

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

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1919

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AUGUSTA  
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## HOUSE

Thursday, March 27, 1919.

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

Prayer by the Rev. Mr. Phalen of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve to amend Chapter 18, Resolve of 1917, relating to animal husbandry.

This was passed to be engrossed in the House on March 19. It comes back from the Senate indefinitely postponed.

Tabled by Mr. Grinnell of Exeter, pending acceptance of report in concurrence.

From the Senate: An Act to supplement Chapter 29 of the Revised Statutes and to provide for the care of persons requiring full support, or more than temporary relief.

This in the House was indefinitely postponed. In the Senate passed to be engrossed. It comes back from the Senate, that branch insisting on its former action, asking for a committee of conference, and appointing as conferees Senators Deering, Dearth and Butler.

On motion by Mr. Allan of Portland, a viva voce vote being taken, the House voted to adhere to its former action.

From the Senate: Resolve in favor of the town of Porter.

On this resolve the House accepted the report, ought not to pass. It comes back from the Senate with the resolve substituted for the report and passed to be engrossed as amended by Senate amendments A and B.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I move that we reconsider the vote whereby the report, ought not to pass, on resolve in favor of the town of Porter, was accepted.

Mr. LANPHER of Sebec: Mr. Speaker, many of us do not understand what this bill is.

The SPEAKER: If the House will give careful attention,—the Chair has tried very hard to make this thing clear. The committee reported ought not to pass on resolve in favor of the town of Porter. The papers come back from the Senate with the resolve substituted for the report, and passed to be engrossed as amended by Senate amendments A and B. The gentleman from Parsonsfield, Mr. Granville, has made the motion that we reconsider the vote whereby we accepted the report, ought not to pass. All those who are in favor of reconsidering the acceptance of the report will say aye, those opposed no.

A viva voce vote being taken, the motion to reconsider prevailed.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I now move you that we concur with the Senate in substituting the resolve for the report.

Mr. MURCHIE of Calais: Mr. Speaker, in the absence of the chairman of the appropriation's committee, I would move that this lie on the table. I understand that one of the objections to the report is that the money is not provided in the budget.

The motion to temporarily table prevailed.

From the Senate. An Act to authorize Horace Cleland to erect and maintain a fish weir in tide waters in front of his land in the town of Perry.

This was passed to be enacted in the House March 24, and passed to be engrossed March 18. This comes back from the Senate passed to be engrossed as amended by Senate amendment A. (Senate amendment A read).

On motion by Mr. Pile of Eastport the House voted to reconsider its action whereby this bill was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed. On further motion by the same gentleman, it was voted to adopt Senate

amendment A in concurrence, and the bill was passed to be engrossed as amended by Senate amendment A in concurrence.

From the Senate: Report "A" of the committee on Judiciary, on resolve to create a State Insurance fund, that the same ought to pass, signed Deering, Dearth, Baxter, Chaplin, Conary.

Report "B" from the same committee on the same resolve that it ought not to pass signed Davies, Maher, Barnes, Murchie, Buzzell.

These papers come from the Senate with the resolve referred to the next Legislature.

On motion by Mr. Baxter of Portland, a viva voce vote being taken, the House voted to concur with the Senate in referring the matter to the next Legislature.

#### Final Reports

The following committees submitted final reports, stating that they had acted on all matters referred to them:

The joint standing committee on commerce,

The joint standing committee on library,

The joint standing committee on temperance,

The joint standing committee on public health.

The joint standing committee on State sanatoriums,

The joint standing committee on State School for Boys, State School for Girls and Reformatory for Women.

The reports were accepted in concurrence.

The SPEAKER: In taking up the reports of the committees, the Chair would suggest in order to facilitate matters—because if anything prevents adjournment next week, it will be on account of the printing piling up—that all bills and resolves upon which there is no contest and where there is no objection, be given their readings under suspension of the rules in order to hurry these matters along; not to deprive any man of his rights, but where there is absolutely no contest and it is purely routine.

#### Senate Bills on First Reading

Senate 249: An Act to amend Sections 12 and 23 of Chapter 40 of the Revised Statutes, relating to the duties of the bank commissioner in registering dealers in security. (On motion by Mr. Eaton of Rumford, the rules were suspended and the bill given its third reading and passed to be engrossed.)

Senate 243: An Act providing for the payment to judges of Probate Court on retirement at 70 years of age one-half pay, having served as such judge twenty consecutive years at least. (On motion by Mr. Murchie of Calais, the rules were suspended and the bill given its third reading and passed to be engrossed.)

Senate 235: An Act to amend Chapter 8 of the Revised Statutes relative to the office of forest commissioner.

(On motion by Mr. Hinckley of South Portland, the rules were suspended and the bill given its third reading and passed to be engrossed.)

Senate 246: An Act to amend Chapter 319, Public Laws of 1915, providing for State and county aid in the construction of highway bridges.

(On motion by Mr. Rounds of Portland, the rules were suspended and the bill given its third reading and passed to be engrossed.)

Senate 242: An Act to amend Section 1 of Chapter 69 of the Revised Statutes relating to the assessment and collection of inheritance tax.

This comes from the Senate amended by Senate Amendment A. (Senate amendment A read by the Chair.)

On motion by Mr. Allan of Portland, tabled pending adoption of the amendment.

#### Reports of Committees

Mr. Bradford, from the committee on appropriations and financial affairs, on Resolve making appropriation for support of bureau of weights and measures, reported ought not to pass, as it is provided for in the appropriation bill under commissioner of agriculture, division of inspections.

Same gentleman, from same committee, on Resolve appropriating

money for the protection of plants, trees and shrubs from the ravages of dangerous insects and diseases, reported ought not to pass as the same is provided for in the appropriation bill.

Mr. Hanson, from same committee, on bill, An Act to amend Chapter 141 of the Public Laws of 1917, providing for the improvement and certification of seed, reported ought not to pass as it is provided for in the appropriation bill under commissioner of agriculture, division of plant industry.

Mr. Holley, from same committee, on bill, An Act to amend Chapter 218, Public Laws of 1917, providing for the establishment of a bureau of markets, reported ought not to pass as it is provided for in the appropriation bill under commissioner of agriculture, division of markets.

Mr. O'Leary, from same committee, reported ought not to pass on bill, An Act amending Section 41, Chapter 36 of the Revised Statutes, relating to the Department of Agriculture, providing for the collection and examination of samples of feeding stuffs, fertilizers, insecticides, seeds, foods and drugs.

Mr. Owen, from same committee, on Resolve making an appropriation to support the bureau of horticulture, reported ought not to pass as it is cared for in the appropriation bill under commissioner of agriculture, division of plant industry.

Mr. Varney, from the committee on education, reported ought not to pass on bill, An Act to provide tuition and transportation for common school pupils residing in the National Reservation of Togus in the county of Kennebec.

Mr. VARNEY of Jonesboro: Mr. Speaker, may I say a few words in explanation of the action of the committee in regard to this bill?

The SPEAKER: The gentleman may do so.

Mr. VARNEY: A bill, I think, has passed the House relating to the education of children in the unorganized townships, and we were advised by Mr. Gordon, the drafter of that bill, that that bill would take care of those children in the National Reservation of Togus in a

better manner than this bill that the committee reported ought not to pass; and for that reason the committee made that report.

The SPEAKER: With the explanation given, is it the pleasure of the House to accept the report of the committee?

The report was accepted.

Mr. Flint, from the committee on inland fisheries and game, on remonstrances of H. P. Tozier and 57 others, E. F. Kenney and 28 others, Robert A. Harlow and 59 others, against passage of bill prohibiting plug or still fishing, reported that the same be placed on file, as the subject matter has already been reported upon.

Mr. Putnam, from same Committee on Petition of M. F. Barton and 114 others, of Bradley and vicinity, asking for the passage of a law to permit fishing for salmon with drift nets three days in each week from the first day of April to the fifteenth day of July of each year, in the waters of the Penobscot river between Montague Dam, so-called, in the towns of Howland and Enfield, and the dam at the head of tide water, in the cities of Bangor and Brewer, reported that the petitioners have leave to withdraw.

Mr. Wilson, from same Committee, on petitions of Forrest Gamage and 30 others, W. Fred Turner and 35 others, R. B. Cole and 46 others, Richard Isles and 25 others, John C. Weston and 89 others, Everett D. Goodridge and 14 others, Carrol C. Jones and 100 others, and Raymond W. Pooler and 21 others, favoring the repeal of the Sunday Hunting Law, reported that the same be placed on file, as the subject matter has been reported upon by that committee.

Mr. Hinckley, from the committee on legal affairs, reported ought not to pass on bill "An Act to amend Section 54 of Chapter 125 of the Revised Statutes, relating to cruelty officers."

Same gentleman, from same committee, reported same on bill "An Act to amend Sections eight and ten of Chapter 298 of the Public Laws of

1917, relating to interest on small loans."

Same gentleman, from same committee, on resolve proposing an amendment to Section five, article four, part first, of the Constitution, as amended by the 23rd amendment, relative to absent voting, reported legislation inexpedient at this time and in this form.

Mr. Dutton, from the committee on salaries and fees, reported ought not to pass on bill "An Act to determine the pay of court deputies in Penobscot county."

Same gentleman, from same committee, reported same on bill "An Act to amend Section 42, of Chapter 117 of the Revised Statutes, as amended by Chapters 39 and 167 of the Public Laws of 1917, relating to compensation of county commissioners."

Mr. Peabody from same committee, reported same on bill "An Act relating to the compensation of county attorneys."

Same gentleman from same committee reported same on bill "An Act to amend Section 44 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to salaries of county treasurers."

Mr. Jordan from the committee on ways and bridges, reported same on bill "An Act to amend Section 27 of Chapter 25 of the Revised Statutes, relating to road patrolman."

Reports were read and accepted and sent up for concurrence.

Mr. Washburn, from the committee on ways and bridges reported ought not to pass on resolve appropriating money for the construction of a highway from Pride's Bridge, Westbrook, to a point in Windham, as the committee suggests that this highway be given immediate attention by the State Highway Commission.

Mr. GILMOUR of Westbrook: Mr. Speaker, I would make the motion that we substitute the bill for the report of the committee. The report of the committee does virtually favor that bill, and I know pretty well that the committee most all favor it. I

understand that there is a promise to build that road if we will wait a while for it. We are all in favor of that road because it is one of the principal trunk lines of the State, and I do not think there is any more travel over any other roads in the State than over that one. The road straight up through North Windham, through a farming section, through Raymond and Casco, up by Highland Lake, where there are hundreds of cottages, up by Sebago Lake, where there are more cottages, clear up through to Rangeley, a straight road, branching off in one direction to Montreal, Canada, and the other way going to northern New York, through New Hampshire and Vermont. The travel over that road is not appreciated at all by the State. It is kept very quiet because the city of Westbrook has laid out a great deal of money on her roads. The last seven years, although it is a small city, it has laid out more than \$204,000 on its roads. This road is impassable, and there are no electric or steam railroads that run parallel with it. The farmers have no way to get their produce in. I have in my desk letters from quite a number of farmers up there, asking that this bill be put through. We have had the promise more than once of having that road fixed by the State. It is a State road; it is a trunk line; it ought to be an inter-ational road. We kept tabs on it, and it was started before the committee by the mayor of Westbrook and others who came down here and who kept tabs on the travel over that road, that there were 2,900 automobiles went over that road in one day, not counting the night—in one day. Last Saturday a great many of them had to be pulled out of the mud on that road, and, as I say, that road is practically impassable. Now we have the promise that it will be fixed. That is all well and good, but you know "the best laid schemes of mice and men gang aft agley." Now promises are all right, but we do not know what is going to happen. Promises are often broken without any fault of the one who promises. We do not know how long

we are going to live. We do not know what might happen. We want, and I know this Legislature wants, good roads in the State of Maine. It is something we have not had for a long while. Why, our great State of Maine has to bring stuff here from Massachusetts. Last summer there were more than a thousand pigs brought here from Massachusetts and yet we can put Massachusetts into one corner of the State, and you would have to employ a guide to find it. The great State of Maine is sending down there all the time for produce. One great thing that is lacking is good roads. We have more than a thousand farms with good buildings on them for sale. We have another thousand where the buildings are not quite so good, but deserted, for sale. Within twenty miles of Portland we have a great many, and that is a condition of things that we ought not to be very proud of.

We have apples come in here from Oregon. I had the pleasure of being treated to one last Monday when I came up on the train, by one of the members here, and I did not know whether to bite into it or not for that apple cost eight cents. Eight cents for an apple and this great State of Maine, an apple center! That is not anything to be very proud of. Good roads will remedy a great deal of our troubles, because they will bring the communities closer together. It will give our young people more social intercourse with one another, and there are other advantages that we have from good roads. It is said we are laying out so much money for good roads that it is going to run us in debt, and they say what is going to become of us. This debt business is only a bogie. Every State is in debt. A State is different from an individual. If an individual gets in debt, it harms him some, but with the State, where the money is circulating, the money what we borrow goes to the people who work on these roads, and it circulates. We have in Westbrook 250 returned soldiers, and expect more every week; we have more coming in. Why not give these boys a chance

on that road? It only runs on the outskirts of the city of Westbrook, not through the city, but the farmers up through that country are greatly benefitted by it.

I have on my desk a petition of nearly 200 of the best merchants there are in Portland, the richest people in Portland, the heaviest firms there, praying that this road be fixed. Some of them have cottages up around the lake that that road goes past, and they want it, and they are in earnest too—influential men of the State. Portland, we know, is going to pay a tax this year of over \$500,000 and Westbrook is going to pay a heavy tax. Those rich people have got to help build that road and they have got to pay the State taxes that go toward that road. Now, as I say, it is of great benefit to the farmers up through there.

Now as to this debt business! Illinois has lately passed an act appropriating \$60,000,000 for their highways; Pennsylvania \$50,000,000. The incentive back of it was nothing but a desire to be pulled out of the mud permanently. As a result of the action of Illinois and Pennsylvania, some 25 states have flooded the sponsors of these two movements with queries as to how it was done. In Illinois, the money is to be derived from motor vehicle license fees, which are to be increased sufficiently to provide a sinking fund that will redeem the bonds after a certain period. Already other states are attempting to organize movements that will have the same end as that attained in Illinois. Minnesota is talking of a \$100,000,000 bond issue; Texas \$75,000,000. There are 25 other states that are going to appropriate from ten to one hundred millions for their roads, and they know what they are doing. Now all those states are going to run in debt, and if we run in debt a little, it will not hurt us any. We will not owe it to France, to Great Britain, or to anybody else; we will only owe it to ourselves. In this great rich country of ours \$59,000,000,000 has been raised in two years. We are the richest country in the world, our

wealth amounting to \$400,000,000,000. Great Britain, with all its wealth, has only about \$200,000,000,000 and yet we are afraid of running in debt.

Now the State of Maine, I believe the records say, that we have raised crops equal to any other state, and better than any other State in the Union. The average yield of corn per acre in Maine is 41.6 bushels; the average yield in the whole country is 26 bushels. The average yield in Maine of wheat is 24 1-2 bushels; the average yield in the United States is 14.7 bushels. Of oats in Maine the average yield is 37.2; in the United States 31.2. The average yield of barley in Maine is 27.3 bushels; the average yield in the United States 25.1. Of buckwheat the average yield in Maine is 28.2; in the United States 19.5. The average yield of potatoes in Maine is 205 bushels; the average yield in the United States 95.9. Maine yields more potatoes per acre than any other state or country in the world, with a possible exception of Germany.

Now what is the matter with Maine? Why do we not progress? We want more farmers; we want more people in Maine. It is because the great factor is good roads that is going to make Maine a desirable state to live in; and, if we do not have good roads, our young people are going to leave and go to other states where they can have more privileges.

I hope this bill will go through. It will not do any harm if it does no good. We are promised to have it and I think they intend to make it; but if this goes through it will give us what we desire. I hope this motion will prevail. Gentlemen, I thank you.

Mr. CLASON of Lisbon: Mr. Speaker and gentlemen: The committee on ways and bridges fully realized the need of work being done on the road mentioned by the gentleman from Westbrook (Mr. Gilmour). We realized that the gentleman from Westbrook (Mr. Gilmour) was very much interested in this proposition, and we desired to help him in any way we could to obtain money to put on this road; but we found it would be impossible to pass

that resolve to provide the money for this class of road. The chairman of the Highway Commission requested us to state if this bill was brought up in the House that the work was necessary on this road, and, if we recommended immediate steps, he would see that steps were taken by the highway department to have the work completed. That does not mean in this instance that we were to appropriate and use \$25,000 as recommended in the bill, but it means that when they start on the road they will complete the whole trunk line and put in a hundred thousand dollars or more on the road. So it did not seem reasonable to us that we should recommend this resolve in view of the fact that immediate work was to be done on this road.

Mr. CHAPLIN of Bridgton: Mr. Speaker and gentlemen of the House: I am vitally interested in this proposition on behalf of my constituents. The road certainly is long-suffering, and its condition has been such as to demand attention for some time, and I think that that fact is at the present time fully realized by the highway department and recognized by the committee on ways and bridges; and I feel that they will in this instance attend to the matter and that our needs will be accomplished in the way suggested by the committee on ways and bridges. I have at this time faith to believe that work will be commenced and the matter worked out by the Highway Commission; so, while vitally interested in my section in this matter with Westbrook and the other towns, at the same time I have faith to believe that we will be attended to if this resolve is not passed. I do not want to be put in the position of opposing anything which might be of benefit to that section, but I have faith to believe that we have other matters that will take care of this.

Mr. GILMOUR: Mr. Speaker, as I said before, promises are sometimes broken through circumstances over which we have no control. I have been told by the gentleman who has just spoken—I think it was two years ago that he said that two commissioners went up through there and



told those towns that if they would raise all the money they could raise, the State would back them up dollar for dollar. I think that the gentleman from Lisbon, Mr. Clason, will bear me out in this statement; that they would put the money to it and fix that road. Now circumstances over which they had no control took the money away from there and put it somewhere else, and we did not get it. I do not know as the commission is to blame for anything like that, but you know we cannot tell much about the future. Those 200 merchants in Portland want something done today. Now is it going to do any harm if we pass this resolve; they can go right on and fix it if they will. This is merely going to emphasize our desire to have better roads and it can do no harm.

The SPEAKER: The question is the motion to substitute the resolve for the report, ought not to pass. All those who are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Thirty-one having voted in favor of the motion and 82 against, the motion to substitute the resolve for the report was lost.

The pending question being the acceptance of the report of the committee,

On motion by Mr. Chaplin of Bridgton the report ought not to pass was accepted.

Mr. Owen from the committee on appropriations and financial affairs, on resolve making an appropriation to assist, encourage and develop the poultry industry in Maine, reported same in a new draft, under title of Resolve making an appropriation to assist, encourage and develop the poultry industry in Maine, and that it ought to pass.

(On motion by Mr. Grinnell of Exeter the rules were suspended, a viva voce vote being taken, and the resolve received its two several readings and was passed to be engrossed.)

Mr. Savage from same committee, on resolve providing for aid in the payment of premiums awarded by the Eastern Maine State Fair, reported same in a new draft, under same title, as the

same is provided for in the appropriation bill.

(On motion by Mr. Eaton of Rumford, the rules were suspended, the resolve given its two several readings, and passed to be engrossed.)

Mr. Warren, from the committee on banks and banking, reported same on bill An Act to amend Sections 60 and 61 of Chapter 9 of the Revised Statutes, relating to taxation of savings banks."

The report was read and accepted.

(On motion by Mr. Holley of North Anson, the rules were suspended, the bill given its three several readings and passed to be engrossed.)

Mr. Roberts from the committee on interior waters, reported ought to pass on resolve appropriating money in aid of navigation on Rangeley Lake, Moose-lucmeguntic Lake and Cupsuptic Lake.

(On motion by Mr. Maher of Augusta, the resolve was given its two several readings, under suspension of the rules and passed to be engrossed.)

Same gentleman from same committee, on "An Act authorizing George F. L'Abbee of Eagle Lake Plantation to maintain a dam in Wallgrass river, reported same in new draft, under title of "An Act to incorporate the Wallgrass Dam Company," and that it ought to pass.

Mr. Hinckley from the committee on legal affairs on bill An Act to amend Section 35 of Chapter 126 of the Revised Statutes, reported same in a new draft under same title, and that it ought to pass.

(On motion by Mr. Hinckley of South Portland, the rules were suspended, and the bill received its first reading; on further motion by the same gentleman the bill was tabled pending its second reading to correct error in title.)

Mr. Thomas from the committee on mercantile affairs and insurance, on bill "An Act to amend Chapter 22 of the Revised Statutes, relating to cinematograph and moving pictures, reported same in a new draft under same title, and that it ought to pass.

(Tabled by Mr. Holley of North Anson, pending first reading.)

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

Mr. Washburn from the committee on ways and bridges, on the following resolves:

Resolve for road in town of Addison.

Resolve in favor of the city of Calais for aid in the construction of a highway leading from Calais to Eastport.

Resolve in favor of the towns of Camden and Lincolnville.

Resolve for the purpose of repairing road in Carratunk plantation in Somerset county.

Resolve for aid in building a road from the southerly end of Wiscasset bridge through the towns of Edgecomb and Boothbay to Boothbay Harbor.

Resolve in favor of repairing a highway in the town of Hancock.

Resolve appropriating money to aid in repairing a highway in the town of Lorange.

Resolve to aid in rebuilding Raccoon Gully culvert and repairing Raccoon Gully hill in the town of Lyman.

Resolve to repair highway in the towns of Newport and Corinna.

Resolve for completing State aid road Number 2 in the town of Phippsburg.

Resolve for the purpose of repairing road in The Forks plantation, Somerset county.

Resolve in favor of Washington and Perkins plantation in Franklin county.

Resolve for road in the town of Wesley.

Resolve in favor of the towns of Alna and Newcastle.

Resolve in favor of Patterson bridge.

Resolve in aid of the town of Arrowsic for repairing a toll bridge across the Sasanoa river and building a new dam in same.

Resolve in favor of the town of Beddington.

Resolve appropriating money to aid in repairing the northerly part of the Bucksport-Verona bridge so-called, in the town of Bucksport.

Resolve in favor of the town of Dresden for the repairs of draw-bridge across Eastern river.

Resolve in favor of the city of

Gardiner and the town of Randolph.

Resolve in favor of the town of Harmony appropriating money for building a bridge across Mainstream.

Resolve in favor of the town of Howland for the purpose of painting and replanking one half of the Penobscot river bridge in the town of Howland.

Resolve for repair of bridge in East Machias and Machiasport.

Resolve in favor of an appropriation for the repairs of a bridge in the town of Morrill.

Resolve in favor of improvement and repair of Ogunquit river bridge located in the Ogunquit Village Corporation in the town of Wells.

Resolve for bridge in township No. 31, across the Machias river.

Resolve for the purpose of repairing the North Turner toll bridge, so-called, across the Androscoggin river in the towns of Turner and Leeds.

Resolve appropriating money to aid in repairing the southerly part of the Bucksport-Verona bridge, so-called, connecting the towns of said Bucksport and Verona.

Resolve, for bridge at Soldier Pond.

Resolve, in Favor of the Improvement and Repairs of the Wells River bridge located in the town of Wells.

Resolve, appropriating money to aid in maintaining a ferry across Merry-meeting bay in the county of Sagadahoc.

Resolve, in favor of Richmond-Dresden ferry.

Resolve, appropriating money to reimburse in part the town of Abbot on account of the cement bridge at Upper Abbot over the Piscataquis river and on the State road to Moosehead lake.

Resolve, reimbursing the county commissioners of Penobscot county for the cost of repairs to the State bridge across the Penobscot river between the city of Oldtown and the town of Milford.

Resolve, to reimburse the county of Lincoln for money expended for the repairs on the Wiscasset and Edgecomb bridge in the year 1918.

Resolve, in favor of Webster Plantation.

Resolve, to reimburse the city of Eastport for expenditure incurred in

building a new section of the bridge connecting Perry and Eastport and to aid in the repair of said bridge.

Reporting in new draft under title of resolve for the repair and construction of roads and bridges, and for other purposes, and it ought to pass

The report was accepted.

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

Mr. Clason, from the committee on ways and bridges, on the following resolves:

Resolve, to aid in repair of road in the town of Alexander.

Resolve, appropriating money to aid in repairing a highway in the town of Atkinson.

Resolve, in favor of the repair of a road in Bancroft.

Resolve, in favor of the city of Belfast, Waldo county, for the purpose of repairing a roadway.

Resolve, appropriating money to rebuild a highway in the town of Bluehill.

Resolve, appropriating money to finish a road in the town of Brooks, Waldo county.

Resolve, in favor of the town of Burnham for repairing the road leading from Winnecook to Clinton through the Leonard Woods.

Resolve, in favor of the town of Carthage in the county of Franklin.

Resolve, for repairing road in the town of Casco.

Resolve, to repair the road in the town of Charleston.

Resolve, in favor of the towns of Chesterville and New Sharon in the county of Franklin.

Resolve, in favor of the town of Crystal, in Aroostook county, for the purpose of repairing a roadway.

Resolve, in favor of a roadway in the town of Cushing, Knox county.

Resolve, for improvement of road in Danforth.

Resolve, for the repair of an unimproved highway in the town of Dixfield.

Resolve, in favor of building a road in the town of Eagle lake to open farm lands for settlement.

Resolve appropriating money to aid in repairing the main highway leading from the town of Franklin in Hancock county to the town of Cherryfield in Washington county.

Resolve appropriating money to aid to repair a highway in the town of Fort Kent.

Resolve in favor of Glenwood plantation.

Resolve appropriating money to aid in the repairing of a highway in the town of Gouldsboro.

Resolve in aid of repairing road in the town of Harrington.

Resolve in favor of the town of Hiram.

Resolve for roads in Indian township.

Resolve in favor of repairing the highway in Jerusalem township, in Franklin county.

Resolve for rebuilding station road in Jonesboro.

Resolve in favor of aid in repairing highway in the town of Knox.

Resolve in favor of the plantation of Lexington to aid in the construction of a road.

Resolve in favor of the town of Madison for repairing highway.

Resolve in favor of repairs upon the road between the town lines of Waltham and Plantation Number 21, in the town of Maraville, in the county of Hancock.

Resolve in favor of road in the town of Marion.

Resolve for road in the towns of Marshfield and Whitneyville.

Resolve appropriating money to aid in repairing a highway in the town of Medford, Piscataquis county, and providing for the future maintenance thereof.

Resolve in favor of the town of Milbridge, Washington county.

Resolve appropriating money to aid in the repair of a highway situated in the towns of Milford and Greenfield in Penobscot county.

Resolve in favor of Sourdnuhak road.

Resolve appropriating money to aid in repairing a highway in the town of Milo, Piscataquis county, and providing for the future maintenance thereof.

Resolve in favor of reconstructing road from the West Minot Railroad Station in the Town of Minot to the Western Maine State Sanatorium, in the Town of Hebron, adjoining.

Resolve in favor of the town of Monmouth for the purpose of repairing the road at Dillno Spring, so called.

Resolve appropriating money to aid in repairing a certain highway in the Town of Monson.

Resolve appropriating money to aid in the repairing of the highway in the Towns of Mount Desert and Southwest Harbor.

Resolve in favor of the Town of New Portland in the County of Somerset.

Resolve in aid of repairing road in the Town of New Sharon.

Resolve in favor of the Town of Oakfield.

Resolve appropriating money for the repair of the road leading from East Orland, so-called, to the Town Line of Ellsworth.

Resolve appropriating money to aid in the repair of a highway in the Town of Orneville, in the County of Piscataquis, and to provide for its future maintenance.

Resolve in favor of Town of Palmyra for repairing road in said Town.

Resolve appropriating money for repairing and cutting down Stowell Hill in the Town of Paris.

Resolve, in favor of the town of Penobscot for repair of a road.

Resolve, in aid of repairing road in the town of Perry.

Resolve, in favor of aid in repairing an unimproved highway in the town of Peru.

Resolve, for improvement of Danforth road in Prentiss.

Resolve, appropriating money to aid in repairing the Pond road in Readfield.

Resolve, in favor of Reed Plantation.

Resolve, for aid in repairing and permanently improving a highway in the town of Ripley.

Resolve, to aid in repair of road in the town of Robbinston.

Resolve, in favor of the town of Rumford to aid in repairing the high-

way leading from Rumford Center Ferry to the Milton town line.

Resolve, appropriating money to aid in repairing a highway in the city of Saco, and providing for the future maintenance thereof.

Resolve, appropriating money to aid in repairing a highway in the town of Sebec, the town of Bowerbank and the plantation of Barnard.

Resolve, in favor of the town of Skowhegan for aid in repairing highway in said town.

Resolve, in favor of repairing a road in the town of Somerville.

Resolve, in favor of the town of Steuben.

Resolve, in favor of the town of Thorndike for the repair and maintenance of a road.

Resolve, in favor of a roadway in townships numbered 5 and 6, in the 9th Range, N. W. P., in the county of Piscataquis.

Resolve, to aid in repairing the Vanceboro road, so-called, in township number 9, and number 1, Range 3, in Washington county.

Resolve, in favor of township number, 14, Washington county.

Resolve, in favor of road in Hancock county running from the main road between Mount Desert and Ellsworth to the main road between Lamoine and Ellsworth, and situated in the towns of Trenton and Lemoine.

Resolve, appropriating money to aid the town of Trescott in repairing its highways.

Resolve, in favor of the town of Troy for construction of road leading from Unity to Dixmont.

Resolve, in favor of the town of Union, in Knox county, for the purpose of repairing road.

Resolve, in favor of the town of Unity for a road.

Resolve, in favor of the town of Warren, Knox county, for the purpose of repairing road.

Resolve, in favor of the town of Washington.

Resolve, appropriating money to aid in the repair and construction of the highway from Wells to the New Hampshire state line, through the towns of Wells, North Berwick and Berwick, and providing for the future maintenance thereof.

Resolve, in favor of the town of Windsor to aid in grading Vining hill.

Resolve, appropriating the sum of \$2000 for the repair and improvement of the county road in the town of Winthrop, between Spear's Corner, so-called, and the Wayne town line.

Resolve, appropriating money to repair the county road, known as the Denmark road, in the town of Sebago.

Reporting the same in a new draft under the title of Resolve for the repair and construction of roads, and that it ought to pass.

The report was accepted.

On motion by Mr. Clason of Lisbon, the rules were suspended, and a viva voce vote being taken, the resolve was given its two several readings and passed to be engrossed.

The SPEAKER: The Chair will at this time announce the committee on the preparation for the reception of the 26th Division. The Senate members as appointed by the President of the Senate are Senators Gannett of Kennebec, Googin of Androscoggin. The Chair will appoint on the part of the House Representatives Small of Brewer, Barnes of Houlton and Holley of North Anson.

#### First Reading of Printed Bills and Resolves

House 498: An Act to amend Section 78 of Chapter 52 of the Revised Statutes, relating to the loans made by trust companies. (The rules were suspended and the bill given its three several readings on motion by Mr. Rounds of Portland, and passed to be engrossed.)

House 499: An Act to provide for the acceptance by the State of gifts of land and for the establishment of a State park and forest within the State of Maine. (New draft.) (The rules were suspended and the bill given its three several readings and passed to be engrossed.)

House 500: An Act to amend Chapter 298 of the Public Laws of 1917, relating to small loan agencies. (New draft.) (Tabled by Mr. Rounds of Portland, pending commitment to committee on bills in third reading.)

House 501: An Act to amend Sec-

tion 13 of Chapter 6 of the Revised Statutes, relating to penalty for violation of provisions in regard to conduct of primary elections. (New draft.) (The rules were suspended and the bill given its three several readings and passed to be engrossed.)

House 494: Resolve, authorizing the State librarian to purchase for the State 100 copies of the History of the Town of Norway after same are printed. (New draft.) (The rules were suspended, and the resolve given its two several readings and passed to be engrossed.)

House 495: Resolve providing for the purchase of 100 copies of the Centennial History of Presque Isle. (New draft.) (The rules were suspended, and the resolve given its two several readings and passed to be engrossed.)

House 496: Resolve in Relation to the celebration of the 100th anniversary of the admission of Maine into the Union. (New Draft.) (The rules were suspended and the resolve given its two several readings and passed to be engrossed.)

House 497: Resole in favor of the Bangor Anti-Tuberculosis Association, Bangor, for the care and treatment of persons affected with tuberculosis. (New draft.) (The rules were suspended and the resolve given its two several readings and passed to be engrossed.)

#### Passed to Be Engrossed

Senate 155: An Act to amend Sections 6, 10 and 33 of Chapter 6 of the Revised Statutes relating to primary elections and the filing of nomination papers by independent candidates.

Senate 203: An Act to establish a State Reformatory for Men. (Tabled by Mr. Holley of North Anson pending third reading.)

Senate 238: An Act to amend Section 33 of Chapter 16 of the Revised Statutes, relating to vacancies in the membership of superintending school committees.

Senate 244: An Act to amend Section 42 of Chapter 82 of the Revised Statutes, relating to the Law Court.

Senate 245: An Act to provide for the fixing of salaries and wages of subordinates of the several departments of the State government. (Tabled by Mr. Barnes of Houlton pending third reading.)

Senate 248: An Act additional to Section 2 of Chapter 52 of the Revised Statutes, relating to the definition of banking.

Senate 237: Resolve in favor of the several State Normal schools and the Madawaska Training School for permanent repairs and improvement of buildings.

House 90: An Act amendatory and additional to Section 121 of Chapter 19 of the Revised Statutes, relating to public health.

House 489: An Act to amend Section 14 of Chapter 92 of the Revised Statutes, as amended by Section 7 of Chapter 133 of the Public Laws of 1917, and Sections 17 and 19 of Chapter 92 of the Revised Statutes, all relating to the filing of claims against estates of deceased persons.

House 490: An Act to amend Section 6 of Chapter 5 of the Revised Statutes, relating to ineligibility of members of boards of registration as candidates for elective offices.

House 491: An Act to amend Sections 3 and 6 of Chapter 260 of the Public Laws of 1917, entitled An Act to establish a superior court in the county of Androscoggin.

House 492: An Act to incorporate the Belfast Water District.

House 488: Resolve in favor of Francois X. Belleau of Lewiston in the county of Androscoggin for services as clerk of the superior court.

#### Passed to Be Enacted

An Act relating to schooling in unorganized territory.

An Act to amend Section 37 of Chapter 55 of the Revised Statutes, relating to authorization of issue of stocks, bonds and notes by public utilities.

An Act to amend Sections 11, 21 and 26 of Chapter 41 of the Revised Statutes, relating to itinerant vendors.

An Act to amend Chapter 193 of the Private and Special Laws of

1917, entitled An Act to create the Auburn Sewerage District and transferring to it the sewer system of the city of Auburn.

An Act to amend Section 16 of Chapter 118 of the Revised Statutes, increasing the registration fees of dealers in securities and their agents or salesmen.

An Act to amend Section 46 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of certain fur-bearing animals.

An Act to amend Chapter 42 of the Private and Special Laws of 1866, relating to Martin's Point bridge.

An Act to provide for the licensing of the sardine packers, to improve the quality of fish used for sardines and to establish standards of measure for sardine herring.

An Act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce.

An Act to create the Maine Water Power Commission.

#### Finally Passed

Resolve in favor of Dr. Henry L. Irish in payment of witness fees, counsel fees and disbursements made by him in the contested senatorial election case from Androscoggin county.

Resolve in favor of Edward R. Parent in payment of witness fees, counsel fees and disbursements made by him in the contested senatorial election case from Androscoggin county.

The SPEAKER: We have an emergency measure, Resolve in relation to employment of discharged soldiers.

Mr. TILDEN of Hallowell: Mr. Speaker, I would like to inquire if that resolve gives preference to soldiers over civilians?

The SPEAKER: The resolve is not long, and if the gentleman desires it the clerk will read it.

Mr. TILDEN: I would like to know, Mr. Speaker, what its terms are.

(Resolve read by the clerk.)

Mr. TILDEN: Mr. Speaker, I am prompted at this time by something

that I read in the papers this morning that returning soldiers seeking employment through these agencies were obliged to compete with civilians. In view of the fact that, as I understand it, these agencies were originally started by the government and maintained by it during the period of the war for the purpose of providing employees for industries where needed, and that the extension of their activities under this aid from the State was designed to afford employment to returning soldiers, I felt that it was desirable that the resolve should be explicit in at least giving preference to returning soldiers over civilians. If the resolve accomplishes that purpose, of course I have no objection to its taking its regular course.

The SPEAKER: This resolve carries the emergency preamble and requires a two-thirds vote of the total membership of the House. All those in favor of the resolve being finally passed will please rise and stand until counted, and the monitors will take the count.

A division being had,

One hundred and ten having voted in the affirmative and none in the negative, the resolve was finally passed.

#### Orders of the Day

The SPEAKER: The next on the calendar is the unfinished business of yesterday, which comes first under the rules.

The Chair lays before the House An Act relating to fees of sheriffs and their deputies, House Document No. 452, tabled by the gentleman from Portland, Mr. Rounds, pending second reading.

Mr. ROUNDS of Portland: Mr. Speaker and gentlemen of the House, I yield to the gentleman from Skowhegan, Mr. Smith.

Mr. SMITH of Skowhegan: Mr. Speaker, inasmuch as there is some misunderstanding regarding this bill, by the request of several members I would like to re-table the bill until tomorrow morning at which time an amendment will be offered.

The SPEAKER: It is the pleasure of the House that the matter be laid on the table and assigned for tomorrow

morning? All those in favor say aye; those opposed, no.

Mr. HINCKLEY of South Portland: Mr. Speaker, might I just make this suggestion which may assist in the matter. As you will notice by reading this act, provision is made for the raising of the salaries of the sheriffs in only four counties—

The SPEAKER: The Chair, by consent of the House and suspension of the regular rule, will allow the gentleman to make an explanation. Of course the motion is not debatable.

Mr. HINCKLEY: Mr. Speaker, I understood the vote was carried.

The SPEAKER: The Chair had not declared the vote.

Mr. HINCKLEY: Mr. Speaker, I just wanted to say to the members of the House that if any member from any county wishes the salaries of the deputies raised in any of the counties under this matter, why there is no objection whatever on the part of the committee who have this matter in charge.

Thereupon the House voted to re-table the matter, and it was specially assigned for tomorrow morning.

The Chair lays before the House, resolve in relation to discharged soldiers, tabled by the gentleman from Houlton, Mr. Barnes, pending passage to be engrossed.

Mr. BARNES of Houlton: Mr. Speaker, I move its passage to be engrossed.

The SPEAKER: The Clerk informs me that this is on the calendar by error.

The Chair lays before the House, Resolve in favor of the Bangor State hospital, Senate Document No. 175, tabled by the gentleman from North Anson, Mr. Holley, pending second reading.

On motion by Mr. Holley of North Anson, the resolve received its second reading and was passed to be engrossed as amended by Senate Amendment B.

The Chair lays before the House, House Document No. 472, Resolve in favor of a highway bridge across the St. John river between Fort Kent,

Maine, and St. Francis, New Brunswick, tabled by the gentleman from Perry, Mr. Washburn, pending commitment to committee on bills in third reading.

Mr. WASHBURN of Perry: Mr. Speaker I wish to offer amendments A and B. Just a word will explain the situation. This is a resolve continuing unexpended balance in favor of the construction of a highway bridge between Madawsaka and Edmundston. Through some error in reporting the new draft, the wrong material was submitted and these amendments strike out all of that new draft and substitute the proper material, which I understand is acceptable to all parties.

The SPEAKER: The gentleman from Washburn, Mr. Perry, presents House Amendment A to House Bill No. 472 as follows:

"House Bill No. 472 is hereby amended by striking out all of the title of said resolve and substituting the following:

"Resolve, continuing unexpended balance of appropriation provided by Chapter 310 of the resolves of 1915 entitled 'Resolve appropriating money to aid in the construction of substructure of a highway bridge across the St. John river between the town of Madawaska, Maine, and the city of Edmundston, New Brunswick.'" Is it the pleasure of the House to adopt the amendment?

Thereupon the House voted to adopt the amendment.

The SPEAKER: The same gentleman also presents House Amendment B to House Document No. 472, which is as follows:

House Document No. 472 is hereby further amended by striking out all of said resolve and substituting therefor the following:

Continuing unexpended balance for the construction of international bridge between the town of Madawaska, Maine and the city of Edmundston, New Brunswick.

Whereas, the legislature of 1911 by Chapter 310 of the resolves of that year appropriated the sum of \$5000, to be expended under certain conditions to aid in the construction of the substructure of a highway bridge across the St. John river between the

town of Madawaska, Maine, and the city of Edmundston, New Brunswick, and

Whereas, the legislature of 1917 by Chapter 85 of the resolves of 1917 provided that said money should remain in the State treasury during the years 1917 and 1918 to be used for the purpose for which it was originally appropriated during the said years 1917 and 1918, and

Whereas, all of said money was not expended but part thereof remains in the State treasury having been transferred and credited to the State contingent fund on January 1st, 1919 as provided by law, therefore be it

Resolved, that provided the conditions of said Chapter 310 of the resolves of 1915 are complied with during the years 1919 and 1920, such part of said money so unexpended shall remain in the State treasury during those years to be used for the purpose for which it was originally appropriated and shall be available for such use until June 30th, 1921, for the payment of bills contracted for the same during the years 1919 and 1920 to be expended as directed under the said original resolve." Is it the pleasure of the House to adopt House Amendment B?

Thereupon the House voted to adopt House Amendment B.

On motion by Mr. Washburn of Perry, the bill was given its third reading and passed to be engrossed as amended by House Amendments A and B, without reference to the committee on bills in the third reading.

The Chair lays before the House, An Act relating to life insurance, House Document No. 486, tabled by the gentleman from Patten, Mr. Cunningham, pending commitment to committee on bills in third reading.

Mr. CUNNINGHAM of Patten: Mr. Speaker, I move the indefinite postponement of this bill and wish to briefly state my reasons for so doing. I wish that each member would read the bill over with me and see what it plans to do. Section 1 provides: "Upon the death of the insured under a policy of life insurance, if the beneficiary thereunder by a writing



by him signed, and filed with the secretary of the company issuing said policy, or with the agent of said company authorized to make payment thereunder, requests that the sum payable under said policy, or so much thereof as he shall designate, shall be paid to any person, firm or corporation for or on account of funeral expenses of the insured under said policy, said sum may be paid by the company, and the receipt of said person, firm or corporation therefor shall be a sufficient discharge to the company as to the amount so paid. But nothing in this act shall be construed to allow any insurance company or agent to discriminate in favor of any person, firm or corporation."

One argument and inducement in favor of life insurance has always been that it was beyond the reach of creditors. One of the strongest inducements that I know of in soliciting life insurance is that anything left the beneficiary is beyond the reach of creditors. You will notice in reading this bill that it provides only the undertaker—he and nobody else—can go to the beneficiaries and get a written order from them covering the amount of the bill for the supplies he furnishes; he then sends that in to the company or to the agent and when the insurance is paid, that is deducted from the policy and paid to the undertaker. Now that order, gentlemen—and I want you to clearly understand it—if that order is written out at all, it is going to be written immediately after the death of the insured, probably within an hour, as an undertaker, as you all know, is usually summoned immediately; and I claim, gentlemen, that no beneficiary, at least the wife of the insured who is usually the beneficiary under all these policies, is not in a fit frame of mind mentally to know the amount of the bill or to transact business in any form. The bill, so far as this goes, is vicious,—vicious to the extreme.

I do not know of any particular reason why that particular class of bill should be singled out, except perhaps a few in the vicinity of Augusta, or nearby cities, are asking for it. I do not know of any great number of

undertakers that are losing bills in this way. I do not know of any great demand for it, as I said before, except it might be here in Augusta and one or two other cities.

Gentlemen, I hope that when the vote is taken on this, you will vote to indefinitely postpone the bill, and I further move that when we vote on this, that we do so by a rising vote.

Mr. COLCORD of Searsport: Mr. Speaker, that is one of the bills that came in to the committee on insurance. No one opposed it, and perhaps it was not threshed out very thoroughly. I do not know that there is any member of that committee that is an undertaker, and I do not think there is any member of that committee that is in league with the undertakers; but it is always safe to postpone a bill about which you are in doubt. As a member of that committee, I hope that the motion of the gentleman of Patten, Mr. Cunningham, will prevail.

Mr. MILLER of Auburn: Mr. Speaker, I fail to appreciate the objection raised by the gentleman from Patten, Mr. Cunningham, and wish to say that I am a member of the committee to which this bill was referred. After the most careful consideration, the committee voted unanimously that it ought to pass. I will further state that it has the approval of the Insurance Department, to whom it was referred, and that Mr. Smith, the insurance commissioner, appeared at our hearing as one of the proponents. There were no opponents—no opposition was raised. The bill, as you will see, is merely permissive. It provides that the beneficiary may give the order, and that the insurance company may accept. It legalizes the transaction merely, and it provides for a full discharge to the company as to the amount paid. I trust that the motion for indefinite postponement will not prevail.

Mr. CASE of Lubec: Mr. Speaker, I move that the bill be tabled and specially assigned for tomorrow morning.

A viva voce vote being taken, the motion, that the bill be tabled and specially assigned for tomorrow morning, was lost.

Mr. REED of Bangor: Mr. Speaker, having been engaged in the insurance business for nearly 30 years, and having been obliged many times to settle death claims, I want to impress upon the minds of this House just how this bill will operate. This says that it is in payment, by an order from the beneficiary, of funeral expenses. It does not cover anything else but funeral expenses. Now what are they, usually. First, is the claim of the undertaker, although his name is not mentioned here. What is the process in settling a death claim? The company usually sends two blanks, one to the attending physician and one for the undertaker to complete and certify to before a notary or a justice, certifying that the insured had passed away. Now this law provides the means by and through which the undertaker may become a preferred creditor absolutely. He has means by and through which he can force an order from the beneficiary, under such trying conditions, to make his claim a preferred one, however large or however small it may be. I believe this is a most vicious thing, although it may be sanctioned by the insurance department—I care not whether it is or not. I consider it a most vicious thing, to attempt to invade the rights of the beneficiary under an insurance policy. Our Legislature has been careful not to invade the rights of beneficiaries under insurance policies in the past. The statutes have protected the beneficiary and have prevented any creditor from invading the sacred rights of any beneficiary where the premium paid was less than \$150 on a policy. Now we have thousands of small policies held by parties in Maine, from the child up to the adult, and in many of those policies the amount is \$25, \$50 and \$100, and by this bill, the undertaker, if he so chooses, can force an order from a beneficiary and the mother may never see the check that comes from

that company to pay for the death of her little child that she loses. Now I do not believe that it is necessary for me to waste another word on this bill. I hope it will be indefinitely postponed.

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

The Chair lays before the House, An Act relating to the burning of brush, House Document No. 462, tabled by the gentleman from Sebec, Mr. Lanpher, pending second reading.

Mr. Lanpher of Sebec: Mr. Speaker, I yield to the gentleman from Calais, (Mr. Murchie.)

Mr. MURCHIE of Calais: Mr. Speaker, I would ask that that lie on the table until tomorrow morning, for this reason, it is a bill presented by the land office, and the land agent—forest commissioner—is not here today and will be here in the morning, and an amendment has to be prepared.

A viva voce vote being taken, the bill was re-tabled and specially assigned for tomorrow morning.

The Chair lays before the House, Resolve in favor of Frank Williams, administrator of the estate of Nicola DiNora, House Document No. 449, tabled by the gentleman from Houlton, Mr. Barnes, pending passage to be engrossed.

Mr. BARNES of Houlton: Mr. Speaker, I rise to inquire whether that is properly on the calendar?

The SPEAKER: The papers appear to be here.

Mr. BARNES: Mr. Speaker, I move its passage to be engrossed.

Thereupon the House voted that the resolve, as amended, be passed to be engrossed.

The Chair lays before the House, Resolve in favor of the state auditor, House Document No. 467, tabled by the gentleman from Reed Plantation, Mr. Clifford, pending second reading.

Mr. CLIFFORD of Reed Plantation: Mr. Speaker, I have an amendment to offer.

The SPEAKER: The gentleman from Reed Pl., Mr. Clifford, presents the following amendment:

"House Amendment A to House Document No. 467.

By striking out the first four lines and substituting therefor the following:

Resolve, providing for the payment of certain deficiencies that accrued prior to January first, nineteen hundred and eighteen.

Resolved, That for the purpose of paying the two claims against the Department of Labor and Industry amounting to twelve dollars and fifty cents (\$12.50) for newspaper subscriptions incurred by the said department and remaining unpaid January first, nineteen hundred and eighteen, that the sum of twelve dollars and fifty cents (\$12.50) is hereby appropriated for said purpose." Is it the pleasure of the House to adopt the amendment?

A viva voce vote being taken, the amendment was adopted, and the resolve, as amended, received its second reading and was passed to be engrossed.

The Chair lays before the House, bill, An Act relating to seizure and forfeiture of vehicles carrying intoxicating liquors, House Document No. 397, tabled by the gentleman from Portland, Mr. Rounds, pending third reading.

Mr. ROUNDS of Portland: Mr. Speaker and gentlemen of the House, I make the motion to indefinitely postpone this bill, and I will state my reasons for doing so. In 1917, we passed a bill here that was very drastic. If an automobile had been stolen, and if somebody had put some whiskey, cider or other stuff that was intoxicating in it, and it should be seized, we thought we ought to have the right to claim it. We come in this year and say, if the same thing is done, a man has no right to go before the court and claim it. Now if somebody should come into your stable and take your horse and carriage from there—take it out and have a joy ride—and should put a couple of quarts of whiskey in it and the sheriff should come along and

discover it and take it, under this bill you would have no right to claim it, although it was stolen from your stable. I think we have had enough of these fool laws. I, for one, would like to see the bill indefinitely postponed.

Mr. HENCKLEY of South Portland: Mr. Speaker, we have enacted laws during this session for the protection of fish, the protection of game and the protection of industries, and it seems to me perfectly fitting and proper that, before we go home, we enact some law for the protection of the men, women, boys and girls, and that is just what this law applies to and nothing else. Two years ago the Legislature enacted a law, the specific purpose of which was to assist the sheriffs in enforcing the prohibitory law, and it gave what is supposed was sufficient authority whereby a vehicle which contained intoxicating liquor for illegal purposes should be confiscated by the state. For a great many years the United States government has had upon its statute books a law which provides that any vehicle used in smuggling shall be seized by the government and sold by them, and that was the intention, as I understand, of this Legislature—to pass a similar law providing that a vehicle used for transporting, illegally, intoxicating liquors should be seized, confiscated and sold; but it was discovered when this law was put into effect that it had been jokerized. We have heard a good deal about jokers being put into bills, and this is the joke, and I want to read it to this Legislature: "Any claimant of any such boat, vessel or vehicle must allege and prove that the use of such boat, vessel or vehicle for the transportation of intoxicating liquors as aforesaid was without his knowledge or consent." Now, gentlemen, that joker made it absolutely impossible to enforce this law, for this reason, and we have had many cases in the state under this—taking advantage of this particular section whereby a person could come into court and claim that he had no knowledge that the automobile or team was to be used, and was being used, for the purpose of illegally

transporting intoxicating liquor. They had two particular methods which were pursued, and which are now being pursued in the State of Maine. One was for the person who desired to use an automobile for this illegal business to give a mortgage or bill of sale to some person, and it generally applied to some person outside the State of Maine. The mortgage to the second person provided that in case the automobile was used for the illegal transportation of intoxicating liquor, that that should be a breach of the condition, and the owner would have a right to take possession of it. Many instances have come up in our court where automobiles have been seized, and these mortgages have been produced in court, and the person who held the mortgage took his automobile by order of court and went home. The second proposition, which has been a common occurrence in our state, is for the person who desires to engage in this business to take an automobile and leave it in one of our garages. Apparently nobody knows who puts the automobile in there or when it is put in there, and somebody happens to come along, goes into the garage, takes the automobile, goes to Boston and gets a load of intoxicating liquors and brings it back into the State of Maine; the automobile is seized and then somebody comes into court and says, "Why, I left my automobile in a certain garage and this fellow stole it." You see how thin that is. There is nothing for the court to do. I want to say to the gentleman from Portland (Mr. Rounds) that he is undoubtedly a good lawyer—one of the lay lawyers—we have discussed them more or less in this House—that it is not true that if an automobile is stolen, and if that automobile is seized, that that automobile can be confiscated. That is not the law, and cannot be the law, and this Legislature cannot make it the law. If my automobile is stolen by anybody, no matter when, where, or under what conditions I find it, that automobile is mine, and I simply recover my stolen property; nothing more or less. That is the law, and

you cannot go to work and say that if anybody steals my property—if it is found in certain conditions—that my automobile or any of my property is lost to me. It is stolen property.

Gentlemen, it is up to this Legislature with its great Republican majority to say whether they are going to stand by the prohibitory law or going to throw it aside. That is the only question.

Mr. ROUNDS: Mr. Speaker, I think that the last Legislature knew something as well as the present. If the people that owned automobiles in York county knew as much as the preacher did who hired the gentleman from South Portland (Mr. Hinkley) to defend him in the murder case, they would not have had all these automobiles stolen—

The SPEAKER: The Chair will caution the gentleman from Portland, Mr. Rounds, as to making personal remarks.

Mr. ROUNDS: and sold as they were. There have been automobiles that have been stolen and used and have been sold; that is what I have been told by responsible parties. The gentleman from South Portland (Mr. Hinkley) said the other night, he had rather have this law go through and have his automobile stolen than not to have this law go through. I do not think he meant what he said.

Mr. CRABTREE of Island Falls: Mr. Speaker and gentlemen, this law has been in operation now two years, and we see how it practically nullifies our prohibitory law. It not only nullifies it in the western corner of the state, but also in the eastern. Now in the early days of this session, we ratified the prohibitory amendment. If we were sincere in doing that, I do not see how, at the present time, we can do anything less than give this particular law we are considering today, a passage, whereby that prohibitory law now seeks to be enforced. I hope the mo-

tion of the gentleman from Portland (Mr. Rounds) will not prevail, but that you will enact some progressive legislation, and not in the closing days of this session sacrifice progressive legislation in your haste.

Mr. STORM of Westmanland Plantation: Mr. Speaker, this bill we have before us is practically the same as the original draft of the bill was last session. That was introduced by Senator Peterson of my district, and it was in fair way of having a passage. I am in favor of having this bill passed in its original form as it was intended to be passed.

Mr. CRABTREE: Mr. Speaker, I move that when the vote is taken it be taken by the yeas and nays.

The SPEAKER: All those who are in favor of the yeas and nays, when the vote is taken will rise and stand until counted.

A sufficient number not having arisen, the motion was lost.

Mr. PIKE of Eastport: Mr. Speaker, I will go as far as any member of this House in the passage of laws for the proper enforcement of our prohibitory laws; but I submit to you, gentlemen, that the people of Maine yet have some rights under our constitution that we must respect. Let us assume a case. Supposing my chauffeur goes out on a ride with my car, without my consent, and he has an interview with a friend of his who is interested in the liquor business; he goes to some town or to some railroad station and procures a quantity of intoxicating liquors intended for unlawful sale, and upon his return he is intercepted by the sheriff or his deputy, arrested, the car taken and confiscated. I am wholly innocent of the transaction. I wonder if this Legislature intends to go as far as that. Have I no rights—an innocent party—if my car, perhaps valued at \$2000 or \$3000, is confiscated? I say, gentlemen, that such legislation is an infringement upon the constitutional rights of our people, and we have no authority to pass it. I want to assist in every manner those who favor the enforcement of the prohibitory law, and give them all the

law that is possible; but I submit, gentlemen, there is a limit, and we are going far beyond it in this measure. I sincerely hope that this bill will not have a passage for the reasons I have stated.

Mr. HINCKLEY: Mr. Speaker, it is a strange thing—and I say this with all due respect to the great legal ability of the gentleman from Eastport (Mr. Fike)—that this law is unconstitutional. For more than 50 years a similar law has been upon the statute books of the United States government in cases of smuggling and nobody apparently has raised the question. It is so easy to raise a constitutional question. I am not a constitutional lawyer. I do not know, but I think it fair to assume that somebody, in these smuggling operations during the past 50 years, would have raised the question so far as the United States government is concerned, were his contentions true.

Mr. COWAN of Winterport: Mr. Speaker, I had no intention of saying anything in regard to this bill, but there have been two or three statements made here thus far in the course of the debate, which raise a point which I think we ought to consider. It has been stated here that it is absolutely impossible to enforce this vehicle law as it now stands. Now, gentlemen, what is the law as it now exists? The provision is that vehicles, not common carriers, used for the transportation of intoxicating liquors found within the State in the control of any person using them for the transportation of intoxicating liquors intended for illegal sale within the State, shall be contraband, or words to that effect. The last sentence of the law, as it now stands, provides that any claimant of any such boat, vessel or vehicle must allege and prove that the use of such boat, vessel or vehicle for the transportation of intoxicating liquors as aforesaid was without his knowledge or consent. Now, gentlemen, what is the object of this law? To stop the traffic in intoxicating liquors. What is there, as the law now stands, to prevent the officers from stopping and searching automobiles coming into the state containing liquors?

Has anything stopped them? No. You know what conditions are down in York county and I am glad, indeed, that the officers down there are so diligent,—have done so well,—have accomplished what they have in the great object of enforcing the prohibitory law; but the one question here for our consideration is whether or not a motor vehicle used for that purpose, without the knowledge or consent of the owner, shall be forfeited to the State. Even if no motor vehicle could be forfeited to the state, would that make it any more difficult, gentlemen, to stop them? Is it any harder to stop an automobile belonging to the man driving it than it would be if it belonged to somebody else? Not at all. The question is whether or not a man, whose automobile is used without his knowledge or consent for this purpose, shall have a chance to come into court and after taking upon himself the burden of proof, to prove to the satisfaction of the magistrate that he is innocent in the matter, have a chance to get back his car. Now there is the plain wording of the statute, and “he who runs may read.” But what are the facts down there in York county? The judge of the Biddeford municipal court told me last night that he knew of only two cases where automobiles, which had been seized by the officers and the operators convicted, had been recovered by anybody else,—only two cases; and a great many cases, 16 or 17 at least, where automobiles had been confiscated and sold.

Now gentlemen, let us look at the case just as it is.

Let us not get hysterical over it. We all want to see the law enforced, and I will not yield to the gentleman from South Portland (Mr. Hinckley) in this matter. Now I have had some experience in the enforcement of the prohibitory law. I speak to you as one who has had experience, and not as one who stands on the outside and talks about it. I know the problems that confront the officers in enforcing this law, and I tell you it will not make it any easier to enforce the law just because the property of an innocent man goes into the county treasury.

Mr. PIKE: Mr. Speaker, if the principle in this bill is correct, why should there be an exception to common carriers. Now local expressmen and jitneys are common carriers and they are the men, in some instances, who are engaged in this illicit traffic. Why should there be an exemption of them? I think that that should be stricken from this bill if it is to pass.

Mr. COCHRANE of Monmouth: Mr. Speaker and gentlemen of the House: We have all listened with interest to the words of the gentleman from Eastport (Mr. Pike), and I do not think there is a man in this body who would, for a moment, entertain the thought of interfering with his personal rights or personal interests. I do not believe there is a man in this body who would vote to enact a law that would deprive him of the use of his automobile; nor do I believe that if this amendment were enacted into law, the gentleman would be in danger of losing his machine; nor would any man who has lived a law-abiding life and a life of sobriety. That gentleman would perhaps be a little more cautious in the future, if this was a law, to whom he lends his automobile, and it may be he would be a little more cautious about keeping it locked when leaving it on the streets. I do not believe you can find a man in Kennebec county owning an automobile who would have any fear whatever of losing his car if this were enacted into law, because we have in this county for a sheriff a man who has honor and a man who has brains, and if the gentleman from Eastport (Mr. Pike) has not such a sheriff in his county. I advise him to get busy and see that such a one is elected. I take it for granted that there are a great many men in this body, men of the highest moral caliber, who have in their homes a little ardent spirits to use in case of sickness, and for that purpose only. I have never found it necessary since I began keeping house to have any in my home, and thus far I have never had a drop of ardent spirits in my home; but I find

no fault whatever with the man who considers it necessary to use it in a case of emergency. Now, gentlemen, I want to ask you this question: Was there ever a time when the law was most strictly enforced that the sheriff entered your home for the purpose of search and seizure? You have not covered up the fact that you had ardent spirits there; but have you ever been subjected to this annoyance? I want to ask you if any temperance ramrod,—any extremist,—ever suggested such a thing as swearing out a warrant against you? You know that nothing of the kind ever happened, and you know that nothing of the kind will ever happen, because your past life protects your home. Let me tell you, gentlemen, that if you have been a law-abiding citizen, if you have been a man of sobriety, your past life will protect your automobile. The most of us in this body are laymen. We do not pretend to know anything about these nice points of law. We have listened with attention and with interest to the technicalities that have been brought out by the gentleman from Winterport (Mr. Cowan.)

Now technicalities are always confusing to a layman, and we feel that perhaps it would be better to have this case settled by those who are educated in the law; but the founders of our government ordained that this should not be the way of determining these important questions. You know that every important case in court is settled by the layman on the basis of sound common sense. After lawyers have produced their technicalities and have illumined the jury to the best of their ability, the whole thing is left to the sound judgment of men who are not educated in the law. We are the jury in this case, and I ask you to give this bill a passage in the interests of our people—in the interests and for the sake of our State—and to do it by sound judgment and horse sense.

Mr. BUZZELL of Belfast: Mr. Speaker, I want to say a few words on this subject, and I am not going to approach the proposition from the standpoint of one element or the other; but I do want to read to you the last line or two of the statute as it now exists, and

then proceed from that point for a moment: 'Any claimant of any such boat, vessel or vehicle must allege and prove that the use of such boat, vessel or vehicle for the transportation of intoxicating liquor as aforesaid was without his knowledge or consent.' Today, gentlemen, and it has been so for years, when a man is haled into court by the officers of this State on a criminal charge, I submit to you that it is good law that there is a presumption of innocence thrown about him until the time the jury comes in and declares to the contrary. How many times we lawyers have heard that, and heard it from the mouths of men of wisdom. This law even goes so far as to say that that car or the owner of it, does not have that presumption thrown about him; out he does have a right to come into court and make out a case that his car is all right, and that he did not know that it was so being used. The State of Maine has taken into its hands more reins, and longer reins, than should be used. I have sat here and heard the words of the gentleman from South Portland (Mr. Hinkley), that we were voting for the men, women, boys and girls; but I do not want to give the men, women and the children of this State any more right, leave or license in one direction than I do in another. If I was the only man in this House, do you suppose that I would vote to give the State of Maine any more right to take your car in this instance than I would in another case? Any claimant of any such boat, vessel or vehicle must allege and prove that he had nothing to do with that car going thus and so. Is it not a matter of common knowledge that the owners of cars, in the great majority, have chauffeurs as has been indicated here? Let us look at this thing from a fair standpoint. Are you going to place them in this position, that their car, taken under any and all conditions, is gone unless some sheriff down here on some road lurking there in the night shall have all the discretion? Is that what you want? Do you want to give that man the discretion to say whether or not somebody's car,

or anyone's car, in the hands of a chauffeur is gone, and gone forever, and that man does not even have a right to come into court and prove that he is innocent? Just stop and think of that,—making a law, gentlemen of this House, that a man has not the right to prove his innocence. I hope that the motion of the gentleman from Portland (Mr. Rounds) will prevail.

Mr. FLINT of Monson: Mr. Speaker, I move the previous question.

The SPEAKER: All those who are in favor of giving consent for the previous question will rise.

A sufficient number having arisen, the previous question was ordered.

The SPEAKER: Shall the main question be put now? All those in favor will say aye; those opposed will say no.

A viva voce vote being doubted,  
A division of the House was had.

One hundred and twenty-three having voted in the affirmative, and none in the negative, the main question was ordered.

Mr. HINCKLEY: Mr. Speaker, I do not understand what the question is.

The SPEAKER: In order to entertain the motion for previous question, the Chair must have consent of one-third of the members. Having obtained that consent, the question then becomes, shall the main question be put now, and if a majority vote in favor of it, the main question is put. The House has voted that the main question be put.

All those who are in favor of the indefinite postponement of the bill will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Ninetyone having voted in the affirmative, and thirty-five in the negative, the motion to indefinitely postpone, prevailed.

Mr. BUZZELL: Mr. Speaker, for the purpose of expediting matters, and that we may possibly see a chance of getting home this summer without using up the valuable time of so many members of this House,

I now move that we reconsider our action.

The SPEAKER: All those who are in favor of the reconsideration of the vote to indefinitely postpone will say aye; those opposed no.

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

The SPEAKER: This brings the House to be tabled matters specially assigned for today.

On motion by Mr. Wilson of Portland, unanimous consent was given to receive the following order, out of order.

Ordered, that Senate Document No. 166 relating to the registration and operation of motor vehicles, be recalled from the engrossing clerk.

Mr. WILSON of Portland: Mr. Speaker, I would like to say that I thought I had tabled this matter yesterday, and I see by the stenographer's report that I did table it. Through some error, it has been sent to the engrossing clerk. I simply introduced the order to get it back on the table where it belongs. I understand this order has to be passed by the Senate?

The SPEAKER: The Chair does not so understand it.

The Chair lays before the House, House Amendment A to An Act relating to temporary loans by the county commissioners, House Document No. 323, tabled by the gentleman from Portland, Mr. Rounds, pending its adoption.

Mr. ROUNDS of Portland: Mr. Speaker, I yield to the gentleman from Portland, Mr. Allan.

Mr. ALLAN of Portland: Mr. Speaker, the matters for which this bill was introduced have been already arranged for by the delegation in other legislation. I understand that the Kennebec delegation do not desire any further amendments, and I move that the bill, with accompanying amendment, be indefinitely postponed.

A viva voce vote being taken, the bill, with accompanying amendment, was indefinitely postponed.



The Chair lays before the House majority report, ought not to pass, minority report, ought to pass, on An Act relating to the granting of lobster licenses, Senate No. 24, tabled by the gentleman from Houlton, Mr. Barnes, pending acceptance of either report.

Mr. BARNES of Houlton: Mr. Speaker, I yield to the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS of Boothbay Harbor: Mr. Speaker, I wish to say, if the House will pardon me, in regard to this matter that I have taken this matter up with the Senator in the other branch. As he has moved the suspension of the rules to expedite matters, and as these amendments take up some fourteen printed pages, I would like to have the matter specially assigned for tomorrow morning, and I move that it be re-tabled.

Thereupon the House voted that the matter be re-tabled and specially assigned for tomorrow morning.

The Chair lays before the House, report ought to pass, from committee on public health on bill, An Act relating to the sale of cigarettes to minors, House Document No. 439, tabled by the gentleman from Lewiston, Mr. Brann, pending acceptance.

On motion by Mr. Barnes of Houlton, the matter was temporarily tabled.

The Chair lays before the House, Resolve in favor of the State park in Augusta, House Document No. 412, tabled by the gentleman from Houlton, Mr. Barnes, pending final passage.

Mr. BARNES of Houlton: Mr. Speaker, I have an amendment to offer.

The SPEAKER: The gentleman from Houlton, Mr. Barnes, offers the following amendment:

House Amendment A to House Document 412.

Amend resolve for the maintenance and improvement of the State Park in Augusta by adding after the word Augusta in the last line, Said money to be appropriated from

moneys not otherwise appropriated and the expenditure thereof shall be under the direction of the Governor and Council. So that said resolve as amended shall read as follows:

Resolve for the maintenance and improvement of the State Park in Augusta

Resolved: That there be, and hereby is, appropriated for the State Park Commission the sum of three thousand dollars for the year 1919 and two thousand dollars for the year 1920 for the maintenance and improvement of the State Park in Augusta. Said money to be appropriated from moneys not otherwise appropriated and the expenditure thereof shall be under the direction of the Governor and Council."

On motion of Mr. Barnes of Houlton it was voted to reconsider the action whereby the resolve was passed to be engrossed. On further motion by the same gentleman, amendment A as read was adopted; and on further motion by the same gentleman, the resolve, as amended by House Amendment A, was passed to be engrossed.

The Chair lays before the House An Act relating to maintaining town highways, House Document No. 470, tabled by the gentleman from Calais, Mr. Murchie, pending third reading.

Mr. MURCHIE of Calais: Mr. Speaker, I yield to the gentleman from Parsonsfield, Mr. Granville.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen of the House, I think at the time the gentleman from Calais, Mr. Murchie, tabled this matter yesterday, he was mistaken in the intent of the proponents of this bill, which is House No. 470. I think he and some others might have thought that it interfered in some way with previous legislation dealing with town highways that has been passed this session. That is not the intent, and they intended to work together in harmony. Now to smooth out the matters that are in conflict between this and a previous act, I offer House Amendment A to House Bill No. 470 and move its adoption.

The SPEAKER: The Chair will state that a motion was made during yesterday's session by the gentleman from Calais, Mr. Murchie, to indefinitely postpone; but a motion to amend takes precedence.

The gentleman from Parsonsfield, Mr. Granville, presents House Amendment A to House Bill No. 470, as follows:

Amend Section 1 of said bill by adding thereto the following words:

The third class highways fund has set up in this act for the year 1919 may be used for the construction of State highways and to meet the requirements of the national government in order for the State to receive federal aid for highway construction. This act shall not be construed as repealing any act passed by this Legislature.

Mr. BARNES of Houlton: Mr. Speaker, it is my opinion now, with the light that I have upon the general principle of law, that the adoption of the amendment suggested would repeal the so-called Washburn act, and, feeling as I do, I think the matter is of such importance that we should have time to inform ourselves on that point. I move that the amendment be tabled for printing.

A viva voce vote being taken, the motion by Mr. Barnes of Houlton that the amendment be tabled for printing prevailed.

The Chair lays before the House House Amendment A to Senate Amendment A on Resolve in favor of Stevens cottage at Skowhegan for Women's Reformatory House No. 418, tabled by the gentleman from South Portland, Mr. Hinckley, pending adoption.

On motion by Mr. Hinckley of South Portland, House Amendment A to Senate Amendment A was adopted. On further motion by the same gentleman Senate Amendment A as amended by House Amendment A was adopted; and on further motion by the same gentleman the resolve, as amended by Senate Amendment A as amended by House Amendment A, was passed to be engrossed.

On motion by Mr. Murchie of Calais it was voted to take from the table Re-

solve in favor of the town of Porter, tabled this morning.

Mr. MURCHIE of Calais: Mr. Speaker, I yield to the gentleman from North Anson, Mr. Holley.

Mr. HOLLY of North Anson: Mr. Speaker, I do not see as it is a matter that concerns me. For that reason I yield to the gentleman from Parsonsfield, Mr. Granville.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen, this resolve is one that was introduced into the Senate, providing funds to enable the town of Porter to take advantage of certain bequests of money, amounting in all to \$40,000, directly to the town of Porter, and \$10,000, the income to be added to it, which is left to the town of Parsonsfield. This was left to the town of Porter with the provision that the income should be used for maintaining a high school in the village of Kezar Falls. They have at present a grade A high school. The building in which it is now located has been condemned for high school purposes by the department of education, and the grade A school is being maintained at present only on sufferance, or temporarily, so they are under the necessity of having a new building. Upon consultation with the department of education, and getting estimates, it is found that it will take some \$15,000 to erect a building that will meet with their approval, and this is without any fixtures. As you will see by the statement of facts connected with the resolve, the town has a valuation of some \$262,000, which gives them, I believe, a debt limit of some \$13,000—5 per cent. of \$262,000. They already have a debt slightly exceeding \$6000. They are willing to go the limit of their debt limit to help pay for a school house, but it will not be sufficient, so they have called upon this Legislature to help them construct it. The citizens of the village are made up largely of people who work in mills, and would not be able to materially assist, personally, in the construction of this building. All the objections, as far as we have been able to learn, to the State's granting this request, has been a matter of precedence. Gentlemen, I now move

that we concur with the Senate in accepting the bill for the report.

Mr. COCHRANE of Monmouth: Mr. Speaker, there are some features of this bill that seem to place it in a class by itself. The conditions are such, and seem to demand such important consideration,—and I am almost tempted to say my support,—that it was with the greatest reluctance that the committee reported this, ought not to pass, and that reluctance was increased because of the high personal regard that every member of the committee entertains for the gentleman who stands as the advocate of the bill, but we were confronted with the fact that this state has never, up to this time, appropriated so much as a dollar of its funds toward the construction or the upkeep of high school buildings. We were confronted also by the threat that if we gave this bill consideration and allowed it to go by, we should have an opportunity to pass upon bills, or rather upon demands of a similar character in the future. You, gentlemen, know that a large percentage of the State's entire resources go out through the educational department. There is no question in my mind that committees in the past have been just as careful in apportioning the funds committed to them as has this committee of this Legislature. Be that as it may, we have been very careful to be fair and just, and so far as possible generous toward all demands, but we have not only looked at conditions that obtain today, but have tried to look into the future and cover conditions that might, by some possibility, arise, and as in a very modest sense the guardians of the future interest of the State, we have acted precisely opposite to our individual, personal inclinations in this matter, because every man on the committee would gladly have held up both hands to give the bill a passage if there were nothing coming in the future. But the fact is, gentlemen, that this is one of the most important bills that you have considered, although it does not show that it has very much importance on its surface. It is the key-log, if that is the proper term to

use, of a great jam. If you allow this one to go down stream, you are certainly going to start something. I do not mean by this that in the future the state will be called upon to match \$5,000 or \$10,000 of its money against four or five times that amount from individual subscriptions, but I mean that the State will be called upon to aid in constructing high school buildings all over the state, and you know what that will mean. Now I see no reason why the high schools should not receive all the consideration that is given to the academies, but the fact is that the State has never given the high school this consideration, and it is up to you to say whether you will open the sluiceway. It means an expenditure in the future, in the aggregate, of hundreds of thousands of dollars, and it may reach a point where it will raise the rate of taxation. That is to be considered. Now gentlemen, you understand that, as a committee, we do not stand as the contestants of this bill, but we simply lay this matter over on your shoulders. As a committee we simply wash our hands of any responsibility in the matter.

The SPEAKER: In order that the House may clearly understand what the matter is before it, the Chair will repeat the situation. The reports ought not to pass was accepted in the House and the papers come back from the Senate with the resolve substituted for the report, and engrossed as amended by two Senate amendment.

Mr. ALDEN of Gorham: Mr. Speaker, I move that we adhere to our former position.

The SPEAKER: The question is now on the motion of the gentleman from Parsonfield, Mr. Granville, that we substitute the resolve for the report. The House earlier in the session, for the purpose of getting at the matter, reconsidered its acceptance of the report, and the pending question now is the motion to substitute the resolve for the report. As many as are in favor thereof will say aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had.

Thirty-two having voted in the affirmative and 50 in the negative, the

motion to substitute the resolve for the report failed of passage.

Mr. ALDEN of Gorham: Mr. Speaker, I move we adhere to our former action.

The SPEAKER: The Chair will state that we have reconsidered our former action on the acceptance of the report, and the gentleman from Gorham, Mr. Alden, moves that we now accept the report ought not to pass; and is that the pleasure of the House?

Thereupon the House voted to accept the report ought not to pass.

On motion by Mr. Rounds of Portland, it was voted to take from the table House Document No. 500, An Act to amend Chapter 298 of the Public Laws of 1917, relating to small loan agencies, tabled this morning; and on further motion by the same gentleman, the bill received its third reading in new draft and was passed to be engrossed.

On motion by Mr. Maher of Augusta, it was voted to take from the table House Document No. 439, An Act amendatory and additional to Section 23 of Chapter 130 of the Revised Statutes, relating to offenses against the public health, safety and policy and requiring dealers in cigarettes to post in their stores, shops or places of business a placard upon which shall be printed a copy of Section 23 of Chapter 130 of the Revised Statutes, prohibiting the sale of cigarettes to minors. On further motion by the same gentleman, the report ought to pass was accepted; and on further motion by the same gentleman, under suspension of the rules, the bill received its three several readings and was passed to be engrossed.

On motion by Mr. Wilson of Portland, it was voted to take from the table Senate Document No. 163, relating to the registration of motor vehicles recalled from the engrossing office.

Mr. WILSON: Mr. Speaker, I have an amendment to offer and I move its adoption. The amendment is quite long, and perhaps I can explain it. It only changes two words in the bill.

The SPEAKER: The gentleman from Portland, Mr. Wilson, may explain the amendment.

Mr. WILSON: Mr. Speaker, Senate Document 166 is An Act to amend Chapter 26 of the Revised Statutes, as amended by the Public Laws of 1917, relating to the registration and operation of motor vehicles. This has reference to the age at which persons may run these machines. The original bill provided that no one under 16 years of age shall be allowed to drive an automobile for any purpose. It has always been the law since we have had the license of automobiles that unlicensed persons when accompanied by a licensed operator were allowed to drive. It seems some confusion has arisen over that as to whether the unlicensed person less than 16 years of age is within the law, and some one in his wisdom added a provision that no one under sixteen should be allowed to drive for any purpose. The result would be that your children and my children, if they happened to be under sixteen, could not drive even if we were with them and trying to teach them how to drive. This amendment simply reduces that age limit to fourteen. In other words, it gives the boys in the grammar school, when they are at an age where they are large and husky, and many of whom can drive automobiles better than their elders, an opportunity so to do under this amendment.

On motion by Mr. Wilson of Portland the reading of the amendment in detail was dispensed with.

Thereupon the House voted to reconsider its action whereby the bill was passed to be engrossed, and the House by a viva voce vote adopted House Amendment A, and the bill as amended by House Amendment A was then passed to be engrossed.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, if I am in order, I would like to give notice that I shall ask tomorrow for a reconsideration of the vote whereby we voted to adhere in relation to the Porter resolve.

The SPEAKER: The clerk will make record of the notice of the gentleman from Parsonsfield, Mr. Granville, that

he will ask for a reconsideration of the vote on the Porter resolve.

On motion by Mr. Maher of Augusta it was voted to suspend the rules and receive out of order the following resolve:

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

On further motion by the same gentleman this resolve was referred to the committee on appropriations and financial affairs.

On motion by Mr. Barnes of Houlton, Adjourned until 9 o'clock tomorrow morning.