

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
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ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

Page 154, column	1, line 17, for Chapter "199" read "198."
" 163, "	2, after order by Mr. Winter, read "Tabled on motion of Mr. Buzzell of Belfast."
" 174, "	1, line 8, for "Lewiston" read "Rockland."
" 194, "	1, " 24, for "Sewall" read "Newall."
" 197, "	2, " 50, for "insurance" read "issuance."
" 267, "	2, " second Act referred to Inland Fisheries and Game was referred to Judiciary Committee.
" 305, "	1, " 42, for "Boys" read "Girls."
" 305, "	1, " 45, "H. 169" should read "H. 165."
" 511, "	2, " 2, for "H. 106" read "H. 160."
" 586, "	1, " 13, for "St. Albans" read "St. Agatha."
" 591, "	2, " 23, for "1919" read "1909."
" 602, "	2, " 12, for "enacted" read "engrossed."
" 617, "	1, " 46, for "322" read "332."
" 650, "	2, " 31, for "H. 336" read "H. 366."
" 662, "	2, " 26, for "Barrington" read "Harrington."
" 692, "	2, " 35, for "H. 236" read "H. 336."
" 694, "	1, " 2, for "S. 154" read "S. 155."
" 716, "	2, " 3, for "Mr. Perham" read "Mr. Bragdon of Perham."
" 772, "	1, " 24, for "same" read "Committee on Appropriations and Financial Affairs."
" 869, "	1, " 50, insert "Finally passed."
" 902, "	1, " 24, for "Clark" read "Barton."
" 902, "	1, " 40, for "S. 185" read "S. 184."
" 928, "	1, " 51, for "343" read "243."
" 949, "	1, " 43, for "Merton's" read "Martin's."
" 954, "	1, " 44, insert "ought not to pass."
" 958, "	2, " 20, for "179" read "181."
" 958, "	2, " 28, for "178" read "179."
" 967, "	2, " 49, for "S. D. 198" read "S. D. 180."
" 981, "	2, " 10, for "\$300" read "\$300,000."
" 1000, "	2, " 47, for "Portland" read "Biddeford."
" 1005, "	2, " 42, for "salaries" read "selection."
" 1142, "	1, " 40, for "H. D. 465" read "H. D. 456."
" 1169, "	2, " 2, for "Fogg" read "Forbes."
" 1191, "	2, lines 3 and 11, for "engrossed" read "enacted."
" 1191, "	2, line 20, for "finally passed" read "passed to be enacted."
" 1191, "	2, lines 31, 40, 48, for "engrossed" read "finally passed."
" 1211, "	2, " 12 and 13, "National Guard" should read "Nash and Viles."
" 1280, "	1, line 14, for "bald" read "bomb."
" 1321, "	1, " 35, for "lighting Long and Big Lakes" read "Lewy, Long and Big Lakes."
" 1373, "	2, " 42, for "Arthur B. Forbes" read "Arthur E. Forbes."
" 1376, "	2, " 14, for "S. D. 161" read "S. D. 167."
" 1409, "	2, " 36, for "Chapter 178" read "Chapter 238."

SENATE

Friday, April 1, 1921.

Senate called to order by Hon. Chas. E. Gurney, President, pro tempore.

Prayer by Rev. J. B. Irving of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: The majority report of the committee on towns on An Act to divide the town of South Thomaston, and that it ought not to pass.

(Signed)

EATON,
SPENCER,

on the part of the Senate.

TWOMBLY,
SMITH,
JORDAN;
CHADBOURNE,

on the part of the House.

The minority report of the same committee, ought to pass.

(Signed)

GOULD,
EMERY,

on the part of the Senate.

SPEAR,
CHAMBERLAIN,

on the part of the House.

Mr. SPENCER of York: Mr. President, I move that we concur with the House in the adoption of the majority report, ought not to pass.

Mr. THOMPSON of Knox: Mr. President, I move that the matter lie on the table.

Mr. THOMBS of Penobscot: Mr. President, I would like to inquire whether matters laid on the table may not be definitely assigned? I think in the next two sessions there will be senators absent, and I think that matters of importance ought to be assigned definitely.

Mr. THOMPSON: Mr. President, I have no desire for delay. If there

is any special arrangement on the part of the Senate whereby these matters are taken up for discussion, I do not know as I have any objection to that.

The PRESIDENT: The pending question is the motion to table, and is not debatable.

The motion to table was put and was declared lost.

The PRESIDENT: There are two reports, and in order that the Senate may have this matter before it, the bill divides the town, and Senator Spencer moves that the majority report, ought not to pass, be accepted in concurrence with the House.

Mr. SPRAGUE of Piscataquis: I would like to ask, Mr. President, what that report is?

(The secretary read the report again.)

The PRESIDENT: And the senator from York, Senator Spencer, moves that the majority report, ought not to pass, be accepted.

Mr. THOMPSON: Mr. President, would it be in order at this time to move to lay it on the table and have it especially assigned for tomorrow morning?

The PRESIDENT: The Senate has voted not to lay the matter on the table. The Chair will entertain the motion to assign for a time certain.

Mr. THOMPSON: Mr. President, I move that the matter lie on the table until tomorrow morning.

Mr. SPENCER of York: Mr. President, I would like to have this matter considered at a time when there are at least half of the Senate here, and tomorrow morning is no time to consider it.

Mr. THOMPSON: Mr. President, I suppose the motion to a fixed time is debatable.

The PRESIDENT: As to the time but not as to the merits of the bill.

Mr. THOMPSON: Now, Mr. President, all I have to say on fixing the time is this. The matter was first reported out of the committee I should think five or six weeks ago. It has

been in the hands of the committee until within a few days, and it was reported with a change of one vote in the report. It was then a divided report, it is now a divided report, and after the lapse of all this time I think a party should be entitled to at least twenty-four hours in which to think it over inasmuch as all this delay has gone on. That is all I ask for.

Mr. SPENCER: Mr. President, this matter has been in the hands of the committee twice and I think that there were two votes changed in the committee report. It was formerly a majority report in favor of ought to pass. I think everybody knows that. It is now a majority report against ought to pass. I myself personally have never changed my position upon it, and I do not see where we can gain anything by delaying the matter at this time of the session.

The PRESIDENT: The question is upon the motion of the senator from Knox, Senator Thompson, that the consideration be postponed until tomorrow morning.

A viva voce vote being doubted, a rising vote was had and the motion was lost.

Mr. THOMPSON: Mr. President, I find on my desk this morning certain things suggested here, and an insinuation, partly on account of which I asked the indulgence of the Senate for a postponement of twenty-four hours. I submit that withholding this literature until this time, and dumping it upon the desks of the Senators at a time when there is no opportunity to answer it unless you answer it right off your feet, is not a proceeding which addresses itself to the fairness of fair-minded men.

Now this matter has been set forth before the committee. It was reported out six to four ought to pass, and the Senator from York, Senator Spencer, says he has seen no reason to change his mind. I regret that he sees fit to press a discussion of the matter at this time, being a member himself of that committee and having a pronounced opinion, which he is perfectly entitled to. It puts one

who wishes to consider the matter at an unfair advantage and I ask the indulgence of the Senate at this time in connection with this matter, to show the circumstances under which I labor and the facts that are set here which I may have to meet.

Now, Mr. President, this being a divided report carries no presumption one way or the other. In fact, the fact that it is a divided report makes it not only probable and possible and desirable on the part of the Senate to consider the matter in its own behalf, independently of the committee, but really makes it their duty. So it is in that position of mind that I approach a discussion of the question, bearing in mind all the time that I do it under protest, owing to the circumstances under which this matter has been directed or thrust upon the attention of the Senate.

Now the people here seeking a division are put down in this propaganda in this way: "The campaign for division is being conducted by men who have lived in the town less than two years and was begun about a year ago." So much for that allegation. These young men have been here at their own expense more or less during the session, came here once to a session of the committee, and as a result of that hearing the action of the committee was six to four in favor of a division. They went home. For some reason or other and for some cause unknown to me the matter was recommitted and after a length of several weeks it comes out from the committee again with a report which is itself again divided. I understand that there has been a change of one member in the report of the committee, that is, it was six to four then, and it is five to five now—that means a change of one. Whether anything happened during that time to change this vote of one, I do not know. I do not know that it is material. It is sufficient for me to notice, however, that during the absence of this report from the House and its presence in the hands of the committee, there was certainly a lobby maintained against division in this Legislature. These young men who are

in here and as they have said who conducted the campaign were residents of the town for only two years, and that is used as a blot against them and as a reason why the town should not be divided. These are young men. Is it a crime to be a young man? I think not. Our state spends a good deal of money on the education of its young men. The strength of a community, the strength of a nation exists, if it exists at all, in the character and strength of its young men.

But that fact is not true. There are men engaged in this division who have been residents in this town for thirty years—that fact is not true, but it is put out before this Legislature, before this Senate at the eleventh hour as a reason why this town should not be divided. I submit to you, gentlemen, in all fairness and in all candor, that that is not a substantial reason. Now let me say another word in behalf of these young men. These two young men were in the service. They fought for their country. One was in the army, one was in the navy. One was a volunteer, and the man in the navy was in the draft. I submit, gentlemen of the Senate, that if they come back here they are entitled to some consideration, and if they happen to settle in the town of South Thomaston and come here expressing their dissatisfaction with the present method of municipal government, they are entitled to receive consideration. I ask you, gentlemen, in the spirit of fairness, if this thing should be rushed in the Senate by such literature as this. Now they are poor. It is no disgrace to be poor. Being poor has its disadvantages but it is not a disgrace. If men who have come to live in a small town believe that they are not being fairly treated, they have a right to come to the Legislature and explain their views and ask for the righting of those wrongs. Now so much for that. I submit that it is no disgrace, and they come here as fair petitioners, asking for a fair thing. Now that raises the question, how long has a man got to live in a town before he has a right to a petition? I leave that to the Senate.

Now who has maintained this lobby here that has changed the vote of this one man here who is a member of the town and the House? The records of the Knox County registry show that two of the men who are fighting this division have real estate mortgages to the amount of \$30,000, which escape taxation under our law. Do you wonder that these men do not come here and plead for this, these lobbyists? How much tax do they pay? As I say, the records of the county show that two of these men who come here in the lobby and fight against this division, have \$30,000 of mortgaged property on the records of Knox County. At the rate of taxation of South Thomaston, 34 mills, that would amount to \$1000 a year, over \$1000 a year. Now their answer to that is, I suppose, that this property is exempt by law. That is true. They have taken advantage of the law. But the reason why they come here is that they can engage the attention of the Legislature on something else, on the question of division, while they escape their taxes. On the other hand, these young men in business down at Owl's Head, all the property they have is exposed to the sunlight and rain, to the gaze and observation, and they pay a substantial tax, a tax of over \$200. And they have on their payroll, in the busy season of the year when they re engaged in the fishing business, they have a pay roll of \$1100 a week. I submit, gentlemen, that that entitles them to some consideration, and that is a thing that should be taken into account in this matter. You can readily see why these men who hold \$30,000 in untaxed mortgages should be willing for the town to stand together and not be divided. That is a perfectly natural proposition.

But these men say, these men who seek division come into the Legislature and say that they live between four and five miles from the city of Rockland, that the roads are in bad shape; they say they have been neglected. It happened while this matter was in the hands of the committee, about three or four weeks ago, as I was going home one Saturday night, two men sat behind me on the train

between Brunswick and Rockland, and this matter of the division of the town of South Thomaston had been engaging the attention of the committee and that matter was under discussion between the two men in the seat behind me. One man said to the other, "Didn't you own a cottage down there to South Thomaston?" He says, "Yes, I owned one but the roads were so poor and it took so much time to go and come that I sold it." I overheard that conversation, gentlemen. Now these young men have to go over these roads, such as these men on the train described. They are in the fishing business. They cannot get the roads in the condition that they want to go over there—they have to depend upon their own resources largely to get their roads and to get to market. Personally I have been over those roads myself, and if they were a fair sample of the roads in Maine, you want to be careful how you ride over them, and as you ride over them you can well say, "God save my neck!" and if the roads in the State are like what they have you can well say "God save the State of Maine along with it!"

Now they object further to the method by which municipal affairs are conducted. They have no representation on the board of selectmen, a very small representation in all these years.

They complain that business is conducted slackly and laxly. Why, gentlemen, right here in the Senate the other day, I asked a suspension of the rules that a resolve to the amount of \$500 might pass this Legislature for the benefit of the town of South Thomaston for the high school fund. That was owing to the business being done in that way. Now that resolve which I asked the Senate to pass, and which it did pass, was for \$500 for the amount due from the State treasury for the school fund for the year ending July 1, 1919, almost two years ago. In other words, on account of inefficient, incompetent management, the town of South Thomaston had lost the interest on \$500 for a year and a half, or \$45—lost that much. Do you wonder, gentlemen of the Senate, that

these people do not like that kind of town government? And do you wonder that they want to be separated? I think not. It is no answer to say that that was the neglect of the superintendent. He was their superintendent, a superintendent of their own choosing, and if they didn't get the money in the State treasury for two years, whose fault was it but their own? Nobody's but their own.

Now I want to read from the last annual report of the municipal officers of the town of South Thomaston for the year ending March 1, 1921. It is the superintendent of their own choosing who makes this report. The report is dated—I do not know as there is any date to it but submitted for the current report. He endeavors to discuss the school situation. He says:

"The textbooks were in poor condition generally and antiquated. As far as the funds would permit, I have inaugurated changes. The new books have been put into those schools that were most in need. No teacher can produce results in the school room without modern texts any more than the farmer without modern tools. The schoolhouses and toilets are in a most unsatisfactory condition. The grammar school building is the best of any in town. None of the others are suitable for school purposes in their present state of repair." In view of all that has passed here this winter in regard to these matters, notice these observations of their own school superintendent: Again, resuming at the top of page 26:

"None of the others are suitable for school purposes in their present state of repair. The toilets are in worse condition than the school rooms. I have not entered any one of them that is in fit condition for use. The complaint comes to me that in some instances where an effort has been made by the school to keep them clean, nuisances have been committed when teacher and pupils were not there. The only cure is a suitable building connected with the school house so that there is no entrance from the outside. To spend a few dollars each year patching these

buildings or the schoolhouses is money wasted. The economical thing to do is for the town to lay out a repair and building program over a series of years." A little further on: "The surest way for the town to continue to lose population is to allow its schools and equipment to fall behind the times. The best business investment which it can make is in modern school plants, structures to which the pupils and the townspeople can point with pride and around which can be built a school spirit and a town spirit that will make people do things for the public good. I cannot make specific recommendations in this report because it would be too long."

And so it goes on. I will not take the time of the Senate, which I know is very precious at this time, to read more. My only excuse for talking at all is that we might have talked this matter over two or three weeks ago just as well as we can now, and I beg of the Senate to be indulgent with me for that reason, and I appeal for that reason to its spirit of fairness.

Now again, relative to some of its bills. Among the resources of the town are uncollected taxes and tax deeds as though there were a double resource there. I have taken pains to find this out that among the uncollected taxes are the tax deeds, so that which appears to be a double resource is only one resource in fact. And their total liabilities after deducting their resources they figure at \$911, so that when you count the double resource that is in the resources of uncollected taxes and tax deeds, your surplus disappears.

Now they have in here something that is due from the high school on account of the high school fund, due from the State \$1000. Five hundred dollars of that has been wiped out by the resolution about which I spoke only a few moments ago. Now for the year ending July 1, 1920 is another \$500, and under the suggestion of the State superintendent I see no method given under heaven or among men whereby they can get this \$500, which was due a year ago, until the

next meeting of the Legislature. Now I submit to you, gentlemen of the Senate, if that is not a condition of municipal government from which any reasonable man might justly seek to be divorced. I submit to you that it is.

There is something else that I recall here as I have this report.

One of the men who appeared before the committee, and I heard him testify—although I cannot say honestly that I heard everything he said, but he admitted at the hearing before the committee that there was a difference in the amount expended for schools as published in the report and the amount of money spent for schools as shown by the figures of the town officers themselves. Now that man here is against division. Do you wonder at it? In the list of unpaid taxes for 1920 appears the name of Ethan A. Rowell for \$18.70. Do you wonder that these young men, who were manly enough to go into the World War, object to such a government as that to tell them how they shall run their business, and can you blame them, gentlemen, for asking for a division where business can be done under statutory and business methods? Certainly, I think not.

Now relative to this same Ethan A. Rowell is an item here where they paid him a little bill for services on the school board, \$12. In other words they pay him \$12, and in the same report advertise his unpaid tax for \$18.70. In other words, instead of deducting the difference and collecting the amount of \$6.70, the amount which he owed the town, they pay him his bill for \$12 and advertise his tax as an unpaid tax. I submit to you gentlemen, that that is not an entirely satisfactory way of doing business.

Now in reports for other years, town reports, I have noticed that this same man goes on as an unpaid taxpayer in their annual reports for several years. Against such methods of doing business these young men raise a protest in that they seek a division. They say it is not business to carry on business in that way, neither by a town nor by anybody else.

You have seen the condition which the house is in relative to its school. These young men are men with families. They have children to educate. And they have the only industry that there is in the town of South Thomaston. I received last night a local paper in which there is an article entitled "The Charms of Wessakeag," as they call it, the Indian name, which is in fact South Thomaston. I know not who the writer is, I think she is a resident of South Thomaston.

(Article was read, speaking of the business opportunities in the line of fishing, canning factories, etc.)

This very industry of which this woman speaks, these young men who are now seeking a division, are embarking upon to the extent of their capital, or doing business in the fishing line which leads up to this. The only industry there is in town they are trying to foster themselves. They are trying to get ahead notwithstanding the things against them in the shape of schools and schoolhouses, the condition which has been detailed to you by their own sworn officer, notwithstanding the condition of the roads, they are laboring under all these difficulties, and the only thing they ask is a free trial and fair show under reasonable conditions and among fairminded men in business competition. The matter was further rubbed in by their not giving them any representation on the board of selectmen, except as I understand, as they elected a woman there who is aged about 70—a respectable woman I guess, I know nothing against her and I should be loath to believe it if I did, elected her as the second selectman. You see how the thing is being rubbed into them, because they started to put up this fight, if you see fit to call it by the name of a fight. Now in these years that are past,—I hate to take the time of the Senate, but I feel as though I must say some few things here and I assure you, gentlemen, that I am nearly through—in the last 21 years they have had only 12 men—which is the larger part of the valuation—only 12 men on the board of selectmen from that section of the town.

Now there are more things that I might say but I realize that the time of the Senate is precious and I realize that I have taken perhaps all the time I should, but the fact that this matter has been kept back when it might have been taken up and discussed thoroughly in all its phases at an earlier time in the session, and without any fault on my part, leads me to the belief that I have not trespassed too much, gentlemen, and it is with this apology made to you that I have taken the time that I have, and I ask you to consider this matter fairly, gentlemen, and give it your due consideration so far forth as you may be able to do under circumstances that are as pressing as these. Thank you.

Mr. EATON of Oxford: Mr. President, I wish to say just a word in support of my position in this matter and upon the report which I signed. I do not think my friend Senator Thompson, would have you think for a moment that this matter was not given a fair and full hearing. The committee on towns heard this matter on the afternoon and evening of February 17th, the hearing commencing at two o'clock in the afternoon and with about an hour and a half for supper we were in session until eleven o'clock in the evening. So that I submit that each side had an opportunity and did present its case fully and completely.

A majority of your committee were not convinced that this division was for the good of the territory in question. The town of South Thomaston in the past ten years has lost in population 429, over one-third of its population, and to make a division of a town now that has only 947, and that decrease in population is likely to continue—you will have two small towns that we believe are not as well off, will not be as well off as in their present situation.

Mr. SPENCER of York: Mr. President and fellow senators, I have only the greatest respect for the senator from Knox, not only from

what I have seen of him here this session, but also for his opinions as he has expressed them. I do not feel, however, that the enactment of any law should have in it the element of courtesy. I feel that the State is above everything else, and that when we do anything here we do it for the interest of the State. When we consider a proposition like this we have to consider three parties. There is no other way. One party is the old town itself; the other party is the proposed new town; and the third party, if you want to put it in that order, is the State of Maine.

In this matter, as Senator Eaton has said, the committees took the matter under very careful advisement. They were seven hours listening to the proponents and opponents to this bill, and I think that four hours out of the seven were devoted to the proponents. Now as to the character of the proponents' evidence in this matter, if it can be called such, what was presented to the committee was not official, it was simply the idea of each individual as to why this thing should occur in the history of the State. Some of them had trouble with the drainage, others said that the roads were bad.

Now everybody here knows that the roads in the State of Maine are bad all over the State. That is no reason why you should divide a town. They said that the school-houses were bad. Why, I understand that a few years ago they had to build two outhouses for every school-house in the town. Even the conditions in town often have something to do with the conditions of the schools. Really you must consider just what the status of morality may be in these matters. But we had no time to consider that any further than it appeared at this hearing.

Now gentlemen, I have in this case reduced certain reasons that I had to writing in order that the committee of the whole might have my views on this proposition, and I have stated them as reasons why South Thomaston should not be divided. In the first place the town is too small.

Owl's Head would only have 9 square miles; what was left would only have 11. Now this is only 20 square miles; that is half a township. The old town of Thomaston itself has been divided and subdivided, and where are you going to stop? The population of South Thomaston, as my brother from Oxford has said, was a little over 1400 in the census of 1910, and at the last census of 1920 it was only 960. Now the question was raised, where have those people gone? I do not know. They are gone, and if you divide the town, you get two little towns of less than 500 each. The statement of the proponents that there are 110 towns in the State of Maine that are smaller in the point of population than this one is no argument in its behalf. It is a misfortune that the State has a lot of little towns, and two of them we have disorganized right here in this body this session.

We have some more that ought to be. I saw one in the Maine register that has no town officers at the present time. You send ballots there for an election and they are going to stay in the express office because there is no town clerk to receive them.

My second reason for not dividing the town of South Thomaston is that it is unfair. The town of Owl's Head is asking for \$300,000 of valuation to support 13 miles of highway of which 9.98% is State aid under patrol, which leaves to old South Thomaston, with only \$190,000 valuation 2½ miles of poor road only a very small portion of which, I think about three miles, is under State patrol. I believe that on the question of highways alone this town will come before this State asking for aid inside of ten years.

The third reason why I believe the town of South Thomaston should not be divided is this, the majority of the inhabitants of this town are opposed to the division, about two to one. At Ingraham's Hill, a small village within the proposed area of the new town, 75% are opposed to the division, and at Ash Point, another little hamlet, also within the Owl's

Head district, 95% are opposed to the division.

As I have stated the reasons for division are only pretexts, and we cannot see why private matters should enter into these things. It is very plain to me that in many of these cases of special legislation, what is one man's meat is another man's poison, and we have got to recognize that fact here in legislation, because it is almost a human axiom.

My fourth reason is that this would be a civil crime. A division of towns directly concerns the future policy of this State. It increases the expense of civil administration. It opens up the equalization funds in this State to the demands of more and more little towns, and it makes it harder and harder for the State to maintain its burdens which are already large. One of the reasons given in the hearing was that if these two towns were created it would open the equalization funds of this State to their support. Now, gentlemen, a rough definition of the law and the enactment of law is simply, Help for the under dog. If all men were fair in this world, there would not be any need of any law or any legislation—if every man would try to help his neighbor and try to do all he could for him. Now in this proposition I believe that the old dead end of South Thomaston is the under dog, and I believe it is against the interests of the State of Maine to provide any such little insignificant town as this. I do not believe, and I do not believe that you believe, in dividing the State of Maine up into mince-meat.

Mr. THOMPSON of Knox: Mr. President, the Senators who have last spoken, Senator Spencer and Senator Eaton have reminded me of some things which I intended to say when I was first on my feet. I do not know whether I mentioned it or not, but the town of South Thomaston has a trust fund the income of which is about \$200 annually. Of course by any division the new town would lose that fund.

I desire to answer the suggestion

made by Senator Eaton and Senator Spencer that the town had gone from 1438 inhabitants down to 947 in the last decade. Let me call your attention, Senators, to this fact in connection with that statement. In 1900 the population of the town was 1426 and in 1910 it increased to 1438, not a large increase in a decade but nevertheless an increase and in strange contrast to the last decade where the loss was about 500. Let me call your attention to some things that stand out in this statement. There was an increase in population in the decade between 1900 and 1910. The decade between 1910 and 1920 there was a marked decrease. This is the secret of it. The law exempting the taxation of mortgages and the mortgage was passed in 1911. When that passed the stuff that you could get at disappeared. The assessors could not touch it; if they wanted to they could not do it. And then the people in their desire to get out of town for the benefit of their children got out. And when this method of taxing property and this lax business method which is employed by the municipal officers of South Thomaston, as I have already shown, here, was put into effect, then the population left that town, gentlemen,—that is the reason. It is easily explained. And I thank you, Senators, for calling my attention to it.

Relative now to the policy to which the Senator from York has alluded of cutting the State up into small towns, there is no hard and fast rule like most rules which govern human conduct to be followed. In the county of Knox I think nearly half the towns in the county are carved out of the old towns.

The town of South Thomaston was carved out of Thomaston, and the City of Rockland was itself carved out of Thomaston. The object of the resistance to this is to attract your attention to something else, while they conceal the real facts and the real matter. It is like the story of pinching the nose of a horse so hard that you can pull his tooth out and he don't feel it. They are calling the attention of the public to the division while they

escape taxation. That is all there is to it, gentlemen.

The PRESIDENT: The question is on the motion of Senator Spencer that the majority report, ought not to pass, be accepted.

A viva voce vote being doubted, a rising vote was had, and the motion to accept the majority report prevailed.

House Bills in First Reading

H. 435. Resolve in favor of the Bath Military and Naval Orphan Asylum.

Mr. FARRINGTON of Kennebec: Mr. President, in order to facilitate matters, is there any resolves coming along about which there can possibly be no question, would it not be well to give them their two readings at the present time and so advance them a day. I make that motion, in regard to this bill.

The motion was agreed to and under suspension of the rules House Document 435 was read twice and passed to be engrossed.

The PRESIDENT: The Chair desires to state at this time that there are a great many matters coming before the Senate which have not been printed. If they are given their several readings without printing under suspension of the rules, owing to their number it will be impracticable for the secretary to read each of those. Under our rules, every senator is entitled to have every bill read at the table. It is suggested therefore if any senator has any doubt concerning the bill presented, that it is not only his privilege but his urgent duty to lay it on the table at least temporarily, until he shall have had opportunity to examine it.

The Chair hopes that the utmost liberality for that purpose will be accorded by the senators. Adjournment is assured for next week. By the extreme caution of such examination, we shall not defer the adjournment for more than one day. This may obviate much trouble in the passage of these several matters.

Passed to Be Engrossed

(The following bills and resolves under suspension of the rules were

read twice and passed to be engrossed.)

H. 423. An Act to increase the military fund amending Section 91 of Chapter 259 of the Public Laws of 1917.

Resolve in favor of the Maine School for Feeble Minded for maintenance and personal services.

Resolve in favor of Mrs. E. L. Robinson of Bangor.

H. 424. Resolve in favor of several academies, institutes, seminaries and colleges for maintenance, repairs and improvements.

H. 425. An Act to amend the charter of the Belfast municipal court.

H. 426. An Act relating to adoption.

H. 427. An Act to amend Section 3 of Chapter 235 of the Private and Special Laws of 1911, relating to a police commission in the city of Biddeford.

H. 428. Resolve appropriating money to pay the claim of Roswell S. Cushing against the State of Maine.

An Act to amend the corporate purposes of the Eastport Hotel Co.

H. 352. An Act to amend Section 8 of Chapter 6 of the Revised Statutes, relating to ballots in primary elections and providing for the order of the means of candidates on said ballots to be determined by lot. (On motion by Mr. Farrington of Kennebec, tabled pending second reading. On suggestion by Mr. Thombs of Penobscot, the bill was assigned for the next session of the Senate.)

H. 429. An Act to amend Section 51 of Chapter 4 of the Revised Statutes, as amended by Chapter 59 of the Public Laws of 1917 and by Chapter 97 of the Public Laws of 1919, relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors.

H. 430. An Act to amend Chapter 239 of the Public Laws of 1919, relating to the use for public purposes of armories built by municipalities with State aid.

H. 431. Resolve for extra pay to the Maine Volunteers, War with Spain. (This bill was given its first reading and second reading assigned for tomorrow morning.)

H. 432. Resolve appropriating money for the care, maintenance and repairs of Ft. William Henry in the town of Bristol.

An Act amending Section 25 of Chapter 30 of the Revised Statutes, relating to the appointment of inspector of buildings.

An Act amending Chapter 424 of the Private and Special Laws of 1897, relating to the retirement of police officers of the city of Portland.

An Act to amend Section 12 of Chapter 75 of the Private and Special Laws of 1919, relating to the salaries of the recorder of the Augusta municipal court.

An Act to amend Chapter 118, Section 2 of the Revised Statutes, relating to the fees of trial justices.

An Act to amend Chapter 119 of the Private and Special Laws of 1899, and providing for compensation for the recorder of the municipal court of the city of Saco.

An Act to amend Chapter 103 of the Private and Special Laws of 1919, as amended by Chapter 144 of the Private and Special Laws of 1907, relating to the salary of the clerk of the Lewiston municipal court.

Resolve to fix the salary of the representatives to the Legislature of the Indian tribes.

(In the House, this resolve was indefinitely postponed. In the Senate, on motion by Mr. Morrison of Penobscot, the resolve was tabled pending second reading.)

H. 116. An Act to amend Chapter 118, Section 20, of the Revised Statutes, relating to the fees of town clerks.

Resolve in favor of the Maine School for Feeble Minded for additions and improvements.

An Act regulatory of portable saw mills and regulating the licensing thereof. (House Amendment "A" was adopted by that body. On motion by Mr. Emerson of Aroostook, tabled.)

An Act to incorporate the town of Drew.

H. 433. An Act to discontinue the ferry between the towns of Hampden and Orrington, across the Penobscot river.

Veto Message from the Governor

"STATE OF MAINE
Office of the Governor
Augusta

April 1, 1921.

To the Honorable Senate:

I respectfully return herewith, without my approval Resolve of the Eightieth Legislature entitled,

RESOLVE in Favor of the Austin W. Jones Company of Veazie, Maine, Reimbursing it for Property Destroyed by Fire.

If the above mentioned Resolve were passed a dangerous precedent would be established. It is alleged that an inmate, released on parole, from the Bangor State Hospital set fire to the buildings of the Austin W. Jones Company. The inmate referred to was released in good faith by the officials of the Hospital and the State should not assume responsibility for the conduct of the inmates released from the various State institutions. In the case in point the inmate confessed to having set the fire but there is no actual proof that he did so. Apart from this, however, I am of the opinion that there is neither legal nor moral obligation upon the State to reimburse the Company that suffered the loss. While I regret the occurrence the loss should remain where it fell.

The Minority Report of the Committee is to the effect that the Jones Company be allowed to bring a suit at law against the State of Maine and should the Legislature have any doubt as to the State's liability the Court is the proper tribunal to determine this question.

Respectfully,

(Signed) PERCIVAL P. BAXTER
Governor of Maine."

The PRESIDENT: The Chair will now state the question before the Senate upon consideration under the Constitution. The yeas and nays will be called by the secretary: Shall

the resolve be passed notwithstanding the objection of the Governor?

Mr. GILLIN of Penobscot: Mr. President, is the question open for debate?

The PRESIDENT: The Chair rules that the question can be debated upon reconsideration.

Mr. GILLIN: Mr. President, do I understand that it must be taken up at this time?

The PRESIDENT: The Chair will rule that it may be postponed by the Senate for future consideration.

Mr. GILLIN: Mr. President, I spoke to Brother Baxter and he has no objection to its lying on the table. I am perfectly willing to take it up at the present time.

The PRESIDENT: The Chair will state that the matter is of great importance, but under the parliamentary procedure as the Chair interprets it, the Senate may postpone consideration if it so desires.

Mr. GILLIN: Mr. President, then if proper I move it lie on the table until Tuesday next, or I will proceed now. I am not particular.

The PRESIDENT: The senator from Penobscot, Senator Gillin, moves that consideration of this matter be postponed until Tuesday next.

A viva voce vote was had and the motion was lost.

Mr. GILLIN: Then, Mr. President, we may proceed now. I wish to state, Mr. President and honorable gentlemen of the Senate, that in this matter I have not got the slightest interest, any more than any senator who is listening here.

I further wish to state to the members of the Senate, as you are well aware, that this case was tried before the committee on judiciary and two reports came from that committee. The majority of the committee were in favor of the resolve after we had given two hearings.

I understand, gentlemen of the Senate, that one of the grounds upon which the veto has been made is this, that it would endanger the right of our institutions to parole insane people

out into the community, if I heard the veto message read aright.

Am I correct in that, Mr. President?

The PRESIDENT: The secretary will read the message again.

(The secretary read the message.)

Mr. GILLIN: In other words, gentlemen of the Senate, I now understand thoroughly, and you understand thoroughly that the ruling of the Governor in substance is, that no matter how negligent the men in charge of your insane institutions may be, and no matter how they turn them out on the public to burn and destroy your property, and shoot and murder people, that the State assumes no liability. There can't be any question about that from the ruling of the veto.

Let us see how this was passed. In the first place it was passed by a majority of the committee after a fair hearing. It then passed this Senate without a single dissenting vote. It passed the House by a twenty to one or more vote. Practically 180 men after listening to the evidence and the arguments upon one side and the other said that this was a just cause.

Gentlemen of the Senate, is it possible that out of this insane institution over here, that they can turn out another insane party, as this case disclosed, and that the State assumes no responsibility for having such men in charge of its institutions?

I rise in solemn protest against such an institution, gentlemen, that will have in charge of it men who will turn men out on parole into the hands of another insane person to mutilate and murder, and to destroy your property.

As I have said, Mr. President and gentlemen of the Senate, I have no more interest in this than any other member of this Senate. The veto may be right, and the veto may be wrong. I am going to leave it for the Senate to say. I have nothing further to say, gentlemen.

Mr. FARRINGTON of Kennebec: Mr. President and gentlemen, I just want to say one word. I do not think it is quite a fair statement to say that the veto message of the Governor says that the State is not liable where there

is gross and criminal negligence, because the message itself states that in the opinion of the Governor this man was paroled in good faith. So that I do not think it is fair for the Senate to assume the premises as stated by the senator from Penobscot.

It strikes me if the veto message of the Governor can be maintained that there is still another way to get at the other resolve and bring it before the Senate. I do not rise for that purpose, particularly, but to say that I do not feel it a fair statement to attribute to the message of the Governor the construction that was placed upon it.

Mr. GILLIN: Mr. President, the senator well knows, if he analyzed my statement that I did not so state. I said before this Senate and before our committee that this man was turned out on parole in the hands of another insane person, and I ask the distinguished senator from Kennebec if that is not the fact?

The PRESIDENT: Does the senator from Kennebec desire to answer the question?

Mr. FARRINGTON: Will the senator repeat his question?

Mr. GILLIN: I asked if the senator did not understand that the evidence before our committee was to the effect that this insane man was turned out into the hands of his mother, who had been in an insane asylum herself?

Mr. FARRINGTON: Mr. President, and members of the Senate, I reply that the insanity of the mother was 20 years prior to the date upon which her son was submitted into her care.

Mr. GILLIN: I ask if she had been insane and had been in an insane asylum?

Mr. FARRINGTON: I reply that she had been insane and in an asylum 20 years before.

Mr. GILLIN: Mr. President, I restate that this man was turned out into the community under the control of the mother who had been in an insane asylum, so that I do not impugn at all that the Governor might not be right in his message. I under-

stood what he said. I simply wish to put myself on record.

Mr. MORRILL of Cumberland: Mr. President, I want to ask a question. If the minority report was accepted, as I understand it, this Legislature sustains this law, the right to sue the State. Is that the understanding?

Mr. GILLIN: That is the understanding.

Mr. MORRILL: Does the State furnish these parties with money to fight this law suit and pay the expenses? If they don't I shouldn't want the Legislature to legislate an important law suit on me, if I had the color of a title. Does the State furnish the money to demonstrate this point?

Mr. GILLIN: I will say through the Chair that it does not.

The PRESIDENT: The Chair will re-state the question. Shall the resolve be passed notwithstanding the objection of the Governor? As many as are in favor of passing the resolve notwithstanding the objection of the Governor will vote yes and the opposed will vote no.

The secretary called the roll. Those voting yes were: Messrs. Babb, Clement, Cobb, Gillin, Gould, Holt, Morrill, Sargent, Thombs, Tuttle,—10. Those voting no were: Messrs. Adams, Allen, Baxter, Bemis, Clark, Eaton, Emerson, Emery, Farrington, Folsom, Hall, Morrison, Spencer, Sprague, Stevens, Thompson,—16.

Absentees—Messrs. Garcelon Parent, Putnam,—3.

Ten senators having voted yes and 16 voting no, the motion did not prevail and the resolve was not passed notwithstanding the objections of the Governor.

Mr. GOULD of Aroostook: Mr. President, I have an order here which I wish to present. This is something entirely new to me and I thing probably to a great many members of this body.

The Governor has asked me to present an order here creating a joint commission to be known as a Member of the New England Commission of Foreign and Domestic Commerce

The other states of New England have already formed their commission. The title will probably indicate to you the purposes of this commission.

There is one thing I might say that appeals to all of us, there are no fees going with this commission; it is an honorary matter. The commission would be appointed by the Governor and Council, and consist of five citizens of the State of Maine, and its purposes are as indicated, commerce of foreign and domestic purposes.

I have the order in the hands of the President.

The PRESIDENT: The senator from Aroostook, moves that we suspend the order of last week in relation to the reception of bills after that time, and forward them to the next Legislature, that he may introduce at this time the bill which the secretary will please read, and then we will vote upon the motion that it be received under suspension of the order.

The secretary read the title: "An Act to establish a Commission of Foreign and Domestic Commerce."

(The secretary then read the bill in full.)

The PRESIDENT: The question is on the motion of Senator Gould that we suspend the order and receive this bill.

The motion was adopted by a viva voce vote.

Mr. THOMBS of Penobscot: Mr. President, I do not at this time wish to delay the orderly procedure of the Senate, but this is a matter of great importance, not only to the Legislature but to the people of the State of Maine, coming as it does at this late day, I think the request will be made that it be referred to the committee. I think that it should be printed that there may be a distribution of copies of the act for the perusal of persons interested.

Mr. President, I move that the matter lie on the table for printing.

Mr. GOULD: Mr. President, I would say in answer to the senator from Penobscot, that I intended to state

that this bill was supposed to go through without being referred to any committee, and if it was to be referred to a committee it would be one that I am chairman of, the federal relations committee, and that was the reason of this bill being handed to me to present at this time.

The motion to table was adopted and 500 copies were ordered printed.

Mr. EMERY of Washington: Mr. President, I ask the consent of the Senate to suspend the rules and the order in order that I may introduce An Act to provide for State aid for towns in the maintenance and repair of bridges.

(The secretary read the bill.)

Mr. FOLSOM of Somerset: Mr. President, may I inquire through the Chair of Senator Emery if this is a bill that emanates from the Committee on Ways and Bridges, and has had their consideration on the general matter?

Mr. EMERY: Mr. President, I will state for the benefit of the senator that this is a committee bill, and is introduced by arrangement with the Committee on Ways and Bridges.

It should properly have been in earlier, but by a clerical error the matter was overlooked, and we shall have to ask the indulgence of the Senate that we may introduce it at this time.

The motion was adopted, the rules suspended and the bill was received.

On further motion by the same senator, under suspension of the rules, the bill was given its two readings and passed to be engrossed.

The following resolves were presented, and were referred to the Committee on Appropriations and Financial Affairs.

By Mr. Adams of Kennebec: Resolve in favor of the clerk of the Committee on Ways and Bridges.

By Mr. Allen of York: Resolve in favor of Bernice E. Bates for services as clerk of Committee on Education.

By Mr. Putnam of Washington: Resolve in favor of Edith B. Wilson for services rendered to the House

and Senate Committees on Engrossed Bills.

By Mr. Thompson of Knox: Resolve in favor of Julian K. Croxford for services as clerk on the Committee on Claims.

Mr. THOMBS of Penobscot: Mr. President, I desire to move the suspension of the rules that I may present three resolves which take care of the expenses of the employes of the Legal Affairs Committee. If received at this time I shall then move that they be referred to the Committee on Appropriations and Financial Affairs.

Their titles are as follows:

Resolve in favor of F. A. Tryon, stenographer to the Legal Affairs Committee.

Resolve in favor of George H. Chick, for services as messenger to Leagl Affairs Committee.

Resolve in favor of Lawrence P. Clark, for services to Legal Affairs Committee.

Passed to be Engrossed

(The following bills and resolves, unless otherwise noted, under suspension of the rules were read twice and passed to be engrossed.)

S. 182: Resolve providing for the care, support and medical or surgical treatment of dependent persons in or by certain charitable and benevolent institutions and organizations not owned or controlled by the State, and for other purposes.

S. 183: An Act to consolidate the Library Laws.

S. 185: Resolve to reimburse the town of Prentiss for sheep and poultry killed by dogs and wild animals in nineteen hundred and nineteen.

S. 185: Resolve for maintenance and improvement of the State Park in Augusta.

S. 186: Resolve to amend Section 121 of Chapter 4 of the Revised Statutes, relating to application for license to build or extend Fish Wiers.

S. 187. An Act to amend the charter of the Northern Cumberland municipal court.

S. 188. An Act to amend Section 27

of Chapter 117 of the Revised Statutes relating to the salary of the superintendent of public buildings.

S. 189. An Act to amend Section 16 of Chapter 117 of the Revised Statutes as amended by Chapter 116 of the Public Laws of 1917, to increase the salary of the State treasurer.

S. 190. An Act to amend Chapter 293 of the Public Laws of 1917, relating to the per diem of the wardens.

S. 191. 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.

Reports of Committees

Mr. Cobb from the committee on State Sanatoriums, on the communication regarding the Clary farm bequest, reported that the same be referred to the Governor and Council.

The report was accepted.

The following committees submitted their final reports, which were accepted:

Agriculture.

Commerce.

Passed to Be Engrossed

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 Elliotts-ville 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 7 and Paragraph 4 of said Section of the Revised Statutes, relating to the sale of real estate by license of court.

(Senate Amendment "A" presented by Mr. Thompson of Knox, for the purpose of correcting an error, was adopted.)

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, excepting 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.

(Tabled on motion by Mr. Adams of Kennebec.)

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.

(Senate Amendment "A," presented by Mr. Folsom of Somerset, to correct the amount stated in the resolve, the amendment being presented by the advice of the committee on appropriations and financial affairs, was adopted.)

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 500 copies of the public letters of John Fairfield.

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

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.

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

Mr. SPENCER of York: Mr. President, I move that this bill be indefinitely postponed. I have no quarrel with the committee on Legal Affairs, before which committee this matter was heard. In fact, I have

great respect for all the members of that committee, not only in the Senate but in the House. I cannot distinguish between them particularly, but I will say that I have much respect for the chairman of that committee and I believe that he will leave a very fine record in the 80th Legislature. But I want to say that on this proposition, gentlemen, there may be some question.

The committee on Legal Affairs has had a large part of the work of this session on their hands. Is it possible that human minds can encompass every problem that comes to this Legislature in the short time that we are here, if they have to do it all? The purpose of committees is to divide up the work of the Legislature. If it were not for the division of the work of the Legislature among committees, we would be here two years instead of three months.

Now this matter did not come before my committee on Towns and I am not sorry that it did not. But I feel that if I apply the standard to it that we applied in the other matter which we discussed this forenoon it is going to lack those requirements which I consider necessary before the State of Maine decides to cut up an old town in this manner.

I suggested in the other matter that the parties to be considered are the old town, the new town if there is to be one, and the State.

I do not suppose that you have considered the facts in this matter and for that reason I want to give you a few of the statistics. The old town will have a valuation if divided of \$1,259,472 and the new town \$934,000 including the summer valuation of about \$412,050. The old town will be left with 107 miles of road; the new town will only have twelve miles. There will be in the old town 20 bridges and four half bridges. There will be in the new town only two bridges. As for schools, there will be 13 common schools and one high school in the old town and one school in the new. It has been estimated that the future tax rate for the old town, in order for them to have just what they have under the pres-

ent appropriations in the future will aggregate 49 mills, and that of Ogunquit 24. I understand from reliable sources that the inhabitants of the town of Wells are opposed to this division to the amount of 75%. If there is anybody here who believes in self-determination they certainly must recognize the rights of these towns to some consideration.

Now the shape of this town, if it is ever made a town, will be a little triangle, the base resting upon the ocean and the point penetrating far into the interior. Do you think that this is the shape for a town? I do not like to see towns made that way. I feel that what we want is a great, prosperous State. We do not want a State made up of little municipalities that have no financial ability to maintain themselves. I feel that if our towns on the coast were divided in this manner that it would affect the Federal Government's methods of protection in time of war.

There has been a good deal said in our committee about the apportionment of State senators and Representatives—about Portland being a large city—possibly dangerous to the interests of the State. I do not live in Cumberland county, but I feel that Portland at the time of the last war was a great benefit to the State of Maine. The whole proposition here, as I understand it, resolves itself into this question, gentlemen, whether you want to make a town out of a school district.

Mr. THOMBS of Penobscot: Mr. President and members of the Senate: I hope I may not unduly trespass upon your time this morning but I do feel that you will agree with me that being here as members of the Legislature it is not only a pleasure for us, but it is our plain duty as well to give ample time to the consideration of the State's business. And if perchance I should take more time in the discussion of this matter than some of you might feel that I ought, I want to offer to you the excuse that I for one am willing to give all the time that is necessary to a proper consideration of every matter that comes before us.

I want to make at the start a few observations, and I certainly should be lacking in a sense of decency if I did not publicly acknowledge the compliment for my committee and the compliment to me personally just tendered by the respected Senator from the good old county of York. It was my pleasure to serve with him in a preceding session of the Legislature on the other side of the capitol, and I well remember I often remarked upon the important part that he took in one of the most celebrated debates that ever occurred in the history of Maine Legislatures.

In that celebrated post office fight, which I often hear spoken of, in the Legislature of 1913, I truly believe that his neat, concise little speech was the turning of the scale in the decision of the matter as finally recorded. I certainly shall always remember him for that as well as for his geniality and his earnest and sincere desire to do his part in the work of this Legislature.

I also want to make a few observations, if you will bear with me, about the general proposition of the division of towns. I want to ask you, fellow Senators, to go back with me long years ago and to ask yourselves what the town lines meant at that time and how they were laid. Is it not fair to state that the laying out and the measuring of town boundaries was in a somewhat arbitrary manner, not having due consideration for the needs of the people who then inhabited the State of Maine. I know and you know well too that town lines as well as natural monuments and those things which surround us in our every day life, after the association of days and years, aye, of generations, that those things become dear to us. Mr. President, if you own an estate in the State of Maine and the needs of modern civilization and industry have led the way to the building of a railway, and your estate happens to lie in the direct path which it is necessary usually to follow in laying out such a way, I doubt not that you would be sorry to see the surveyors coming on to your property, thereby indicating to you that

in a short time the soil of your estate would be torn up; it may be that it would be divided in twain and it never again would look the same to you, Mr. President, nor to your children, but I do not believe that you, realizing that civilization must ever press onward, would be one to oppose such an improvement.

And, gentlemen of the Senate, if the illustration is a fair one, I ask you if there is anything sacred and inviolable about a town line? The demands of modern civilization, the changing of centers of population, the growing up of manufacturing industries, and changes of many kinds, bring us sometimes to the point where we question whether or not it may not be advisable for us to depart somewhat from the established usages and customs of our forefathers and the limitations that they have given to us. The learned Senator from York has the greatest respect for the old Constitution of Maine; he has lifted up his voice in this Senate at this session and protested against its change. But I have to remind you that the Constitution has been changed in the wisdom of succeeding generations very many times since it was first adopted. So I want to say to you, gentlemen, in all good faith and fairness, that I believe it is fair argument to say to you that there isn't anything so sacred about town lines that demands when they are reasonable and just may not merit their change.

Mr. President and Senators, this is one of the most important matters that came before the Committee on Legal Affairs at this session,—and the Committee on the Reference of Bills has entrusted it with many important materials,—and I want to say in behalf of my committee that I have an earnest, honest, conscientious committee. They are diligent in their work. They are painstaking. They are unsparing of their time, and I want to assure you that I believe that every matter, notwithstanding there may have been disagreements and will be perhaps, has had the best that this committee has to offer.

Now, Mr. President, if this were a unique thing, I should hesitate a bit. I think one of the attorneys who appeared in the hearing before this committee made the observation that in his experience in Legislative work—and I may remark it has been considerable—there seemed to be a sentiment in Legislatures generally not to quickly or easily change town lines. And I quite agree with him that the matter is so important that it ought not to be done without careful consideration.

Gentlemen of the Senate, allow me to remind you of one or two examples where such a change has been made in order that you may know that in this same county preceding Legislatures sometimes have taken the very step that you are now asked to take, and I am quite willing that you judge of this particular matter by the instances which I shall call to your attention. Some twenty-five or thirty-five years ago a Legislature saw fit to set off from the town or city of Saco, as it may have then been, the town of Old Orchard, and I want to ask you, Senators, if the fact that they did then set off this town has not warranted through all the years the judgment that they then exercised? I do not care to go into the statistics of the town of Old Orchard. I do not know them. It is not necessary. But there probably is not a Senator who has not had the delightful pleasure of tarrying for a time in that beautiful seaside resort. It has grown and thrived and is the Mecca year by year of thousands and thousands of pleasure and health seekers. And the fact that it was taken from its parent when it had grown up to manhood in no way has detracted from it as a town fulfilling, I believe, every duty incumbent upon it.

I want also to remind you that only four or six years ago a Legislature divided the town of Kennebunkport into the towns of Kennebunk and North Kennebunk, and up to this time, so far as I know, neither town has come back to the Legislature asking that they be again reunited. Gentlemen of the Senate, I do not think that I ought to take your time to go into a detailed statement of the very

intricate internal affairs of this community. Because I believe that there is a reason which will justify you in sustaining this committee without resorting to these intricate figures. Fellow Senators, when there comes a time in the life of a family when it is no longer possible for the man and the woman to live together as man and wife in peace and comfort, the great Legislature of the State of Maine has said that by a judicial proceeding they may each go their several ways. There was evidence, gentlemen, at this hearing, and the spirit that was there displayed. I think bore out the evidence, that there has been friction between the parent town, if you please to call it, of Wells and this sturdy boy, the village of Ogunquit. This friction has continued, I am informed, for as long as 35 years. It is rampant all the time, displayed in the yearly town meetings and not forgotten in the other 364 days of the year. The committee, I think, were justified in believing from the evidence presented that it was impossible for these two communities within the lines and limits of the town of Wells as now defined to live as parent and child in the family town in that relationship and courtesy one to the other which is not only desirable but necessary for their proper conduct of business and growth.

This trouble, gentlemen, let me remind you became so acute that nine or ten years ago there was formed a village corporation including what is now asked to be set apart and given the name of Ogunquit. Gentlemen of the Senate, if that means anything to me, it means that at that time there existed some feeling of independence between these two sections of the town. And it follows of course that the Legislature accepted that view and granted to this community of Ogunquit the right to have a greater voice in the conducting of their own affairs than it was possible for them to secure without it. I have no doubt that the people at that time hoped, yes, they may have even believed that this would correct the evils that then existed and that

these component parts of one town might again get along together and fulfill the proper functions of a town. But it is needless and trite for me to remind you that those hopes and expectations have not been fulfilled for the very obvious reason that they are here today asking for further division and relief.

I think there is an observation that should carry great weight in deciding this matter, and that is the very great difference that exists in the location and the business of these two communities. The old town of Wells is a seacoast town, having a large number of miles. I am not quite sure but one entire side bordering upon the ocean. Now there has grown up down on the very coast, there has grown up there in the last 20 to 25 years, from humble beginnings, I am sure, the village of Ogunquit. This came into being, I understand, because it had a beautiful beach and was in close proximity and on the ocean front.

Thousands and thousands of people were then turning eastward to the State of Maine for a vacation ground—some of them turned their eyes toward this beautiful spot and it became their summer home, and they, pleased with it and the beauties of Maine, have returned from year to year and have brought with them friends and relatives, and attracted strangers in large numbers. So that in the course of the years there has grown up along and on the coast of this town what we commonly speak of in Maine as a seashore resort. I understand there is not a single manufacturing plant in the village of Ogunquit—I do not think there is in the whole town of Wells. But there is a large volume of business in the village of Ogunquit. In the summer time these hundreds of strangers make their home there. In the winter they are gone and the year round inhabitants alone remain. Everything from a business standpoint and from the interests of individual work and income of the people who reside in the village of Ogunquit turns to the summer business. I want to emphasize for you, if you please, the dif-

ference between this kind of business and that carried on in the other section of the town. The people in old Wells, so to speak, because that is the way they distinguish between the two communities, I think, are in the main farmers and their interests are not so united and tied up in the summer resort business as the people of Ogunquit. That I am sure is obvious and it is a difference which I believe amply accounts for the differences which have arisen and which have brought these people here today.

I want to illustrate to you, if you please, and remind you that all along the coast of Maine there are many, many such resorts, and to show you, if you please, that there are demands made on those towns which have those resorts that are not in common with those made on inland towns. I want to bring to your attention that beautiful town of Eden, commonly called Bar Harbor, the tourists' Mecca of the whole eastern United States. This Legislature, at this very session, has been asked to pass laws there that pertain solely to facilitating the business of that town as a summer resort town. They want to lay out now—and the legal affairs committee has O. K.'d their proposition—they want to lay out bridle paths. Now, gentlemen, that is something that is unknown and uncalled for in inland towns in Maine. In Bar Harbor they have gone as far as this: The Legislature has authorized them to have a large board of selectmen, seven in number I think, and they have found it expedient and wise in that town to have a law enacted that two, I believe, of those selectmen may be non-residents of the State of Maine. Now, gentlemen, I believe that this is a fair illustration of the needs and of the conditions which confront those towns which cater to a summer resort business.

And if that be true, then I believe that it is not only—it may not be a matter of excuse—it is the reason for the village of Ogunquit coming here and asking the right and privilege to set up housekeeping for itself. Now I want to say that it was in evidence

before the committee that it has been impossible for the community of Ogunquit, even under this village charter granted them so recently to get the public improvements and benefits that they believe they should have to practically carry forward their business. I understand that they went into town meeting and asked that the town of Wells appropriate money that they might put electric lights upon the streets. And there is not a senator within the sound of my voice who will deny that that is not only a necessary improvement but one that I believe every town should be glad to accord to its village; and I understand that the town of Wells, or that portion of it which had the more votes, namely, old Wells, said to those people, You shall not progress so far as to light your streets in this modern way. However, street lights grace the streets of Ogunquit today, lighting the stranger in his travels by night, protecting the citizens at rest. But, gentlemen, this improvement was paid by the people of Ogunquit out of their own pockets—sidewalks just the same—sewer systems just the same—an engine house provided in the same manner. Now I want to submit to you, gentlemen, remembering that the town of old Wells has always during these years had the power in the matter of numbers to out-vote Ogunquit, I want to ask you if that is a creditable record. For years and years there have been two of the selectmen always selected from old Wells; one sometimes from Ogunquit, but that one on account of the difference in voting power necessarily selected by the town of old Wells.

I think the senator from York says something about the roads. The evidence before the committee I think, to state it fairly, was that the roads in mileage, if the proposed division be carried through, would result somewhat in the proportion of seven to one, putting the larger mileage of course in the old town of Wells.

But, gentlemen, you should not judge entirely of the matter of roads or their up-keep from the matter of mileage. In the town of old Wells there goes from its eastern to its western

extremity the State highway, leading from Maine to New Hampshire. That road has been made through this entire town and its maintenance is now a matter for the State and the State alone. I am informed that the balance of the roads in a great many instances are the little roads that lead off to the little hamlets or the isolated farmhouses in the back communities. And I do not need to remind you, gentlemen, because you are men of practical affairs, that the up-keep necessary for roads of that kind and the cost is not nearly so much per mile as for those roads which serve and carry a heavy traffic. In addition to that, the old town of Wells is fortunate in this respect about its road, that its soil is of a somewhat sandy nature and the roads are much more easily and cheaply maintained than they would be if they were of a dirt surface alone.

I said I would not go into details. The figures have been worked out regarding the division of the public property. It may be argued in relation to the number of schoolhouses. But I want to assure you, gentlemen, and I feel that I ought to hasten—I want to assure you that in those details the committee has taken into consideration the evidence that was presented and has carefully gone into the matter of the division, and I believe that they have worked out and incorporated in the bill a fair and equitable division.

The Senator from York referred, I think to the matter of the support of the town in times of crises. I cannot follow him to the conclusion of his argument, if he means to say that there would be less loyalty, less united action, less faithfulness to the government, if town lines are changed. Gentlemen of the Senate, town lines do not make the man or woman, they do not make the citizens of Maine or of the United States, there is nothing about town lines that makes the man a patriot or makes him the hatred of all men.

I hold in my hand here petitions of a large number of people who desire to see the town divided. And let

me remind you again that there is and always has been the greater number of voters in old Wells, and if 75 per cent. of those people there are opposed, I believe according to the Senator's own statement that in a population of 1400, which is approximately the population of the entire town, the division being 500 to 900—I believe that according to the Senator's own statement, if carried out, that it would show that at least there were one-half of the people who want to be separated, who want the right to be a town and to carry on their town affairs in the manner that they believe will best serve their interests.

It may be argued that it leaves the old town of Wells poor and impoverished. The Senator has given you the figures of the valuation after division and I do not need to repeat them. There exists, I think, no reason why it should not be done.

It was a curious thing in this hearing, gentlemen, and if any of you were present I think you will bear me out, that there were at that hearing three distinct groups of people from this town, each group ably and loyally represented by the best of legal talent. There was the group on the left of the committee, by far the larger in numbers, which came here asking for division. There was in the center of the room a lesser group which came primarily for the purpose of changing the village charter. There was on the right of the committee a small group in numbers, but very ably represented by a gentleman I understand from the neighboring State of New Hampshire, who opposed division in any form or manner. After hearing the bill regarding the change in the village charter, we took up the matter which we are discussing this morning, and I believe that it is a fair statement to say, gentleman, that on that question a considerable number of people in the middle group showed their desire—or at least they were not hostile in the matter of division. And the gentleman who so ably represented them even passed to the committee not his recommendation perhaps, because I want to state it fairly, but stating to

the committee that he was not opposed entirely to division and if the committee recommended it he made some written recommendations regarding the division. So I was impressed, as I think other members of the committee were, with the fact that the predominating weight of evidence in the hearing rather showed that there was in the minds of those people the realization that it was only a question of time before these two communities must sever and go each its own way.

There has been handed to me this morning this paper bearing the signature of a citizen of the old town of Wells. I do not go farther than to say it simply reflects his views of the matter, and I believe as long as it was handed to me for my perusal it is only fair that I read it to you. He says: "Senator—as a citizen of Wells, proud of its history and of the character and ability of its people, I protest against any statement that the part of Wells outside of the Ogunquit Village corporation is not prosperous and without great promise for the future. Wells is both prosperous and full of promise for the future. Of farms abandoned the town of Wells has as few as any town in York County, and I believe as few as any town in the State of Maine. Of paupers it has two aged persons, husband and wife, the husband having been helpless for years but striving to support himself and wife until his property was gone. The town gives them assistance now cheerfully. There are, I think, one other aged woman and aged man who are very poor and helped by the town. Wells is prosperous now and will continue to be prosperous, and any statement to the contrary is without foundation. Again I protest against having my town discredited by such talk of poverty and abandoned farms." Gentlemen, it is a signed communication.

There is another thing that I wish to remind you of, that the whole town of Wells is so fortunate as to have a very extended beach. I do not understand that there is any difference practically in the kind of beach that exists in that part called Ogunquit and the remainder of the town.

If this division is made there will still remain in the town of old Wells by far the longer part of the beach, and I believe that it is entirely possible, and I believe that the writer of this letter intimates that in years to come along that beach also may come into being those beautiful homes of summer residents and these gigantic hotels erected for their comfort and entertainment.

Now gentlemen of the Senate, I want you to pardon me for taking perhaps an unnecessary amount of time. I am only doing it because I believe that it is a matter of great consequence. I believe that I would not be doing my duty as chairman of the committee or as a Senator if I did not lay before this Senate every fact and atom of evidence in my possession whereby the committee reached the conclusion which they have recommended for your adoption. I believe that we are warranted as a Legislature in saying to these people as a fair and impartial tribunal, Your history has shown us that you cannot live together in that peace and unity which ought to mark the conduct of every town. We believe that we are justified in acting the part of the surgeon, if you please, albeit it may not be pleasant, in taking and carving out, in the words of the Senator from York, carving out a portion of this territory and incorporating it as an independent town, because we believe that after this has been done the two communities will each be benefited.

Gentlemen of the Senate, I bring you the united endorsement of the committee which I have the honor to represent. I want to assure you again of the carefulness and the time that has been taken in consideration of this matter.

We have not reached a hasty conclusion. We have studied it carefully from all angles. We have looked back over the history of the town, and we have also looked a bit forward, and as a committee of this Legislature we have no hesitancy in recommending to this Legislature the request made by these people of Ogunquit, because we believe that in

the years to come each will go its way, carrying on the work that more particularly pertains to it, and each will benefit because each man, woman and child in each community and town then will have an incentive to do his very best for his town rather than spending his time in idle quarrels and bickerings.

Gentlemen of the Senate, I trust the motion of the Senator may not prevail.

Mr. SPENCER: Mr. President, I do not propose at this time to discuss the law or the causes of divorce. I do not think you want to hear me. In as far as this village corporation matter is concerned, the village of Ogunquit got their own village charter. I do not see that anybody else is to blame for it. If they want to amend it so they can live under it, I do not think there is any objection to it so far as this Legislature is concerned. Time passes on and things change, sometimes in a few minutes more than they change in years. But in this particular case something has happened since this committee had their meeting. The town of Wells has had a town meeting. Under the constitution relating to municipal indebtedness, no city or town shall hereafter create any debt or liability which singly or in the aggregate with previous debts or liabilities shall exceed five percentum of the last regular valuation of said city or town. Now, gentlemen, the town debt of Wells is \$46,000. Sixty per cent. of \$46,000 is \$27,600. At the last town meeting they raised \$20,000 in addition to that \$27,600. This amounts to \$47,600. The presumption is that the provisions of this statute are founded in wisdom and in intelligence, and it was not intended that a town should exceed five percentum of its valuation because it was not considered safe. I do not question but what this Legislature can let them tax themselves for 100% if they want to. But do you want to? The situation then is this, if you set off that portion of the town known as Ogunquit you will add to the liabilities of this town 40% of the valuation of the high school which is \$2000; 40% of 13

common schoolhouses estimated at \$1500 each—and you cannot build schoolhouses at this time for any such amount—\$7400; 40% of the town wood lot \$3200; 40% of the new bridge \$2400; total \$65,600. Now if you should figure 5% of the valuation of the town of Wells as it will be left, it will be approximately \$61,000. Do you wish to force this town of Wells over the line? You can if you want to. But this is not all the indebtedness that it has. I have not brought any more in here because I did not think it was necessary, but it has made other appropriations at that town meeting. I was asked last night why I mixed up in this matter, and I told the fellow because the State was in it and I represented the State whether anybody else did or not. I took my oath right here three months ago that I would support the constitution of Maine, and all those things which are for the State's interest I represent, and whether I represent them rightly or wrongly it is up to you to decide. I believe that this is bound sometime to be a great State, much greater than it is now, and I hope some day there may be possibly 2000 towns instead of 620, but I do not want to see them made this way. I do not want to see the town cut up into a checkerboard just for the benefit of people who want a divorce. I do not believe in any such proposition as that.

Now here is another reason that occurs to me and that is that over in the other end of this building at the last session they had they voted this proposition down. Is there any likelihood that if this proposition goes back into that branch of the Legislature, considering the attitude which they took on the other matter which has been before us of South Thomaston, that they will reverse their decision in this matter, even if you have a committee of conference appointed? Is it likely that they care to have matters which are of a local nature like this traveling back and forth from the Senate Chamber to the House of Representatives until they die between the two houses? It seems to me that we ought to consider this proposition, and for one, gentlemen, I do not want to see a

town on the map of Maine so small that you cannot write the name across it.

Mr. THOMBS: Mr. President, I regret exceedingly that I have to ask the indulgence of the Senate for just a moment longer. I purposely avoided reference to the action of the other House. I want to call your attention as gentlemen of the Senate to this: The gentleman here exhibits to you one page of figures. The legal affairs committee has a member upon it who is an expert in municipal affairs, and I myself asked him to serve on a sub-committee to undertake consideration of this matter, and gentlemen, this sub-committee made more figures by twenty times than the gentleman has there, and they were satisfied upon the evidence presented at the hearing that no injustice was being done. Are you going to decide this question upon the facts that were presented at the hearing, or are you going to listen to the gentleman when he says that something has occurred since then that ought to be taken into consideration?

Gentlemen of the Senate, I said I had purposely refrained from saying anything about the action taken in the House. With all respect for the House and its personnel as a component part of the Legislature, I still want to say to you that this Senate has its own functions and its own duty to perform, and I do not believe for a moment that there is a single senator who is going to be influenced one whit or iota in his action in any matter by the action of the honorable House of Representatives. Gentlemen, I submit it is an unfair argument. Let each senator vote upon this and every proposition confronting him regardless of the action of any other branch of this Legislature.

Mr. SPENCER: Mr. President, I wish only to say that that is a part of the record of this Senate.

The PRESIDENT: The Bill is An Act to divide the town of Wells and incorporate the town of Ogunquit. The Senator from York, Senator Spencer has moved that the bill be indefinitely postponed.

A viva voce vote being doubted, a division was called for.

Twelve voting in the affirmative and thirteen in opposition, the motion to indefinitely postpone the bill did not prevail.

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

Mr. GILLIN of Penobscot: Mr. President, I move the suspension of the rules in order that I may take up a matter out of order.

The motion was agreed to.

Mr. GILLIN: Mr. President, I now move that the rules be suspended and that we reconsider the vote whereby this resolve in favor of the Austin W. Jones Company was passed to be enacted.

The motion was agreed to.

Mr. GILLIN: Mr. President, I now move that the rules be suspended in order that I may make a motion that we accept the minority report of the committee in the Austin W. Jones Company matter.

The motion was agreed to.

Mr. GILLIN: Mr. President, I now move that the Resolve reported by the minority of the committee authorizing the Austin W. Jones Company to bring suit against the State, be given its first reading.

The motion was agreed to and on further motion by the same Senator, under suspension of the rules, the resolve was read the second time and was passed to be engrossed.

Mr. THOMBS of Penobscot: Mr. President, according to the calendar the next matter in order is H. D. 400, An Act to amend Chapter 238 of the Public Laws of 1919, relative to workmen's compensation.

In order that we may save time I will say that I have been informed that the printed copies of this bill show an obvious error, and I desire that the matter lie on the table until I have a chance to read over the original bill.

I move that the bill be tabled.

The motion was agreed to.

Passed to Be Engrossed

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

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

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

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.

H. 418: Resolve in favor of the Western Maine Sanatorium.

Passed to Be Enacted

An Act amendatory of and additional to Chapter 45 of the Revised Statutes, as amended, relating to the Lobster Industry.

An Act to amend Section 1 of Chapter 62 of the Revised Statutes, as amended by Chapter 48 of the Public Laws of 1919, relating to corporations for Literary, Charitable, Educational and other purposes.

An Act to amend Section 13 of Chapter 21 of the Revised Statutes, relating to burying grounds.

An Act to amend Section 9 of Chapter 29 of the Revised Statutes, as amended by Chapter 202 of the Public Laws of 1917, prohibiting the treatment of world war veterans as paupers.

An Act to amend Section 37 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 131 of the Public Laws of 1919, relating to the protection of moose.

An Act to amend Sections 1 and 4 of Chapter 81, of the Private and Special Laws of 1915, relating to Winthrop Water Company.

An Act to amend Section 11 of Chapter 117 of the Revised Statutes, as amended by Chapter 249 of the Public Laws of 1917 and Chapter 198

of the Public Laws of 1919, relating to the salaries of stenographers of Cumberland and Kennebec Superior Courts.

An Act to amend Section 139 of Chapter 16 of the Revised Statutes as amended, relating to the appropriation for industrial education.

An Act to amend Section 13 of Chapter 117 of the Revised Statutes, relating to the duties of the Secretary of the Senate.

An Act amendatory of and additional to Chapter 16 of the Private and Special Laws of Maine, 1820, and for the incorporation of the Trustees of the Medical School of Maine.

An Act to provide for the creation of water storage on the Aroostook River.

An Act to amend Section 4 of Chapter 167 of the Private and Special Laws of 1907, incorporating the Allagash Improvement Company.

Finally Passed

Resolve in favor of the Medical School of Maine established by Chapter 16 of the Private and Special Laws of Maine, 1820, as amended.

Resolve in favor of the President and Trustees of Bates College.

Resolve to reimburse the town of South Thomaston for amount paid for Free High School Tuition for year ending July 1, 1919.

Resolve to amend a resolve providing for aid in the payment of premiums awarded by the Eastern Maine State Fair.

Resolve authorizing the Governor and Council to adjust claims for damages caused by flowage on Indian Island in the Penobscot River.

Resolve in favor of Lorenzo B. Wright of Montville for State Pension.

Resolve providing for certain State Pensions.

Resolve in favor of the town of Boothbay Harbor for military aid furnished the wife of Herbert H. Truston and four minor children under age of fifteen years.

Resolve to reimburse the town of Milo for money advanced under the Soldiers' Dependent Law.

Resolve to appropriate money for the purchase of a History of York.

Orders of the Day

Mr. PARENT of Androscoggin: Mr. President, I move that when the Senate adjourn it adjourn to meet at 4.30 o'clock this afternoon.

Mr. THOMPSON of Knox: Mr. President, I agree with the motion entirely, except as to time. There are three committee meetings this afternoon and one of them is an exceedingly important one, and at that time I should think that committee might be in session. I will say that I favor a session this afternoon, but prefer it be in the evening.

The PRESIDENT: The motion is debatable in relation to fixing the time.

Mr. PARENT: Mr. President, I think we are coming to find it rather difficult, in view of the fact that some of the senators are rather obliged to leave tonight. I first suggested an evening session and I found a number will be unable to be here.

The Judiciary and other committees have executive sessions this afternoon and we, immediately after this session, might be able to dispose of some of the business now before the Senate and gain some time. I think if we recess to some time later in the day it is going to be difficult for us to agree on the time. I thought by making the time 4.30 it would be the most convenient time.

Mr. FOLSOM of Somerset: Mr. President, it seems to me that the time has arrived when we should adapt ourselves to the needs of the conducting of the business of the State. If we are going to get through next week the business of the Legislature must be expedited. I feel that we ought to accommodate ourselves to the matters. I had proposed that we make it 7.30 this evening.

Mr. PARENT: Mr. President, as far as I am concerned I am willing to meet at any time the majority wish.

A viva voce vote was had and the Chair being in doubt, a rising vote was had, and the motion was adopted.

Mr. PARENT of Androscoggin: Mr. President, in view of the fact that the Judiciary committee, the committee on Ways and Bridges and on Military Affairs have their joint session early this afternoon, and as we need a little time for dinner, I move that this Senate now adjourn.

The motion was agreed to and the Senate was adjourned until 4.30 this afternoon.

AFTER RECESS

Senate called to order at 4.30 o'clock.

Mr. Garcelon of Androscoggin: Mr. President, I ask unanimous consent to introduce an important bill at this time.

When I prepared the so-called "Soldiers' Bonus Act" a year and a half ago it was estimated by the adjutant general's department that there were thirty thousand men in the service entitled to receive the bonus. Bonds were issued for a sufficient amount to pay them, but it turns out that that number is exceeded by 3,000. This bill has been prepared in order to provide the additional money necessary. The bill is An Act to permit the reissue of bonds of the Maine Military Service Loan.

The rules were suspended and the senator introduced the bill.

Mr. GARCELON: Mr. President, I move that the rules be further suspended and that the bill receive its readings at this time.

Mr. THOMBS of Penobscot: Mr. President, I would like to inquire through the Chair if this bill contemplates the re-issue of the entire amount?

Mr. GARCELON: The re-issue, Mr. President, of three hundred thousand dollars merely.

Mr. THOMBS: The limit is fixed by the bill?

Mr. GARCELON: Yes.

The rules were suspended and the bill, An Act to permit the re-issue of bonds of the Maine Military Service Loan under the provisions of Section 6, Chapter 264 of the Public Laws of 1919, was read twice and passed to be engrossed.

Mr. FOLSOM of Somerset: Mr. President, I move that the rules be suspended that I may make a motion out of order.

The motion was agreed to.

Mr. FOLSOM: Mr. President, I move that when the Senate adjourns it adjourn to meet tomorrow morning at half past eight o'clock.

The motion was agreed to.

Mr. EMERSON of Aroostook: Mr. President, I move we take from the table H. 353. An Act regulatory of portable saw mills, tabled by me this morning.

The motion was agreed to, and on further motion by the same senator the report of the Committee on State Lands and Forest preservation, ought to pass, was accepted.

On further motion by the same senator House Amendment "A" was adopted in concurrence and the bill as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate matters tabled prior to March 29, to be taken off the table at this time.

H. D. 94: An Act granting to J. Fred Sawyer of Greenville, Piscataquis county, so much of the bed of Moosehead Lake as is necessary for the support of his building in said Greenville. The pending question is the acceptance of the report of the Committee on Bills in Second Reading.

Mr. SPRAGUE of Piscataquis: I move that the report be accepted.

The motion was agreed to.

Mr. GILLIN of Penobscot: Mr. President, I will state for Brother Sprague that in the absence of Senator Baxter, who had this on the table, that he desired that a motion be made to have it indefinitely postponed when it was taken off the table. I told him if it was taken off I would make that motion.

Mr. President and gentlemen, I move now, as it is off the table, that the matter be indefinitely postponed. I feel that I am under obligation to do so.

Mr. SPRAGUE: Mr. President, this is a very simple matter. I do not think the State of Maine will be endangered at all. The man happened to build a building near the head of Moosehead lake, in the village of Greenville on one of the principal streets of that village. And he happened to get a few rods, possibly five or six,—Senator Gillin knows more about that than I do, for it was before his committee and that committee reported favorably on this bill. Now this is simply, as I understand, to give him a fee or easement,—I am not certain which, in the few feet of land he happened to build on. It is a part of the bed of Moosehead lake. That is the facts of the case, so that I hope that the motion to indefinitely postpone will not prevail.

Mr. GILLIN: Mr. President, in order to have the thing clarified, I thoroughly agree with the statement of the senator from Piscataquis.

At the time—I do not know what the other members of the Judiciary committee understood, but we thought we were giving to this man a little portion of the lake as a lease hold, but on carefully examining the bill I am satisfied we are giving it in fee. I understood that could not get by, and that it better be disposed of here. Hence, I will still let my motion stand as made by me and let the Senate vote on it.

Mr. SPRAGUE: Mr. President, I want to make myself clear, that I oppose it thoroughly, earnestly, and do hope that the motion will not prevail for I do not believe they are establishing any precedent or that it is endangering in the slightest manner any good public policy of the State of Maine.

Mr. THOMBS of Penobscot: Mr. President and fellow senators, this matter was called to my attention by Senator Baxter, who is not present at this time.

The resolve does give in its language the fee or absolute title to a certain portion of the bed of Moosehead lake to Mr. Sawyer. At the request of Mr. Sprague I have been in communication with Mr.

Hayes, of Dover and Foxcroft, who represented as an attorney Mr. Sawyer. I assume that the explanation made by the senator from Piscataquis, is correct, about the origin of this matter.

It has occurred to me that the senators should understand distinctly what they are doing. Assuming that this man had, a good many years ago, and I think it was a good many years ago,—I am sorry I have not the letter from Mr. Hayes—but a good many years ago this man inadvertently got his building over the line of his land onto the public domain which is the bottom of the lake.

His building has there resided for a good many years, evidently nothing having been done about it, the State never having followed the matter up in any way. He now comes to the Legislature and asks that the State give him this portion, of land, in order, according to Mr. Hayes, that his building may be of some value for the disposition of it, for selling it.

I never should quarrel with a resolve that granted an easement to Mr. Sawyer during his life time or during the time that this present building stands, leaving it where it is, in as much as he probably was acting in good faith when he got over the line.

The situation is just exactly as it would be between myself and my neighbor if he in building a building encroached upon my land. If I believed he did so on error I might be willing for him to leave his building there, or I might sell him the land. In this case the building has been there for a good many years, and the man has had the use of the building and the land.

According to the letter of Mr. Hayes he wants the State to give him this land that he has occupied for these many years in order that it may be of sufficient value so that he can dispose of the whole premises.

Now if the Senators believe that it is a proper policy for the State to pursue to give a man a piece of land under these circumstances in order that he may make his building and

the remaining portion of his lands of some value, I have nothing more to say. I simply wished to lay the case before you.

Mr. SPRAGUE: Mr. President, I would like to ask the senator or any of the judiciary committee, or the legal affairs committee, or whoever may be interested, if there would be any objection to a new draft giving permission to the land agent to sell Mr. Sawyer this portion of land described here?

Mr. THOMBS: Mr. President, if the question is addressed to me, I could not answer it at all. I have no particular interest in the matter except as a member of the Senate, and as a citizen of the State of Maine. I believe we ought to observe ordinary business caution in authorizing the giving of any of the State property.

Mr. SPRAGUE: Mr. President, I move that the matter lie on the table.

A viva voce vote was had and the motion was lost.

The question then being on the indefinite postponement of the bill, a viva voce vote was had and the bill was indefinitely postponed.

The PRESIDENT: The Chair lays before the Senate H. D. 100, An Act authorizing the Maine General Hospital to increase the number of directors to 24, tabled by Senator Emery. The pending question being passage to be enacted.

On motion by Mr. Emery of Washington, the bill was passed to be enacted.

The PRESIDENT: The Chair lays before the Senate An Act relating to the salary of the commissioner of Inland Fisheries and Game tabled March 17 by Senator Sprague. The report of the Committee on Salaries and Fees is, ought not to pass. The pending question is on the acceptance of this report.

Mr. SPRAGUE of Piscataquis: Mr. President, I move that the bill be substituted for the report.

The PRESIDENT: The Chair will

state that the bill gives the commissioner \$4000 and all necessary traveling expenses, evidently an increase from \$2500.

Mr. SPRAGUE: Mr. President, I think if the Senate will only defer this, have it assigned for some day, Tuesday next, I believe it is in the interest of peace and harmony, and I believe the matter can be easily settled. I want to have my motion stand, and have the bill tabled and be assigned for Tuesday of next week.

Mr. Folsom of Somerset: Mr. President, I trust the motion will not prevail.

Mr. MORRILL of Cumberland: Mr. President, is the question debatable?

The PRESIDENT: The main question to lay on the table is not debatable, but the assignment of a time certain is debatable.

Mr. MORRILL: Mr. President, I hope there will not be any haste about this matter.

Mr. FOLSOM: Mr. President, this matter has been on the table since March 17, and it seems to me there has been sufficient time elapsed to consider the matter fully.

The pending question being motion to table until next Tuesday, a viva voce vote was had and the same being doubted a rising vote was had and the motion was lost.

The pending question then being on the motion of Senator Sprague to substitute the bill for the report of the committee:

Mr. FOLSOM: Mr. President, and gentlemen of the Senate, I do not think I wish to take any time of this Senate in discussing the merits of this particular case. I just wish to say this: That the committee on Salaries and Fees, as you know, has had before it a great many matters involving prospective increases in the salaries of the larger part of the heads of departments and other officers throughout the State; that we have spent a great deal of time upon the consideration of these matters. And that any report which we have made has been made after careful thought and consideration, and after

considering each case upon its merits. And also with the view to equalizing salaries of the various heads of departments. In making our recommendation in this particular case we felt that we were justified along the lines under which we were considering those matters.

I certainly should not feel that it was proper for the salary of this particular official to be raised from \$2500 to \$4000. It would not be justice to other heads of departments, from my view of the situation, and I trust that the motion of the Senator from Piscataquis, Senator Sprague, will not prevail.

Mr. SPRAGUE: Mr. President, if in order I wish to offer an amendment at this time, an amendment to this bill.

The PRESIDENT: The bill has not yet been substituted. The Chair will suggest that an amendment be prepared and offered. Will the senator prepare his motion in writing?

Mr. FOLSOM: Mr. President, may I rise to a point of order?

The PRESIDENT: State your point of order.

Mr. FOLSOM: As I understand the question before the Senate it is a substitution of the bill for the report. It seems to me that question has precedence.

The PRESIDENT: If the bill is substituted for the report then the bill will be in order.

Mr. MORRILL: Mr. President, is this question debatable?

The PRESIDENT: The substitution of the bill for the report is debatable.

Mr. MORRILL: Mr. President and fellow senators, I know it has been considered at times to give heed to and accept the reports of the committees, but you will all recall that at the commencement of this session this question of salaries came up and was a prominent question. I was opposed to the increase of any salaries this year, but you know the history of this thing as it has gone along. I think it is well for us, as we opened the door to the increase of salaries, to be fair in this matter

that is before us at this time. I notice that the judges' salaries were increased a thousand dollars, and the commissioner of argiculture was increased a thousand dollars. If I get it wrong you can correct me. The State auditor was increased one thousand dollars, and the librarian seven hundred dollars. The State treasurer is on the road to an increase in his salary that I admit I do not know how much.

Later there will be other increases in salaries. They are before us and even on the table at this time. Now is this fair to the man who occupies the position that the fish and game commissioner does? It has been said at times that the commissioner did not put in all his time, but if he does his duty he has to put in his time and more, and look the whole State over. His department is one of the important departments. The man who occupies that position now is a man of education and influence in his own community and all over the State of Maine, a man who has occupied high positions and always fills the bill. This man now takes the place of three commissioners; we formerly had three commissioners and it was made over into a one-man commission. Therefore there is a chance for him to do all the work that he wants to, and there is no man in this room who does not know that. And to turn him down after these other bills have passed, even if it is a unanimous report of the committee, I do not call it fair play.

If you think the amount called for here is too much, as compared with some of the other State officials who have had their salaries raised, it would be fair to give an opportunity for an amendment to be offered. I appeal to you senators if my talk in this line does not appeal to your fairness. I will say no more about it.

Mr. SPRAGUE: Mr. President, I would like to have the senators realize just what I do. Here is a man who is at the head of one of the most important offices in the State of Maine.

It is not an office based upon any sentiment. It is a hard-headed business proposition, if the State of

Maine has got one at all. It is well settled, and has been within a few years, within a year or two, by reliable statistics that the summer resort business brings in the State of Maine \$25,000,000 at least, each year.

Now it goes without saying, we know, that the fish and game, the wild life, that comes under the direction and control or the preservation of the wild life that comes under the control of this department is one of the greatest assets that the State of Maine has today. One of the greatest assets, looking at it purely from the practical business point of view, having no sentiment in the matter whatever.

I know of my own personal knowledge, because I live near the present incumbent of this office, I know that he is not what he is termed here one of the full-time officials, but he is an overtime official, and in order to make that department successful it is necessary to do just exactly as Leroy T. Carleton did all the time he was in, when he built up this department, laid the foundation for it, he always did what we call field work. He went all through the game regions of this State, was just as familiar with them as you are with your own city, and in that way he made the beginning of this great successful department that is bringing in so much revenue to the people of Maine.

Now I know that Mr. Parsons has not only followed in Leroy T. Carleton's footsteps entirely, but he has exceeded him and he is putting in a great many days and weeks, perhaps months, if it was reckoned up, of over work in attending to the details of this office, outside of his office downstairs. That is not of so much consequence because the deputy clerk there is one of the best accountants and office persons in this State House for that work. Of course he has charge of it and oversees and is responsible for it, but he devotes a great deal of his time to the other work, which he ought to do in order to make this office successful.

He must know just as much and

be just as familiar with that whole northern Aroostook region, the Upper St. John, he must know all about local conditions there and understand it in order to enforce the law; just as much, he must know as much about it as he does of the Belgrade lake region right here.

Governor Baxter in his message, and as I recall it he followed two predecessors and suggested equalization of salaries. I think it has been in the mind of every fair-minded man, I think it has been in the minds of every one of this committee on salaries and fees, including its chairman, because they are all fair-minded men, that the salaries should be equalized. A part of them, a little step has been taken, as Senator Morrill says, several have already been adjusted. But I will be perfectly frank, on I think a much lower basis, at any rate a somewhat lower basis than this resolve represents, that \$4000. For that reason, if you will vote to substitute the bill for the report, I will offer an amendment changing that from \$4000 to \$3200. I want some step taken. I think it is wrong not to do a part of the justice that ought to be done to the head of this department. I feel that we should, and I hope senators will see it in the same light.

Mr. FOLSOM: Mr. President, in the study of this question of the equalization of salaries I would like to impart a little information to the Senate, something that I have learned. That is that every department within the confines of this State House is the most important department which exists in the State of Maine. That is the information that has been conveyed to me, but the committee has not been convinced that such is the case. And in establishing the figures we are trying to establish we have tried to consider each department in its relative importance to the State. We believe that we are making a fair equalization of the salaries of the various heads of departments, as I understand the Governor to have meant in his use of that word.

Mr. SPRAGUE: I will just add, Mr. President, to what Senator Fol-

som says, that these departments are all important. There is no question about that. I simply want to emphasize in one word what I said before, that here is a department that is not for charity or anything else, but is important, as all the others are. It is a department that is bringing in revenue to the people of Maine, and I say that it should have careful, business-like consideration.

The PRESIDENT: Does the senator desire to offer an amendment at this time?

Mr. SPRAGUE: I do.

Mr. FOLSOM: Mr. President, I rise to a point of order.

The PRESIDENT: State your point.

Mr. FOLSOM: The question before the Senate is upon the substitution of the bill for the report, and I submit that the bill is not yet before the Senate.

The PRESIDENT: The Chair will rule that the bill is before the Senate, brought in by a committee report and that the Senate is now considering the report and the bill. It may accept the report or refuse to accept it. In order to present the amendment and make it acceptable Senator Sprague now offers an amendment. Upon the acceptance of that amendment the bill as amended will then still be available as substituted for the report, the amendment being adopted it will revert to the question of the substitution of the bill for the report. The Chair will rule that the amendment is admissible as the bill is before the Senate and the Senate may act upon it.

Mr. FOLSOM: Mr. President, I wish to take an appeal to the Senate on that ruling.

The PRESIDENT: Perhaps you better wait until the amendment is presented.

Mr. GILLIN of Penobscot: Mr. President, while we are preparing the amendment, so that I may understand the situation clearly,—as I understand the situation it is that a unanimous report of the committee is before the Senate, against a cer-

tain bill which it says ought not to pass. Am I right in that?

The PRESIDENT: That is correct.

Mr. GILLIN: And then a member of the Senate moved that the bill against which that report was made take the place of the report?

The PRESIDENT: That is correct?

Mr. GILLIN: And now a motion is made to amend that bill.

The PRESIDENT: The Chair rules that the bill is before the Senate brought here by a committee report and that the senator has a right to make the bill acceptable to the Senate, if he so desires, and the Senate is obliged to reject or accept it.

If the ruling be correct the Senate will then accept or reject the amendment. That will take us back to the bill and the original motion of substitution. If the ruling be incorrect the amendment will not be presented to the House, but we will proceed with the other motion.

In order to be clear, Senator Sprague presents an amendment and the Chair rules that it is receivable at this time as the bill is before the Senate for action. Exception is taken to this by Senator Folsom and the question is shall the position of the Chair stand as the judgment of the Senate. Those voting affirmatively will admit consideration of the amendment, and those voting negatively will preclude consideration of the motion.

A viva voce vote was had and the Chair being in doubt a rising vote was had. Thirteen voting in favor and six opposed, the ruling of the Chair was sustained.

The PRESIDENT: The Chair will now submit Senate Amendment "A" offered by Senator Sprague. The amendment strikes out the sum of \$4000 and inserts in its place \$3200.

Mr. FOLSOM: The recommendations of the Committee on Salaries and Fees, Mr. President and gentlemen, were based somewhat upon this basis: That the elective officers, that is, those elected by the Legislature, with one exception, their salaries

should be equalized. The salary of the attorney general, which as you know requires for the purposes of the duties of that office a man of great technical knowledge, has been for many years more than that of the other officers who are elected by the Legislature, \$4000.

The salaries of the other three officers have been, respectively, the secretary of State, \$3000; treasurer of State, \$2500; commissioner of agriculture, \$2000. The committee felt that it was wise that those three salaries should be equalized by making the salary of the treasurer of State, \$3000, and that of the commissioner of agriculture, \$3000. We did not feel that some of the heads of other departments were entitled to receive, on the basis we considered these matters, an equal salary to that of the three officers mentioned. If you adopt this amendment you immediately overturn all of the work which this committee has so conscientiously, as I think, tried to do for the entire winter. I may say with respect to the secretary of State that there is a bill known as the automobile bill before the Legislature, which might necessitate further consideration of that particular subject. But there is no bill which adds anything to the duties of this particular officer, and I trust this amendment will not prevail.

The question being on the adoption of Senate Amendment "A" a viva voce vote was had and the amendment was rejected.

The pending question now being on the substitution of the bill for the report a viva voce vote was had and the motion was lost.

On motion by Mr. Folsom of Somerset, the report of the committee, ought not to pass, was then accepted.

The PRESIDENT: The Chair lays before the Senate An Act relating to the salary of the secretary of State, tabled by Senator Sprague. The report of the Committee on Salaries and Fees is ought not to pass.

Mr. SPRAGUE of Piscataquis: Mr. President, in this matter I yield to the

senator from Androscoggin, Senator Parent.

Mr. PARENT of Androscoggin: Mr. President and fellow Senators, I am going to ask to have this matter laid on the table, notwithstanding the action on previous bills, for what I believe to be a good and sufficient reason. A like reason does not apply to the other bills, and also as a member of the Committee on Salaries and Fees, and be specially assigned for next Tuesday. There is a bill pending before this Legislature which may or may not affect the present duty or add to the present duties of the secretary of State. Therefore, in view of this, and I do not understand that the chairman of the Committee on Salaries and Fees is opposed, I move that it lie on the table and be especially assigned for consideration next Tuesday.

The motion was adopted by a viva voce vote and the bill was tabled.

The PRESIDENT: The Chair lays before the Senate Resolve authorizing the sale of a part of the school lot in Elliottsville Plantation, tabled March 18 by Senator Sprague, reported by the Committee on State Lands and Forest Preservation, ought not to pass.

On motion by Mr. Sprague of Piscataquis, the report of the committee was accepted.

The Chair lays before the Senate An Act to amend Section 55 of Chapter 85 of the Revised Statutes, relating to the provision that constables may serve precepts, reported by the committee on legal affairs, ought not to pass. The pending question is the acceptance of the report.

On motion by Mr. Sprague of Piscataquis, the report of the committee was accepted.

The PRESIDENT: The Chair lays before the Senate S. D. 131, Resolve making appropriation in aid of navigation on Sebago lake, Songo river, Bay of Naples, Chute's river and Long Lake in Cumberland county, tabled March 22 by Senator Putnam. The pending question being the ac-

ceptance of the report of the committee in bills in second reading.

Mr. PUTNAM of Washington: Mr. President, at the request of the Governor there is being a resolve prepared including all of the resolves of this nature, that have to do with lights and buoys upon the lakes. There is no change in the amount in each resolve, except they are being put into one resolve. I would move that this resolve be tabled until this resolve is prepared and comes to this body. I would like to have it assigned for Wednesday of next week.

The motion was agreed to.

On motion by Mr. Putnam of Washington, S. D. 133, Resolve in aid of navigation on Sebec lake in Piscataquis county, was tabled and especially assigned for Wednesday of next week.

The PRESIDENT: The Chair lays before the Senate, S. D. 142, An Act to regulate the use of air craft, tabled March 22 by Senator Spencer. The pending question is the second reading of the bill.

Mr. SPENCER of York: Mr. President, this is a small act that I know very little about. It was tabled by me at the request of a friend of mine, and he proposed, I think, some amendment. I have no interest in the matter other than that. He has not yet taken the matter up with me, but he proposes to do so as soon as he returns. I move that the matter lie on the table until next Monday and be especially assigned for that time.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, H. D. 323, Resolve to reimburse the town of St. Albans for the overpaid tax to the State of Maine, tabled by Senator Thombs March 22. The pending question is on the acceptance of the report of the committee on claims, ought not to pass. The motion has been made that the resolve be substituted for the report of the committee.

Mr. THOMPSON of Knox: I think the amount involved is somewhere

around \$29. I am satisfied from the statement made to me from the senator from Somerset, that the resolve to be substituted for the report, in concurrence with the House, I make that motion.

The motion was agreed to.

On motion by Mr. Thompson, under suspension of the rules, the resolve was given its second reading and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, Resolve authorizing the Austin W. Jones Company to bring a suit at law against the State of Maine, and the senator from Penobscot, Senator Gillin, moves that the Senate reconsider the vote whereby this bill was passed to be engrossed.

The motion was agreed to.

The same senator then offered Senate Amendment "A" which was adopted and the bill as amended was then passed to be engrossed.

(The purpose of the amendment was simply to give jurisdiction to the superior court for Penobscot county.)

The PRESIDENT: The Chair lays before the Senate, H. D. 226, Resolve authorizing Michael Burns to bring a suit at law against the State of Maine, tabled March 22 by Senator Clark. The pending question being final passage.

Mr. CLARK of Lincoln: Mr. President, in order to make my position clearly known I will say this was tabled by me at the request of a friend, and I have no particular interest in the matter, and no motion to make at this time.

On motion by Mr. Gillin of Penobscot, the resolve was finally passed.

Mr. GILLIN of Penobscot: Mr. President, this forenoon there was finally passed a resolve providing for aid in payment of premiums awarded by the Eastern Maine State Fair. I happened to be out of the Senate and I wish to make a motion that the Senate reconsider its action pertaining thereto that I may make a further motion.

The motion was agreed to and on further motion by the same Senator the matter was tabled until Tuesday of next week.

The PRESIDENT: The Chair lays before the Senate H. D. 176, Resolve authorizing the State Land Agent to sell certain lots in the public lot in Dennistown Plantation in Somerset county. The pending question is final passage.

Mr. THOMBS of Penobscot: Mr. President, I find upon reading this resolve that it simply authorizes the sale of lots not in excess of 100 acres to actual settlers. Of course I have no objection, and I move that the resolve have its final passage.

The motion was agreed to and the resolve was finally passed.

The PRESIDENT: The Chair lays before the Senate, Resolve relating to absent voting, tabled by Senator Garcelon and the pending question being final passage.

Mr. GARCELON of Androscoggin: Mr. President, this forenoon we passed to be engrossed a resolve proposing an amendment to the Constitution relative to State highway bonds, the same to be voted upon by the people this fall. In order that this absent voting resolve may be submitted at the same time I move that we reconsider the vote by which this resolve was passed to be engrossed, in order that I may offer an amendment.

The motion was agreed to, and the same Senator then offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A"

Senate Amendment "A" to Senate Document No. 1.

Amend by striking out in the fifth and sixth lines of Paragraph 4 the words "in the manner prescribed by law, at the next biennial meeting in the month of September," and insert in place thereof the following: "To meet in the manner prescribed by law for the calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives on the second Monday in

September following the passage of this resolve."

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

The Chair lays before the Senate An Act relating to salary of stenographer of Penobscot County Superior Court, tabled March 23rd, by the Senator from Penobscot, Senator Thombs, reported by the committee on Salaries and Fees ought not to pass; the pending question is the acceptance of the report.

Mr. THOMBS of Penobscot: Mr. President, I think it has been understood—at least I have so understood it and the Penobscot delegation has acted in accordance with that understanding, that so far as county officers were concerned, the report of the delegation might have some influence with the committee on Salaries and Fees. Our delegation some time ago took a stand against increasing the salaries of county officials. The stenographers of the Superior Courts are paid by their counties. It was my understanding

at the time of the delegation meeting that our attitude was to be contingent upon the fact that other salaries for the same kind of work were not advanced. That was my understanding of the matter. Now I learn that there have been some changes in the salaries of stenographers of Superior Courts in other counties. I tabled this matter in order that I might bring it to the attention of the delegation. The committee work has been such that up until this time I have positively not had time to make a canvass of the delegation. And in view of the fact that we have made considerable progress in clearing the docket, and in order that I may get at the sentiment of the delegation in this matter, I move that it be again tabled and promise to proceed with the matter with all reasonable dispatch.

The motion was agreed to.

On motion by Mr. Morrill of Cumberland,

Adjourned until tomorrow morning at 8.30 o'clock.