commerce.

Committee on Library.

Committee on Public Health.

The reports were accepted.

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The SPEAKER: The Chair lays before the House the report of the committee of conference on the disagreeing action of the two branches of the legislature on bill, An Act to promote the industry of horse breeding in Maine and to provide for the registration of stallions, reporting that they are unable to agree, Senators Walker, Conant and Moulton and Mr. Peterson favoring the act; Messrs. Plummer and Pollard being against; the report being signed by Senators Conant, Walker and Moulton, on the part of the Senate, and Messrs. Plummer, Pollard and Peterson, on the part of the House.

On motion by Mr. Plummer of Lisbon, the House voted to adhere to its former action.

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The SPEAKER: The Chair lays before the House reports A and B of the committee on judiciary on bill, An Act to establish the State of Maine Immigration Publicity Commission, report A, reporting "ought to pass," signed by Messrs. Cole, Durgin, Sanborn, Campbell and Waterhouse; report B, reporting "ought not to pass," signed by Messrs. McCarty, Pierce, Connors and Butler.

In the Senate, the majority report, reporting "ought to pass" was accepted.

On motion by Mr. Pierce of Houlton, the House voted to non-concur with the Senate in the acceptance of the majority report.

On further motion by Mr. Pierce, the House voted to accept the minority report.

From the committee on appropriations and financial affairs: Report of committee on Resolve in favor of Grace M. Frost, for services as stenographer and typist to committee on bills in the third reading, reporting that the same "ought not to pass."

The report was accepted.

The SPEAKER: The Chair lays before the House bill, An Act increasing the amount of exemption from taxation on musical instruments, the report of the committee being "ought not to pass."

In the House the bill was substituted for the report of the committee.

In the Senate the report of the committee was accepted in non-concurrence.

On motion by Mr. Wasgatt of Deer Isle, the House voted to recede and concur with the Senate.

The SPEAKER: The Chair lays before the House bill, An Act to repeal Section one of Chapter 213 of the Public Laws of 1913, relating to the appointment of road commissioners, House Doc. No. 924.

In the House the report of the committee, reporting "ought to pass" in new draft was accepted, the bill received its three several readings and was passed to be engrossed.

In the Senate, in non-concurrence, that branch adopted the report of the committee, reporting "ought not to pass."

On motion by Mr. Hanson of Sanford, the House voted to recede and concur with the Senate.

The SPEAKER: The Chair lays before the House Resolve to amend Article 22 of the Constitution, as amended, relating to the limit of municipal indebtedness of cities, House Doc. No. 269.

In the House this resolve was passed to be engrossed as amended by House Amendment A; it now comes from the Senate indefinitely postponed in that branch, in non-concurrence.

On motion by Mr. Drummond of Winslow, the House voted to recede and concur with the Senate in the indefinite postponement of the resolve.

The SPEAKER: The Chair lays before the House bill, An Act to amend Chapter 330 of the Private and Special Laws of 1903, relating to the salary of the recorder of the Bath Municipal Court.

In the House this bill was received under a suspension of the rules, given its three several readings and passed to be engrossed, it now comes from the Senate indefinitely postponed, in non-concurrence.

On motion by Mr. Wasgatt of Deer Isle, the House voted to recede and concur with the Senate in the indefinite postponement of the bill.

The SPEAKER: The Chair lays before the House bill, An Act providing for the destruction of dog fish and other members of the shark species in the waters of Maine, House Doc. No. 198.

In the House this bill in new draft received its three several readings and was passed to be engrossed; it now comes from the Senate indefinitely postponed in that branch, in non-concurrence.

On motion by Mr. Wasgatt of Deer Isle, the House voted to recede and concur with the Senate in the indefinite postponement of the bill.

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the legislature on bill, An Act to amend Section one of Chapter 195 of the Public Laws of 1911, providing that the Live Stock Sanitary Commissioner shall be a veterinary surgeon, reporting that Senators Conant, Bartlett and Moulton stood by the minority report, while Messrs. McIntire, Perham and Smith opposed the same; signed by Senators Moulton, Conant and Bartlett, on the part of the Senate, and Messrs. McIntire, Perham and Smith, on the part of the House.

The report was accepted.

In the Senate the report was accepted.

ed and that branch voted to adhere to its former action.

On motion by Mr. McIntire of Waterford, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House bill, An Act to determine the amount to be paid for clerk hire in the several counties. This bill comes from the Senate amended by Senate Amendment A and B.

On motion by Mr. Sanborn of South Portland, the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by Mr. Sanborn, Senate Amendments A and B were adopted in concurrence.

The bill was then passed to be engrossed, as amended, in concurrence.

On motion by Mr. Perkins of Augusta, the rules were suspended, and that gentleman introduced out of order by unanimous consent bill, An Act for the assessment of a state tax for the year 1916.

On further motion by Mr. Perkins, the rules were suspended, the bill receives its three several readings at the present time and was passed to be engrossed.

The SPEAKER: The Chair lays before the House bill, An Act relative to the hours of labor of employees of street railway companies.

In the House this bill was passed to be enacted; it now comes from the Senate indefinitely postponed in that branch, in non-concurrence.

Mr. Morrison of Eden moved that the House recede and concur with the Senate in the indefinite postponement of the bill.

Mr. Wescott of Bluehill moved that the House insist and ask for a committee of conference.

Mr. Morrison of Eden withdrew his motion that the House recede and concur with the Senate.

The question being on the motion to insist and ask for a committee of conference.

The motion was agreed to.

The Speaker thereupon appointed as

such committee on the part of the House, Messrs. Wescott of Bluehill, Sanborn of South Portland and Nicholas of Eastport.

The SPEAKER: The Chair lays before the House bill, An Act additional to Chapter 84 of the Revised Statutes, relating to pleadings in action at law on insurance policies, House Doc. No. 877.

In the House this bill was passed to be enacted; it now comes from the Senate amended by Senate Amendment A.

On motion by Mr. Sanborn of South Portland, the votes were reconsidered whereby the bill was passed to be enacted and 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, in concurrence.

#### Passed to be enacted.

An Act authorizing the Clark Power Company to construct a dam across the Saco River between the towns of Buxton and Dayton.

An Act additional and to amend Section two 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 outlet of said lakes.

An Act to amend Section 15 of Chapter 15 of the Revised Statutes as amended by Section two of Chapter 48 of the Public Laws of 1905 and Chapter 122 of the Public Laws of 1913, in relation to accounting for an expenditure of school funds.

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

An Act to provide for the binding of original papers filed in probate courts.

An Act to amend Section nine of Chapter 65 of the Revised Statutes, relating to transcripts of examinations of testimony taken in the probate courts.

An Act to provide for the record in the registry of deeds of notices waived.

ing testamentary provisions for husband or wife.

An Act to amend Section one of Chapter 48 of the Revised Statutes, as amended by Chapter 20 of the Public Laws of 1909, relative to the employment of clerks by the bank commissioner.

An Act to create a commission to act in conjunction with the State Armory Commission and to amend Section 13 of Chapter 67 of the Revised Statutes, relating to the return of commissioners of partition appointed by probate courts.

An Act to amend Chapter 39 of the Public Laws of 1911, as amended by Chapter 26 of the Public Laws of 1913, relating to the weekly payment of wages.

An Act to authorize the Mousam Water Company to increase its capital stock and to contract with the city of Biddeford for hydrant service.

An Act to amend Section four of Chapter 73 of the Revised Statutes, relating to notice upon petition for sale of real estate.

An Act to amend Section 35 of Chapter 101 of the Revised Statutes, relating to the authority of bail commissioners.

An Act to amend Section seven of Chapter 66 of the Revised Statutes, relating to proof of wills.

An Act to amend Section two of Chapter 133 of the Revised Statutes, authorizing clerks of courts to administer oaths required by law.

An Act to confer jurisdiction in equity upon the probate courts.

An Act to amend Section 32 of Chapter 69 of the Revised Statutes, relating to petitions for adoption of children by non-residents.

An Act providing for publicity respecting the membership of mercantile partnerships, and for identification of individual merchants in certain cases.

An Act relating to the scaling of round timber and marking of contents on same.

An Act to repeal the last clause of Section nine and all of Section 23 of Chapter 16 of the Revised Statutes, relating to assessment of taxes by parishes.

An Act to repeal Section 42 of Chapter 61 of the Revised Statutes, relating to the authority of the mother to bind illegitimate children.

An Act relating to the appointment of appraisers by the probate courts.

An Act relating to the verification of certificates of organization of corporations.

An Act to amend Section 72 of Chapter four of the Revised Statutes, as amended by Chapter 160 of the Public Laws of 1909, relating to towns.

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 a portion of Cup-suptic Stream, in Oxford County.

An Act to provide for the destruction of dog fish and other members of the shark species.

Mr. Greenleaf of Portland moved that this bill be tabled until tomorrow morning.

The motion was lost.

Mr. Plummer of Lisbon then moved that this bill be indefinitely postponed. The motion was lost.

These bills were passed to be enacted.

Mr. Sanborn of South Portland moved that the vote be reconsidered whereby the House passed to be enacted these bills.

The motion was lost.

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Mr. Pierce of Houlton moved that the vote be reconsidered whereby the House voted to indefinitely postpone bill, An Act creating the Southern Maine Forest District and providing for protection against fire therein.

The motion was lost.

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Mr. Pierce of Houlton moved that the vote be reconsidered whereby the House voted to accept the minority report of the committee on judiciary, reporting "ought not to pass" on bill, An Act to

establish the State of Maine Immigration Publicity Commission.

The motion was lost.

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The SPEAKER: The Chair wishes to congratulate the House on the expeditious manner in which the business of

the House has been transacted. The clerk informs the Chair that all matters before the House at the present time have been acted upon.

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On motion by Mr. Higgins of Brewer, Adjourned until tomorrow morning at nine o'clock.