

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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HOUSE

Friday, March 28, 1919.

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

Prayer by the Rev. Mr. Folsom of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act relating to the assessment of the county taxes in the several counties for the year 1919.

This comes from the Senate read twice under suspension of the rules and passed to be engrossed without reference to a committee.

In the House, a viva voce vote being taken, the bill received its three several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Resolve in favor of the University of Maine.

Comes from the Senate read twice under suspension of the rules and passed to be engrossed without reference to a committee.

On motion by Mr. Allan of Portland, the rules were suspended and the resolve given its two several readings and passed to be engrossed in concurrence.

On motion by Mr. Cochrane of Monmouth, it was voted to reconsider the action whereby this resolve was passed to be engrossed in concurrence; and on further motion by the same gentleman the resolve was tabled, pending passage to be engrossed.

From the Senate: Bill an Act to increase the salary of the Deputy Treasurer of State.

This was passed to be engrossed in the House as amended by House amendment A on March 19. In the Senate indefinitely postponed.

Mr. ROUNDS of Portland: Mr. Speaker, I understand this will be taken care of in another bill in another way.

Mr. BARNES of Houlton: Mr. Speaker, the House should be informed as to how that is to be taken care of. If it is to be taken care of by Senate Document No. 245, it may not be very well taken care of. It has been stated that there is another bill to provide this man adequate salary. If such is the case we ought to know it.

Mr. PEABODY of Richmond: Mr. Speaker, I think his salary is taken care of under the bill whereby the heads of departments take care of all the salaries of clerks under them, approved by the Governor and Council; and I move you that we recede and concur with the Senate.

Mr. BARNES, if that is the case, it would be very unfortunate for this and other measures just like it, depending on the theory that the Legislature is going to allow the Governor and Council to fix the salaries of all deputy heads of departments. Should that fail, they would be left in a lamentable condition. I move that the matter lie on the table.

Thereupon the House voted that the bill pending further consideration be laid upon the table.

From the Senate: Resolve for the laying of the county taxes for the year 1920.

This was passed to be engrossed in the House, as amended by House amendment A. It comes from the Senate passed to be engrossed as amended by House amendment A as amended by Senate amendment A to House amendment A. Senate amendment A is as follows:

“Amend said amendment A by striking out the words ‘forty-eight’ and the figures ‘48’ and inserting in place thereof the words ‘forty-seven’ and figures ‘47.’”

Mr. ROUNDS of Portland: Mr. Speaker, is that the Cumberland county one?

The SPEAKER: The Chair will state that it is the general resolve for laying the county taxes for the year 1920.

Mr. ROUNDS: Mr. Speaker, I move that that be tabled and espec-

ially assigned for Monday afternoon, and I will state my reason for this. I want to see how much actually it is going to cost for the year, if I can find out.

The SPEAKER: The Chair will state for the information of the gentleman from Portland (Mr. Rounds) that the original House amendment left the figures \$248,461, and the Senate amendment to that makes it \$247,461, a difference of \$1,000.

Mr. ROUNDS: Mr. Speaker, I for one do not want to put them in a hole again so that they will again be in trouble two years from now and be coming here on this same matter. We are in hopes we can clean it up so that two years from now they will not be coming down here trying to get more money. For that reason I would like to table it, because I am going home and will look into it and will take it up Monday afternoon. I will then know what the figures are.

A viva voce vote being taken the matter was tabled until Monday afternoon, March 31.

From the Senate: Resolve for the laying of county taxes for the year 1919.

This was passed to be engrossed in the House, as amended by House amendment A. It comes from the Senate passed to be engrossed as amended by House amendment A as amended by Senate amendment A to House amendment A.

On motion by Mr. Rounds of Portland, this resolve was also tabled and assigned for Monday afternoon, March 31.

From the Senate: Final reports of the joint standing committees on Indian Affairs, Interior Waters, Public Buildings and Grounds and State Prison, stating that they have acted upon all matters referred to them.

The reports were accepted in concurrence.

The SPEAKER: The President of the Senate is with us this morning, and the Chair invites him to a seat at its right. (Applause.)

Senate Bills on First Reading

Senate 241: An Act to appropriate moneys for the expenditures of government and for other purposes for the year 1919.

Senate 247: An Act relative to the surety bond business of trust companies and domestic corporations and amending Section 90 of Chapter 52 of the Revised Statutes.

Senate 253: Resolve authorizing and instructing the Governor and Council to make such alterations and improvements of the residence of the late James G. Blaine, recently given to the State by Mrs. Harriet Blaine Beale as may be necessary, and to furnish it suitably, to serve the purpose of an executive mansion, and to acquire by purchase such contiguous property as may be needed for said purpose.

(The rules were suspended and the resolve given its two several readings and passed to be engrossed in concurrence.)

Senate 251: An Act to amend Section 67 of Chapter 82 of the Revised Statutes, relating to the appointment of assistants and deputies to the attorney general.

Senate 211: An Act to amend Section 3 of Chapter 84 of the Revised Statutes relating to clerks of the judicial courts.

(On motion by Mr. Weatherbee of Lincoln, the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.)

Senate 254: Resolve to appropriate money for the purchase of a history of York.

(The rules were suspended and the resolve given its two several readings and passed to be engrossed in concurrence.)

Senate 240: An Act to enable towns or cities to procure State aid in the construction of armories.

From the Senate: Report of the committee on public health on bill An Act relative to diseases, infectious, contagious or dangerous to public health.

This comes from the Senate with the bill indefinitely postponed.

On motion by Mr. Buzzell of Belfast, the House, a viva voce vote being taken, concurred with the Senate in the indefinite postponement of the bill and report.

Senate 256: An Act to provide for the jurisdiction of the Public Utilities Commission over certain motor vehicles.

From the Senate: Report of the committee on salaries and fees on bill an act to amend Section 32 of Chapter 117 of the Revised Statutes, as amended by Chapter 183, Public Laws of 1917, relating to the salaries of the Board of State Assessors and for clerk hire in said office.

This comes from the Senate indefinitely postponed.

Mr. FOWLES of Lagrange: Mr. Speaker, I move you that that lie on the table. I do not think it well to burn the bridge until we get over it. This bill providing for their salaries has not yet passed this House, and if we recede and concur with the Senate, we are barred from further action.

The report was tabled, pending acceptance in concurrence.

Senate 255: Resolve amending Article IX of the Constitution, as amended by Article XXXV of the Constitution, increasing the amount of bonds to be issued for the purpose of building and maintaining of State highways, and for the building and maintaining of intra-state, inter-state and international bridges.

On motion by Mr. Barnes of Houlton, the rules were suspended and the resolve given its two several readings and was passed to be engrossed in concurrence.

Messages and documents from the executives and heads of departments.

To the Honorable House of Representatives:

I have carefully examined House Document No. 401 "An Act to grant additional corporate power to Maine Title and Utility Company," and respectfully return the same herewith without my approval.

This act grants to the above-named corporation the right to build, construct and equip railroad lines, the right to operate such lines, and the right to invest property in trustees for any purposes and in any manner that will further the objects of its incorporation.

The right to construct railroad lines is vested in railroad companies under our statutes and surrounded by certain safeguards intended to protect the public against over-capitalization.

I believe it is contrary to sound public policy to grant to any general corporation the broad powers proposed in this act. The proposal is rendered still more objectionable in this instance by the fact that the corporation has included in its corporate name the name of the State.

Dated at the Executive Chamber March 28, 1919.

(Signed)

CARL E. MILLIKEN,
Governor.

On motion by Mr. Buzzell of Belfast, a viva voce vote being taken, the message and accompanying bill were tabled.

The following bills, petitions and resolves were received and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Appropriations and Financial Affairs

By Mr. Washburn of Perry: Resolve in favor of clerk and stenographer to the committee on agriculture.

Reports of Committees

Mr. Austin, from the committee on agriculture, reported ought not to pass on bill An Act to amend Section 3 of Chapter 35 of the Revised Statutes, relating to the prevention of contagious diseases among animals.

Mr. Gray from same committee, reported same on bill An Act to amend Section 41 of Chapter 125 of the Revised Statutes, relating to the shipment of livestock.

Mr. PATTEE of Harmony: Mr. Speaker, I was requested this morning by the gentleman from Minot, Mr. Bean, to ask that these last two bills

be laid on the table pending the acceptance of the reports until he could be present next week.

On motion by Mr. Pattee of Harmony, it was voted to reconsider the action whereby the report was accepted, ought not to pass, on bill An Act to amend Section 3 of Chapter 35 of the Revised Statutes, relating to the prevention of contagious diseases among animals; and on further motion by the same gentleman the report and bill were tabled pending acceptance of the report.

On motion by Mr. Pattee of Harmony the vote was reconsidered whereby it was voted to accept the report of the committee, ought not to pass, on bill An Act to amend Section 41 of Chapter 125 of the Revised Statutes, relating to the shipment of live stock; and on further motion by the same gentleman this bill and report were tabled, pending acceptance of the report.

Mr. McLeary from the committee on agriculture reported ought not to pass on bill An Act relative to the quality of gasoline sold at retail.

Mr. Plummer, from same committee, reported same on bill An Act to amend Section 13 of Chapter 35 of the Revised Statutes as amended by Chapter 160 of the Public Laws of 1917, relating to the live stock sanitary commissioner.

The report was accepted.

On motion by Mr. Pattee of Harmony it was voted to reconsider the action whereby the report was accepted, ought not to pass; and on further motion by the same gentleman the report and bill were tabled pending acceptance of the report.

Mr. Washburn, from same committee, reported same on bill An Act to co-operate with the United States Department of Agriculture, Bureau of Animal Industry, for the purpose of making tuberculin test of all cattle used for either dairy, breeding or beef purposes within the state.

The report was accepted.

On motion by Mr. Pattee of Harmony it was voted to reconsider the action whereby the report was accepted, ought not to pass; and on further motion by the same gentleman

the report and bill were tabled pending acceptance of the report.

Mr. Barnes, from the committee on judiciary, reported same on bill An Act relative to the quality of coal sold at retail.

Same gentleman, from same committee, reported same on bill An Act to prohibit demonstrations against the established form of government of the United States and of the State of Maine.

Same gentleman from same committee reported same on bill An Act relating to the sale of ice for domestic purposes.

Mr. Baxter from same committee reported same on bill An Act to amend Chapter 145 of the Revised Statutes as amended, relative to commitment of the insane.

Mr. Baxter from same committee reported same on bill An Act authorizing the issue of notes not exceeding the amount of five hundred thousand dollars to defray expenses incurred for the construction of federal-aid State highways and making appropriations therefor.

Same gentleman from same committee reported same on bill An Act to provide town and county aid in furnishing money for the construction of federal-aid State highways.

Mr. Chaplin from same committee, on bill An Act amending Section 5 of Chapter 27 of the Revised Statutes relating to ferries, reported ought not to pass as legislation is considered inexpedient.

Mr. Conary from same committee reported ought not to pass on bill An Act to amend Section 1 and Section 9 of Chapter 27 of the Revised Statutes, relating to ferries.

Same gentleman from same committee reported same on bill An Act relating to the duties of State officials and employes.

Mr. Murchie from same committee reported same on bill An Act to amend Section 26 of Chapter 10 of the Revised Statutes, relating to taxation.

Mr. Wilson from the committee on public utilities reported same on bill An Act to repeal Section 51 of Chapter 56 of the Revised Statutes, allowing free transportation on railroads and vessels

in this State to the public utilities commissioners, their clerks, agents and employees.

Mr. Chamberlain from the committee on salaries and fees reported same on bill An Act to amend Section 40 of Chapter 117 of the Revised Statutes, to increase the compensation of the clerk of courts in Aroostook county.

Mr. Fowles from same committee reported same on bill An Act to amend Paragraph 2 of Section 44 of Chapter 117 of the Revised Statutes, increasing the salary of treasurer of Androscoggin county.

Same gentleman from same committee reported same on bill An Act to amend Paragraph 15 of Section 43 of Chapter 117 of the Revised Statutes, relating to the compensation of registers of deeds.

Mr. Rounds from same committee reported same on bill An Act to amend Section 39 of Chapter 117 of the Revised Statutes, to increase the compensation of register of probate in Aroostook county.

Same gentleman from same committee reported same on bill An Act to Amend Section 44 of Chapter 117 of the Revised Statutes, increasing the salary of the treasurer of Aroostook county.

Reports were read and accepted and sent up for concurrence.

Majority report of the committee on State lands and forest preservation on bill An Act for the preservation, perpetuation and increase of the forests of the State of Maine, reporting ought not to pass.

(Signed)

Messrs. AMES,
EMERSON,
SMALL,
AUSTIN,
DUTTON,
GANNETT,
HAMMOND

Minority report of same committee, on same subject matter, reporting same in a new draft, under same title, and that it ought to pass.

(Signed) Messrs. GRANVILLE,
CUNNINGHAM,
CRANE.

On motion by Mr. Granville of Parisfield it was voted to table both reports for printing with accompanying

bills, pending acceptance of either report.

Mr. MILLER of Auburn: Mr. Speaker, I was busily engaged reading another matter when the report of the judiciary committee was read in relation to the bill which I introduced to hire \$500,000, reporting ought not to pass. I would like to have that vote reconsidered in order that the matter may be laid on the table until Monday afternoon; and I make that motion.

Mr. BARNES of Houlton: Mr. Speaker, the life of the bill depended upon the discovery by somebody of a very novel situation, to say the least, and that is, that the State Treasurer could issue notes of the State of Maine for a half million, million, or two million dollars. Now, in my judgment, it is not worth while to reconsider the vote, because every member of the judiciary committee will stand on his feet when the time comes and say that we have no such law in Maine. I do not make this motion for any other earthly purpose than to simply save time. Surely you will not vote the proposition proposed in the bill if all the attorneys in this body agree that no money could be raised thereby, and it is simply a waste of time to cumber the calendar with the matter.

Mr. MILLER: Mr. Speaker, I think it is only fair that I should be allowed to bring this matter before the House, and I am not prepared to do so this morning. I did not expect it would be reported until Monday. It is not altogether clear that the House will not vote in favor of it even if every member of the judiciary committee are agreed upon it. There are certain facts I would like very much to state to the House, and I have not those facts before me this morning. I think in fairness to myself that the House ought to vote to reconsider its action, and allow me to present the case properly Monday afternoon.

The SPEAKER: It is the pleasure of the House to reconsider the vote whereby it accepted the report ought not to pass, on this bill. All those in

favor of the reconsideration will say aye; those opposed no.

A viva voce vote was doubted.

Mr. BARNES: Will the Speaker read the bill?

(The Speaker reads bill An Act authorizing the issue of notes not exceeding the amount of \$500,000 to defray expenses incurred for the construction of Federal aid State highways, and making appropriations therefor.)

The SPEAKER: All those who are in favor of reconsideration of the report will rise and stand until counted, and the monitors will take the count.

A division of the House being had, Twenty-nine voting in the affirmative and 81 in the negative, the motion to reconsider was lost.

Mr. Alden, from the committee on agriculture reported ought to pass on bill An Act to require a fee for registration of milk dealers.

The report was accepted.

On motion by Mr. Alden of Gorham, it was voted to suspend the rules and give this bill its three several readings at the present time.

On motion by Mr. Forbes of Paris, tabled pending first reading.

On motion by Mr. Bragdon of Perham, 500 copies were ordered printed.

Mr. Washburn, from same committee, on bill An Act to assist in the commercial utilization of the dogfish, reported same in a new draft under same title and that it ought to pass.

The report was accepted.

On motion by Mr. Alden of Gorham, the rules were suspended, and the bill given its three several readings and passed to be engrossed.

Mr. Holley, from the committee on appropriations and financial affairs, reported ought to pass on Resolve in favor of Harry A. Fowles, Secretary of School for Feeble Minded.

The report was accepted.

(The rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

Mr. Flint, from the committee on inland fisheries and game, on An Act to amend and correct certain clerical

errors in Chapter 33 of the Revised Statutes, as amended by Chapter 219 and 244 of the Public Laws of 1917, relating to inland fisheries and game, reported same in a new draft under same title and that it ought to pass.

The report was accepted.

Mr. Putnam from same committee, on bill An Act to amend Sections 6 and 7 of Chapter 219 of the Public Laws of 1917, relative to providing dams with fishways, reported same in a new draft, under title of An Act to amend Sections 6 and 7 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to providing dams with fishways, and that it ought to pass.

Mr. Conary, from the committee on judiciary, reported ought to pass on bill, An Act to amend Chapter 280 of the Public Laws of 1917 relating to price of Maine reports.

Same gentleman, from same committee, on bill, An Act relative to compensation of judges of probate, reported same in a new draft, under same title, and that it ought to pass.

Same gentleman, from same committee, on bill, An Act relative to the compensation of registers of probate, reported same in a new draft, under same title, and that it ought to pass.

Reports were read and accepted and sent up for concurrence.

Mr. Garcelon, from the committee on legal affairs, on bill, An Act to amend Section 5 of Chapter 96 of the Revised Statutes, relating to notice of foreclosure of mortgages of personal property, reported same in a new draft, under same title, and that it ought to pass.

Mr. Chamberlain from the committee on salaries and fees, reported ought to pass on bill, An Act to amend Chapter 39 of the Private and Special Laws of 1915, increasing the salary of the recorder of the Sanford municipal court.

The reports were read and accepted and sent up for concurrence.

(On motion by Mr. Allen of Sanford, the rules were suspended and the bill received its three several readings and was passed to be engrossed.)

Mr. Fowles, from same committee,

reported same on bill, An Act to amend Section 4 of Chapter 446 of the Private and Special Laws of 1897, fixing the compensation of trustees of the Maine School for the Deaf.

Same gentleman, from same committee, on bill, An Act to amend Section 40 of Chapter 117 of the Revised Statutes, increasing the salary of the clerk of courts for the county of Lincoln, reported same in a new draft, under same title, and that it ought to pass.

Mr. Rounds, from the committee on salaries and fees, on bill, An Act providing that the clerk of courts for the county of Piscataquis shall be ex-officio recorder of the Piscataquis municipal court, and fixing the salary of said recorder, reported same in a new draft, under title of "An Act to amend Chapter 166 of the Private and Special Laws of 1911, as amended by Chapter 189 of the Private and Special Laws of 1915, relating to the Piscataquis municipal court; making the clerk of courts of Piscataquis county recorder of said municipal court, and fixing the salary of said recorder, and that it ought to pass.

Same gentleman, from same committee, on bill, An Act to amend Section 3 of Chapter 346 of the Private and Special Laws of 1905, as amended by Chapter 2 of the Private and Special Laws of 1915, providing for and fixing the salaries of the probation officer and the assistant probation officer for the county of Cumberland, reported same in a new draft, under same title, and that it ought to pass.

Mr. Varney, from committee on education on 15 remonstrances proposing the passage of an act by which the local school boards would be deprived of their actual powers, and secondly would abolish the teaching of French in the elementary school subjects, reported that the same be placed on file.

The reports were read and accepted and sent up for concurrence.

First Reading of Printed Bills and Resolves

House 503: An Act to incorporate the Wallagrass Dam Company (New Draft).

(Tabled by Mr. Baxter of Portland temporarily for amendment purposes.)

Passed to be Enacted

An Act to repeal Chapter 181 of the Private and Special Laws of 1911, Chapter 135 of the Private and Special Laws of 1913, Chapters 156 and 178 of the Private and Special Laws of 1915, and Chapter 75 of the Private and Special Laws of 1917, granting the county commissioners of the county of Cumberland the right to sell or lease certain property.

An Act to amend Section 38 of Chapter 16 of the Revised Statutes, relating to the duties of superintending school committees.

An Act to amend Chapter 51 of the Revised Statutes, as amended by Chapter 144 of the Public Laws of 1917, relating to the formation of corporations having stock without par value.

An Act to amend Section 58 of Chapter 4 of the Revised Statutes, relating to the purposes for which cities and towns may raise money.

An Act to amend Section 7 of Chapter 62 of the Revised Statutes, relating to the name of state in title of a corporation.

An Act to amend Section 86 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the disposition of money collected under the provisions of the inland fish and game laws.

An Act to enlarge the powers of trust companies.

An Act to amend Section 44 of Chapter 14 of the Revised Statutes, relating to the sale of timber on Indian township.

An Act to amend Paragraph 1 of Section 7 of Chapter 19 of the Public Laws of 1917, relating to industrial banks.

An Act for the protection of clams within the limit of the Capitol Island Village corporation in the county of Lincoln

An Act relating to Martin's Point Bridge, so-called, in the county of Cumberland.

Finally Passed

Resolve, appointing a committee to revise, collate, arrange and consolidate the collateral inheritance tax

and probation laws of the state of Maine.

Resolve, to promote patriotism by displaying the American Flag at polling places during election.

Resolve, providing for the care, support and medical or surgical treatment of dependent persons in or by certain charitable and benevolent institutions and organizations not owned or controlled by the state, and for other purposes.

Mr. BARNES of Houlton: I move that we reconsider the vote relative to the laying of county taxes for the years 1919 and 1920 whereby this matter was laid upon the table and assigned for next Monday; and while the clerk is finding the papers I just want to say a word or two to the House. In order that the county taxes in the sixteen counties shall be assessed annually, the Statutes provide that the county commissioners shall, in March of each year, assess the taxes. Now your committee report what the county taxes are to be, and every session of the Legislature we have trouble of getting it through in the month of March. I commenced on this the 8th day of February, and have been at it persistently and continuously ever since, and the gentleman from Portland (Mr. Rounds) has held the matter up at every stage of its procedure—with the best of intentions, I think, but utterly forgetting that there are fifteen other counties in the state, and attempting to ascertain for himself how satisfactorily to arrange for a payment which probably must be made down in Cumberland county. Now I do not know what would happen about the county taxes if we go over into April; but I am very well satisfied that we should reconsider the vote and should pass both of these bills along. This is the 28th day of March, and we must be as expeditious as possible in order to get the law through before the first day of April.

Thereupon, a viva voce vote being taken, it was voted to reconsider the action whereby Senate Document 205, Resolve for the laying of county

taxes for the year 1920 was tabled and assigned for Monday, March 31.

Mr. BARNES: I would inquire, Mr. Speaker, whether the emergency clause is attached to that measure?

The SPEAKER: The Chair will state that there is an emergency clause.

Mr. BARNES: I move that the rules be suspended and that this bill have its reading at his time.

The SPEAKER: The Chair will restate the condition of this resolve, and the one for 1919. It was passed to be engrossed by the House on March 21 as amended by a House amendment. It comes back from the Senate with that House amendment amended by a Senate amendment and passed to be engrossed as so amended.

Thereupon the House voted to reconsider its action whereby this resolve was passed to be engrossed as amended by House Amendment A.

It also voted to reconsider its action whereby it adopted House Amendment A.

Thereupon the House by a viva voce vote adopted in concurrence with the Senate, Senate Amendment A to House Amendment A.

Mr. HINCKLEY of South Portland: Mr. Speaker, may we have the Senate amendment read?

The SPEAKER: The Chair will state that it was read but the Chair will read it again. (Amendment read).

Thereupon the resolve was passed to be engrossed as amended by House Amendment A, as amended by Senate Amendment A.

The House thereupon voted to reconsider its action whereby the resolve laying the county taxes for the year 1919 was passed to be engrossed as amended by House Amendment A.

The House also voted to reconsider its action whereby it adopted House Amendment A.

Thereupon the House by a viva voce vote adopted, in concurrence with the Senate, Senate Amendment A to House Amendment A; and the resolve was passed to be engrossed as amended by House amendment A, as amended Senate Amendment A.

The SPEAKER: This brings us to

the specially assigned matters which the Chair will take off in order from the calendar.

The Chair lays before the House, An Act for the care and preservation of shade and ornamental trees, House Document No. 475, tabled by the gentleman from Sebec, Mr. Lanpher, pending third reading.

On motion by Mr. Lanpher of Sebec, House Document No. 475 was re-tabled temporarily.

The Chair lays before the House, majority report, ought not to pass, and minority report, ought to pass, of committee on sea and shore fisheries on bill An Act relating to the granting of lobster licenses, Senate No. 34, tabled by the gentleman from Boothbay Harbor, Mr. Perkins, pending acceptance of either report.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, does not seem to be in the House at this time. Is it the pleasure of the House that this be temporarily laid on the table?

Thereupon the House voted that the matter be re-tabled temporarily.

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

Mr. MURCHIE of Calais: Mr. Speaker, I yield to the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON of Perham: Mr. Speaker, I have an amendment which I wish to offer.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, offers the following amendment: Amendment A to House Document No. 462: Amend House Bill No. 462, as follows: By striking out the words "or clears any land" in the second line thereof. Is it the pleasure of the House to adopt the amendment? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the amendment was adopted.

On motion by Mr. Bragdon of Perham, the bill received its second reading; and on further motion by Mr. Barnes of Houlton, the rules were suspended, and the bill received its

third reading, and was passed to be engrossed as amended by House Amendment A.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins, on the two reports.

Mr. PERKINS: Mr. Speaker, have the papers arrived from the Senate in regard to that matter?

The SPEAKER: The clerk informs the Chair that they have not.

Mr. PERKINS: Mr. Speaker, they will be down in a very few minutes. I move that the matter lie on the table until the papers arrive from the Senate.

Thereupon the House voted that the matter be again re-tabled temporarily.

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

On motion by Mr. Wilson of Presque Isle it was voted that the bill be temporarily tabled.

The Chair lays before the House House Amendment A to bill an Act to provide assistance to towns in maintaining town highways, House No. 470, tabled by the gentleman from Houlton, Mr. Barnes, pending adoption.

Mr. Barnes of Houlton: Mr. Speaker, the bill with the amendment suggested at the last session was tabled for printing, and it has not come to our desks. It seems to me that it should be tabled until next Tuesday, and I make that motion.

Thereupon the House voted that the bill be re-tabled and specially assigned for Tuesday, April 1st, 1919.

The Chair lays before the House An Act to provide for the fixing of salaries and wages of subordinates of several departments of State governments, Senate Document No. 245, tabled by the gentleman from Houlton, Mr. Barnes, pending third reading.

Mr. BARNES of Houlton: Mr. Speaker and gentlemen: Senate Docu-

ment No. 245, provides that the salaries or the wages of all assistants, clerks and other employees of the several departments of the state government shall be fixed by the Governor and Council upon the recommendation of the heads of the respective departments. I have, up to the present time, been unable to determine the authorship of the bill, and because to my mind it presents grave dangers, I want to take the time of the House for a moment or two. Time was, I suppose when the head of a department and a clerk or two were all that made up a department. Personally, I can remember when a gentleman from Oxford county and a stuffed eagle were all that occupied the department of agriculture in this building. Since that time, the work of the departments has grown and in very many cases, in addition to stenographers and clerks, there are deputy heads and assistant heads of departments, and the House is very familiar with seeing the deputy treasurer, the deputy secretary of state and the deputy commissioner of agriculture. Now I said I could not satisfy myself as to the authorship of this bill. If it is a scheme to build up a political machine, it is a corker. There are either 18 or 22 of these deputy or assistant heads of departments, most of whom are drawing salaries provided by statute, and, as the House has noticed, there are suggestions about every session to change the salaries of certain ones. Now I can conceive that if I were a prohibitionist, and a candidate for governor, and secured the election, I would have at my back a great horde of people who would be anxious for office, and if I could reduce the salaries of the persons within the State House to such a point that they would leave, then I could place my friends in the offices, and after 30 days or six months, according to the tenderness of my conscience—in all probability, if I were the man, it would not be more than 30 days,—I would have the salaries back where they were. I could put them back as far as the treasury, backed by a good, fat contingent fund, would allow. Now I submit that is not good business. Furthermore, gentlemen,

suppose now—I have not named all the deputies and assistants—but just stop and think for a moment. The Governor and his Council—there is a body of eight men—might as well come down here in a change of politics, or even the continuance of the same party, and each member of the council might have a friend whom he wanted to place in the assistant's position in one of these departments, for this says "on the recommendation of the heads of the departments, be fixed by the Governor and Council." I can conceive that possibly each member of the council might have promised some friend of his, or they might have agreed, all of them, to help each other, and all of them promised some particular man that he might have one of these assistant's positions. Now what would the result be? Every department of the state of Maine that has a good assistant or deputy would have to begin as soon as the primary is over canvassing the probable members of the next House to see whether or not they would support his man. I could go on and name a dozen that to me are very valid reasons on that side of the proposition. Here is another one, gentlemen. Think now of yourself, or any of us, as a head of a department here, doing your level best from day to day, that the best interests of the state should be subserved. You have got a group of men under you. Supposing you were the commissioner of agriculture, in the summer season, with 50 or 60 men working under you. In order that your department work may continue to the very best degree of efficiency, you want loyalty in your force, you want what they call esprit de corps; you want them in a position where they can go to somebody else and have their pay raised and do not have to look to you? What is the effect of making you just a mythical, shadowy head of a department?

Now the ostensible reason for this bill is this; that if by chance a clerk's salary is fixed by statute, and he is an excellent clerk—a woman for instance who is getting \$25 a week because she is earning it, and she should die,—or what is worse, so far

as the state is concerned, get married,—in the course of time she will leave the job and in either event, you see; and they say that we do not want to go out in the street and hire a cheaper woman and pay her the full salary. Now that is a splendid argument, that is true. If you have got a \$25 woman working, and she leaves the job and you have to hire another one, and cannot get one as competent, you should not pay that second choice the amount of \$25. So Mr. Speaker, I have an amendment to offer which I will read: House Amendment A to Senate Document No. 245. Entitled An Act to provide for the fixing of salaries and wages of subordinates of the several departments of the state government.

The above entitled bill is hereby amended by striking out Section 1 thereof and inserting in its place the following:

Section 1. Upon recommendation of the heads of the respective departments, the salaries and wages of stenographers and other clerical assistants employed in the several departments of the state government shall be fixed by the Governor with the advice and consent of the Council.

This remedies the evil which the bill, as originally drafted, was aimed to remedy, and avoids the evil, which to my mind, has weight.

The SPEAKER: It is the pleasure of the House to adopt the amendment as read by the gentleman from Houlton, Mr. Barnes? All those in favor say yes; those opposed, no.

A viva voce vote being taken, the amendment was adopted, and the bill, as amended by House Amendment A, received its third reading and was passed to be engrossed.

The SPEAKER: In order to dispose of the lobster reports the Chair will state that there have come in from the Senate reports from the same committee relating to that matter.

Thereupon the House voted to give unanimous consent to act upon these matters at this time.

The SPEAKER: These reports come from the Senate: Majority report of the committee on sea and shore fisheries on An Act to amend certain Sections of Chapter 45 of the Revised Statutes, relating to the licensing of persons engaged in the lobster fisheries, submitting the same in new draft under the same title, and that it ought to pass.

(Signed) Messrs. PEACOCK,
HOLT,
CLEMENT,
STACEY,
COLE,
STEVENS.

Minority report of the same committee, on same bill, that the same ought not to pass.

(Signed) PERKINS,
FULLER,
WYMAN,
JORDAN.

These come from the Senate with the majority report accepted and the bill, in new draft, passed to be engrossed, as amended by Senate Amendment A, which is as follows:

Amend Senate Document 257 by striking out all of Section 31 after the word "dollars" in the fifth line of the new draft and inserting in place "and the smack, vessel or other means of transportation shall be forfeited to the State," so that said section as amended shall read as follows:

Section 31. Whoever, as master or owner, transports lobsters without the State, not having obtained the license provided in the preceding section, shall be punished by a fine of not less than fifty nor more than five hundred dollars, and the smack, vessel or other means of transportation shall be forfeited to the State.

On motion by Mr. Perkins of Boothbay Harbor, it was voted to concur with the Senate in the acceptance of the majority report.

Mr. PERKINS of Boothbay Harbor: Mr. Speaker, I move that the rules be now suspended and the bill have its first reading.

The SPEAKER: The Chair will state that it would have its first two readings without suspension of the rules, and the third reading by suspension.

Thereupon the bill received its first reading.

Mr. PERKINS: Mr. Speaker, I wish to offer an amendment to Senate Document No. 257, and say in explanation that this amendment cures all the defects in the bill which were objected to by a few of the minority, and has the unanimous recommendation of the committee on sea and shore fisheries. It also meets with the approval of the department of sea and shore fisheries, so we are now all agreed. I move the adoption of the amendment.

The SPEAKER: The Chair will state that the pending question would be the adoption of the Senate Amendment first. The Chair would inquire of the gentleman from Boothbay Harbor, Mr. Perkins, if his amendment in any way affects the Senate Amendment?

Mr. PERKINS: Mr. Speaker, it does not, as I understand it.

Mr. HINCKLEY of South Portland: Mr. Speaker, I would like to have that Senate Amendment read once more. It has not been printed and I have not it clearly in mind.

(Senate Amendment read)

Mr. HINCKLEY: Mr. Speaker and gentlemen, I remember—I think six years ago—I drafted this very bill which is now in the statutes. Some amendments have been made since that time. I remember distinctly this particular section, Section 31, and I remember very clearly the reason for having it as it is, and the objections to this amendment, which did not possibly occur to those who proposed the Senate Amendment. This section at the present time reads as follows: "Whoever, as master or owner, transports lobsters without the state, not having obtained the license provided in the preceding section shall be punished by a fine of not less than fifty nor more than five hundred dollars, and both the owner and the master shall become indebted to and pay to the state the sum of five thousand dollars (\$5,000) which sum shall be a lien upon said smack, vessel or other contrivance, the lien to be enforced in the name of the state by ap-

propriate process." Now as this comes back to us amended it strikes out that part providing that both master and owner shall become indebted to the State. Now those who know about the enforcement of the law and the trouble the officials have in preventing lobster smacks from other states coming here and engaging in the illegal traffic, realize that it is seldom that they get the smack. They get conclusive evidence that they are breaking the law, but the smack gets back to its port in New Hampshire, and it is absolutely useless, in practically every case, to provide that the smack shall be forfeited, because this smack is outside of our jurisdiction. Now this sounds like a joker which has been put in by some attorney representing the Boston smacks, and it seems to me that somebody has been fooled in regard to it, because I do not think that any gentleman in the other body would, realizing the situation, put in such an amendment; but that is the situation. Now it seems to me that it is better for us to have a law which provides that the owner and the master of the smack shall be liable and fix the penalty, and whatever the penalty is shall be a lien upon his smack, and if the smack ever comes back again, it is forfeited; but it is useless to provide for forfeiting the smack when it is outside. If it is outside the three-mile limit, of course we cannot get it. I would like to call attention to the fact that a bond is given in connection with it which also makes it important to have the law remain as it is. I hope this House will not concur with the Senate in this action, and that a committee of conference may be appointed. I think the matter can be adjusted with this understanding.

Mr. PERKINS: Mr. Speaker, if I understand the situation correctly, that amendment was offered by the chairman of the committee on sea and shore fisheries, and he did so at the request of the department of sea and shore fisheries, so as to take care of, as I understand it, the double penalty. The amendment was draft-

ed, I think, by the legal member of the sea and shore fisheries commission. That is my understanding of it. I hope that we will concur.

Mr. HINCKLEY: Mr. Speaker, I do not want to take exceptions to the legal department of any department, but as a matter of law I think that the committee on conference can straighten this out.

Mr. BARNES of Houlton: Mr. Speaker, before we fellows from far inland vote on this, of course we would like a little information. Now there are many members of the sea and shore fisheries committee with us, and they ought to explain this. To a mere land lawyer, who, it would be a sure thing that just as the smack sailed over the three-mile line, she could kiss us goodbye. If she did not come back, we would never get a cent of penalty. As the law now stands, it would seem to a land lawyer that, if that master or skipper ever came back, he would have to pay the penalty for his misdoings, and saying that the smack shall be forfeited after it goes with its cargo of lobsters outside of the state of Maine, is mere empty words, unless the smack comes back. Now if the members of the sea and shore fisheries committee will explain to us that this does not absolutely render that section, providing the penalty, null and void, why, we will know how to vote.

The SPEAKER: The question before the House is the adoption of Senate Amendment A as read.

A viva voce vote being taken, the motion to adopt Senate Amendment A, failed of passage.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, presents House Amendment A to Senate No. 257, which the Chair will read. Senate Document No. 257 is hereby amended by adding thereto the following section:

Chapter 45 of the Revised Statutes is hereby amended by adding thereto the following:

Section 94. Each license granted and issued by the director of sea and shore fisheries to a resident of this state on or since the 1st day of De-

ember, A. D. 1918, or that shall be granted and issued hereafter by said director of sea and shore fisheries in accordance with the provisions of Section 13 of Chapter 45 of the Revised Statutes to a resident of this state shall be valid so long as the licensee remains a resident of this state; but may be suspended by the said director of sea and shore fisheries for a period not exceeding one year, only from and after conviction of the said licensee for the violation of any of the laws of the state relating to lobsters in a court of competent jurisdiction in the county where said violation occurs. All acts or parts of acts so far as they are inconsistent herewith are hereby repealed.

The Chair will call to the attention of the gentleman from Boothbay Harbor, Mr. Perkins, that he is amending the Revised Statutes under his amendment and not Senate Document No. 257.

Mr. PERKINS: Mr. Speaker, I would say that those amendments were all prepared to amend the Revised Statutes.

The SPEAKER: If the gentleman from Boothbay Harbor, Mr. Perkins, will examine his amendment I feel he will want to correct it.

(The amendment was thereupon temporarily tabled for the purpose of correction.)

On motion by Mr. Cochrane of Monmouth, it was voted to take from the table, Resolve in favor of the University of Maine, tabled earlier in the session.

Mr. COCHRANE of Monmouth: Mr. Speaker, I yield to the gentleman from Sanford (Mr. Allen).

Mr. ALLEN of Sanford: Mr. Speaker and gentlemen of the House: I looked this matter up a few moments ago and it is perfectly satisfactory as far as the committee on education is concerned. It takes up the matter of a note that was issued some 30 years ago, and this just makes a new note to take the place of the old.

The SPEAKER: Does the gentleman from Sanford (Mr. Allen) have any motion.

Mr. ALLEN: Mr. Speaker, what status is it in?

The SPEAKER: This comes from the Senate with the Senate papers, and was passed to be engrossed under suspension of the rules, and by the House also this morning proposed to be engrossed, but later the engrossing was reconsidered.

On motion by Mr. Allen of Sanford, the resolve, already having had its two several readings under suspension of the rules, was passed to be engrossed.

The SPEAKER: We will now take up House Document No. 452, An Act to amend Section 5 of Chapter 118 of the Revised Statutes, relating to fees of sheriffs and their deputies.

Mr. SMITH of Skowhegan: Mr. Speaker, I wish to have the matter tabled for the purpose of amendment. Perhaps it will save time by stating that the original bill provided that deputy sheriffs in attendance upon court in Androscoggin, Cumberland, Penobscot, York and Kennebec should receive \$4 per day, and the amendment includes Aroostook, Cataquis, Sagadahoc, Somerset and Waldo, which originally received but \$3 per day.

The SPEAKER: The amendment presented by the gentleman from Skowhegan, Mr. Smith, is as follows:

House Amendment A to House Bill 452.

The bill is amended by striking out of lines five and six on page six of the printed bill, the words Androscoggin, Cumberland, Kennebec, Penobscot, or York, and inserting therefor the words Androscoggin, Aroostook, Cumberland, Kennebec, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo or York.

Is it the pleasure of the House to adopt the amendment?

A viva voce vote being taken, the amendment was adopted; and on further motion by the same gentleman the bill received its second reading.

Mr. HINCKLEY of South Portland: Mr. Speaker, I move that the rules be suspended and the bill receive its third reading.

Mr. ROUNDS of Portland: Mr. Speaker, I move we lay the matter on the table.

The SPEAKER: The Chair will state that it takes a two-thirds vote to suspend the rules.

Mr. ROUNDS: Mr. Speaker, I want to say for the benefit of the gentlemen of this House that I have been threatened, and there is something more than that amendment in those lines. I do not propose to give any more money to Cumberland county for civil deputies where they get fifteen hundred and some odd dollars for fines, and Lord knows how much for doing United States work; I do not propose to increase their salaries to \$4 a day in Cumberland county. I am perhaps an obstructionist and all that, but with \$62,000 interest money in the county of Cumberland, I think it is time we called a halt. Therefore, I want to record my vote against anything like that, and before the matter comes up I shall try to offer an amendment. I would like to have that tabled. I will say that I will be here tomorrow morning.

Mr. ALLAN of Portland: Mr. Speaker cannot that be tabled until Monday afternoon?

The SPEAKER: The Chair will have to put the motion as made without debate. All those in favor of tabling the matter until tomorrow morning say aye; those opposed no.

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

Seventy-seven having voted in the affirmative, and two in the negative, the bill was tabled until tomorrow morning.

The SPEAKER: We will now take up House Document No. 475, bill, An Act for the care and preservation of shade and ornamental trees, tabled a little earlier in the session.

Mr. LANPHER of Sebec: Mr. Speaker, I would like to have this re-tabled until tomorrow morning. I have been waiting to see Mr. Colby and he has just arrived. I have not had time to confer with him about it; so I would like to have it re-tabled until tomorrow morning.

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

The SPEAKER: Recurring again to House Document 257, and the amendment presented by the gentleman from Boothbay Harbor, Mr. Perkins, the Chair thinks it has already read the amendment. Is it the pleasure of the House that the amendment to House No. 257, as presented and read, be adopted?

A viva voce vote being taken, the amendment was adopted, and the bill received its second and third readings and was passed to be engrossed as amended by House Amendment A, under suspension of the rules.

On motion by Mr. Perkins of Boothbay Harbor it was voted to take from the table Senate Document No. 34, Minority report, ought not to pass, minority report ought to pass, of committee on sea and shore fisheries on bill An Act relating to the granting of lobster licenses, tabled pending acceptance of either report; and on further motion by the same gentleman it was voted to accept the majority report, ought not to pass.

The Chair lays before the House Senate Document No. 233, An Act to establish a State reformatory for men, tabled by the gentleman from North Anson, Mr. Holley, pending third reading.

On motion by Mr. Holley of North Anson the bill received its third reading and was passed to be engrossed.

The Chair lays before the House An Act relating to Sunday closing law, tabled by the gentleman from South Portland, Mr. Hinckley, pending its second reading.

Mr. HINCKLEY of South Portland: Mr. Speaker, if I tabled this matter yesterday I must have been asleep. I do not remember anything about it. It is a matter, I think, reported in behalf of the legal affairs committee.

The SPEAKER: The Chair is of the impression that it placed the motion in the mouth of the gentleman from South Portland (Mr. Hinckley) to perfect the amendment of title.

On motion by Mr. Hinckley of South

Portland the bill was re-tabled pending amendment.

The Chair lays before the House Senate Document No. 242, Senate Amendment A to bill, An Act relating to the assessment and collection of inheritance tax, tabled by the gentleman from Portland, Mr. Allan, pending adoption.

Mr. ALLAN of Portland: Mr. Speaker, I have no motion.

The SPEAKER: The Chair will state that this bill comes from the Senate passed to be engrossed as amended by Senate Amendment A, and the bill had had its first reading after acceptance of the report by the House. The question is on the adoption of Senate Amendment A. The Chair will read it in order that it may be before the House. (Amendment read.) Is it the pleasure of the House to adopt Senate Amendment A in concurrence with the Senate?

A viva voce vote being taken, Senate Amendment A was adopted, and Senate Document No. 242, as amended, received its second reading, and tomorrow morning was assigned for its third reading.

The Chair lays before the House An Act relating to cinematograph and moving pictures, tabled by the gentleman from North Anson, Mr. Holley, pending first reading.

Mr. HOLLEY of North Anson: Mr. Speaker, I move that the bill take its regular course.

The SPEAKER: The Chair will state that the motion was made and carried to suspend the rules and give this bill its several readings under suspension of the rules on the day upon which it was tabled.

Mr. TILDEN of Hallowell: Mr. Speaker, this bill has not been printed?

The SPEAKER: The Chair will state that it has not been printed.

Mr. TILDEN: Mr. Speaker, will you kindly inform us what the purport of it is?

The SPEAKER: The title of the act is to amend Chapter 32 of the Revised Statutes relating to cinematograph and moving pictures. If there is no objection on the part of

the House, we will give it its several readings at the present time.

Thereupon the unprinted bill received its three several readings and was passed to be engrossed, under suspension of the rules.

Mr. ALLAN of Portland: Mr. Speaker, if it is in order, I move that we reconsider our action this morning whereby Senate Document No. 256 was passed to be engrossed.

The motion prevailed.

Mr. ALLAN: I have an amendment which I wish to offer, Mr. Speaker.

The SPEAKER: While the clerk is getting the papers in that matter, the Chair will pass to the act relating to animal husbandry, House Document No. 432, tabled by the gentleman from Exeter, Mr. Grinnell, pending concurrence.

Mr. GRINNELL of Exeter: Mr. Speaker, I am informed that that matter was taken care of in the budget.

The SPEAKER: This matter was indefinitely postponed in the Senate; and is it the pleasure of the House to indefinitely postpone in concurrence?

A viva voce vote being taken, the bill was indefinitely postponed in concurrence.

The SPEAKER: The gentleman from Portland, Mr. Allan, made a motion on the bill, An Act to provide for the jurisdiction of the Public Utilities Commission over certain motor vehicles. Will the gentleman from Portland, Mr. Allan, state his motion over again?

Mr. ALLAN of Portland: Mr. Speaker, I move the adoption of the amendment. The amendment was intended to be placed upon the bill in the Senate, but by inadvertence it was overlooked.

The SPEAKER: The gentleman from Portland, Mr. Allan, presents the following amendment:

House Amendment A to Senate Document 256.

Insert after the word "upon" in the first line of Section 1 of said document the following words:

"Its own motion, or on" so that

said section as amended shall read as follows:

Section 1. The public utilities commission shall, upon its own motion, or on written complaint made against any person, firm or corporation operating any motor vehicle upon any public street or way for the carriage of passengers or freight or both for hire by ten persons, firms, corporations or associations aggrieved thereby, after reasonable notice and hearing determine and fix the terms and conditions and make all rules and regulations under which said motor vehicles may be so operated. Is it the pleasure of the House to adopt the amendment?

Thereupon the House voted to adopt House Amendment A to Senate Document No. 256.

On motion by Mr. Hinckley of South Portland, the bill was tabled pending its third reading.

Mr. CHAPLIN of Bridgton: Mr. Speaker, I desire to make a motion in regard to Senate Amendment A to Senate Document No. 226, being amendment to resolve in favor of the town of Porter. Yesterday the House voted to adhere and accept the report ought not to pass. I move, at this time, that the House reconsider its action; and I yield to the gentleman from Parsonsfield, Mr. Granville, who has the matter in charge.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, is the matter debatable at this time?

The SPEAKER: The Chair will rule that on the motion to reconsider, it is.

Mr. GRANVILLE: Mr. Speaker and gentlemen of the House: I wish to have this matter again given attention by the House. I thought yesterday a great many of the members here did not fully understand, and that some of its friends, at least, were in the corridors. I think I fully appreciate the attitude, and sympathize with the attitude, of your committee in not desiring to establish a precedent. I think they felt if a precedent were to be established it should be by the House and not by them. Now in relation to this, they say that the State has never

adopted a policy of constructing buildings for high schools. Such aid always has been given to academies. The policy of aiding academies is constitutional—provided for in our constitution—and the reason, I think, that high schools were not given it was because they did not exist at that time. The academies originally took care of what we now call secondary education; but as our country finally settled down, the population shifting to the original settlements, many academies were left back from the centers of population and the need of some supplementary education was felt. This led to the adoption of the free high school policy. I do not see any danger in establishing the precedent of aiding free high schools, for I think it is a fact that they are of equal, if not greater, benefit to the education of this State than the academies. Now I ask you to aid us in the building of this school building, according to this resolve, Senate No. 226.

I would like again to call your attention to some of the facts as we understand them. This building is to be located in the village of Kezar Falls, in the town of Porter. The town of Porter has a valuation of some \$262,677. It had last year a tax rate of 33 mills, and an additional tax rate in this village of 5 mills for village corporation purposes. I attended the town meeting this year and they raised more money this year than last. Probably their tax rate in the town this year will be 4 cents. Now they are in debt about one-half of the constitutional amount allowed them, and they are willing to go the rest of the way, and to go to their debt limit, in assisting the construction of this building. We have some 60 scholars in the village of high school age, whose parents, in the majority of instances, would not be able to send them from home to attend a school at a distant place or village. The building that they now occupy is totally inadequate for the accommodation of the school. There are at present in attendance at the school 42 scholars, with 32 desks. Four of the pupils are sitting in the aisles in chairs, with their books beside them. Next year, from the graduation of the class in the grammar school, the difference

between that and the number graduating from high school will increase the number of pupils in this school some 3. They will have very nearly 50 scholars there next year. The assistant teacher occupies a room—I think it was stated in the statement of facts—but, as I remember it, and from talking it over with a member of the other branch in relation to this matter, I think the room is 8 by 12, or 8 by 13 feet. It is very small, I know—and I am very well acquainted with it, because I was formerly a principal of the high school in that place—with a stove in the middle. The pupils sit right around the edge, the teacher in the middle, with a chair up behind the stove. We have no apparatus to carry on the proper training of those scholars. The building was built some 30 years ago for the accommodation of the grammar school—grammar and primary school. Mr. Taylor of the educational department came up this January to inspect the school—we now have an “A” grade high school—he came up to inspect this school, and he allowed it to go on temporarily as a grade “A” school, but he could hold out no hope that such would be the fact next year. It was suggested, I will say, that the possibility might be that we could enlarge this building—could remodel it—within the limit of the means of the town. Now the facts are that this building is only large enough to accommodate the grammar and primary schools that we have in the village, and it would be out of the question to enlarge it, because our lot is not large enough. The present building sets in between two dwelling lots on which there are buildings, and it would be almost a prohibitive expense to buy these buildings and tear them down to make any considerable addition to our building.

Now the town is willing to go the balance of its debt limit to provide the funds for the erection of the building which our department of education says, a building such as they will approve, will cost some \$15,000. That does not equip it and does not furnish the lot. Two citizens of my town, which is just on the opposite side of the river from this place—two gentlemen who re-

cently deceased—have left this fund for this school. One of them was originally a native of the town of Porter, and of course was interested. Besides that, they made the money there in the village in manufacturing, and they felt that, after they were through with these funds, they would like to have the children of the people who worked in their mills have the advantage of the interest or a portion of the wealth they had accumulated. I will also say that the provision of the will of George W. Cole—this is the gentleman who was formerly a resident of the town of Porter—provides that the scholars residing in the part of Parsonsfield known as Kezar Falls village, should have free tuition. Parsonsfield is placed in a position where she cannot assist the town of Porter in the construction of a building, because it is illegal, as I understand it, for a town to appropriate money for a building not located in the town. We think we have got a very worthy cause, and we are placed in the position of having a fund which will greatly assist us in maintaining a high school. Now this high school is not something that is dependent upon the will of the voters of the town each year for its maintenance, which I presume may be one of the reasons why the State has never assisted in building high schools, because the town might, the next year, refuse an appropriation, and you would have no school and the building empty. We have assurances that if we have a building, we shall have a fund, so we shall be able to have a permanent school in a locality where there are a great many pupils who will receive the benefit of it. I probably will never come to this Legislature again; but, if I ever do, and my attention is called to any town in the State of Maine in a like situation, where some benevolent gentleman has left the town a sum of money like this, I should be heartily in favor of the State's helping them, if they were not able to do it themselves.

Mr. ALLEN of Sanford: Mr. Speaker and gentlemen of the House:

I do not at this time intend to make any extended remarks, but I would like to say just a word as chairman of the committee on education on the part of the House. I feel that this is a worthy cause and I would like to see this resolve have a passage. Now I do not wish it understood that I am in any way speaking for the members of the educational department, I am not. It is simply a personal matter with me. I would like to see this resolve go through.

Mr. WILLIAMS of Auburn: Mr. Speaker, I am sorry to differ with my genial friend from Sanford (Mr. Allen), but as a member of that educational committee, I wish simply to say that this was carefully considered by the committee and unanimously passed upon. It is a worthy cause; but there are not very many high schools in the State of Maine that have an endowment of \$40,000. They have \$8000 on hand now to begin with, for only 60 pupils. It does not take a \$15,000 building to accommodate 60 pupils. It seems to me that it is opening the door too wide. There were many worthy causes that came before this committee, but they turned them down. If they had not turned this one down, they would have had to consider perhaps a dozen similar ones. I do not think that this measure ought to pass.

Mr. ALDEN of Gorham: Mr. Speaker, what the gentleman from Auburn, (Mr. Williams) has said, is perfectly right. I live in a town that has a high school building that is very inadequate; built almost 50 years ago. We have funds that we cannot use the income of because we have no place to put the equipment. At the last town meeting there was a committee chosen to see what we could do about building a high school that we might use our funds. We are situated near the cities of Portland and Westbrook, so that we have to compete pretty sharply with them. Now we are opening a big door here. The only objection we have is the door we are opening; not because we are against this town of Porter. I think we ought to go carefully on it.

Speaking about academies, why, we are aiding many academies. Some of them there might be some question about, but it has been customary to go on and it is a pretty difficult job for any educational committee to cut any of them off. We had better go slow in starting a new thing which is going to draw so much out of the towns and cities. The representatives of the larger cities ought to realize what it means to them if they open this door,—they have got to help in the building of school houses in most of the smaller towns.

Mr. BUZZELL of Belfast: Mr. Speaker, I dislike very much to differ with the finding of a committee. I know that a committee generally weighs and measures propositions pretty carefully, but I am one of the members of this House who realizes, and fully realizes to my sorrow, what the value of an education is. The early advantages of a boy or girl can never be estimated until they have arrived at a certain age, and see that those advantages are gone forever. It seems to me, gentlemen, in this day and generation, when we are ready to hold up both hands to the United States government and say that we are willing to take all the money that you have for us to build roads with, that it would be a little inconsistent for us not to donate \$25,000, in this instance to the town of Porter, or \$10,000, as it is here provided. The town of Porter will put a little more with that for the purpose of building a magnificent school building. Now I never was in the town of Porter in my life; but I do want to say that, if the town of Porter compares as favorably as a town, as her representatives do as representatives, if I had an opportunity to vote three times in favor of the proposition as presented by Mr. Granville, I should consider it a very great opportunity. I have just read the statement of facts here. It is true, perhaps, that we are opening a door, but there is always a first time to everything, and the man who would not try a thing once, I hardly know what to think of him.

Gentlemen, I hope that we reconsider this proposition.

As I think of the valuable members of this committee, I know that they would like to have us stand by their judgment, but at the same time when they think we are about to shut the door that is going to shut this money out from that town, so that they will not be able to avail themselves of the opportunity of these thousands of dollars, it seems to me that there must be a feeling way down in their hearts that they hope that this House will reverse the action. That is the way I feel about this, gentlemen, and I do sincerely hope that we give those scholars down there this opportunity to get a little education. Now we all know that a school house does not make education. Oh, but what an incentive it is when you can see a magnificent structure looming up, as a building would that would cost that money! Some young mind going along the street takes the impression; his mind is made up; he wants to go there. Opportunity is everything in this life. Now just stop and think, my colleagues, here is an opportunity for that town to get so many thousand dollars, by themselves putting a few thousand more with it. I know what the argument is against it,—that we are opening this door; but it seems to me that there are extenuating circumstances in connection with this case. I feel that I have said all that should be said at this time. I do want to say that I favor, and favor very much, the motion of my colleague, Mr. Granville.

Mr. PATTEE of Harmony: Mr. Speaker, with all due respect to the special pleading of the gentleman from Belfast (Mr. Buzzell), I must beg to differ from him. As you have already been told, this matter was carefully considered by your committee. I will not yield to any man in this House in my respect to the great representative from Parsonsfield (Mr. Granville). I sympathize with the condition of the town of Porter, and every member of our committee would have liked to have recommended this appropriation, if we could have seen our way clear to do so. To my mind, gentlemen, the

fact that Porter has this money at her command, is one of the arguments against the granting of this resolve. The income from that money will support her school forever, and that, in conjunction with the aid from the state, it seems to me will place Porter in a condition that is not excelled by any high school in the state of Maine. I remember five years ago when my town was in the condition that the representative from Parsonsfield says his town is in, that it became necessary for us to have a high school building. We were already to our debt limit, and we did not have any endowment, but we got out and put our hands into our pockets and we built a good, nice, suitable school building. I will venture to say, gentlemen, that within two years, or four years at least, the town of Porter will have a high school building if this appropriation does not go through. I would be the last man on earth to raise my voice against any educational project that the state could see its way clear to provide for; but, when this matter was in order before our committee, we were notified then and there that, if this went through, the doors were opened wide, and we would have numerous applications within the next two years; and I know, gentlemen, that that is true. You are opening a door making a gap in your educational program that you cannot fill. It is going to get away from you.

Mr. HINCKLEY of South Portland: Mr. Speaker, it is very dangerous to break a precedent; it is more dangerous not to break one, and I have not much use for a man who is afraid of breaking a precedent. It seems to me that it is a question for this House to decide whether it is right or whether it is wrong; whether this bill if passed, and this appropriation given by this resolve, is for the best interests of the State of Maine or not. I have listened to the arguments. I have read the resolve. It seems to me that the situation as set forth in this resolve is compelling, and I believe that this House can do no better work during this session than to help this town in this situation and help it build its high school, and I hope this House will rise

to this opportunity in spite of precedent—throw it to the wind in this case and give them a lift.

Mr. PIKE of Eastport: Mr. Speaker, I think the advancement of education is of sufficient importance for the very careful attention of the Maine Legislature. If I understand this matter correctly the unanimous report against this proposition is not, in fact, a unanimous report, because the House chairman who has recently spoken upon it, as I understand him, favors the passage of the measure. The advancement of education and the advancement of our common schools is a public matter and I do not agree with the gentleman from Harmony, Mr. Pattee, that the inhabitants of a small town who are unable to erect a high school should dig down in their pockets, as he says, and erect one. This is a most worthy cause, and for myself, I want to go on record as favoring it.

Mr. GRANVILLE: Mr. Speaker, I do not know as I, or anyone else, have called the attention of this body to the fact that there is an amendment, not printed, on the bill as you have it on your desks, saying that these funds for the construction of this building will come out of funds in the treasury not otherwise expended.

The SPEAKER: Is the House ready for the question?

Mr. BARNES of Houlton: Mr. Speaker, have we adopted such an amendment?

The SPEAKER: The Chair will state that the report ought not to pass has been accepted in this branch. In the other branch the resolve was substituted for the report. We have not come to the point where we can adopt the amendment.

Mr. GRANVILLE: Would the Speaker be so kind as to read the amendment?

The SPEAKER: The Chair will read the amendment, although it is not before the House; but if it will clarify the situation the Chair will read it. (Senate Amendment B read.)

All those who are in favor of the reconsideration of the acceptance of the report, ought to pass, will say aye; those opposed, no.

A viva voce vote being taken, the House voted to reconsider its action whereby it voted to accept the report ought not to pass.

On motion by Mr. Granville, a viva voce vote being taken, the House voted to recede and concur with the Senate in substituting the resolve for the report; on further motion by the same gentleman Senate Amendment B was adopted in concurrence; and on further motion by the same gentleman the rules were suspended and the resolve received its two several readings and was passed to be engrossed in concurrence with the Senate as amended by Senate amendment B.

Unanimous consent being given, Mr. Gilmour of Westbrook presented out of order the following order:

Ordered, that the clerk of the House be instructed to send by letter our heartfelt sympathy to Representative Charles W. Mace of Westbrook in his sickness, and our best wishes and hope for a speedy recovery

The order was passed by a unanimous vote.

Mr. BERRY of Waterville: Mr. Speaker, I will not take but a moment of your time this morning, but I just want to say this. It is the custom, I believe, to have a sunrise session in the morning. Already some of the members of this House are leaving for their homes by this train. It makes but little difference whether we come in tomorrow at eight, nine or ten o'clock, there will be about so many present—no more and no less. I want to reiterate that I hope the gentlemen's agreement under which we have been operating over week ends will be adhered to, and that if

there are any important measures come up in which absent members are specially interested, they may be tabled until our return here the first of the week. If this agreement is strictly kept, no members of this House need worry, and particularly those of us who cannot reach here before nine-thirty or ten in the morning.

Mr. HINCKLEY of South Portland: Mr. Speaker, there is a special matter in which the county of Cumberland is particularly interested, and the entire Cumberland delegation, with the exception of one, have agreed that it might go over until Monday. That matter is tabled until tomorrow morning, and the gentleman from Portland (Mr. Allan) refuses to have it go over until Monday. That is the situation we are in.

Mr. BERRY: Mr. Speaker, judging from the reports in the papers, there has not been a quorum present Saturday mornings, and, if the point of quorum should be raised, very little could be done.

The SPEAKER: The Chair feels that the point is well taken. It has been understood that these Saturday sessions were simply for the advancement of routine matters. The Chair believes that the House can trust its floor leader and its good intentions to see to it that nothing comes up tomorrow that should not. If any gentleman raises a question of no quorum, we can adjourn from day to day until we get a quorum.

On motion by Mr. Barnes of Houlton,

Adjourned until tomorrow morning at eight o'clock.