

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
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SENATE

Thursday, March 31, 1921.

Senate called to order by the Hon. Chas. E. Gurney, President pro tempore, at nine o'clock.

Prayer by Rev. M. G. Folsom of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act to abolish the board of public works of the city of Lewiston and provide for a highway commission.

The Senate yesterday refused to concur with the House in the adoption of House Amendment "A."

The House thereupon voted to adhere to its former action.

Mr. PARENT of Androscoggin: Mr. President, I move that we insist in our former action and ask for a committee of conference.

The motion was agreed to, and the Chair appointed as such committee of conference on the part of the Senate, Messrs. Parent, Clark and Eaton.

From the House: An Act to amend the charter of the city of Lewiston and provide for a city auditor.

The Senate yesterday refused to concur with the House in the adoption of House Amendment "A."

The House thereupon voted to adhere to its former action.

On motion by Mr. Parent of Androscoggin, the Senate voted to insist on its former action and ask for a committee of conference.

The Chair appointed as such committee on the part of the Senate, Messrs. Parent, Clark and Eaton.

From the House: An Act to promote the efficiency in the fire department of the city of Lewiston.

The Senate yesterday refused to concur with the House in the adoption of House Amendment "A."

The House thereupon voted to adhere to its former action.

On motion by Mr. Parent of Androscoggin, the Senate voted to insist on its former action and asked for a committee of conference.

The motion was agreed to and the Chair appointed as such committee as conference on the part of the Senate, Messrs. Parent, Clark and Eaton.

From the House: An Act to amend Section 3 of Chapter 8 of the Revised Statutes, as amended by Chapter 111 of the Public Laws of 1919, requiring a permit for the burning of brush or slash near wood lands.

The House adopted House Amendment "A" and passed the bill to be engrossed as amended.

On motion by Mr. Folsom of Somerset, under suspension of the rules, the Senate reconsidered the vote whereby this bill was passed to be engrossed.

Mr. EMERSON of Aroostook: Mr. President, I move that we concur with the House in the adoption of House Amendment "A."

The motion was agreed to and on further motion by the same Senator the bill was passed to be engrossed as amended.

From the House:

Majority Report of the committee on Judiciary, reporting "ought to pass" on Bill "An Act to reenact Section 24 of Chapter 69 of the Revised Statutes relating to when on succession tax shall be assessed on stocks, bonds and evidences of debt of Maine corporations."

Report was signed by the following members:

Messrs. PARENT of Androscoggin,
—of the Senate.

MURCHIE of Calais,
HINCKLEY of So. Portland,
GARDINER of Gardiner,
BUZZELL of Belfast,
COLE of Eliot,
WING of Auburn,
MAHER of Augusta,
—of the House.

Minority Report of the same committee reporting "ought not to pass" on the same bill.

Report was signed by the following member:

Messrs. GILLIN of Penobscot,
—of the Senate.

Mr. THOMBS of Penobscot: Mr. President, in the absence of Senator Gillin, I move that the matter lie on the table.

From the House: Majority and Minority Report of the committee on Public Health, on An Act to prevent the marriage of persons having syphilis. The majority report, ought to pass in new draft; minority report, ought not to pass.

Mr. FOLSOM of Somerset: Mr. President, I move that the minority report be accepted.

Mr. THOMBS of Penobscot: Mr. President, in order that I may vote intelligently, is the minority report that the bill ought not to pass?

The PRESIDENT: The minority report is that the bill ought not to pass.

Mr. THOMBS: Mr. President, I second the motion.

Mr. SPRAGUE of Piscataquis: Mr. President, I want to know what the vote is. Is this the contagious disease bill?

The PRESIDENT: The new draft is reported by the majority, ought to pass in new draft.

Mr. FARRINGTON of Kennebec: Mr. President, as there are quite a number of senators not in their seats—I am not making the motion to place this on the table on account of being particularly interested one way or the other, but that it may be voted on when the senators are all here, I move that the matter lie on the table. The motion was agreed to.

House Bills in First Reading

H. 404. An Act relating to the wrapping of bread.

H. 408. An Act to require a fee for the registration of milk dealers.

H. 407. Resolve reimbursing plantations because of reduction in the rate of interest paid by the State to plantations on their wild land school funds.

Resolve in favor of the University of Maine. (Tabled on motion by Mr. Thombs of Penobscot).

H. 333. An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to ice fishing in China Lake, including that portion of said lake known as Mud pond, which lake is situated in the town of China and in the town of Vassalboro, in the county of Kennebec.

An Act to amend Section 51 of Chapter 28 of the Revised Statutes, as amended by Chapter 227 of the Public Laws of 1917, relative to trial terms. (On motion by Mr. Thompson of Knox, tabled).

H. 381. An Act to divide the town of Wells and incorporate the town of Ogunquit.

In the House, House Amendment A was adopted and the bill given its second reading and then was indefinitely postponed.

Mr. THOMBS of Penobscot: Mr. President, I move that we non-concur with the House and that we accept the report of the committee.

The motion was agreed to, the bill given its first reading.

Mr. FARRINGTON of Kennebec: Mr. President, did I not understand the Chair to state that House Amendment A was adopted in the House?

The PRESIDENT: There is a House Amendment A which the Chair omitted.

(The secretary read House Amendment A).

Mr. THOMBS: Mr. President, I move that we non-concur with the House in the adoption of House Amendment A.

The motion was agreed to and the second reading of the bill was assigned for tomorrow.

From the House: H. 400. An Act to amend Chapter 238 of the Public Laws of 1919, relative to workman's compensation.

Mr. THOMBS of Penobscot: Mr. President, I would like to inquire if there was an amendment offered in the House?

The PRESIDENT: House Amendment A was adopted in the House.

Mr. THOMBS: Mr. President, I think I can explain in a very few words the purport of the amendment and do away with the reading. The joint committees in going over this matter passed upon several matters, tentatively, and it was discovered after we had made up the draft that the tentative agreement with regard to changing the number of employees which makes the act applicable, was not the final decision of the committee. The bill as reported out, the new draft, carries the number of three employees, which was not the intention and decision of the committee. Their final decision was to leave the law as it is now, making it applicable only when more than five are employed, and that is the purpose of the amendment. So that the amendment now represents the final decision of the committee. I move the adoption of the amendment in concurrence.

The motion was agreed to and the bill as amended was given its first reading.

From the House: An Act to establish game preserves or sanctuaries in the State of Maine.

House Amendment A was adopted in the House.

Mr. FOLSOM of Somerset: Mr. President, I move that we adopt House Amendment A in concurrence.

On motion by Mr. Thombs of Penobscot, the bill was tabled.

House Bills in First Reading (Resumed)

H. 418. Resolve in favor of the Western Maine Sanitorium.

H. 309. An Act to increase the mill tax highway fund and to provide for methods of its application.

H. 415. Resolve appropriating money for the purchase, maintenance and repair of bridges.

H. 416. Resolve amending Section 17 of Article 9 of the Constitution, so as to permit the use of the proceeds of State highway bonds for the construction of State aid highways.

H. 417. An Act to provide for an issue of State highway and bridge bonds.

From the House: The committee of conference on the disagreeing action of the two branches of the Legislature on An Act to increase the bounty on bears in Penobscot and Washington counties, reported that the bill as originally reported by the committee on inland fisheries and game be amended so that the bounty will be ten dollars for each bear killed in the counties of Penobscot and Washington, and that House Amendment A. and Senate Amendment A be rejected, House Amendment B be adopted.

On motion by Mr. Cobb of Kennebec, the report of the committee was accepted.

On motion by Mr. Sprague of Piscataquis, the Senate reconsidered the vote whereby House Amendment A was adopted. And on further motion by the same senator, Senate Amendment A was rejected. On further motion by the same senator, House Amendment B was adopted in concurrence.

The bill was then given its second reading and was passed to be engrossed.

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

Appropriations and Financial Affairs

By Mr. Emerson of Aroostook: Resolve providing for expenses in connection with the funeral of the late Governor Parkhurst.

By Mr. Morrill of Cumberland: Resolve in favor of Louis A. McGowan for services as clerk to the Committee on Mercantile Affairs and Insurance.

By Mr. Emerson of Aroostook: Resolve in favor of the clerk, stenographer and messenger to the Committee on Appropriations and Financial Affairs.

By Mr. Holt of Hancock: Resolve in favor of George T. Hinchliffe for

services as clerk and stenographer of the Committee of Sea and Shore Fisheries.

By Mr. Holt of Hancock: Resolve in favor of Julian K. Croxford for services as clerk and stenographer on the Committee of Public Health.

By Mr. Hall of Franklin: Resolve in favor of Nellie S. Lord for services as clerk and stenographer to the Committee on Pensions.

By Mr. Emery of Washington: Resolve in favor of Carolyn L. Sparks for services rendered to the Committee on Counties.

By Mr. Eaton of Oxford: Resolve in favor of S. D. Lord for services as clerk to the Committee on Towns.

On motion by Mr. Folsom of Somerset, the rules were suspended and that senator presented:

Resolve in favor of the clerk and stenographer to the committee on public utilities.

On further motion by the same senator, the bill was referred to the committee on appropriations and financial affairs.

On motion by Mr. Holt of Hancock, the rules were suspended and that senator presented:

Resolve to provide for the payment of seed lobsters purchased in 1920.

Mr. HOLT: Mr. President, I move that the rules be suspended and that the resolve be given its several readings and passed to be engrossed at this time.

The motion was agreed to and the resolve was given its first and second readings.

Mr. THOMBS of Penobscot: Mr. President and fellow Senators, I do not know as I correctly understand the bill we just acted upon, but it seems to be an appropriate time to mention another which has just been handed to me by a gentleman in the room.

I recall very distinctly, Mr. President, the order adopted whereby public acts, or acts not relating strictly to Legislative work, present-

ed after Monday of this week, should be referred to the next Legislature.

I am at this time confronted with this situation, and I desire to make a motion that the rules be suspended that I may introduce a public Act. I am informed that a condition has just been discovered in sections of the State relating to thieving from the public car lines. The gentlemen who have investigated the matter find that there is no statute upon our books at the present time which enables them to prosecute for such an offense, and he has drafted an Act which he believes would meet the conditions.

Of course it is very evident to you that this Act cannot and will not affect what has already been done, but it is his hope that it may be a deterrent, or if the practice continues that there may be a means of prosecution.

The Act is a very short one Mr. President, and in order that senators may fully understand it I think it will be proper to read it.

"An Act additional to Section 11 of Chapter 38 of the Revised Statutes, relating to the use of fare boxes and fare registers on street cars, and mutilation of coins used in the payment of fares."

(The senator read the Act.)

I need not remind you, fellow senators, that unless this Legislature can take some action upon that bill that two years of more would elapse before the matter could again receive attention. In as much as it is a statute to prevent criminal practices, and that we may have ample opportunity to look it over, if it is received, I think nobody could be aggrieved in any way, and, Mr. President, I renew my motion that the rules be suspended, the Act received, and given its several readings at this time.

The rules were suspended, the Act was received, given its two several readings and passed to be engrossed without reference to a committee.

Bills In First Reading

S. 172: An Act to authorize the State Highway Commission to take

over for construction and maintenance all roads on Indian Township.

S. 173: An Act authorizing Elliottsville Plantation to build and maintain its roads and bridges and to raise money for the same.

S. 174: An Act to amend Section 1 of Chapter 76 and Paragraph 4 of said section of the Revised Statutes relating to the sales of real estate by license of court.

S. 175: An Act for the better protection of Ducks and Geese in the waters of Merrymeeting Bay, in the Counties of Cumberland and Sagadahoc and Tributaries thereof, except Kennebec River, within one mile of the waters of said Merrymeeting Bay.

S. 176: An Act to provide for the removal of property from lands intended to be flowed and the assessment of damages caused thereby, when such property, if flowed, will constitute a menace to persons or property.

S. 177: Resolve in favor of the Public Utilities Commission to take care of expenses provided for under Chapter 117, Section 31, Chapter 55, Section 1 and Chapter 24, Sections 34, 38, of the Revised Statutes.

S. 178: Resolve appropriating money for the retracing and defining of the lines of the public lots.

S. 179: Resolve appropriating money for the purpose of obtaining information in regard to Wild Lands for the purposes of taxation.

S. 180: Resolve in favor of the Superintendent of Public Buildings for salary and wages and for maintenance and improvements.

S. 181: Resolve to purchase five hundred copies of the Public Letters of John Fairfield.

Reports of Committees

Mr. Emerson from the Committee on Appropriations and Financial Affairs, on Resolve for appropriating money for the erection of a Memorial Monument in honor of the Mayflower Pilgrims in Maine, reported that the same be referred to the next Legislature.

The same senator from the same Committee, on Resolve in favor of the

General Knox Chapter, Daughters of the American Revolution, a Corporation organized and existing under the laws of the State of Maine, and located at Thomaston, in said State, reported that the same be referred to the next Legislature.

The same senator from the same Committee, on so much of the Inaugural Address of the Governor as relates to finances and contingent fund with power to report by bill or otherwise, reported that the same be placed on file.

The same senator from the same Committee, on Resolve in favor of the Knox Academy of Arts and Sciences, a corporation organized and existing under the laws of the State of Maine, located in Rockland, in State, reported that the same ought not to pass.

Mr. Putnam from the Committee on Inland Fisheries and Game, on remonstrance of Sydney Wentworth Rev. Howard H. Brown, Robert Cleland and many others against the enactment of a law making Sunday open time for hunting in Kennebec County, reported that the same be placed on file.

Mr. Parent from the Committee on Judiciary, on An Act to provide for the payment by counties of the expenses of State agents in extradition matters, reported that the same ought not to pass.

Mr. Farrington from the Committee on Judiciary on An Act to amend Section 53 of Chapter 64 of the Revised Statutes as amended by Section 5 of Chapter 297 of the Public Laws of 1917 and as further amended by Section I of Chapter 171 of the Public Laws of 1919, relating to the protection of children, (Senate Doc. No. 103), reported that the same ought not to pass.

Mr. Thompson from the Committee on Legal Affairs, on An Act to amend Section 8 of Chapter 13 of the Revised Statutes relating to law libraries, reported that the same ought not to pass.

The same senator from the same Committee, on An Act relating to law libraries and their support (Senate

Doc. No. 40), reported that the same ought not to pass.

Mr. Thombs from the same Committee, on An Act to amend Section 12 of Chapter 4 of the Revised Statutes, relating to the election of town officers, reported that the same ought not to pass.

Mr. THOMBS of Penobscot: Mr. President, out of deference to Senator Baxter who introduced that matter and is not present, I think it will be fair to have this bill lie on the table. I make that motion.

The motion was agreed to.

The same senator from the same Committee, on An Act to amend Section 1 of Chapter 96 of the Revised Statutes, as amended by Chapter 121 of the Public Laws of 1919, relating to the place of recording chattel mortgages made by corporations, reported that the same ought not to pass.

The same senator from the same Committee, on An Act to make appropriations for State construction available until completion of the contract, amending Section 104, Chapter 2, Revised Statutes, reported that the same ought not to pass.

The same senator from the same Committee, on An Act to legalize a vote of the inhabitants of the town of Sangerville, at the annual town meeting on Monday, March 23, A. D. 1920, reported that the same ought not to pass.

Mr. Hall from the Committee on Public Health, and Mr. Folsom from the Committee on Salaries and Fees, on An Act to authorize the Commissioner of Public Health to employ a registered physician to reside and practice his profession on certain inhabited islands along the Coast of Maine, reported that the same ought not to pass.

Mr. Folsom from the Committee on Salaries and Fees, on An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relative to the compensation of steamboat inspectors, reported that the same ought not to pass.

The same senator from the same Committee, on An Act to amend Section 18, of Chapter 118 of the Revised

Statutes, relating to fees payable to registers of deeds, reported that the same ought not to pass.

The same senator from the same Committee, on An Act to increase fees payable to Registers of Deeds in the various counties of the State, reported that the same ought not to pass.

The same senator from the same Committee, on An Act to increase the salary of the Register of Deeds for Knox County, reported that the same ought not to pass.

The same senator from the same Committee, on An Act to amend Section 44 of Chapter 117 of the Revised Statutes as amended by Chapters 214 and 260 of the Public Laws of 1919, increasing the salary of the Treasurer of Androscoggin County, reported that the same ought not to pass. (On motion by Mr. Parent of Androscoggin, tabled.)

The same Senator, from the same committee, on An Act to amend Chapter 67, Section 39 of the Revised Statutes relating to fees of Registers of Probate, reported that the same ought not to pass.

The same Senator, from the same committee, on An Act to amend Section 41 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 of the Public Laws of 1919, increasing the salary of the sheriff of Androscoggin county, reported that the same ought not to pass.

The same Senator, from the same committee, on An Act to amend Section 20 of Chapter 117 of the Revised Statutes as amended by Chapter 179 of the Public Laws of 1917 and by Chapter 147 of the Public Laws of 1919, relating to the salary of the State Superintendent of Public Schools (House Doc. No. 32), reported that the same ought not to pass. (On motion by Mr. Allen of York, tabled pending acceptance of the report.)

Mr. Stevens from the committee on Sea and Shore Fisheries, on An Act to license fishermen in tidal waters, reported that the same ought not to pass.

Mr. Clement from the same committee, on Resolve in favor of inves-

tigation of methods of canning, curing and propagation of fish by the Sea and Shore Fisheries (Senate Doc. No. 125), reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

Majority report from the committee on Sea and Shore Fisheries, on An Act to regulate the legal length of lobsters in York county, that the same ought not to pass.

(Signed)

HOLT,
CLEMENT,
NEWCOMB,
CRAM,
CARNEY,
HARRIMAN,
BAKER,
CLARKE.

Minority report from the same committee on the same bill that the same ought to pass.

(Signed)

STEVENS,
LUQUES.

Mr. STEVENS of York: Mr. President, I move that the minority report be accepted.

Perhaps if a few facts briefly stated may enlighten some of the members of the Senate who think the majority report ought to be accepted.

I believe it would be beneficial to York county and not be detrimental to the State of Maine. We live up on the coast of York county, and men from New Hampshire and Massachusetts come down there to fish, take the nine inch lobsters and take them to New Hampshire and sell them and get the benefit of the high prices they bring in that state.

We feel that the people of York county, and also the fishermen are entitled to some consideration. The rest of the State through the eastern part of the State, they have had all the State laws and everything they asked for in regard to protecting themselves, financially and otherwise, in the matter of close time, and the places where they shall fish, and a number of other laws that have been beneficial to them down there, even laws enacted so that large boats cannot come on the shore and take fish,

but give the small boats a chance to get the fish.

We all feel that all these laws were enacted—and they were right, because in that section they wanted them, they needed them and they should have them. We feel that York county should have the nine inch law. Very briefly I want to submit to the Senate that every fisherman in York county is in favor of this nine inch law. There are 130 of these fishermen, men born and brought up in that vicinity, men standing well and high in that community, men that have made a success in their vocation.

Every one of these men are in favor of this nine inch law, because they believe it will benefit them financially, and that is what most of us today in business try to bring to the front, that we may be successful.

The fishermen there, some of them, have grown old in the business, and it is not fair to assume if these men thought it was detrimental to the lobster interest that they should want to, as we say, "Kill the goose that lays the golden egg." They are very sincere in their idea and want this nine inch law. And I assume that they know best what they want themselves, and what all the people in York county, I believe want.

We have there in York county, and especially in the coast, from Kittery to Cape Elizabeth, one of the most beautiful summer resorts there is on the coast of Maine. In the Kennebunkport part they have more hotels than any other summer resort in the State, and all as good as there is on the coast any where. All of them are in favor of this nine inch law, because they believe it will be beneficial to them, and the people who come to Kennebunkport to spend their money.

I think Mr. President and gentlemen of the Senate, those are the facts of the case, and I leave it to you to judge. That these men, those in business for years, want this law; and it seems to me for two or three years, and if it does not work out satisfactorily to them, they would come to the Legislature and ask to

have the law repealed, every one of those fishermen.

We respect all those fishermen and know that their word is good, and that they would be themselves a committee of wardens and act without pay to see themselves that none of what we call "snappers" or "bud" lobsters are taken from the waters, and that they would be put back, and there would be splendid lobsters there and it would be better in every way.

The question being on the adoption of the minority report, ought to pass, on the motion of Mr. Stevens of York, a viva voce vote was had and the Chair being in doubt a rising vote was ordered.

Mr. THOMBS of Penobscot: Mr. President, may I interrupt to ask how the committee was divided?

The PRESIDENT: The majority report, ought not to pass, is signed by Senators Holt and Clement and Representatives Harriman, Newcomb, Baker, Clark, Cram and Carney. The minority report, ought to pass, is signed by Senator Stevens and Representative Luques.

Mr. THOMBS: Mr. President and Senators, I would like to vote intelligently upon this matter, and would like to propound this question through the Chair to any senator, whether this is likely in their opinion to affect the fishing conditions generally in the State?

The PRESIDENT: The Chair rules that we are in a division and shall have to proceed with it without further debate.

A rising vote was had and the motion was declared lost.

The PRESIDENT: The Chair desires to know if Senator Thombs desires to make any further remarks?

Mr. THOMBS: No, Mr. President, I simply desired further light.

Mr. HOLT of Hancock: Mr. President, I move the adoption of the majority report.

The motion was agreed to and the motion accepted.

Mr. GILLIN of Penobscot: Mr. President, yesterday when the Sen-

ate adjourned I understood distinctly that we adjourned until ten o'clock this morning, not nine. I find that some of the other senators agree with me that that was the adjournment. Why I speak of it, Mr. President, is this, there are or have been some important measures come in here in which I have interests and I wish to be here at the proper time.

Through the Chair I will ask Senator Farrington if the two acts, the non-par value act, and succession act have come in?

Mr. FARRINGTON of Kennebec: I will reply through the Chair that both matters were tabled on motion of Senator Thombs in behalf of his Brother Senator.

The PRESIDENT: The Chair will state that also the matter in regard to the University of Maine was tabled on motion by Senator Thombs.

Mr. GILLIN: Mr. President, am I right in regard to the adjournment hour?

The PRESIDENT: The official reporter will state the hour of adjournment.

(The official reporter stated to the Chair that the adjournment hour was nine o'clock.)

Mr. Emerson from the Committee on Appropriations and Financial Affairs, on Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance and education thereof, reported the same in a new draft under the same title, and that it ought to pass.

The same senator from the same Committee, on Resolve making appropriations for the Passamaquoddy Tribe of Indians for the half year from January 1, 1921, June 30, 1921 and for the years July 1, 1921 to June 30, 1923, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Thompson from the Committee on Claims, Resolve in favor of the Emery-Waterhouse Company of Portland, Maine, for material furnished for the construction of the central school building for the State School for Girls at Hallowell, reported the same in a new draft un-

der title of "An Act to authorize the Emery-Waterhouse Company at Portland to bring suit in the name of the State of Maine against Alfred Hanson and Son and the Massachusetts Bonding and Insurance Company," and that it ought to pass. (Tabled on motion by Mr. Farrington of Kennebec.)

Mr. Putnam from the Committee on Inland Fisheries and Game, Resolve appropriating money for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of the Commissioner of Inland Fisheries and Game, and other expenses incident to the administration of the Department of Inland Fisheries and Game, reported the same in a new draft under the same title, and that it ought to pass.

The same senator from the same Committee, An Act to amend Section 19 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of white perch in East and North Ponds of the Belgrade Chain of Lakes, in Somerset County and in Kennebec County, reported the same in a new draft under title of "An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to the protection of white perch in East pond and in North pond of the Belgrade Chain of Lakes, so-called, in Kennebec County and in Somerset County," and that it ought to pass.

Mr. Farrington from the Committee on Judiciary, on An Act to amend Section 5 of Chapter 128 of the Revised Statutes, relating to removal or concealment of mortgaged or attached personal property, reported the same in a new draft under the same title and that it ought to pass.

Mr. Thombs from the Committee on Legal Affairs, on An Act to amend Sections 1 and 7 of Chapter 101 of the Revised Statutes, relating to the rev Levin of distrained beasts, reported that the same ought to pass.

Mr. Folsom from the Committee on Salaries and Fees, on An Act to amend Section 11 of Chapter 260 of

the Public Laws of 1917, increasing the salary of the stenographer of the Androscoggin Superior Court, reported that the same ought to pass.

The same senator from the same Committee, on An Act to amend Section 1 of Chapter 109 of the Private and Special Laws of 1919, relating to the salary of the judge of the Bath Municipal Court, reported the same in a new draft under the same title, and that it ought to pass.

The same senator from the same Committee, on An Act to amend Chapter 293 of the Public Laws of 1917 relating to the per diem of the wardens, reported that the same ought to pass.

The same senator from the same Committee, on An Act to amend the charter of the Northern Cumberland Municipal Court, reported that the same ought to pass.

The same senator from the same Committee, on An Act to amend Section 27 of Chapter 117 of the Revised Statutes relating to the salary of the superintendent of public buildings, reported the same in a new draft under the same title, and that it ought to pass.

The same senator from the same Committee on An Act to amend Section 16 of Chapter 117 of the Revised Statutes as amended by Chapter 196 of the Public Laws of 1917 to increase the salary of the State treasurer, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Clement from the Committee on Sea and Shore Fisheries on An Act to amend Section 121 of Chapter 4 of the Revised Statutes relating to application for license to build or extend wharves and fish weirs, reported the same in a new draft under title of An Act to amend Section 121 of Chapter 4 of the Revised Statutes relating to application for license to build or extend fish weirs, and that it ought to pass.

Mr. Babb from the Committee on Public Buildings and Grounds, on Resolve for maintenance and improvement of State Park, reported the same in a new draft under title of

"Resolve for maintenance and improvement of the State Park in Augusta," and that it ought to pass.

The following committees submitted their final reports:

Claims.
Pensions.
Public Health.
Sea and Shore Fisheries.
State Prison.

Passed to Be Engrossed

H. 406. An Act to increase the amount paid by the State for cattle condemned under the provisions of Sections three and nine of the Revised Statutes.

(Tabled on motion by Mr. Hall of Franklin, pending passage.)

H. 410. An Act to regulate the use of motor driven vehicles on highways.

Mr. Gillin of Penobscot offered the following amendment and moved its adoption:

Senate Amendment "A" to House Document No. 410 entitled "An Act to regulate the use of motor driven and animal drawn vehicles on highways."

Amend said bill by striking out all of sections one and two and inserting in place thereof the following:

Sect. 1. The municipal officers of cities and towns are hereby authorized to promulgate such reasonable rules and regulations as in their judgment may be necessary to insure proper use and prevent the abuse of State and State-aid highways by motor driven and animal drawn vehicles during such season of the year as said highways require such special protection. Rules and regulations so promulgated shall be filed with the clerk of each town, city and plantation effected thereby, and such municipal officers shall cause attested copies of the same to be posted in as many public places in their respective municipalities as may be required. Such rules and regulations shall also be published one or more times in such papers as the municipal officers may determine.

Sect. 2. Any person violating any rule or regulation laid down by said municipal officers under the provisions of Section 1 of this act, and thereby causing any damage to State or State-aid highway, or town way shall be fined not exceeding one hundred dollars for each offense and in addition thereto shall be liable to the State or town for all damages occasioned thereby, to be recovered by an action on the case, prosecuted by said municipal officers in the name of the city or town. All sums so recovered as damages shall be credited to the fund for maintenance of State or State-aid highways as the case may be.

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

H. 411. An Act amending Section 12 of Chapter 36 of the Revised Statutes, relating to the sale of clams, oysters and scallops.

S. 169: An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, relating to exemption from taxation of the estates of War Veterans.

S. 170: Resolve appropriating money to aid in the screening of certain lakes and ponds.

S. 171: Resolve authorizing the payment of certain deficiencies.

(On motion by Mr. Thompson of Knox, tabled pending passage to be engrossed.)

H. 305: Resolve appointing a committee of investigation to procure plans and estimates for a State Library Building.

H. 308: An Act to repeal the law requiring an annual appropriation of the sum of \$300,000 for State Aid Construction.

H. 405: An Act to increase the annual appropriation for scientific investigation in animal husbandry.

Passed to Be Enacted

An Act to amend Section 85 of Chapter 2 of the Revised Statutes, as amended by Chapter 226 of the

Public Laws of 1917, relating to the State Contingent Fund.

An Act to authorize the proprietors of Portsmouth Bridge to discontinue the public use of its bridges and to sell its property and franchises to, and merge the same with the Boston and Maine Railroad.

An Act to amend Section 1 of Chapter 85, of the Private and Special Laws of 1915, as amended by Section 1 of Chapter 181 of the Private and Special Laws of 1917, relating to better protection of lobsters within certain waters adjacent to Hancock County.

An Act to provide for the acceptance of the benefits of An Act by the Senate and House of Representatives of Congress assembled, entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry and otherwise and their return to civil employment" and to provide for the administration of the same.

An Act to amend Section 10 of Chapter 128 of the Revised Statutes, relating to the unauthorized use of insignia of war veterans.

An Act to amend Sections 2 and 3 of Chapter 264 of the Public Laws of 1919, extending the provisions for applicants for the Soldiers' Bonus.

An Act to incorporate the Ashland Electric Light and Power Company.

Finally Passed

Resolve to reimburse the town of Southport for the expenses of the sickness and burial of Lydia A. Rowe.

Resolve to increase the pension granted to Harmon Varrell of York.

Resolve reimbursing the town of Oakland for money expended on account of mothers with dependent children.

Resolve to reimburse the town of Mapleton.

Resolve in favor of C. K. Hopkins of Camden, Maine, for labor performed at Camden Fish Hatchery.

Resolve in favor of the town of Hartland or aid rendered to mother with dependent children.

Resolve in favor of J. Wilbur Day,

of Wesley, County of Washington, for reimbursement for cattle killed by bears.

Resolve to reimburse the town of Rumford for aid furnished dependents of soldiers.

Resolve to reimburse the town of Dixfield for money paid for sheep killed by bears.

Resolve appropriating money for further public instruction in forestry.

Passed to Be Enacted (Emergency Measure)

An Act to ratify, confirm and make legal and valid certain acts of the Camden Village Corporation and of the town of Camden and to dissolve the Camden Village Corporation.

This bill carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-seven senators voted in the affirmative and none in the negative, the bill was passed to be enacted.

Orders of the Day

Mr. SPRAGUE of Piscataquis: Mr. President, I move that the resolve to purchase the Bar Association Centennial reports be recalled from the Governor.

The motion was agreed to, and on further motion by the same senator the resolve was tabled.

Hr. THOMBS of Penobscot: I move we take from the table resolve in relation to the University of Maine, tabled by me this morning.

The motion was agreed to.

The PRESIDENT: The Chair will state that the resolve comes before the Senate in the form of a new draft, with House Amendment "A." The report is that the same ought to pass in new draft.

Mr. THOMBS: Mr. President, I yield to my colleague, Senator Gillin.

Mr. GILLIN of Penobscot: Mr. President, I move that the Senate concur with the House and that the report of the committee, ought to pass in new draft, be accepted.

The motion was agreed to, and on further motion by the same senator

House Amendment "A" was adopted in concurrence, and under suspension of the rules the resolve as amended was read the second time and passed to be engrossed.

Mr. GILLIN of Penobscot: Mr. President, as my colleague is not sure about laying on the table H. D. No. 70, I would like to be sure it is on the table.

The PRESIDENT: The secretary informs the Chair that the papers are not yet in the possession of the Senate.

Mr. GILLIN: Mr. President, I was informed that these were tabled by Senator Thombs. H. D. 70 is An Act to amend Chapter 51 of the Revised Statutes as amended by Chapter 144 of the Public Laws of 1919, relating to the formation of corporations having stock without par value. And also H. D. 73—

The PRESIDENT: The secretary informs the Chair that the document tabled by the senator was H. D. 73, An Act to re-enact Section 24 of Chapter 69 of the Revised Statutes, relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine corporations. That was tabled by Senator Thombs. H. D. 70 is not in the possession of the Senate.

Mr. THOMPSON of Knox: Mr. President, I move we take from the table H. D. 327, An Act relating to life insurance for minors.

The motion was agreed to.

Mr. THOMPSON: Mr. President, there is a word left out so that a sentence is incomplete.

The PRESIDENT: Will the senator prepare an amendment.

On motion by Mr. Thombs of Penobscot, the bill was tabled.

Mr. FOLSOM of Somerset: Mr. President, I move we take from the table H. D. 260, Resolve in favor of Andrew H. Morong of Portland.

The motion was agreed to.

Mr. FOLSOM: Mr. President, may I inquire the amount appropriated under this resolve?

The PRESIDENT: \$106.60.

On motion by Mr. Folsom the resolve was passed to be engrossed.

Mr. FARRINGTON of Kennebec: Mr. President, I move we take from the table H. D. 268, Resolve in favor of the town of Milo.

The motion was agreed to.

Mr. FARRINGTON: Mr. President, I have no further motion to make.

The PRESIDENT: The pending question is the adoption of Senate Amendment "A."

Mr. SPRAGUE of Piscataquis: Mr. President, that amendment is just what?

The PRESIDENT: The Chair will read the amendment: "Strike out everything after the title and insert in place thereof the following: 'Resolve that there be paid to the town of Milo from the 1921 appropriation for aid to mothers with dependent children the sum of \$18, reimbursing said town for money paid to Mrs. Charlotte Cochrane.'"

Mr. SPRAGUE: Mr. President, what was the original resolve?

The PRESIDENT: The original resolve was \$18.

Mr. SPRAGUE: I have no objection to the adoption of the amendment. It does not change the amount, as I understand it. I had the impression, Mr. President, that the original resolve was \$36, and that this resolve cut it down to \$18.

Senate Amendment "A" was adopted by a viva voce vote, and the resolve as amended was passed to be engrossed.

Mr. FARRINGTON of Kennebec: Mr. President, I move we take from the table H. D. 324, An Act to require the filing with the town and city clerks of clean bills of health by persons filing certificates on intention of marriage.

The PRESIDENT: There are two reports on this matter.

Mr. THOMBS of Penobscot: Mr. President, I think this matter is allied to a previous matter on which the Senate is acting, and in which

matter the Senator from Sagadahoc, Senator Baxter, was somewhat active. I note his absence this morning and in view of that fact I ask that the matter lie on the table.

(Senator Farrington withdrew his motion.)

Mr. THOMBS of Penobscot: Mr. President, in order that we may utilize the time this morning and make some progress in the matters upon the table, I move that we take from the table H. D. 125, Resolve for purchasing History of Grand Lake Stream.

The motion was agreed to.

Mr. THOMBS: Mr. President, I move that the matter be indefinitely postponed.

Mr. SPRAGUE: Mr. President, I do not care to have any extended discussion, go into any general debate about this little matter. The amount is very small. I have examined that book and it is a worthy book. It is a valuable item of the history of Maine so far as its history of towns is concerned; it is a work of value. It is only a plantation, to be sure, but settlement has been there, as I remember, nearly a hundred years. The early settlers there go back to the days of the Indians in that region, more than a hundred years ago. It is written in a most delightful style, and the object is a good one and a worthy one. Resolves such as this, stating that the State Library shall have authority to purchase \$100, \$200, \$300 worth, whatever it may be, is simply this when you get right down to practical facts; it is buying of that publisher, that author something for the State to use instead of money, and just as good as money to them, to the State and to the State Library. At the same time it encourages that kind of work. That is all there is of this proposition. But my chief objection to doing this at this time is the precedent that it establishes and the record that we make as a State.

I have in my pocket, I think, and I want for a moment to call your attention to how far behind the State of Maine is in regard to this kind of

work. Two years ago I looked up—I went into the State Library and I investigated very carefully what other New England States were doing along this line. Now, for instance, in 1917 the Legislature of Maine struck a paralyzing blow at everything of this kind and if we pursue such a policy as that our record will be as dark as the shades of night in regard to the encouragement of anything on the literary or historical line in the State of Maine. Now at that session of the Legislature \$1500 was appropriated by the Legislature of New Hampshire to repair the birthplace of Daniel Webster, and \$15,000 was raised for a statue to Franklin Pierce. Maine has never had a President of the Union but she did have a vice president with the immortal Lincoln. Has any one ever heard any suggestion that Maine should raise \$15,000 or any other sum for a statue to Hannibal Hamlin? And yet you would resent it, and justly so, every one of you, if I should intimate that Maine people are not as patriotic as those of New Hampshire. If, however, a true history of the advancement of freedom and human rights in America were written, would not Hannibal Hamlin of Maine merit a higher and nobler place in its pages than President Pierce? I believe that as a matter of history, as a matter of the history of the country. New Hampshire has published 33 volumes of State papers and 13 volumes of a series composed wholly of town historical papers, town reports, documents, etc. The Commonwealth of Massachusetts stands at the head of the column. I cannot speak with the utmost accuracy but I presume she has the grandest record in this regard of any State with a possible exception of New York.

From the earliest times, from the days of William Bradford to this hour she has regarded everything historical, every record of state, county, town or hamlet, as sacred and has religiously preserved it all at untold expense. In the early days of the 19th century she pursued a policy of encouraging newspaper, journalistic, historical and literary work by rendering state

aid to all and everything published within her borders. In 1840 the general roll of accounts of the General Court disclose appropriations for subscriptions and advertising by the State to about 80 newspapers and magazines. Back in 1840 the State of Massachusetts did that. That year the Bay State Democrat was paid \$517.95 and the Abolitionist \$6.81. Nathaniel Willis received \$12.87 for the Youth's Companion, and even one paper then called an Atheist Organ received \$3.90, which was offset by paying Zion's Herald \$27.60.

I simply refer to that as an illustration of what other states are doing along this line. I could give you a long list of other facts. Do we want to be in line with other New England States, proud of our share of New England history? It is older than much of the history of any other part of New England. It is older than the history of Virginia, because it was in 1604, down here in Passamaquoddy Bay, on the island of St. Croix, that the first settlement on American soil was made, led by DeMonts and Champlain, so our history antedates that of the Jamestown settlement. We should be proud of it, and not make a record that we should be ashamed of, and our descendants ashamed of in a few years from now, by defeating for such a small amount as that a book relating to the history of Maine, which goes back at least 100 years or a little more in regard to its early settlers.

And let me say to you that those early settlers in the State of Maine, the first men that felled the first trees where Senator Thombs resides today, the first men who came down from Massachusetts and founded the town of Monson where the honorable Senator was born—those men in their little cabins, clearing up the land here in the State of Maine—in what is now the State of Maine—they are the ones who worked out the problem before the whole civilized world, they in harmony with others in all the other colonies worked out the problem and satisfied the world that man was capable of self-government. Now do you say that because

somebody puts their time in and gets no pay for it whatever, an absolute work of love, do you say that the State of Maine is mean enough, do you say the State of Maine is so poor, that we are so engulfed in this wave of economy that is sweeping along psychologically, do you say that we are in that condition that we have got to make a record of turning down such a little resolve as this? I hope and pray—if prayer is the sincere desire of the soul, I pray with all the power of my soul if I have got one,—that you will not do, what I consider such a disgraceful thing as that.

Mr. MORRILL of Cumberland: Mr. President, I want to ask Senator Sprague if this calls for about \$302?

The PRESIDENT: May the Chair reply that the sum is \$312.50 for the purchase of 125 copies of the History of Grand Lake Stream by Minnie Atkinson, at a cost of \$2.50 a copy, the same to be distributed to libraries and schools or elsewhere at the discretion of the State Librarian.

Mr. MORRILL: That would amount to a little more than \$300?

The PRESIDENT: \$312.50.

Mr. MORRILL: That is my sentiment, but when you take the sentiment out of life there is not much left, there is not much worth living for. As a matter of history is an interesting thing and we ought to be interested in the history of this State, even though it only covers a small part, when it is all put together from time to time it is an interesting document to look over and peruse at our leisure. Taking the sentiment part of it, and the historical part of it, and the small amount of money which it calls for, I should have to be in favor of it.

Mr. SPRAGUE: Mr. President, I just want to explain. I do not know but what I did but I may have overlooked it—that these books which the State Library is authorized to purchase are used in exchange for other books of a similar nature of great historical value, statistical value and all that, from other States and from other libraries, and they

are just as good as so much money because by sending one to that other State and getting one in return he gets books that he would otherwise purchase in order to keep up the proper historical record of states here in our State Library. He would have to use the money. So that the State absolutely loses nothing.

Mr. THOMBS: Mr. President and Senators, I want to beg your indulgence for a few moments this morning, and I am going to offer as an excuse for taking up your time the fact that as one of the members of this Senate I believe that it is my duty to call to the attention of my fellow Senators such matters as I have any knowledge of upon which we are called to act. In the multitude of bills that pass through this Senate and with the work that is put upon the shoulders of all of us, there is scant time for any one or even all collectively to get a comprehensive grasp upon the work which we are doing here. But I want to remind you, Senators, that the work that we are doing here is a matter of record; it is all-enduring so far as human things are all-enduring, and in the time to come this Legislature and the individuals that compose it will be called to account by their masters, the sovereign people of the State of Maine. It is only within a few days that there has appeared in the press of this State a most remarkable criticism of a Legislature of bygone days, aye, it goes back so far that I probably was not born at that time, so that it shows you clearly that time does not erase the acts of any Legislature.

I go just as far, gentlemen of the Senate, as the Senator from Piscataquis—and I honor for him his knowledge and interest in history—I go just as far as he in the matter of pride in Maine's history—I go with him in his desire to perpetuate its history—I will go just as far as he, so far as my means permit, in a day when the people of the State of Maine shall desire to honor the great Hamlin or any other Maine celebrity. Let me repeat, my purpose is not entirely one of criticism, but is simply

a desire to lay before you some of the facts incident to this matter, and without any personal feeling of my own whatever, and allowing you to judge the merits of the proposition, in view of the fact that your doings are a matter of record and you may be criticised or blamed as your acts here merit criticism or praise.

My attention was called to this particular matter, because this little plantation is not far from my home town. I have visited the scene. I have spent many pleasant hours there, enjoying the pastime of fishing, and its fishing is wonderful I say to you, and if there is any gentleman in this Senate who this summer desires to spend a vacation in a beautiful spot in Maine where he may enjoy with great success fishing, I certainly can recommend this plantation. But, knowing it as I do, I wondered, when I saw this resolve, what there was in this plantation, or what memorable events had occurred there that should cause its history to be written, and that history be sufficiently important so that the State of Maine should be advised by buy 125 copies. In my visits there nothing had ever been called to my attention either in conversation or with respect to the natural scenery that would indicate to me that there was any particular reason for choosing to chronicle the history of this town over that of the five hundred and odd other towns in the State of Maine.

So it was with some interest that I made some slight examination of the matter and want to give you the result thereof. I want to read from that reliable little book called the Maine Register for the years 1920 and 1921, what it has to say about this plantation. It is located fifty-seven miles northwest of Machias. Terminus of stage line from Princeton on the Maine Central Railroad; also terminus of steamboat lines through Lewey, Long and Big Lakes to Princeton; through Grand and Pocomamsus Lakes to Sysladobsis Lake Stream. Organized February 11, 1897. Population—1890, 404; 1900, 221; valuation in 1910, \$111,637. There isn't anything, I submit, gentlemen, in

this report from which I have read and which is so reliable that would indicate to any one the occasion for making up and preserving its history.

But I do not care to test it alone from the fact that it is small and insignificant, because from even smaller and more insignificant places events have transpired and human beings have come into being that have made history in these United States of America, and their records and the history of those places have been preserved as they well deserved.

Referring to the history itself, I hold in my hand a copy thereof. It consists of 122 pages, 12 of which are illustrations, making about 100 pages of written matter. And right here, gentlemen of the Senate, I want to digress just a moment and pay a sincere compliment to the Senator from Piscataquis county for his knowledge of the history of Maine and for his very evident desire and labor in collecting and preserving it in the very valuable little historical volumes of which he is the editor and author of a good portion of them.

I know his interest in the matter, and I believe he is doing a very valuable work for the State of Maine. Many of you, I hope all of you know his volume, and to those of you who know it I want to call your attention that on the front page of that volume there appear these words, true, gentlemen, true—"History is the truth, ever impartial, never prejudiced," and it is by those words that I am going to ask you—not perhaps to judge of the merits of this work but to put yourself in a position, with some facts, as to whether you desire to be recorded as believing that it measures up to the standard which the gentleman himself sets forth.

In the first place I want to call your attention to the fact that the history is written by a lady who is a resident of Massachusetts. So far as I am able to learn from the volume she is only a summer visitor, having come to Maine within the last few years and living with a relative of hers who has a summer camp within the limits of this plantation. I do not say this to prejudice you at all

with respect to the merit of the work, because if it has merit it matters not by whom it is published, whether the author be from Massachusetts or from Maine. In the acknowledgment and foreword, which is the opening printed word in the volume—I will not take the time to read it all—I will read only portions from the work, and you will understand when I am reading them that they are portions only—in the acknowledgment and foreword that she writes she acknowledges her indebtedness for information to a long list of Maine and Massachusetts residents, she acknowledges her indebtedness to the State department in Massachusetts, to the State department in Maine and to some of the wild land owners who own the greater portion of this township.

Further along she says this, and remember, gentlemen, this is a matter of history, and I am only calling it to your attention and asking that it be judged by the standard of the gentleman who heads the library committee. "Information has been gathered from many sources in addition to those mentioned. It has often come from chance conversations and from desultory reading. It would be impossible to trace all its sources, but an earnest effort has been made to weave it all into a true story of Hinckley Township"—and when in my reading it reads Hinckley township you will remember, please, that it refers to what is now called Grand Lake Stream Plantation. "To the people of Grand Lake Stream who have patiently told me their unwritten annals, I wish to say that my best hope of the history is that it will express somewhat of the deep regard I have for them, and perhaps in some measure repay their trouble in its behalf. I am conscious that it will fall short of expectations. Despite vigilance there will be almost certainly inaccuracies and omissions. It is with many misgivings that it is at length sent to the printer."

On page 5 she is describing something of the early settlers, and she very properly, in foot-notes, under as-

terisks, acknowledges that she has taken her information from the *Historical Magazine* of July, 1869, and the further acknowledgment that this information pertaining to Colonel John Allan and the Indians is nearly all taken from a book compiled from the journals and letters of Col. Allan by Frederick Kidder, called *Military Operations in Eastern Maine and Nova Scotia during the Revolution*, published 1867.

I mention that, gentlemen, because there occurs throughout this entire work such acknowledgments as that, thereby conveying to me the impression that this lady has drawn to a considerable extent upon extant historical works which are as available to the librarian of the State of Maine and the people of the State of Maine as they were to her.

On page 6, and let me again remind you that history is the truth, she makes reference to a grave in that plantation where she says there is a soldier buried. It is unknown and unmarked. She says that it is likely that it is the grave of a British soldier. It may be, however, she says, the grave of a soldier or an Indian engaged with the British forces coming from across the St. Croix river. And right there, let me tell you, if you please, that she has incorporated in this work in its concluding pages, a simple little poem written by a gentleman of Fairfield, Maine, in which he draws the picture of this unknown grave and its unknown occupant, and declares for a certainty that it is a British soldier. Why, gentlemen, perhaps it is a slight inconsistency, but you have been assured that this historical work is going to bear the endorsement of the State Librarian of Maine and is going to be exchanged for works of well known and admitted value.

I suppose a true history should not be criticized because it descends and chronicles what seems to us matters of small consequence. On page 17 of this work she goes on to state about the house, or the cabin, I think, of the first settler, the first cabin built in the township, and she says, going on

and describing the cabin, "the cabin in time became overfull of children, William, David, Jane, Stephen, Lewis and Sarah were born here, and were the first white natives of Hinkley. A frame house was eventually built near the cabin. It was a small shingled structure, and two or three small rooms were added to it at later times. There was a big stone fireplace in the main room where the cooking was done. This also furnished the only warmth in winter." Gentlemen, that was true of hundreds and thousands of the first built cabins in the State of Maine, but more wonderful than anything else she has written this sentence, and she, or at least the committee on library, ask you and me to spend the State of Maine's money to preserve it as a matter of history, this sentiment, this sentence, gentlemen, "After the family moved into this new house the old cabin was used for a pig pen."

On page 18 she is speaking of one of the earlier settlers by the surname of Cass, who became known as "the general" and his wife as "Aunt Nellie." "The latter was well liked by the neighbors, woodsmen and Indians, but the former was often cross-grained and everybody in the region, save Samuel Yates, was afraid of him. Strangely enough, the General stood in awe of Samuel Yates. David Cass weighed, say those who remember him, over 380 pounds. He was very tall and of a large powerful frame. Mrs. Cass was very small. She never weighed more than 105 pounds." Now gentlemen, it isn't strange to me at all why all of the people in the vicinity of this man, giant, Cass, weighing 380 and over, stood in awe of him. But it is strange, and it is not explained so far as I can understand in this volume why Mr. Yates was not afraid.

And there are many stories told of the General Cass. Why, it is recorded here, and I suppose we must take it as a matter of truth, he was so strong that he could lift a heavy bateau to his shoulders as easily as an Indian could lift a canoe. He had a special enmity for Indians and successfully terrorized them.

And no wonder! Another story relating to him, chronicled as a matter of history, and you are asked to accept it as the truth, gentlemen: A yoke of oxen were unable to start a heavy load to which they were chained. But General Cass unyoked them and with his hands twisted and worked at the log until he moved it. Now gentlemen, you have got right there the statement, or the inference I think is fairly to be drawn that this man's strength exceeded the strength of a yoke of oxen. Now I remember some years ago as a small boy I used to drive oxen some, and if there is any gentleman in this Senate who has ever had that experience, he knows they are rather contrary fellows to manage. Sometimes they will pull for you and sometimes they won't. But I would just like to take the worst yoke of oxen that ever I had anything to do with, and when my arm was in condition I would like to put them up against the strength of this man, notwithstanding his 380 pounds, and if I couldn't outpull him then I wouldn't say anything against buying this history. Now without reading the story because she recounts the story of Mr. Cass tipping over a boat in which he and several other men were making a voyage across the lake, she closes that story with these words, "There is some doubt about the authenticity of this interesting incident, but it serves as an illustration of the reputation left behind him." Gentlemen, does that measure up to the standard set by the gentleman himself, that history is the truth?

On page 21 she is describing the games and antics of woodsmen and earlier settlers, and she recalls that it is the tradition that one of the favorite pastimes of these men in their hours of leisure was to catch the nearest dog, and having secured him, to heat a kettle of tar and immerse this canine and then give him his liberty. Gentlemen, a crueler thing was never done to any animal, and I am sorry that there is any record that such a thing could ever have been done in the State of Maine. I

do not want that history to go into the hands of my young friends.

On page 22—I have already reminded you, gentlemen, that General Cass was a large man, and she is telling more about the family and his children. She says "Jane early married Richard Brown and left this township to live in southern New Brunswick where her husband owned a saw-mill. Sarah, usually called Sally, died at about the age of forty unmarried. She was a large woman, although not tall. She was timid and often hid during the visits of hilarious woodsmen. Every member of the family seems to have been carefully weighed and for many years a record of the respective avoirdupois was mentally kept." Now, gentlemen, I am not an adept at figures but when you get above figures of two columns they are pretty hard for me to retain in my mind any length of time. "This record is partly forgotten now, but Sarah is said to have weighed 350 pounds." And, gentlemen, she wasn't very tall.

Now this little Mrs. Cass who only weighed 105, she was one of those who evidently stood somewhat in awe of her giant husband because it is recorded that during the latter part of their married life she unceremoniously left home. And it goes on to say, in speaking of the tale that goes with this disappearance, and the question of what had become of her and her body, she goes on to say: "One evening in the winter when it was cold and clear a light crust had formed over the new snow that covered the ground. Mrs. Brown and several of the children were in the camp." She is referring to a woman who lived on the outskirts of the settlement. "It was very quiet around it. The windows were uncurtained. The family suddenly saw an old woman standing outside a window and looking in upon them. She was very small, not larger than a ten-year-old girl, says Mrs. Brown in describing her, and her face was deeply furrowed. She was so outlandish looking that a panic seized most of the family.

They retreated to the further side of the room. She said nothing, but held up her hand upon which a white rag was tied. She stood for some time looking into the room, an unknown, disheveled woman. At length she went away. When Mr. Brown came home the ground under the window was looked at carefully by the light of a lantern, but there were no tracks discovered upon it. That the thin crust over the snow was not broken seemed to confirm the family's belief that their visitor was supernatural. It certainly proved that she was very small and slight. To suggest that this woman was Mrs. Cass raises a multitude of obvious questions and doubts, and leaves the mystery of her disappearance still unsolved." Gentlemen of this Senate, when this history is read by school boys and school girls, will they not wonder and discuss among themselves those supernatural things that we try to dissuade them from as early in life as possible?

Now I want to read you another sentence. She is describing what is called the Scribner residence and she closes with these words: "The traditions are too vague to accurately determine the time of the Scribner residence here." Does that measure up to the standard of truth that histories ought to carry. She is describing the school attended, one of the earlier schools, and she tells this important tale about the schoolmaster. "One of his former pupils now over 80 years of age remembers being sent out to cut a withe for his own punishment." And gentlemen, if I live to be 80 I shall remember a somewhat similar experience. "He got a good capable one but into the under side of it he cut deeply every few inches. By careful handling it was made to appear intact. The master took it, drew back his arm for an effective blow when the withe fell to pieces. The culprit was standing conveniently stooped before him. The latter was seen to conceal a smile." Gentlemen of the Senate, I do not believe that the school boys today, as fertile as are their brains in concocting schemes to avoid punishment, would ever have thought of so ingenious a method un-

less they should have found it in some history.

There was in this Grand Lake Stream Plantation one of the Shaw tanneries, and I think many of the Senators here, I know the Senator from Southern Aroostook remembers those tanneries probably, or at least their history, and I want to say to you, gentlemen, in all seriousness that she gives what I believe a very accurate and rather entertaining history of the Shaw tanning interests in the State of Maine.

But, gentlemen, I have only to remind you that in the town of Lincoln there are the ruins today of one of those Shaw tanneries, and so far as I know no one is engaged in writing the history of Lincoln. In the town of Winn, 12 miles above, there are the ruins of one of those tanneries, and there stands today a great brick chimney inhabited only by swallows, and no one has deemed it of sufficient importance to write the history of that town or to incorporate it in any history so far as I know. There is in the town of Medway the ruins of a gigantic tannery that was managed by the Shaws. It has gone as have all tanneries in the State of Maine. There is in the town of Kingman the ruins of one of those tanneries, and so far as I know no one is writing up their history.

She speaks about the medical attention or lack of medical attention that it was possible for the inhabitants of this plantation to have. She says: "When a physician came to Princeton to reside conditions were a little but not much better. Most of the women were more or less expert in attending the sick and prescribing remedies. At length it was discovered that one of the workers in the beam room showed especial skill in looking after the sick and wounded in the tannery. His help came to be asked in many cases of sickness. Suspicions were aroused by the expertness which he showed, and he finally admitted that he had been a surgeon in the English Navy and was a graduate of Glasgow University * * * After his qualifications were discovered he

had a great many patients, not only here, but in the nearby places of Waite, Topsfield and Princeton. He was provided with a horse and buggy for convenience in visiting these places. * * * Nevertheless after two years of reformation he again fell into his unfortunate habits, and very soon left the village. Mrs. Robert Armstrong, sister of Mrs. Edward McCartney, living under the favorite dance hall was said to be able to stop the flow of blood by the exercise of mystic charms."

On the 11th day of May, in 1887 the tannery building was burned, and describing this fire she makes this observation: "The wind was from the northwest and blew the flames away from the northern group of buildings so that they were not destroyed. The tannery fire department consisted of pumps and hose and was inadequate to cope with such a conflagration. The wind was so strong that the ice in the lake, still a foot and a half thick, was broken and driven to the foot of the lake." Gentlemen of this Senate, I submit, some gale!

I will not weary you with a repetition of such matters as that inasmuch as they run through the volume. I want to say right here, gentlemen, that she has a few pages devoted to the history of the boys of that plantation who went into the World War, and if there were no other permanent record of those boys and their part in the war, and one she says did not come back,—if there were no other record than this, I would not say a word of protest or deign to call to your attention this matter.

She goes on,—clear through to the 122nd page I could call to your attention matters similar to these that I have already referred to. I think perhaps I have taken time enough to lay this matter before you, not with the idea of being disrespectful to this woman because that is far from my mind, not with the idea of being disrespectful to the committee on library because I have the greatest respect for them, but my one excuse for taking up the time this morning, gentlemen, is what I stated in the beginning, that my attention was called

to this matter because it is in my part of the State.

I have visited there many times and I hope to go many times yet. But I want to call your attention as I said in the beginning, just exactly the character of the work that we are asked to put in our State library and to put into the public libraries in the towns and cities and villages in the State of Maine, to be read by the young and by the old. You are asked to purchase here that the librarian may have copies to send into other states in exchange for their historical works. Gentlemen of the Senate, do you want to go on record as favoring the purchase of a work of that kind for the purposes indicated? If you do, it is immaterial to me. The gentlemen this morning say that \$312 is not much. So far as the statement goes, that is true. But the State of Maine in its library of which it has reason to be proud, I believe should be careful of the kind of work that it takes in and recommends to the public. If you and I went into the library and asked for a history and took it home and put it into the hands of our children without having perused it ourselves, do you not feel that we ought to feel that we were justified in believing that it contained those things that are the truth, the history, that its perusal would only be for the good of the peruser? Gentlemen, I believe that we have a right to expect that of those volumes that we take from the shelves of our library. And again I say to you, that I am calling this matter to your attention not to try to ridicule it in any way but simply because I believe that it is a part of my duty if I have information that I think is not available to other members of this Senate, I think it is a part of my duty to acquaint you with the facts so far as they are in my possession.

Mr. SPRAGUE: Mr. President, the honorable senator from Penobscot has made such a long, tedious and studied attempt to prove that he is a humorist and has a brand of satire such as the world never discovered and never heard of before by assailing and belittling and attempting with his new

brand of satire to cast reflection upon the library committee, that I hope the Senate will pardon me for saying just a very few words in reply. I want to say this, that no man can ever go to work and sit down in his room, or his office, and map out for himself a course to pursue in humor and in wit, he cannot study out how to be witty. It is impossible. It is not within the possibilities of the human mind or a human soul to make himself a wit and a humorist. It is impossible. It must be natural. It must bubble out. Just exactly as a man is born an orator or a poet or a great inventor in the field of science. He must inherit it. It must be natural to him. So that is all I have to say about that.

I regret that any member of this Senate should go so far out of his way to belittle and to deride the work of a committee of this Legislature as he has done in this case regarding the committee on library. Now I want to ask you this question: Do you know, do you understand what the eight or nine or ten hundred histories, town histories which have been published on different towns and hamlets and places small and large, do you know what they are? Did you ever look through the pages of one of them? Do you know that they cannot be history or historical works that will compare with that of a Macaulay, or a Gibbon, or a Parkman? Do you know that?

Do you know that the history of the smallest settlement in the State of Maine, or the largest one if you go back to its very earliest dawning, its beginning, and follow it down to the day you celebrate the 100th anniversary, do you know that that is simply a tale of human life, and what is grander and better for anybody to read if they have any humanity about them, human feelings about them at all—what is better to read than the tale and the history and the stories of the human life, its development, its progress towards the highest aspirations and the highest ideals? It shows that man has some divinity in him; that he is not all materialistic; that he has some spirituality. I do not mean that I am not talking about any identical,

any particular, any single book of this kind. I say to you that of the eight or nine hundred histories, town histories and histories of centennial celebrations, some of them little pamphlets of 25, 30 and some 50 pages, some the publication only of one address by whoever happened to deliver the historical address on that day, I say to you that none of them can be a great history that would compare with the great histories of the world. They are on a different line. But I say as a whole those are the tales of the development of the towns from the earliest days to the present. They are grand and important chapters in the history of the State of Maine and its development from the very first settlers, and the first pioneers who came here. They were the descendants of the Puritans and Pilgrims coming down from Massachusetts and New Hampshire and settling this State. And as I said before, it is just that class who did at last demonstrate to the world by the actual fact that men are capable of self government.

Until just such little settlements of people as this one was, until they developed into towns and became a part of the Commonwealth of Massachusetts, until they began their work as towns, until the town meeting was fully organized in New England, until that town meeting had begun its work, the world did not believe for a moment that our adventure as a government would ever be successful. And it was these people governing themselves in the town meeting who at last convinced the world that it was possible and that the problem of self-government was solved; that it had at last been demonstrated that man was capable of self-government.

Now you may take any one of those town histories, those small town histories that you will find down here in the State library—and there are many of them—and you could take and pick out little chapters, little sections, where they refer in a descriptive way to neighborhood incidents—I will say to you you could pick out of every one of them some sections

and some parts, pick out from one place and another as he has from page to page, just reading those portions of any one of these town histories, and with a design simply to try to make somebody understand that he is a humorist and to abuse a committee and for the purpose of—well, I will not go any further than that—but I say that he would find more material on that line in any one of those histories than he has found in this one.

The Senator here (indicating Mr. Emery of Washington) is not a Calais citizen, but he lives near Calais.

Seventy-five or eighty years ago there was a pamphlet published, an historical sketch of the town of Calais, now the city of Calais. I bid three or four times in the auction sales in Boston at C. F. Libby & Company's, for that little book, that little pamphlet regarding the first settlements and the very first beginnings, many years ago in Calais. I have bid at the Libby auction as high as \$4.75 for that and did not get it. I tell you that the history of a town in its first settlement—those histories become valuable if you preserve them, if you have a taste for those things, if you have taste enough and knowledge enough of their value to preserve them. You cannot purchase any history of these little Maine towns and settlements, if they are more than thirty or forty years old, you cannot buy one now in the great second hand book stores in Boston, you cannot buy one of A. J. Huston in Portland, you cannot buy one of any of the dealers, and you cannot get them by bidding in the auctions for them, without paying all the way from two to ten or twelve dollars apiece.

Now is it proper for a Senator, because he wants the people at home to think he is a great economist, that he is for economy, so that they will praise him for that if for nothing else,—is it right for him to deride the work of a committee, as he has here by this criticism of this book? I do not think it is.

He did speak of one thing that

wasn't any attempt to be a humorist that I could discover, when he spoke of this author quoting from Frederick Kidder's book in regard to those Indians who were there before and at the time of the Revolutionary War, when the settlers first went there and settled this little place. That was the beginning of this settlement that she writes her charming story about. At that time Colonel John Allan, who lived down here at Passamaquoddy Bay, who was a refugee, persecuted by the people of Nova Scotia where he was born, persecuted by them because he was loyal to the New England colonists and driven out, came to Maine, landed at Machias, entered right into the spirit of the Revolutionary War, did all he could, and George Washington appointed Colonel John Allan superintendent of all the Indians in Maine. Colonel John Allan while he was back here in Maine, back here at home all of this time, has never had the credit among writers that he should have had, because he does not appear in the history of battles or anything of that kind. But those familiar with the history of Maine know the record of Colonel John Allan. Now Frederick Kidder, I shall say sometime fifty or sixty years ago, wrote a book in regard to Colonel John Allan and about other events and in regard to the history of Colonel Allan while he was superintendent of the Indians there, and that book of Kidder's is as an authoritative work on the Indians in Eastern Maine, and on Eastern Maine during the Revolution, as exists today. Do you know what history is? Do you know that if anybody attempts to write the history of your own town, they first go back to the surveys of that town, they first go back to the very beginning of things? They will tell what part of the original tract of Maine that that was on, etc.

They have to do that. Now if they know anything they know enough to quote their authorities by foot-notes or otherwise, so that a man years hence reading that will know that it was authoritative, not something that the author imagined. And she

quotes Kidder as any good historical writer should, and he is one of the most authoritative writers on Eastern Maine history that we have. He was so much of a writer and his book is regarded of such value that Judge Cholan of the Supreme Judicial Court of New York, two years ago, or a year and a half ago, before the Congressional committee on foreign relations, when they summoned in a procession of the world's people representing different nations, as witnesses in regard to the need of the League of Nations—he appeared there in behalf of the Irish before the committee, and in his speech, in that portion of it where he was elaborating upon how much the Irish had benefitted the United States of America in time of war, you will find, I think, that he quoted from Frederick Kidder's book in speaking of the first American naval battle at Machias and its hero, Jeremiah O'Brien. So the fact that she quotes from so authoritative and so important an author as Frederick Kidder is certainly in her favor, not against her.

Now I know this debate is foolish and unnecessary, but I was forced into it. I will not weary you further with this. I feel that I am not to blame for wasting so much of the valuable time of the Senate, although I have occupied more than I ought to, occupied more than I had the slightest idea of occupying. I want to say just this, that so far as these little historical resolves are concerned I do not want the bogey man attempted by the senator to be created in your minds to influence you. It seems as though he was trying to create a bogey man about the expense and the extravagance of these little histories. So far as the committee on library is concerned, there are just four appropriations. I do not think the first three will exceed \$800, and the fourth, the Centennial Proceedings of the Maine Bar Association is not more than \$1000. So far as the other committees are concerned, the committee on appropriations and financial affairs has just one, the Letters of John Fairfield, and they are asking—I cannot state the amount—possibly \$2000. I cannot state the amount, but

it is not large because that will be a large work. I do know know so much about that. It is a work that comes from the Maine Writers' Research Club. Arthur G. Staples appeared before the committee, as I understand, in behalf of that.

Now that is all, so far as I have the slightest knowledge, of this dangerous stuff, this kind of publication that is going to come so near ruining the State of Maine. There is one, just one good consolable thing about it. It may demonstrate to the world that the State of Maine has produced a new humorist. We are proud of Bill Nye, who came from the town of Shirley in Piscataquis County; of Charles F. Browne, known as Artemas Ward, an Oxford county man; and Seba Smith of Portland, known as Major Jack Downing. But his efforts at attempting to prove himself a humorist shocked me so it has almost given me a paralytic shock. Now this may result in proving to the world that to these three or four men who have been humorists acknowledged all over the world, a new man has come and their fame is overshadowed and gone.

Mr. MORRILL: Mr. President, this is a very interesting book to me, and I have prized it more than when we first commenced, after listening and hearing it read in such an instructive way. It has pleased me a great deal and I shall buy a copy of it for I think more of it than I ever did before. When it comes down to this part of it, the expense of printing it, something may be saved; and the time that we have spent here or has been spent—I do not propose to add much to it, in talking this over, makes it a State paper at the State's expense, and when we get it copied, the additions and amendments and the illustrations, I think it will be more valuable than ever.

In regard to the man being stronger than the oxen, I can see why that might be true. Take a pair of oxen that have been badly driven—I won't say by myself or anybody else—I have seen them so bothered that the best teamster you could find could not make them straighten their chain, ev-

en, and the only way you could get them out of it would be to take the yoke off and let them run on grass until they had forgotten their tricks.

I hope they will keep the amendments and illustrations in the book.

Mr. THOMBS: Mr. President, I rise for the purpose of addressing through you to the senator from Piscataquis a question. I desire to ask him if there is in the State Library a copy of Frederick Kidder's history?

Mr. SPRAGUE: I haven't any doubt about it. I think I have used it there in research work. I have one in my own library. Any one familiar at all with those books knows that what I state is a fact.

Mr. THOMBS: Mr. President, the question I desire to propose to the Senator is,—are you a member of the Maine Historical Society?

Mr. SPRAGUE: I am.

Mr. THOMBS: Do you believe that the Maine Historical Society would O. K. this work as a history fulfilling the condition that history is the truth, ever impartial, never prejudiced?

Mr. SPRAGUE: That question would never be put to them by anybody. Nobody would ever have the authority or the right—the State of Maine would not ever think of putting such a question as that to them. They would O. K. it as a town history—they would O. K. it as important enough to be preserved. I haven't the slightest doubt about it.

Mr. THOMBS: Gentlemen of the Senate, I have no further observation to make. I did try in the discussion of this matter not to be discourteous to the committee on Library. I have not intended to be discourteous to the lady. I simply want to state again that I am laying the matter with such facts as I have been able to glean, before you that each one of you may perhaps a little better make up your minds as to how you care to vote on the proposition.

Mr. FARRINGTON of Kennebec: Mr. President, may I inquire through the Chair of the Senator from Piscataquis, if he feels that the price of \$2.50 per volume is a fair price?

Mr. SPRAGUE: Mr. President, I would say that I think that would be a fair price. It is what, two or three years ago, a book of this kind would have been worth, from a dollar to a dollar and a half. I should say that today two dollars and a half would be a fair price.

Mr. PARENT of Androscoggin: Mr. President, I wish to inquire through the Chair whether this is a unanimous report of the committee?

Mr. SPRAGUE: Mr. President, it was unanimous. There was no question, as far as I know, about it.

Mr. EMERY of Washington: Mr. President, for the committee on Library the explanation is that we usually O. K. these requests for the purchase of these town histories as a matter of course. We do not expect them to have the accuracy of an actual history. They must necessarily deal with the minutiae of neighborhood history. They always have some value for the locality for which they are published, and it is good policy to have copies of them retained. The expense is not great and there is no really good reason, that I can see, why this claim should not be allowed. Practically every town which has a town history published is favored in this way, and the library has many of those copies on hand now, and they prize them quite highly.

The pending question being on the motion of Senator Thombs that the resolve be indefinitely postponed, a viva voce vote was had and the motion was lost.

On motion by Mr. Sprague of Piscataquis, the resolve was then finally passed.

Additional papers from the House: Resolve in favor of the erection of a State of Maine building on the grounds of the Eastern State Exposition at Springfield, Massachusetts.

On motion by Mr. Holt of Hancock, the resolve was finally passed.

Mr. FOLSOM of Somerset: Mr. President, I move that all matters

tabled prior to March 29 be automatically placed before the Senate tomorrow.

In support of that motion I wish to call to the attention of the Senate the many matters which have been on the table for some time, and that we are not making much progress toward relieving the congestion on our calendar. I think such action should be taken now.

The motion was agreed to.

Mr. THOMBS of Penobscot: Mr. President, I move that we take from the table An Act allowing clerk hire to the sheriff of Penobscot county.

The pending question being action on the report of the committee, ought not to pass, on further motion by Mr. Thombs, the report was accepted.

On motion by Mr. Thombs of Penobscot, S. D. 160, Resolve authorizing the State land agent to sell certain public lots in Lakeville Plantation in Penobscot county, was taken from the table, and on further motion by the same senator the bill was given its second reading and was passed to be engrossed.

On motion by Mr. Thombs of Penobscot, S. D. 58, Resolve to appropriate money for the purchase of a history of the town of Williamsburg, was taken from the table, and on further motion by the same senator the resolve was finally passed.

On motion by Mr. Thompson of Knox, H. D. 327, An Act relating to life insurance for minors and the surrender of such insurance, was taken from the table.

On further motion by the same senator, under suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed.

The same senator then offered Senate Amendment A, which simply corrected an error. The amendment was adopted and the bill as amended was then passed to be engrossed.

On motion by Mr. Farrington of Kennebec, H. D. 106, An Act relat-

ing to the recording of deeds, was taken from the table.

On further motion by the same senator, under suspension of the rules, the vote whereby this bill was passed to be engrossed was reconsidered.

The same senator then offered Senate Amendment "A."

Senate Amendment "A" to S. D. 106

Amend Senate Document 106 by striking out the word "incorporated" in the tenth line of Section 17, and in setting in place thereof the word "unincorporated."

Senate Amendment "A" was adopted and the bill was amended and passed to be engrossed.

On motion by Mr. Thompson of Knox, H. D. 399, An Act to regulate boxing exhibitions within the State of Maine, was taken from the table.

Mr. THOMPSON: Mr. President, I tabled that bill yesterday to get a chance to look at it. In my judgment it is nothing but licensing prize fights, and nothing else in the world. I want to go on record against licensing prize fights in the State of Maine.

Mr. PRESIDENT: Has the senator any motion to make?

Mr. THOMPSON: Mr. President, I move that we indefinitely postpone the bill.

Mr. FOLSOM of Somerset: Mr. President, I wish to heartily endorse the statement of Senator Thompson, and I hope the motion will prevail.

Mr. PARENT of Androscoggin: Mr. President and fellow members of the Senate, this House Bill No. 399, I have not any particular interest in. It is a matter which has been presented to the Committee on Judiciary and reported out unanimously, ought to pass. They have heard the evidence upon this matter, and there were a large number of ladies from different parts of the State present. They were there for the purpose of opposing the bill, some of them, at least. After hearing this bill taken up section by section, after hearing read the present law on the statute regulating and

permitting boxing exhibitions, they withdrew all opposition.

There is more to this bill than perhaps the Senator from Knox and the Senator from Somerset realizes. The hour is late and I shall not take but a moment of time. This bill proposes a commission, not under pay, which may license boxing exhibitions. Under the present law boxing exhibitions are promoted and are carried on and conducted in many, many cases, over 50 per cent., nearer 75 per cent. of the boxing exhibitions as promoted and conducted under the law as it is in our cities, are conducted in this manner or a similar manner: The contestants arrive and it comes down to the night of the exhibition, and through a mutual disagreement or dissatisfaction, after the patrons have paid their money, anywhere from a dollar to two dollars, and the war tax, much to their surprise they are disappointed, the exhibition is not to proceed or it becomes a farce.

Under this new bill that cannot take place, and those who wish to attend these exhibitions are secure in the fact that a real boxing exhibition will take place and that the patrons will not be deprived of getting their money back if it does not.

I thoroughly believe that this bill will promote the efficiency of the exhibitions, which are now authorized on our statute books, and have been for a long time.

I think it is the duty of this Legislature to recognize a unanimous committee report. It should be respected, whether it is the Judiciary committee or some other committee of the members of this Legislature, unless, or in the absence of their overlooking some important feature. I believe the committee reports should be respected, as they have been in previous Legislatures.

I hope this motion will not prevail.

Mr. THOMPSON: Mr. President, I hope the Senator will not misapprehend the purpose of my objection. I undertook to state that I have no objection to the bill, if the Senate wants to vote it or if the Legislature of this State wishes to enact into law I

think I have no objection. I am making no attack on the personnel of the committee or on their judgment. I was not able to be present. We all know that when Senators are otherwise engaged in another committee they do not have the opportunity. If I had had the opportunity I should have been there.

I do not do this for the purpose of making any attack on any committee, or upon the understanding or design of any committee. This is the only opportunity I have had to discuss this question, and that is all I am going to do, and that in a very limited way. This is no more, in my judgment, than a prize fight, and for the purpose of justifying that observation—I only read the bill this morning, for the first time, and then casually,—I will read Section 5:

“No boxing or sparring exhibitions shall be held unless one member of the boxing commission, or some person deputized to act for said commission, is present. The commission shall have authority to declare forfeited any remuneration or prize or any part thereof offered for any contest conducted under this act, where one or more of the contestants do not act in good faith. The commission may when satisfied that one or both contestants are not acting in good faith order the prize, purse or any part thereof, confiscated and sold and the proceeds given to the local charities.”

It is a prize fight, that is all. And there is a great deal that may be said more, and in my judgment it is teeming all over with the language of the ring and the prize fight. It repeals the existing law in regard to the supposed innocent subject and makes it stronger. So that the new law carries more brutality with it.

As I said, I do not want to go on record as being in favor of this bill. I think it is a prize fight clothed in the habiliments of respectability, pure and simple. I desire to oppose it for that purpose and for no other.

Mr. PARENT: Mr. President, just one word more. Under our present law one may attend a boxing exhibition

in the city of Lewiston, and I know it has been true in the city of Portland and I presume it is true in Bangor and Augusta and other cities, and young boys attend those exhibitions of any age at the present time, eight, nine, 10 and 12 or 14 years of age. Under this bill they are prohibited from attending.

I have not attended a boxing exhibition for three or four years. I did at one time enjoy attending them, but it became such a farce, that we would buy our tickets, a dollar and a half or two dollars, and sit around for an hour or so and then find that the contest was not to be pulled off, since they became so numerous I have not even attempted to attend. Under this bill no person can participate in a boxing exhibition under the age of 18 years, and no exhibitions shall take place on Sunday. And it prohibits betting on these exhibitions, and no spectator under the age of 16 years shall be permitted to attend any exhibition held under this act.

It seems to me there are a lot of good features, inasmuch as boxing exhibitions are now permitted. This law is drafted after the law of New York and Massachusetts, where they have boxing exhibitions.

I do not see that there is any detriment to or disgrace on the name of the State of Maine. This promotes the efficiency under the present law.

The pending question being on the motion from the senator from Knox, Senator Thompson, that the bill be indefinitely postponed, a viva voce vote was had, and the Chair being in doubt a rising vote was had and seven senators voting in the affirmative and 12 in the negative the motion did not prevail.

On motion by Mr. Parent of Androscoggin, the bill was given its second reading and was passed to be engrossed.

On motion by Mr. Eaton of Oxford, An Act relating to the salaries of sheriffs was taken from the table.

The pending question being on the acceptance of the committee on salaries and fees, ought not to pass, on motion by Mr. Eaton the report was accepted.

On motion by Mr. Thombs of Penobscot,

Adjourned until tomorrow morning at 9 o'clock.