

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

SENATE

Wednesday, April 6, 1921.

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

Prayer by Rev. Mary L. Hadley of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve making appropriation for the construction of a new building at the Northern Maine Sanitorium, Presque Isle, Aroostook county, for the purchase of equipment therefor and maintenance.

On motion by Mr. Eaton of Oxford, the rules were suspended and the bill without printing was given its several readings and passed to be engrossed, in concurrence.

From the House: H. 461, An Act amending Section 78 of Chapter 11 of the Revised Statutes, relating to the sale of real estate for taxes in unincorporated places.

On motion by Mr. Thombs of Penobscot, the rules were suspended and the bill without printing was given its several readings and passed to be engrossed, in concurrence.

From the House: An Act amending the charter of the People's Ferry Company.

Mr. GILLIN of Penobscot: Mr. President, I desire to make a motion, and before making it I desire to make a statement to the honorable members of the Senate.

This bill seeks to amend an act of the last Legislature which gave the People's Ferry Company an exclusive right to land at Forest City Landing, the principal landing place, on Peaks Island, but contained a provision that it should not interfere with any existing vested rights. It is this saving clause which the present bill aims to cut off and thereby create a monopoly for the Ferry Company.

For more than 50 years a steamboat line has been operated between Portland and Peaks Island. The present line is the result of a reorganization of its immediate predecessor which got into financial difficulty and its property and franchises were sold and its business affairs wound up by Receiver's appointed by Court. The present company owns and operates a fleet of six steamers.

The Ferry Company operates a double end steam ferry boat which it does not own but leases from another corporation. The Ferry Company has brought suit against the Casco Bay Lines, its competitor, claiming \$15,000.00 damages. This suit is founded upon Chapter 94 of the Private and Special Laws of 1919 which this bill would amend during the pendency of this court action and before it is possible for the interested parties to know where they stand under the existing law.

If the Casco Bay Lines have a vested right to touch at this landing it becomes a question of law whether they can be absolutely prohibited therefrom, as proposed by this bill, without being granted just compensation for the loss of their property rights.

If they have no vested right, the present law will prohibit their touching at Forest City Landing, so that the proposed act is either unnecessary or illegal and of no effect. It would only encumber the statute books with another useless law.

I therefore, Mr. President and honorable members of the Senate, move that this bill be indefinitely postponed on this statement of facts which I deem to be absolutely accurate and correct.

The motion was agreed to by a viva voce vote and the bill was indefinitely postponed.

From the House: An Act to amend Chapter 164 of the Private and Special Laws of 1915, providing for the establishment of a board of recreation for the city of Portland.

Tabled on motion by Mr. Morrill of Cumberland.

From the House: An Act conferring certain additional powers on the city of Portland, namely, the power of establishing a municipal ferry to Peaks' Island in Portland Harbor.

On motion by Mr. Allen of York, the rules were suspended and the bill without printing was given its several readings and passed to be engrossed, in concurrence.

From the House: An Act requiring the filing with town and city clerks of clean bills of health by persons filing certificates of intention of marriage.

In the House this bill was passed to be engrossed; in the Senate the report of the committee, ought not to pass, was accepted. The House now asks for a committee of conference.

On motion by Mr. Thombs of Penobscot, the Senate joined the House in committee of conference.

The Chair appointed on such committee on the part of the Senate, Messrs. Thombs, Tuttle and Allen.

From the House: S. 210, An Act to increase salaries of certain county officers and amount of money allowed for clerk hire in certain county offices.

In the Senate this bill was passed to be engrossed; the House adopted House Amendment "A."

Mr. FOLSOM of Somerset: Mr. President, is that not the blanket bill which covers all of the county officers?

The PRESIDENT: The Chair will state that it is.

Mr. FOLSOM: Mr. President, I will say that House Amendment "A" simply corrects certain errors made in passing the bill.

The secretary read the bill, which was then adopted in concurrence and the bill as amended was read the second time and passed to be engrossed.

From the House: An Act prohibiting games and amusements on Memorial Day.

This bill was passed to be engrossed in the Senate; the House adopted House Amendment "A."

On motion by Mr. Merrill of Cumberland, the Senate re-considered the vote whereby the bill was passed to be engrossed; House Amendment "A" was adopted in concurrence, and under suspension of the rules, the bill as amended was passed to be engrossed.

From the House: An Act to divide the town of Wells and incorporate the town of Ogunquit.

In the Senate this bill was passed to be engrossed; in the House it was indefinitely postponed, and subsequently to the action of the Senate voted to adhere their former action.

On motion by Mr. Thombs of Penobscot, the Senate voted to insist upon its former action and ask for a committee of conference.

From the House: Resolve appointing a committee of investigation to prepare plans for a State Library building.

In the House this bill was amended by the adoption of House Amendment "B;" in the Senate it was passed to be engrossed. The House then adopted House Amendment "C."

(House Amendment "C" was read by the Secretary.)

On motion by Mr. Folsom of Somerset, the vote was re-considered whereby this bill was passed to be engrossed, and on further motion by the same Senator, House Amendment "C" was adopted in concurrence, and the bill as amended passed to be engrossed.

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

This bill was passed to be engrossed by the Senate.

The House adopted House Amendment "A."

On motion by Mr. Sargent of Hancock, tabled pending action on House Amendment "A," in concurrence.

The PRESIDENT: The House asks for a conference committee on the following matter: An Act to amend Section 44 of Chapter 117 of the Re-

vised Statutes, as amended by Chapter 214 and 260 of the Public Laws of 1919, increasing the salary of the treasurer of Androscoggin county. In the Senate this bill was passed to be engrossed. The House accepted the committee report, ought not to pass, and now proposes a committee of conference.

On motion by Mr. Parent of Androscoggin, the Senate voted to concur with the House in the appointment of a committee of conference.

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

The PRESIDENT: The Chair will appoint as committee of conference on the part of the Senate in the Wells-Ogunquit matter, Senators Thombs, Spencer and Clement.

Mr. BAXTER of Sagadahoc: Mr. President, I move we reconsider the vote whereby we created a conference committee on this Wells-Ogunquit matter.

Mr. THOMBS of Penobscot: Mr. President and fellow Senators, I am sorry that this matter should get back to a stage where it seems necessary to talk about it further until we have had a committee of conference and exhausted all means of reaching an agreement between the two Houses.

I trust that this Senate will follow the action that it took the other day. What reason is there, Senators, why there should be any different action or attitude than we took the other day? The matter so far as I know was fully discussed, and I hope that it was decided upon its merits. And for one, I cannot see any reason why the Senate now should change its position. Since that time we have taken from the files a bill that had been reported adversely, the report accepted in both branches of this Legislature, and now we have reversed our action in that matter. I wonder what there is about legislative work, what the method of procedure is, or what has occurred that should cause any Senator to change his mind from the latter part of last week up to the present time. I am

aware that the Senate was not unanimous on the matter at that time, but I cannot, gentlemen of the Senate, believe that any Senator who went on record at that time with respect to this proposition is going to allow himself to be wheedled into changing his position.

I want to say to you again that it is a matter of considerable importance to that town down there. The matter had a full, fair and impartial hearing and there was this committee report, and I hope, fellow Senators, that you will—not sustain the committee report, perhaps—but that you will be consistent with the action you took the other day.

Are the proceedings of this Senate going to be marked by inconsistencies from day to day? I hope not. And until somebody has shown to me some proper reason for reversing my attitude, I for one am going to be consistent and abide by the decision that I have made, and I trust, gentlemen of the Senate, that you will not reconsider this vote, but that you will allow this committee of conference with the hope that some equitable and fair arrangement may be made whereby this matter can be adjusted in this Legislature.

Mr. SPENCER of York: Mr. President and fellow Senators: I think that the motion of Senator Baxter is eminently fair, and as you all know the other day the vote was very close, with three members absent. It turned on one vote whether it should be indefinitely postponed or otherwise. And so I think that at this time this is the proper place to introduce a motion of this kind, that the members who are practically all present this morning might be able to express their opinion upon it, and if it is possible at this time to dispose of a matter which is of a local nature, which has, as Senator Thombs has already said, been threshed out both in the committee, in the Senate and in the House, and with the results that we all know, it should be settled at this time if possible, and it will remove some of the work which is before us at this stage of the session, and I hope that the motion of the Senator from Sagadahoc will prevail.

Mr. THOMBS: Mr. President and Senators, will you allow me to make just this statement.

The Senator says that this will dispose of some of the work. It is true. But, gentlemen of the Senate, we are here to do the work of the Senate in a proper manner even though it take us into next week or the week thereafter. I do not believe that that argument should or can have any weight with any Senator.

The PRESIDENT: The vote was that a committee be appointed, and the motion of Senator Baxter is that we re-consider the vote authorizing the appointment of a committee of conference.

A viva voce vote was had and the same being doubted a rising vote was had and seven senators voting for the motion and 16 opposed, the motion was lost.

The PRESIDENT: Through inadvertence, without having in mind how the senator voted, the Chair appointed Senator Spencer as a member of the conference committee on the Wells-Ogunquit matter. Under the rules, the Chair can only appoint a committee that represents the sentiment of the Senate. With the perfect consent of Senator Spencer to whom that was explained, and who has kindly acquiesced in it, a substitute for his name will be appointed later. The other senators will remain on the committee.

Communication from the Secretary of State

To the Secretary of the Senate of the Eightieth Legislature of the State of Maine:

Pursuant to the joint order of the Senate and House of Representatives of the Eightieth Legislature, I have the honor to transmit a list of the Legislative Counsel and Legislative Agents registered in the office of the Secretary of State, in accordance with Chapter 100 of the Public Laws of 1919. This list comprises all such counsel and agents who have regis-

tered from March 30, 1921, to April 5, 1921, both dates inclusive.

Respectfully submitted,
FRANK W. BALL,
Secretary of State.

The List

HERBERT E. FOSTER, of Winthrop, employed to act as Legislative Counsel by J. B. Nash of Somersworth, N. H. The purpose of employment is "To oppose the bill relating to the prohibition of the use of spraying machines." Employed March 28, 1921. Employment ceases at close of the present Legislature. Notification of employment filed March 30, 1921.

WALTER A. COWAN, of Hallowell, employed to act as Legislative Counsel by Louis Levasseur, Arsene Cailler and Charles Morneau, all of Lewiston. The purpose of employment is "To appear before a committee in behalf of An Act to Incorporate the United Mutual Exchange of Lewiston." Employed March 31, 1921. Employment ceases at time of final disposal of the matter. Notification of employment filed March 31, 1921.

EMERY G. WILSON, of Portland, employed to act as Legislative Agent by Casco Bay Lines of Portland. The purpose of employment is "To oppose passage of bill to amend Charter of the Peoples' Ferry Company." Employed March 30, 1921. Employment ceases when bill is finally disposed of. Notification of employment filed March 31, 1921.

FREDERIC G. DUNHAM, of New York City, employed to act as Legislative Counsel and Legislative Agent by Association of Life Insurance Presidents of New York City. The purpose of employment is "Legislation relating to Life Insurance." Employed April 1, 1921. Notification of employment filed April 1, 1921.

COOK, HUTCHINSON & PIERCE, of Portland, employed to act as Legislative Agents by Fidelity Trust Company of Portland. The purpose of employment is "To pro-

tect the interests of the Fidelity Trust Company in all pending or proposed legislation." Employment ceases at close of legislative session. Notification of employment filed April 4, 1921.

EDWARD W. WHEELER, of Brunswick, employed to act as Legislative Agent by Merrill Trust Company of Bangor. The purpose of employment is "To promote passage of Act relating to taxation of bank stock." Employed April 1, 1921. Employment ceases upon passage of Act or adjournment of Legislature. Notification of employment filed April 5, 1921.

On motion by Mr. Folsom of Somerset, the reading of the list was dispensed with and the same was placed on file.

The following remonstrances and resolves were received and were disposed of as follows:

Placed on File

By Mr. Sprague of Piscataquis: Remonstrance of Isabella T. Kimball and 18 others of Parkman against the passage of House Bill 388, entitled "An Act regulating the sale of liquor in Maine."

By Mr. Stevens of York: Remonstrance of John E. Watson and 44 others against passage of House Bill No. 388.

By Mr. Eaton of Oxford: Remonstrance of Edwin J. Mann and 45 others against the passage of House Bill No. 388.

By the same senator: Remonstrance of A. L. Dolloff and 21 others against the passage of House Bill No. 388.

Appropriations and Financial Affairs

By Mr. Farrington of Kennebec: Resolve in favor of the Assistant Secretary of the Senate.

By Mr. Eaton of Oxford: Resolve for the pay of the chaplains of the Senate of the Eightieth Legislature.

By the same senator: Resolve on the pay roll of the Senate of the Eightieth Legislature.

Bills in First Reading

S. 217: Resolve dividing the State into senatorial districts.

(On motion by Mr. Garcelon of Androscoggin, under suspension of the rules, the bill was given its second reading and passed to be engrossed.)

S. 219: An Act to provide for the payment of a bonus to Maine soldiers and sailors in the war with Spain.

(On motion by Mr. Adams of Kennebec, under suspension of the rules, the bill was given its second reading and passed to be engrossed.)

S. 221: Resolve proposing an amendment to article nine of the Constitution to provide for a bond issue for the purpose of paying a bonus to Maine soldiers and sailors in the war with Spain.

(On motion by Mr. Thombs of Penobscot, under suspension of the rules, the bill was given its second reading and passed to be engrossed.)

Reports of Committees

Mr. Babb from the Committee on Banks and Banking on bill entitled "An Act to Incorporate the United Mutual Exchange of Lewiston," reported that the same ought not to pass.

The report was accepted and sent down for concurrence.

Mr. Emerson from the Committee on Appropriations and Financial Affairs, on Resolve in favor of E. W. Peaslee, Secretary of State Prison Committee for expenses incurred by Committee on visit to Prison, Feb. 14, 1921, reported that the same ought to pass. (On motion by Mr. Bemis of Somerset, the rules were suspended, and the bill without printing, was read twice and passed to be engrossed.)

The same senator from the same Committee, on Resolve in favor of F. G. Farrington, Chairman of Committee on Insane Hospitals, reported that the same ought to pass. (On motion by Mr. Emery of Washington, the rules were suspended and the bill without printing was read twice and passed to be engrossed.)

The same senator from the same Committee, on Resolve to re-imburse the members of the Taxation Commis-

sion for expenses reported that the same ought to pass. (On motion by Mr. Emerson of Aroostook, the rules were suspended, and the bill without printing was read twice and passed to be engrossed.)

The same senator from the same Committee, on Resolve in favor of Mildred L. Humphrey for services as clerk and stenographer to the special committee of the Eightieth Legislature to investigate Agricultural Conditions in Maine, reported that the same ought to pass. (On motion by Mr. Emerson of Aroostook, the rules were suspended and the bill without printing was read twice and was passed to be engrossed.)

The same senator from the same Committee, on Resolve in favor of Faith A. Tryon for services as Stenographer to the Committee on Re-districting the State, reported that the same ought to pass. (On motion by Mr. Emerson of Aroostook, the rules were suspended and the bill without printing was read twice and was passed to be engrossed.)

The same senator from the same Committee, on Resolve to reimburse the members of the Special Committee charged with the duty of investigating the desirability of enacting the act introduced at the Seventy-ninth Legislature entitled "An Act to establish the State University of Maine and to provide for its maintenance," reported that the same ought to pass. (On motion by Mr. Sargent of Hancock, the rules were suspended, and the bill without printing was read twice and passed to be engrossed.)

The same senator from the same Committee, on Resolve to reimburse L. Ernest Thornton, Secretary of the Senate, for expenses incurred in connection with the lecture of William F. Dawson, reported that the same ought to pass. (On motion by Mr. Hall of Franklin, the rules were suspended and the bill without printing was read twice and was passed to be engrossed.)

Final Reports

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

Taxation.

Banks and Banking.

Passed to Be Enacted

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 Amending the Charter of the Belfast Municipal Court.

An Act to Amend Chapter 103 of the Private and Special Laws of 1919, Amending Chapter 444 of the Private and Special Laws of 1907, Relating to the Salary of the Clerk of the Lewiston Municipal Court.

An Act to Discontinue the Ferry between the Towns of Hampden and Orrington across the Penobscot River.

An Act to Require a Fee for Registration of Milk Dealers.

An Act Relating to the Wrapping of Bread.

An Act to Provide for State Aid to Towns in the Maintenance and Repair of Bridges.

An Act to Permit the Re-issue of Bonds of the Maine Military Service Loan Retired under the Provisions of Section 6 of Chapter 264 of the Public Laws of 1919.

An Act to Consolidate the Library Laws.

An Act to Amend Section 121 of Chapter 4 of the Revised Statutes, Relating to Application for License to Build or Extend Fish Weirs.

An Act to Amend Section 1 of Chapter 109 of the Private and Special Laws of 1919, Relating to the Salary of Judge of the Bath Municipal Court.

An Act to Amend Section 10 of Chapter 293 of the Public Laws of 1917 relating to the Per Diem of Sea and Shore Fisheries Wardens.

An Act to amend the Charter of the Northern Cumberland Municipal Court.

An Act to Amend Chapter 132 of the Public Laws of 1919, entitled "An Act to Create the Maine Water Power Commission."

An Act Authorizing Elliottsville Plantation to Build and Maintain its Roads and Bridges, and to Raise Money for the same.

An Act to Amend Section 3 of Chapter 144 of the Revised Statutes,

as Amended by Chapter 130 of the Public Laws of 1917, and by Chapter 58 of the Public Laws of 1919, and by Chapter 245 of the Public Laws of 1919, Relating to the Age of Commitment to the State School for Boys.

An Act Additional to Chapter 219 of Public Laws of 1917, as Amended by Chapter 196 of Public Laws of 1919, Relating to Night Fishing in Certain Waters of Kennebec County.

An Act to Amend Section 12 of Chapter 117 of the Revised Statutes, Relating to Mileage of Members of the Legislature.

An Act to Amend Section 27 of Chapter 117 of the Revised Statutes, Relating to the Salary of the Superintendent of Public Buildings.

An Act to Authorize the State Highway Commission to Take Over for Construction and Maintenance all Roads in Indian Township.

An Act to Increase the Mill Tax Highway Fund and to Provide for the Method of its Application.

An Act to Amend Section 1 of Chapter 76 and Paragraph IV of Said Section of the Revised Statutes, as Amended by Chapter 193 of the Public Laws of 1917, Relating to the Sales of Real Estate by License of Court.

An Act to Provide for an Issue of State Highway and Bridge Bonds.

An Act to Amend Section 12 of Chapter 75 of the Private and Special Laws of 1919, Relating to the Salary of the Recorder of the Augusta Municipal Court.

An Act to Increase the Military Fund, Amending Section 91 of Chapter 259 of the Public Laws of 1917.

Finally Passed

Resolve, for Maintenance and Improvement of the State Park in Augusta.

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 and 38 of the Revised Statutes.

Resolve, for Extra Pay to the Maine Volunteers, War with Spain.

Resolve, to Reimburse the Town of St. Albans for the Overpaid Tax to the State of Maine.

Resolve, Appropriating Money for the Retracing and Defining of the Lines of the Public Lots.

Resolve, in Favor of the Superintendent of Public Buildings for Salary and Wages and for Maintenance and Improvements.

Resolve, Authorizing Austin W. Jones Company to Bring a Suit at Law against the State of Maine.

Passed to be Enacted

(Emergency Measures)

An Act authorizing appointment of Assistant Assessors when Public Exigency Requires.

This bill carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-seven senators voting for the passage of the bill it was passed to be enacted.

An Act to amend Section 14 of Chapter 34 of the Revised Statutes, increasing the annual appropriation for Scientific Investigations in Animal Husbandry.

This bill carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-seven senators voting for the passage of the bill it was passed to be enacted.

Finally Passed

(Emergency Measures)

Resolve, in Favor of the Maine School for the Feeble-Minded for Additions and Improvements.

This resolve carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage, twenty-seven senators voting for the passage of the bill it was finally passed.

Resolve, Appropriating for the Care, Maintenance and Repairs of Fort William Henry in the Town of Bristol.

This resolve carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-eight senators voting for the passage of the bill it was finally passed.

Resolve, in Favor of the Bath Military and Naval Orphan Asylum.

This resolve carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-six senators voting for the passage of the bill it was finally passed.

Resolve, Appropriating Money for the Purchase, Maintenance and Repair of Bridges.

This resolve carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-seven senators voting for the passage of the bill it was finally passed.

Finally Passed

(Constitutional Amendment)

Resolve, Proposing an Amendment to Section 5, Article 4, Part First, of the Constitution, as amended by the Twenty-third Amendment, relating to absent voting.

(Twenty-seven senators voted for the passage of this resolve.)

Orders of the Day

The PRESIDENT: The Chair lays before the Senate H. D. 409, Resolve in favor of erection of a building at Springfield, Mass. The pending question is, Shall the resolve become law the objection of the Governor notwithstanding. At this time the Chair desires to lay before the Senate an additional communication touching the same matter from his Excellency, the Governor, which the Secretary will please read to the Senate.

The secretary read as follows:

April Sixth, 1921.

To the Honorable Senate:

Under date of April 4th I returned to you without my approval "Resolve in Favor of the Erection of a State of Maine Building on the Grounds of the Eastern States' Exposition at Springfield, Massachusetts."

The passage of this Resolve would establish a dangerous precedent for the State of Maine. As soon as work was started on the proposed building the State would be obliged to complete it regardless of expense. To fill the building with

Maine exhibits will require a large expenditure of time and money by State officials. Other fairs outside the State such as the Brockton and Rochester fairs, might with reason ask for a similar appropriation. The Eastern States' Exposition is a private enterprise established in the city of Springfield, Massachusetts, for the principal purpose of bringing business to that city.

If the State of Maine cannot afford to contribute money to Bates college and other worthy institutions within the State which are struggling to give an education to the young people of Maine it cannot afford to inaugurate a policy of aiding outside institutions. If the State of Maine desires to encourage agriculture in Maine there is ample opportunity at the University of Maine and the \$30,000, called for by this Resolve if spent in educating young men who will become up-to-date and progressive farmers and who will reside in Maine will do much more good to Maine than if spent upon the erection of the proposed building. The Bangor fair, Lewiston Fair, Gorham Fair, Presque Isle Fair and similar county agricultural and horticultural societies could use the \$30,000 in question to good advantage. There is a grave danger in the State's entering upon an enterprise of this nature and the history of states' buildings at Worlds' Fairs and other national and international exhibitions has shown that these buildings are of doubtful value and of great expense to the State.

The defeat of this measure will not interfere with the State's having a creditable exposition at Springfield because arrangements have already been made for several hundred feet of space at a minimum expense and the State will be properly represented.

Respectfully,
(Signed)

PERCIVAL P. BAXTER,
Governor of Maine.

Mr. TUTTLE of Aroostook: Mr. President and fellow Senators: I am sure that I regret very much to have to disagree somewhat with his Ex-

cellency the Governor; and another matter that I regret deeply is that Senator Babb, who was to have spoken at some length upon this matter,—I am truly sorry to have to say that he is ill, too ill at present to be here. I can assure you that his address would have given you some instructive and interesting information, and he wished me to say to you, fellow Senators, that this was a matter that was very near to his heart, and that he would have been here if it were possible.

As a member of the committee appointed by the 79th Legislature to visit the Eastern Exposition at Springfield, Mass., and to report to this session of the Legislature upon the advisability of erecting a State of Maine building on said grounds—the report of said committee was printed under date of March 18 as Senate Document 145 and laid upon your desks—as a member of that committee I wish to express my individual opinion upon the matter.

This is a matter to which I have given considerable thought and one that I am very much interested in, and it is my sincere desire to place it before you in such a manner that you will be able to judge of its practical worth.

This was not my first visit to this Exposition for I was there with an exhibit of potatoes and honey from Aroostook county in the fall of 1919.

I wish I had the ability to give a word picture so that you might see this exposition as I saw it.

Imagine if you will, an arena of 172 acres, tastefully arranged with numerous buildings, elegant in design and substantially built of brick, steel and concrete—buildings that will accommodate 50,000 to 75,000 people and 1500 head of live stock.

Not only were all of these numerous and commodious buildings filled to their utmost capacity but there were tents upon tents, equally as well filled with cattle and machinery, the over-flow from the cattle barns and the machinery hall, and not filled as has been most of the tents at any other fair that I ever had the pleasure of attending, with

freak or deformed animals, morally deformed human beings, and every kind of a fake imaginable.

No midway, no side shows, not a fake or a faker will you find upon or near the grounds. This fact made a most favorable and lasting impression upon my mind, and I tell you that it has its effect upon the class of people whom you find in attendance.

The people who go to this Eastern States Exposition go there to see things worth seeing, and to learn things worth knowing.

In passing I want to say just a word about the exhibit that Maine has had the two years that I have been there—that in size, quality, and attractiveness none of the other states had an exhibit that would beat it. Maine has put up a splendid agricultural and industrial exhibit.

That you may have some idea of the number of people who view this exhibit I want to say that I counted time and time again as they passed up Maine street, MAINE street as they named the walk between the Maine booth, and I never counted less than 28 and from that to 86 that passed by in a minute from 10 o'clock A. M. to 10 o'clock P. M., an average of 3500 per hour and 42,000 per day.

In 1919 I stood by the Maine exhibit most of the time and I assure you that a large per cent of the thousands of people that pass this exhibit manifested a deep interest in Maine and its products by asking all manner of questions, and making favorable comments. As a sample, one man said, "My land, will you look at the Maine exhibit? Somehow I had always thought of Maine as a State of logging camps and summer resorts, but will you look at the things the people do up there! According to this sign there are more sardines, clams, and blueberries canned there than in any State in the Union, and there is an exhibit of wool they raise and the fur they trap—I guess I must have been mistaken in my conception of Maine."

I wish at this time to mention an important feature of this work. One

that in my opinion is of as great importance as any other one inasmuch as it helps to develop our boys and girls into men and women, who will have the desire and the ability to become community leaders that will stand for progress, development and uplift in their home community. They will help to develop an Americanism that our country stands so much in need of today. This Association arranges for and entertains from 300 to 400 members of the boys' and girls' clubs and the boy and girl scouts from the various states. These boys and girls exhibit stock, farm products, products of their own labors, in competition. They not only do the judging but do demonstration work of all kinds, agricultural, mechanical and domestic. It encourages the boys and girls to become property owners. It broadens their education in a manner that they never could obtain elsewhere.

If you could see before you, the boys and young men, in the barns and in the show ring exhibiting their stock—stock perfect to all appearances to the untrained eye,—in competition with hundreds of others, you would see at once that they were getting a training that they could not get any other way. It not only gives them the knowledge of how to improve their stock but it creates a love for the work, and a determination to grow, and have the best. If we can get enough of these young men in our State it will be of unestimable value.

This feature of the stock is but a drop in a bucket as compared with the variety of demonstration work done by the boys and girls, but it illustrates the point that I wish to make. I will give just one more illustration. There were three farmer boys, High school students, that went from Aroostook county. They won gold medals in contests of judging potatoes and the mixing of bordeaux. The Agricultural teacher, where one of the boys attends school told me that he never could get him to agree to go to college until he came back from Springfield. Then he told the teacher of his own accord, that he had made up his mind to enter college.

You may say that this is somewhat sentimental and Maine can not afford it at this time, when taxes are high and farming and all other industries are at low ebb, and everybody is talking much and doing but little to help the situation. Call it what you will, sentimental or not, I believe that you will all agree with me that this is the kind of training that our boys and girls need, to teach them habits of industry and thrift.

There is no doubt in any of our minds but what it is essential that we practice the most rigid economy, and we should consider this matter from a business standpoint. Will it pay in dollars and cents?

In the first place I want to say that at this exhibition one will meet thousands of people who are interested in Maine and are consumers of Maine products, and there is no possible way that the Maine manufacturer and producer can come in such close contact with these people as they can by exhibiting here at this Eastern States Exposition.

I want to say right here, that for many years I have been interested in and helped to organize several farmers' associations. Trying to bring the producer and consumer in closer touch with each other that there might be a saving of a part of the tremendous waste that now exists, not only in the marketing of farm products but manufactured products as well, and I can truthfully say that in my opinion I know of no way whereby the State of Maine can do as much for as little expense towards solving this much talked of marketing problem, as it can by keeping up, and building up, their exhibits at this Exposition, and if Maine is going to keep this up it surely will have to have a building of its own, not only as a matter of economy but for the want of being able to secure suitable space elsewhere.

The State will not only save what it will cost for rent, but it will have accommodations that they can not otherwise have; for example, a reception room where the various farm and manufacturing associations, as the Farmers' Federations, Farmers' Unions, Fruit Growers' and Milk and

Cream Producers' Associations, can meet the purchaser and consumer in conference,—and this I assure you is one of the important features that should not be lost sight of. They might also prepare a few rooms where the helpers could be comfortably housed at quite a saving of expense. Another great advantage would be that they would have storage room for such retainers, etc., as they have to use year after year.

I want to say for your information, that if the State builds this building it will have a free title to the land that it sets on, and will be exempt from taxes.

And that I may show a little of what we have done and the results that have been produced I want to call your attention to this bundle of letters that have been received by Mr. Newdick, chief of the bureau of seed improvement. These have been received since the last of January in reply to letters that he sent out to potato growers who have either exhibited there or had their names advertised there by the circular that he issued. Out of the 59 replied, 36 say that they have either made sales or had inquiries as the effect of this advertisement. I will take time only to call your attention to one or two.

This is from Houlton Local No. 15, Aroostook Federation of Farmers, and they say here in their correspondence: "I have sold all of my certified seed at a good price and I know of several more sales that were made and all except one were made to parties in Springfield. No references were made to Springfield exhibit in any correspondence, however results would show that an impression was made by exhibit there."

These all pertain to potatoes. This one is from Fort Fairfield: "Your letter received in regard to the exhibit you had at the Eastern States Exposition in Springfield. Would say that we sold practically all of our seed on account of your advertising either this way or by mail, and sold most of it around the Springfield section."

One from Caribou: "I sold my certified seed cobbles to go to Virginia

and shipped them in October, and I have had a dozen inquiries from New England points and they all said they were informed through Mr. Newdick."

This from Limestone: "Would say that I sold three cars of Gold Coin potatoes to go to Connecticut, which was brought about by your potato exhibit." And I think I can say right here at this time that our commissioner of agriculture says that he has received correspondence from nearly all the farm organizations and farm bureaus in Maine in support of this bill. I want to say that the Eastern States Exposition does not and will not interfere with the fairs in this State. If I thought that it would I would be loath to favor it, for I am interested in our State fairs. This is a very different line of work. We are exhibiting our products not for premiums but to advertise them before people that we could not possibly reach within the borders of our State, people whom we hope will become customers for our products.

Did you ever stop to think how little Maine as a State is doing or ever has done toward advertising its products, its resources or its attractions? If it has done anything, it has done it in such an indirect way that it would appear as a mere pittance in comparison with the thousands and thousands of dollars that many of the Western states spend every year. Does it pay these Western states to advertise? No doubt the advertising that they have done in the past has been the means of attracting many young men to the West to the detriment of our State, and many times of no special advantage to the young men. If it pays to advertise, it will pay Maine to have a building at Springfield.

Here is a magnificent show window of the 10 Atlantic states ready for the farmers, manufacturers, or any citizen of Maine who is interested in any legitimate industry that will bring prosperity and development to our State, to display their goods at a comparative small expense. Will it pay Maine to tastefully arrange the products of her farms, her factories, and such propaganda as will truthfully tell

of its wonderful summer resorts, its unexcelled fishing and hunting grounds, of its many grand opportunities of further development of its farm lands and its manufactories? Is it worth anything to a state situated as Maine is to be able to display not only these things but many others that will develop from year to year, to be viewed by the thousands of prospective customers who are ready to purchase and are looking for such products, and to the thousands who are ready to become interested in Maine's various attractions?

Fellow senators, consider this matter seriously and if you believe as I do, that it would be a wise and profitable business proposition for Maine to build this proposed building at Springfield, give it your support at this time that we may have the first choice of the building sites upon the grounds.

Mr. BEMIS of Somerset: Mr. President, I am sure we regret very much at this time that we are deprived of the services of Senator Babb, and especially do I regret that he is not here to speak upon this subject that we know was very close to his heart.

I feel at this time that the greatest industry in the State of Maine has an opportunity that, if this resolve is passed, it will aid the agricultural interests of this State to a greater extent than any legislation that has come or will come before this Legislature. I believe if we can establish a building at Springfield that its results will be far-reaching in the future not only to the agricultural interests of this State but to every other interest of this State. Mr. President and senators, here is a resolve calling for an appropriation of \$30,000, that I certainly hope this Senate will not turn down. I also move that when this vote is taken that it be taken by yea and nay vote.

Mr. GILLIN of Penobscot: Mr. President and honorable members of the Senate: I am indeed sorry to disagree with the two distinguished senators who have spoken in favor of this resolve, but I do disagree with them for the following reasons: I do not believe that \$30,000 would lay the

foundation of a building in Springfield such as the State of Maine would want to build there if it were built at all. And I think that we have within the borders of our own State opportunities in the great county of Aroostook, from which one of the distinguished senators comes and where I was born—opportunities enough to give to the people of the State of Maine in that county and in all the counties of your State so that everybody may come and see what we raise and what we have.

There was advertised to the whole world in 1893, in Chicago, in the great State of Maine building, all of its advantages, of its products, so that everybody knew what we have here—but that was a great National affair. I am against sending \$30,000 of money into the town of Springfield, to aid any private enterprise, to build a building for the State of Maine. I have no doubt that many of you gentlemen have been in the town of Springfield, city of Springfield, Mass. I want to know how many people come from the Western States and other States into the city of Springfield! Do we need anything to advertise the price of potatoes in the State of Maine, when last spring in the county of Aroostook and in my native town of Houlton, I paid \$11 a barrel for two barrels? Is there any Senator here that does not know that the State of Maine's great seacoast, great water resources and splendid lakes are visited by people from all over this great nation? The last time I went down the Allagash and spent 30 days on it, I met three men from Chicago, five men from Washington, six men from the State of New York, and more than 20 men from the city of Boston, going down that great thoroughfare. I have gone down the East Branch and the West Branch, and where you see one Maine man you will see 40 men coming here and going down that great, beautiful wilderness of ours. Then in the summer season, down in Bar Harbor, where I spend a great part of my time through the charity of a man who is able enough to take me with him, out on the sea are hundreds of yachts of millionaires. They have beautiful cottages lined along the great sea—

coast of the State of Maine. You need not go there to exhibit through photographs in a \$30,000 building the matchless resources of your State, to aid a private corporation organized for a private purpose in a private city in the State of Massachusetts.

Is there any Senator here that does not see that this is an opening wedge—\$30,000 to represent the great beautiful State of Maine! It will not build a foundation for a building in the city of Springfield, Massachusetts, in the interests of a private enterprise! I say to you, fellow Senators, before you enter upon this, you want to look into it. Tell me what better advertisement you can have than hundreds and hundreds of people who have lined your coast with matchless and magnificent cottages costing from five hundred thousand to a million dollars along the entire line of your State? The State of Maine needs no advertisement in Springfield, Massachusetts, because its sons have advertised it from Maine to California, from the gulf on the south to the mountains on the north. There was a time when ringing through the nation was the name of a Hamlin, and a Blaine, and a Hale, and a Frye, and a Dingley, and a Boutelle, and Fuller, a chief justice of the State—they knew its people.

On the 27th day of October last I was up in Orono with the then Governor and the great Governor of our State whose untimely death we all deplore and there were 1400 of the finest looking young men and women that I ever saw, standing in that great college, and out of it its sons have gone forth in every profession, in agriculture, in engineering, in the law and in medicine,—and they are advertising it; and if you have got any \$30,000,—that I say would not build a foundation for the great State of Maine for such a building as it would want—keep it and make an exposition up there with it in the interest of the people of the State of Maine.

The Aroostook potato, thousands of barrels of which in my boyhood I helped to raise on a great farm in the county where Senator Tuttle

comes from,—are advertised on the bills of fare in the hotels of New York and Chicago, and any man who has been in those great hotels has seen them. Your Penobscot river salmon is advertised in every hotel in the United States—is it not? And we are going to send up there into a foreign State—do not make any mistake about it, gentlemen, not \$30,000—that is the opening wedge—it will amount to hundreds of thousands of dollars if you get stationary there, and you will have commissions upon it, and you will have men go up there at the expense of the State to erect a building and maintain and care for it. With all this advertising of the beautiful State of Maine in your summer season and in the hotels and every other place throughout the nation do you want the State of Maine to go into a privately conducted enterprise in another city? The city of Springfield in the eyes of the people of the whole world is insignificant in comparison with the city of Bar Harbor that is known around the world. I came in betwixt those two islands one morning with a man who had travelled every place that a white man had put his foot,—he had been on the Nile under the shadow of the pyramids, in the old forum of the Roman empire,—and he says "That is the most beautiful sight I have ever seen on the face of God's green earth." Senators and Representatives, the Presidents of your Nation come and go from thence.

Gentlemen, I would be the last man to raise my voice against anything that would advertise the State of Maine. We need no advertisement and every Senator here knows it, as to the grandeur of our seacoast, as to the beauty of our mountains; and they are coming now into my native city from all over the nation, not in great numbers, but they are coming there; they are catching salmon in the Bangor pool; they are coming to Moosehead Lake in droves from all the cities of the nation to catch the splendid fish up there, and you will find they know all about this State. Do you want to send a picture of Moosehead Lake to put in an expo-

sition building, gentlemen, the starting point of which is \$30,000? I thank you, gentlemen, for your attention. The distinguished senator has pulled his watch on me. (Laughter). I protest solemnly against this resolve.

Mr. SPRAGUE of Piscataquis: Mr. President, I have very little to say in regard to this matter. I had not intended to say a single word. I regret exceedingly that I shall in this matter be obliged to vote contrary to the desires of his Excellency, Governor Baxter. I have so far voted to sustain each one of his vetoes, because I realize that he is in a critical, in a way, in a critical position; that it is a hard task he is carrying, a hard burden, as we all know and understand. So far as possible I want to co-operate with him, and I do not want to do anything to throw trigs or place obstacles in his way in the work which he is trying to do. But here is a matter that I feel is a matter of duty to my constituents, and my duty as a member of the Senate of Maine appeals to me to vote the other way.

Now I have referred in my remarks here in the Senate, about something or other, I don't know what, to one Gunlac, Mr. Gunlac, who I won't say is a self-appointed, but he has been in some way promoted to represent all of the chambers of commerce in the different cities of this State, as I understand it, and also as a farm branch in connection with it. He said at a certain hearing in the House of Representatives one afternoon something that was in derision of the great summer resort industry of this State; he said he didn't want it made a summer resort, he wanted it made a work shop, or words to that effect.

I agreed partially with him, but I don't want it wholly a play ground; I don't want it wholly a work shop; I don't want it wholly an agricultural State; I want to see all these different branches of industry co-ordinated and co-operating together and making some progress toward building up the State of Maine. The abandoned farms are increasing in

the State of Maine. We will agree on that and know that it is a fact. Men are going out of the State about as fast as they attain the age of maturity. Your editorials in all your papers every little while are asking the question "what is the matter with Maine?"

I think, Mr. President and Senators, that I can tell you in about seven or eight words exactly what the matter with Maine is. The matter can be answered in this way: We are coming in competition in New England and in other parts of the country with progressive states, progressive on all lines, and we, I am sorry to say it, we are not a progressive State on scarcely any lines. And that is what is the matter with Maine. I would not undertake the solution of the problem or prescribe a remedy, for it is a big question to know what to do. I know we are behind other states in everything, almost, if nothing more than in a little town history. It makes no difference, if it is a bill to promote the education of this State, to spread it out, help and aid it, if it intereferes with some section or other of the State, we immediately engulf ourselves in the dark cloud of conservatism. And so you may go on in every direction, no matter what it is that helps the welfare of the State of Maine, and we have become so conservative that we have moss growing on our shoulders and all over us.

What we want in the State of Maine is a moss-scrapper to scrape the moss off us and get into the progressive line with other states. That is all we want, Senator Gillin, and nothing else on earth. We need that and I shall vote for this because I hope it is a step in advance, and I hope this will advertise Maine, not wholly as a workshop, not wholly as a playground, not wholly as an agricultural community, but will advertise the State of Maine in spite of the spirit that knocked out the medical school of Maine. I had a State pride in that, and I wanted to see the old Maine school in all its sacred historical events connected with it,—one of the first charters of the State of

Maine,—I wanted to establish that. I wanted something done towards Katahdin Park, but I could not conscientiously vote for the thing they put up to me. I do hope and believe that this is a step in the direction of progress, and I believe it will help in advertising agencies there,—that will advertise we are still alive, that we are a progressive State and in line with other states.

Something has been talked about going to Springfield; it is not to call people into the city of Springfield. There is a great annual exposition located in Springfield because it is a central point. All of the New England states, as I understand, are co-operating with each other in this matter. Hundreds and thousands, perhaps millions, go to that exposition every year for the purpose of seeing what New England is doing.

Now sha'n't we be in that proposition? I say we ought to be in my opinion.

Mr. HOLT of Hancock: Mr. President, I dislike very much to take up a moment of time in this Senate, and I am not in the habit of doing it, but I feel I ought to say a little something in favor of this proposition.

It has been stated here that this is a private institution, and no doubt the senator from Penobscot believes this, for I believe he is sincere in what he says. But I perhaps know more about that than he does. This Eastern State Exposition,—there was a body of men got together in the eastern states and felt there should be something done for the eastern states and the first thing they took up the financial conditions. And they agreed if they could raise \$250,000 by private subscription that they would start a building somewhere in the eastern states. I have no doubt they thought it would be folly to start a building in each state. Twenty-five men gave \$10,000 apiece, individually, to start this before a move was made to buy property. They signed their names to pay that \$10,000 when the \$250,000 was signed up. These twenty-five men were from New York, Massachu-

setts, Connecticut, Rhode Island and Vermont. If that is a private institution my definition for the word private is wrong; I have the wrong meaning. I have no doubt they thought it would be better to have that exposition in one place, rather than have a building in each state.

Springfield in a radius of one hundred fifty miles has more population than any other spot in the United States, and I do not see what better place they could find to put it. There is where they did put it. A year ago this Legislature handed out to the people a proposition to pay a million dollars for a pier in Portland, they didn't feel like taking the responsibility of spending that million dollars without letting the people vote on it. What did the people do? They voted that million dollars for a State pier in Portland, and what for? Hoping it would help the State of Maine.

It is said there is something wrong with the people of Maine, and possibly this is the remedy. Here is a proposition of \$30,000 to build a building and advertise us, that at least half a million people will see every year. The senator from Penobscot says what better advertising do you want than the hundreds and hundreds of people that go down to our cottages? I say we want a building to put our products in where thousands and thousands of people can see them.

I am not a farmer, and I may be absolutely wrong. I probably will never see a dollar's benefit from this, but we are spending now the interest on \$30,000 for floor space with a little advertising. If we have got where we can't raise \$30,000, when the people are paying out a million for a State pier, and probably it will be two million before we get through, then I believe we are doing something the people don't want. I believe that the people of Maine want this building. I have not seen any outside opposition, and I hope the veto will not be sustained.

Mr. TUTTLE of Aroostook: Mr. President, I had some notes here and thought I would attempt to reply to

the senator, but I am not going to take any of your time. I am simply going to say that I am interested in the agricultural interests of this State, and I think I have the support of the agricultural interests of the State in this matter. As I have told you, the commissioner of agriculture says very nearly half of the farm organizations in this State are in favor of this proposition. With that I will leave the matter in your hands.

The question being shall the resolve be passed notwithstanding the objections of the Governor, the secretary called the roll.

Those voting yes were Messrs. Bemis, Cobb, Eaton, Emerson, Emery, Farrington, Folsom, Hall, Holt, Parent, Sargent, Sprague, Thompson, Tuttle,—14. Those voting no were Messrs. Adams, Allen, Baxter, Clark, Clement, Garcelon, Gillin, Morison, Morrill, Putnam, Spencer, Stevens, Thombs,—13.

Fourteen senators voting yes and thirteen voting no the veto was sustained.

The PRESIDENT: The Chair lays before the Senate An Act relating to the salary of the secretary of State.

Mr. PARENT of Androscoggin: Mr. President, I am obliged to act as I did this morning for the same reason I have previously given in this matter, that there is now pending in the other branch a matter that has not yet been acted upon. And therefore, I move this matter be tabled, at least temporarily.

Mr. FOLSOM of Somerset: Mr. President, it does not appear to me that these other matters tend to increase the present duties of the secretary of State, but I am not objecting to the motion if the matter can be finally disposed of tomorrow morning.

The bill was tabled.

The PRESIDENT: The Chair lays before the Senate, H. D. 142, Resolve in favor of the Northern Oxford Fish and Game Association, tabled by Senator Sprague. The pending ques-

tion is the adoption of Senate Amendment "A."

Mr. SPRAGUE of Piscataquis: Mr. President, I am compelled to ask for further delay of this matter, because this depends wholly upon the result of a bill to repeal a law that we passed this winter twice, in regard to raising the fees of non-resident fishermen from two dollars to five dollars.

If that is not changed there will be ample funds, so that there will be no opposition to Senate Amendment "A."

The bill was tabled.

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.

Mr. PUTNAM of Washington: Mr. President, this matter was tabled by me in order that another resolve in aid of navigation of certain waters might receive a passage, or that we could find out whether it was to receive a passage or not, as the same matter was embodied in the new resolve. And for that reason I shall have to ask to have that matter, and also the Resolve in aid of navigation on Sebec lake (S. 133) laid on the table until the other resolve is acted upon. Then if acted upon I shall ask to have this indefinitely postponed.

The resolve was tabled, and on further motion by the same senator S. D. 133 was tabled.

The PRESIDENT: The Chair lays before the Senate H. D. 352, An Act relating to ballots in primary elections, tabled by the Senator from Kennebec, Senator Farrington, the pending question being the first reading of the bill.

Mr. FARRINGTON of Kennebec: Mr. President, this is H. D. 352, which provides for placing the names on primary ballots by lot. I move that the bill be indefinitely postponed.

Mr. GILLIN of Penobscot: Mr.

President, I wish to second that motion.

Mr. SPENCER of York: Mr. President and members of the Senate, when anything is presented to the Legislature which I think is fair and in the interest of everyone within the State, I feel that I should vote for it. Now I believe that this is a step in the right direction. For five years we have been subject to a law which makes it possible for a large majority of those who are elected to public office to be nominated from the first half of the alphabet. I have here some figures which were taken from the records of the secretary of State which show conclusively that there is an unfair advantage in the manner of the arrangements of the names upon primary ballots. For the five years before the primary election law was enacted, the proportion of names from the first half of the alphabet who were successful as candidates was 468 and from the last half of the alphabet the number was 442, or a percentage of 94.4%. During the five years after the passage of the primary law in 1913, the proportion has been from the first half of the alphabet 531, and from the last half of the alphabet 379, or 71.3%, a difference of 23.1%. As I said before, I believe this is a step in the right direction and I feel that the motion of the Senator from Kennebec should not prevail.

Mr. THOMBS of Penobscot: Mr. President and fellow senators, this act that we are now considering is no stranger to members of the Legislature who have been here prior to this session. The same act was before the previous Legislature, received a favorable report from the committee on Legal Affairs and was finally beaten in the Senate. I believe, senators, that the figures that the senator from York has presented to you this morning tell a story that requires action upon this matter. I do not believe there is a senator in this room who believes that any man on account of his surname should have any advantage or suffer any disadvantage for that reason. If the figures are correct, and I have yet to hear them disputed, it seems to me

that that is a sufficient argument in favor of the passage of this bill, and I hope, senators, that the matter will not be indefinitely postponed.

A viva voce vote being doubted, the yeas and nays were called for by Mr. Spencer of York.

A sufficient number having arisen, the secretary called the roll. Those voting yes were Messrs. Adams, Allen, Baxter, Bemis, Clark, Clement, Emerson, Emery, Farrington, Folsom, Garcelon, Gillin, Gould, Hall, Holt, Morison, Morrill, Sargent, Stevens, Thompson, Tuttle—21. Those voting no were Messrs. Cobb, Eaton, Putnam, Spencer, Sprague, Thombs—6.

Twenty-one senators voting yes and six voting no the motion prevailed, and the bill was indefinitely postponed.

The PRESIDENT: The Chair lays before the Senate H. D. 379, An Act authorizing the division of certain towns into convenient polling places.

Mr. THOMBS of Penobscot: Mr. President, this matter was reported to the committee, and I find that there is a grave legal question involving the matter, and for two days it has been under consideration by myself and the gentleman who introduced the bill, and the attorney general's department. It seems to be unwise at this time to pass that act, and with the authorization of the gentleman who introduced it into the House I now move that it be indefinitely postponed.

Mr. FOLSOM of Somerset: May I inquire through the Chair if this is the bill introduced by Representative Granville?

The PRESIDENT: He introduced it in the House, the Secretary informs the Chair.

The bill was indefinitely postponed by a viva voce vote.

The PRESIDENT: The Chair lays before the Senate H. D. 32, An Act relating to the salary of the State superintendent of schools, reported by the committee on Salaries and Fees ought not to pass.

Mr. ALLEN of York: Mr. President, the report on this bill, as I un-

derstand it, is ought not to pass. I move that the bill be substituted for the report. If I am allowed to do this I shall immediately offer an amendment. The bill calls for the salary of \$7500 for the superintendent of schools, and my amendment will make it \$5000.

The motion to substitute the bill for the report was adopted, and the same senator then offered Senate Amendment A.

The bill was given its first reading, and Senate Amendment A was then read by the Secretary.

(Senate Amendment A reduced the amount of salary asked for in the bill from \$7500 to \$5000.)

Mr. FOLSOM of Somerset: Mr. President, I am not arising to object to the adoption of this amendment, but merely to make my position clear as chairman of the committee on Salaries and Fees. We have considered, as I have already stated, a good many matters before that committee this winter and arrived at what we considered to be the proper basis of equalization. It has, however, been impressed upon me within the last two or three weeks that some of the offices were filled by men who had had to spend their lifetime in preparing themselves in these things, and if it is the consensus of opinion of the Senate and House that this is one of the officers who ought to be raised in salary I shall raise no objection.

Senate Amendment A was adopted and on further motion by Mr. Allen, the rules were suspended and the bill was given its second reading and was passed to be engrossed, in concurrence.

The PRESIDENT: The Chair lays before the Senate H. D. 349, An Act to establish game sanctuaries. The report of the committee on State lands and forest preservation "ought to pass" has been accepted and the Secretary informs the Chair that the bill has had its first reading. House Amendment "A" has been adopted by the House and is before the Senate at this time.

Mr. THOMBS of Penobscot: Mr. President, I think if House Amendment "A" is not too long it ought perhaps to be read.

The PRESIDENT: The Secretary will please read House Amendment "A."

(The Secretary read House Amendment "A.")

The PRESIDENT: The question is on the adoption of the amendment.

Mr. THOMBS: Mr. President, I move the indefinite postponement of the bill.

Mr. SPRAGUE: Mr. President, I want to say just a word.

The PRESIDENT: The motion to adopt the amendment will take precedence. Does the Senator from Piscataquis, Senator Sprague, desire to address the Senate on the adoption of the amendment?

Mr. SPRAGUE: No, Mr. President, I have no objection to the amendment.

A viva voce vote being doubted, a rising vote was had and a sufficient number not having arisen the motion did not prevail.

The PRESIDENT: The Senator from Penobscot, Senator Thombs now moves that the bill be indefinitely postponed.

Mr. THOMBS: Mr. President and members of the Senate, I wish the Senate would take just a few moments with me and each look at H. D. 349, because I have had so little time to go over the matter that I wish to simply call the matter to your attention and see whether you agree with me in the motion that I have made.

I want first to call your attention to the fact that this bill, if it means anything, means a fish and game bill, or a bill designed to protect the fish and game of the State of Maine. I do not understand just why this bill, if it means that, was referred to the committee on State lands and forest preservation, and by that statement I do not mean at all to criticize the committee on State lands and forest preservation. Naturally I should have thought the bill would

have gone to the committee on inland fish and game.

I wish to make this further statement, gentlemen, that since this matter came to my attention I immediately took it up with the commissioner on inland fish and game, and I am authorized to say that it is not a department bill. We had some discussion as to the merits of the bill but I do not feel that it would be fair to go into that as a matter of argument.

Now, gentlemen of the Senate, I believe in the preservation of the fish and game in the State of Maine. It is a most wonderful and valuable asset. It is all too fast disappearing for the reason that the onward march of civilization, resulting in changing conditions upon the face of the earth, in my opinion will some time entirely, at least practically, wipe out all kinds of wild life. Wild life and civilized life cannot exist long together. But I want to say that I am nevertheless in favor of preserving the game and the fish as long as it is possible to do so.

I have not always agreed with all of the measures that have been proposed, but I have recognized always the sincerity of the gentlemen who have presented them and I give them good credit for having in mind the object which I also have in mind. In other words, I have disagreed with them somewhat over the manner of reaching the desired goal. I am one of those who do not believe that it is possible to legislate in a hard and fast way to control everything relating to the affairs of men. And I sometimes feel that perhaps we have already too much legislation along fish and game lines. Some of those laws are to my mind a bit hard and somewhat obnoxious, and they do not, I fear sometimes have the hearty endorsement of the people of Maine. And if that is true, it certainly leads, as you all will recognize to a disregard of those laws. Sometimes I fear they are held altogether too lightly by the people.

Now returning to the bill before us, the purpose is establishing game preserves or sanctuaries for wild life in this State. The Commissioner of inland fish and game, by and with the

advice and consent of the Governor and Council, on petition of 100 or more interested citizens of the county—and I pause there just a moment and call your attention to the word “interested” and ask you what it means? To my mind it does not mean anything, for the reason that it is only necessary in all probability to present a petition to any person and ask him to sign it, and he is interested enough from his friendship with the person who presented the matter to him, the petition, to sign it. So that I assume and argue that so far as this particular word is concerned it could as well have been left out, and you have said one hundred or more citizens of the county in which the land affected lies,—including a majority of the owners of improved lands affected thereby.

Now if I got the amendment that was just read, they proposed to add the words after “majority” in the sixth line, “of at least 75 per cent;” so in order to proceed according to the idea of this bill, when a petition is circulated you must have a majority of 75 per cent. of the owners of improved lands. Now gentlemen of the Senate, I am not sure, in view of the other amendments that have been offered relating to the lines of the various districts, just what that means. But I want to call to your attention the fact that upon a great portion of the tracts of land in the State of Maine there are no owners of improved property, and if this bill is to apply to those areas of course that section is manifestly of no consequence because there are no improved lands there.

On page 2 of the bill which provides that the fish and game commissioner with the advice and consent of the Governor and Council may close this certain area of land for a period of not exceeding ten years to hunting and fishing.

Now my objection to that is this, with a Legislature convening each two years I do not care to see the commissioner empowered with the duties that may very properly belong to the Legislature and which it may desire to exercise. I can very readily see that if the commissioner

should say there should be a close time for a period of ten years on a certain tract, that it would have some weight with the Legislature and they would be somewhat reluctant to interfere with his decisions.

And right there this leads me to my first observation about one section, or one particular part of the fish and game laws that is now on our statute book. The commissioner of inland fish and game now has the right upon petition to close streams and lakes and ponds, and he exercises that right as of course all of you know. It is true that the statute provides that there shall be some record of his proceedings and they shall be published in a newspaper. But I object to that particular feature of the law because of the fact that I believe our fish and game laws should be uniform throughout the State of Maine so far as possible. It often happens that a man, a resident of Maine even, at a comparatively short distance from his own home, does not know whether he has a right to fish a certain stream or pond. He is obliged, if he wants to satisfy himself of this,—he is obliged to go to the records and look up the question as to whether or not that certain stream has been closed by the commissioner. He may search the public laws in vain and not get his answer there. And that particular part of this bill I object to for the reason that it seems to me that it is similar to the now existing statute and would result in a great deal of trouble in order to determine just what was closed land and what was not.

Now if you will look down toward the bottom of page 2, "and provided further that said commissioner by and with the consent of the Governor and Council, after notice and hearing as aforesaid, may make such modifications affecting the taking of birds, fish and game on said preserves as he may deem for the best interests of the State so to do."

Now gentlemen of the Senate I think that is an extraordinary provision to put into this bill. I do not for one instant say that the fish and game commissioner might ever take

any action that would not be for the best interests of the State, but I can see that there is an opportunity whereby he might in the exercise of his judgment open this closed area of land to hunting to a limited number of people, so far as I can see he might authorize me or any other resident of the State of Maine to be the one person who could hunt upon that land, and I am using that as a matter of argument simply to show you what it seems to me might happen.

Gentlemen, I believe, or at least I fear that this may be the first step—and this is my final objection to the bill, that this may be the first step taken in the State of Maine to create fish and game preserves for the hunting and killing of game and the taking of fish for a limited number of people. Now that privilege exists in the provinces of the Dominion of Canada. They have their fish and game preserves upon which certain people only are allowed to hunt and fish. And I am afraid that this may perchance be the first step taken that may finally result in something like that in the State of Maine. Now if that is true, I believe that that is ample reason for the rejection of this bill, because the fish and game of the State of Maine are public property. Every man, boy, woman, now is entitled and has equal part in the hunting and fishing. And I for one hope that the day will never come when the land owner or any privileged class may be allowed any special privileges in these natural attributes of the State, and Mr. President, I renew my motion for indefinite postponement.

Mr. SPRAGUE of Piscataquis: Mr. President, there isn't anything about this matter to discuss at all. I simply want to state my position in regard to the matter. I saw this advertised in the paper. I knew it was not a game department bill and I went into the committee, into the hearing, supposing that I was opposed to it. Upon examining the bill I found that it was only an addition, giving the commissioner no further authority as I could see, but the same authority in a little different way—

what he has had for years, what he is doing all the time. If anybody wants to close a piece of land, wants a close time on a certain piece of land anywhere in the State of Maine, they petition him—he is holding those hearings all the time—this is not anything new at all. Now I said to these men, the proponents of that law, after examining it with them and talking it over, I have no objection, and I want simply to show that I keep good faith. I have no objection to the bill although I do not see the necessity for it.

Mr. THOMBS: Mr. President, I would like to ask through you of the distinguished Senator from Piscataquis, the reference to the statute that allows the fish and game commissioner to close lands to hunting.

The PRESIDENT: Will the Senator from Piscataquis answer the question of the Senator from Penobscot?

Mr. SPRAGUE: I will answer that very readily by saying I have been trying to find the Revised Statutes Index lying around here but have not found it yet. You can find it if you will get the index.

Mr. THOMBS: I know he has such authority so far as the fishing is concerned; I did not know that he had it to the extent of the hunting.

Mr. SPRAGUE: It has been extended to that.

Mr. THOMPSON of Knox: Mr. President, I want to say that the Senator from Penobscot has voiced my sentiments on this matter quite fully, and from the way he describes the possibilities that could arise under it I think he has not overdrawn the situation at all. From a little authority in this respect it may extend until before very long it may become so dangerous that man may be guilty of trespass on his own land; we shall be tied up so much by conditions, if he had such rights that if a man goes out to hunt and fish on his own land he will be a trespasser himself, and if the Angel Gabriel should come on the earth he would be a trespasser too. I think it is the most dangerous and vicious piece of legislation that has engaged

the attention of this Senate, and I feel under obligations to the Senator from Penobscot for taking it up.

Mr. MORRILL of Cumberland: Mr. President, I have not bothered you much and I am not going to now. It seems to me mutual agreement here that the wild life of Maine is worth maintaining and perpetuating if possible. Now I still remember, when I was a boy, that the wild pigeons were as plenty almost as the flies, and it was sport to shoot them. But now there is not one on the American continent and the United States Government offers a big price for a pair of wild pigeons. What I am going to give you is a concrete example and I know what I am talking about. I do not know as it will have any bearing on the case.

It is a matter that perhaps will have to run longer before it can be brought about. Some ten years ago a New York man bought 900 acres of land, which I formerly owned, in the town of Raymond, and there are 100 acres of meadow land which was formerly used for a flow ground. This man is a crank fly fisherman. I used to know this place well when I was a boy. There were trout in plenty. But as fishermen have increased in numbers the fish have become scarce. He uses this flow ground now for the propagation of fish naturally—he has not stocked it. There are two nice brooks that run into it, one tributary to the other. He asked the fish and game commissioner if they could protect him in this 900 acre deal, and there was no law by which they could protect him. Now the Senator from Penobscot is no different from what I am in the formation of private fish and game preserves. I will agree with him instantly that that is not American. But this man's object is this, and I own land adjoining and know all about it. He does not gun at all. He has no desire to gun. He wants to see the deer and the partridge and other game in their natural condition where they can propagate their species and live their natural life unmolested by man or dogs. He keeps a man there, has a log cabin there, and any dog that comes among the

deer is glad to get out, if he gets out at all he does well. This man fishes with fly hooks. All the protection that he has got he made himself. It is not fenced, this 800 acres of land and 100 acres of water, and he puts up his trespass notices, "No hunting, fishing or trespassing under the pains and penalties of the law."

Now of course you senators know what the law is, but that has protected that game, and the fish are plentiful there now and bigger than I ever remember of seeing them when I was a boy. And if you want to see game, and if you want to see deer and partridge and wild life, you visit that 800 acres of land and you can find more there, I was going to say, than you can in nearly one-half of Cumberland county. When that place becomes overstocked and they seek for food elsewhere, you have got a reserve to breed from—they are not shot to pieces, they are not mangled by dogs; and that is what ought to be established in this State. Now this man would give up his right to hunt if he could be protected. I would be glad myself to give the fish and game commissioner permission on my own land, two or three or four or five hundred acres of wild land where I would agree not to shoot game. I would like to see partridge in their native state. I have not shot one for 25 years. I would rather see them alive. The rising generation have their sporting days as I have had. And when those places became overstocked—if the commissioner could control it—I would agree not to shoot game or to allow anybody else to shoot game on it if I could, and let them propagate their species in their natural condition, and under those conditions you never can annihilate the whole of the game in the State of Maine. Something of that kind, gentlemen, has got to come. I will just drop that as a suggestion.

Mr. GOULD of Aroostook: Mr. President, I would like to say just a word but not to take up any unnecessary time.

You would judge from Senator Thombs and Senator Thompson that if such a bill as this was passed this

State would be divided up—every man that is lucky enough to have a little piece of land would have a private hunting ground. Now I do not think that bill intends anything of the kind, and I do not believe there is any danger of any such bill ever passing this Legislature. I believe, as Senator Morrill, says, that it is a mighty good thing to have some little private game preserves where people can come to this State, and people who live here can take a ride out into a little handy forest and see what is getting to be almost impossible to find handy around here. I would like to draw a little picture. There is a beautiful little hill here, if it was better wooded it would compare with one I have in mind. Suppose Senator Thombs owned that hill and he lived in this town and he had some cleared land going with it and a nice little garden and a nice little camp where he could go out and take his Sunday dinners and stay there and recruit up a little; and he had undertaken to raise some wild game there—and possibly they are just to look at, just to show his friends—and he had gone to the expense of building a nice road into this little preserve; and suppose he should go in there and find some day a lot of dead rabbits and a lot of dead partridge being carried out by boys, dead deer and a dead moose, if you please, all contrary to law. Of course you will say there is a law action but it doesn't stop the shooting and the waste of that game. I can see how Mr. Morrill's friend can take a great deal of pride in going round the few hundred acres of land he has got there and showing his friends the natural game.

It is a good thing to have such places; and take a place like this that I am trying to describe, it is a source of great amusement to all travellers and people who have not got time to go way off into the deep forest to see a deer or see a flock of partridge. But some protection for that place is absolutely necessary.

I do not know the parties who drew this bill or where it came from, but some such bill is necessary to the pleasure of a lot of good people that

like to have such a little preserve, and to the people that visit this State. Whether this bill is just what would be necessary to cover a situation of this kind or not, I do not know exactly, but something of the kind would be all right, and I hope to see such a bill put through this Legislature sometime.

Mr. THOMBS: Mr. President, I want to renew the statement that I made that I will go as far as any gentleman in the Senate in preserving the fish and game in the State of Maine. I believe in it, believe it ought to be done. But I do not believe in this Legislature surrendering its functions for as many as 10 years to the judgment of six or seven men. Whenever this Legislature says that there shall be no hunting or fishing in the State of Maine, I will not raise my voice in protest.

Now to carry it to its logical conclusion, the argument advanced by the senator from Cumberland and the senator from Aroostook. I believe it is a perfectly fair statement to say that every land owner in the State of Maine does not desire hunting on his land. The great wild land tracts in the State of Maine, open as they are to hunters, thereby are constantly menaced by fires.

If you could keep all the hunters off from the wild lands of Maine you would have less fires, and the fishermen in the spring following along the brooks undoubtedly set many fires, else we would not see posted everywhere these signs and warnings "Be careful of your fire." Gentlemen of the Senate, there are some of us yet who are not fortunate enough to own a sufficient number of acres of land to establish for ourselves a game preserve, and I believe that the people of the State of Maine even yet have a right under existing law and custom to hunt and fish, and I for one hope that it may not be abridged by the greed of land owners.

Mr. THOMPSON: Mr. President, in reply to the argument of the Senator from Aroostook, which proposition did not receive the attention from me that it deserved at the time,

but I think it was to the effect that a man under this law could have the enjoyment of his own preserve whereas he could not if he undertook to run it himself—I so understood the statement of the hypothetical case—I wonder how he would feel if under this bill, should it become a law, the fish and game commissioner took his private preserve from him and opened it to the public? And under the provision in this bill, the fish and game commissioner if he deemed it for the best interests of the State could exclude the Senator from Aroostook from the enjoyment of his own preserve. It seems to me that the more this bill is discussed the worse its features become.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Thombs, to indefinitely postpone the bill.

The motion was agreed to by a viva voce vote and the bill was indefinitely postponed.

The PRESIDENT: The Chair will at this time announce the third member on the Committee on Conference on the Wells-Ogunquit matter, the senator from Washington, Senator Emery.

Mr. SPRAGUE of Piscataquis: Mr. President, I move to re-consider the vote whereby we accepted the report of the Committee on Library on An Act to provide for the preservation of the archaeological objects and sights, and for the appointment of a commission on archaeology.

The PRESIDENT: The committee reported that this bill be referred to the next Legislature.

The motion was lost upon a viva voce vote.

The PRESIDENT: The Chair lays before the Senate, S. D. 80, Resolve for the purchase of reports of centennial celebration of the State Bar Association, tabled by Senator Sprague, and the pending question being passage to be enacted.

Mr. SPRAGUE: Mr. President, I want to lay that on the table until I

confer with the Governor. I was to see the Governor this afternoon.

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 S. D. 200, Report on the Clary Farm bequest.

The secretary informs the Chair that the report of the committee has been accepted and on motion of Senator Morison, the bill was tabled for printing.

Mr. MORISON of Penobscot: Mr. President, the report is very full and clear and I presume the members of the Senate are well informed on the subject matter therein. I understand that the chairman of the Committee on Sanatoriums desires to make some comment on it. I yield to Senator Cobb of Kennebec.

Mr. COBB of Kennebec: Mr. President and brother Senators, in regard to this bequest some have thought that a little explanation should be made in regard to it, because in a gift of this kind a good many might wonder why it was refused.

It was something that the committee disliked to do very much. It seems that the grandfather of this man bought a large tract of land in Jefferson, three or four hundred acres, and this man got back part of it and there was a beautiful farm and buildings beautifully situated, with two lakes in view, and valued at about \$15,000.

The trustees of the sanatoriums have considered the matter and they felt that there was a proposition they might use it for, one to take patients from other sanatoriums during the summer time, transport them to this place and make a kind of summer colony.

They would have had to have a superintendent, and of course a physician, and it would cost a lot of money. And another idea was to take children who were sick and weak and take them to this farm, this beautiful spot. But the conditions in this bill,—in about a year

from now unless the conditions are met it would be of no avail, and we thought under the conditions, as an architect was questioned in regard to the buildings and we found that we could not do much there without the expenditure of a large amount of money, that these ideas could not be carried out at this time. Then having talked with the various trustees of the various institutions, they felt that this farm was out so far from railroads, being fourteen or fifteen miles from Augusta, and about three miles from the narrow gauge that extends from Wiscasset, that the expense of transportation would be very extravagant. And they felt that under the situation it would be much better to have the place near a railroad. And as we now have our sanatorium program well fixed, and while we feel that we cannot enlarge upon these institutions without at least an extravagant expense, the committee felt, although they did not wish to, that they must refuse the request.

We know that relatives of this man urged us, and wanted us very much to accept, and we would have liked to have done it, and that is the one reason why we wanted this explanation, so that the people of the State and the relatives may know that we had good reasons for not accepting the bequest. For these reasons we reported the way we did.

The PRESIDENT: The Chair will state that the report of the committee has been accepted and then the bill was tabled for printing.

On motion by Mr. Cobb, the bill was sent to the House.

The PRESIDENT: The Chair lays before the Senate S. D. 199, An Act to establish the commission of foreign and domestic commerce. The bill was tabled by Senator Gould, and the pending question is passage to be engrossed.

Mr. GOULD of Washington: Mr. President, I offer Senate Amendment "A" in place of that bill and move its adoption.

The secretary read Senate Amendment "A" which substituted for the

reading of the bill "An Act authorizing the Governor to appoint commissioners on foreign and domestic commerce."

(The secretary read the entire amendment.)

Mr. GOULD: Mr. President, in explanation that amendment is to take the place of the bill, that it is the whole bill, and the purpose is to make it emphatic that there will be no compensation for this commission.

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

On motion by Mr. Gillin of Penobscot, a recess was taken until three o'clock this afternoon.

AFTER RECESS

The Senate was called to order by the President at 3.10 o'clock P. M.

On motion of Mr. Sprague of Piscataquis, the order was suspended under which we were proceeding and the Senate proceeded under the regular order of proceedings, in order to facilitate the printing.

Mr. SPRAGUE of Piscataquis: Mr. President, I move that the rules be suspended that I may present two orders out of order.

The motion was agreed to and the senator presented the following order and moved its adoption:

Ordered, The House concurring that the commissioner of inland fisheries and game within sixty days from the adjournment of this Legislature promulgate and continue in effect not exceeding four years such of the rules and regulations of the fish and game department now in force as he deems necessary for the protection and preservation of the fish and game in this State. The said rules and regulations to take effect July 7, 1921, and continue in force for a period of four years thereafter, unless sooner revoked or modified by said commissioner. Such rules and regulations shall be published in a newspaper printed in the county in which the waters affected

are located and filed in the offices of the secretary of State.

(The secretary read the accompanying statement of facts.)

Mr. SPRAGUE: I will say, Mr. President, that this is necessary, and is what has been done every four years since the department was organized.

Mr. FARRINGTON of Kennebec: Mr. President, I want to be sure on what I am voting. Do I understand that this is an order which provides for continuing in force certain regulations made by the department and which shall continue in force for four years, and making effective certain rules of the commission which have been inaugurated by them, and trying to legislate life three years after the Legislature is adjourned?

The PRESIDENT: This is a very important matter and the Chair will not attempt to interpret it.

(The secretary read the order again.)

On motion by Mr. Farrington of Kennebec, the order was temporarily tabled.

Mr. Sprague of Piscataquis presented the following order and moved its passage:

Ordered, the House concurring, that the commissioner of inland fisheries and game cause to be revised and compiled in convenient form the inland fish and game laws, and that not exceeding 40,000 copies be printed for general distribution, and the Governor is authorized to draw his warrant for the payment of same on the amount appropriated for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds.

(The Secretary read the order and the accompanying statement of facts.)

Mr. THOMBS of Penobscot: Mr. President, I would like to inquire of the Senator from Piscataquis, if the original order contemplates the printing of the regulations as made by the commissioner.

Mr. SPRAGUE: Mr. President, I

understand that the book contains everything. That is my recollection of it.

Mr. THOMBS: In my hearing of the order and statement of facts I thought the order might not be broad enough to cover that, but the statement of facts states that is the intention. But in speaking of the matter I want to revert to what I called your attention to this morning. This very order says these regulations shall be printed in a newspaper in the county to which it applies. They are printed once, and then that paper or a copy of the paper is found in the office of the Secretary of State. And there is no way a lawyer can advise a client respecting these matters without going to Augusta or getting a certified copy from the Secretary of State for these regulations. I believe this order should be broad enough so that these regulations should be printed therein. While they would not be law, I think they might be safely followed. Unless the order is broad enough to cover that I move that the matter lie on the table.

The motion was agreed to and the order was tabled.

On motion by Mr. Gillin of Penobscot, the rules were suspended and that Senator presented an order out of order and moved its adoption:

Ordered, that the resolve authorizing the Austin W. Jones Co. to bring suit at law against the State of Maine be recalled from the Governor.

The order was given a passage, and the Chair informed the Senator that the resolve was in the possession of the Senate.

On further motions by the same Senator, the votes were reconsidered whereby this resolve was finally passed and passed to be engrossed.

The same Senator then offered Senate Amendment "A."

The PRESIDENT: May the Chair inquire if the Senator desires to substitute this order for the original resolve?

Mr. GILLIN: I wish to offer this amendment so that the original resolve may be amended as stated in the order.

On suggestion by the Chair the resolve and amendment were tabled temporarily.

From the House: Resolve in favor of the Portland delegation.

On motion by Mr. Emerson of Aroostook, the rules were suspended and without printing the resolve was read twice and passed to be engrossed.

From the House: Majority report of the committees on Legal Affairs and Labor, on An Act amending the Public Laws of 1915, Chapter 350, entitled "An Act relative to the employment of women and children," reported the same in a new draft under the title "An Act amending Section 1 of Chapter 350 of the Public Laws of 1914, entitled 'An Act relative to the hours of employment of women and minors,'" and that it ought to pass.

(Signed)

Messrs. GARCELON,
BEMIS,

—on the part of the Senate.

Messrs. WEEKS,
BREWSTER,
DOYLE,
FAGAN,
SMITH of Skowhegan,
O'CONNELL,
MAXWELL,
ROGERS,
MURRAY,

—on the part of the House.

The minority report of the same committee, ought not to pass,

(Signed)

Messrs. EMERSON,
SPENCER,
MORISON,
THOMBS,

—on the part of the Senate

Messrs. WILLARD,
HUSSEY,
SMITH,
CARROLL,

—on the part of the House.

In the House the minority report, ought not to pass, was accepted.

Mr. THOMBS of Penobscot: Mr. President, I move that we accept the

minority, ought not to pass, in concurrence.

Mr. PARENT of Androscoggin: Mr. President, I move that both reports lie on the table until tomorrow morning.

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

The pending question then being on the motion to indefinitely postpone the bill:

Mr. PARENT of Androscoggin: Mr. President, I move that when the vote is taken it be taken with the yeas and nays.

A sufficient number not arising the yeas and nays were not ordered.

The minority report, ought not to pass, was then accepted, in concurrence.

From the House: S. 214, An Act to enable South Bristol to construct a State aid road to Christmas Cove.

This bill was passed to be engrossed in the Senate; the House adopted House Amendment "A."

The amendment was read by the secretary.

Mr. THOMPSON of Knox: Mr. President, this is a bill of which I know nothing except in a very general way. It was drawn by Mr. Littlefield of Rockland, who was counsel for the town. It happens that the larger part of the road lies in the town of South Bristol, and the design of the bill is to enable them to build that part of the State road lying out of the limits, which they cannot do under the general law. They want to do in two or three years what would ordinarily require 10 years to do.

If the matter can lie on the table, I will submit a copy of the amendment to Mr. Littlefield by telephone.

The bill was tabled.

From the House: An Act to regulate the payment of appropriations for the care, treatment, support and education of persons in charitable and benevolent institutions not wholly under or controlled by the State.

Senate passed this bill to be engrossed.

The House had formerly accepted the report, ought not to pass, the House now refused to recede from its former action.

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

The Chair thereupon appointed as such committee on the part of the Senate, Messrs. Parent, Sargent and Spencer.

From the House: An Act to increase the amount paid by the State for cattle condemned under the provisions of Sections 3 and 9 of Chapter — of the Revised Statutes.

This bill was passed to be engrossed in the House. The Senate adopted Senate Amendment "A" increasing the amount to be paid for cattle from \$75 to \$100.

The House rejected Senate Amendment "A."

On motion by Mr. Hall of Franklin, the Senate voted to recede and concur with the House in the rejection of Senate Amendment "A."

From the House:

STATE OF MAINE
House of Representatives
Office of the Clerk.

Augusta, April 6, 1921.

To L. Ernest Thornton, Secretary of the Senate of the Eightieth Legislature,

Dear Sir:

The Governor of the State having returned to the House without his approval and with his objections to the same

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

The House proceeded to vote upon the question

"Shall the resolve be passed notwithstanding the objections of the Governor?"

A yea and nay vote was taken. Seventy voted in the affirmative and 68

in the negative, and accordingly the resolve failed of a passage.

Respectfully,
CLYDE R. CHAPMAN,
Clerk of the House of Representatives

Received and placed on file.

The following remonstrance was received and was placed on file.

Placed on File

By Mr. Spencer of York: Remonstrance of Mrs. L. E. Johnson and 27 others of Lebanon, Maine, against the passage of "An Act regulating the sale of liquor in Maine."

Bills in First Reading

S. 222, Resolve in favor of James H. Burgess of Bangor, Penobscot county, State of Maine, for civil pension.

(On motion by Mr. Morison of Penobscot, the rules were suspended and the bill was given its second reading and passed to be engrossed)

S. 223, An Act to amend Chapter 2, Section 57, of the Revised Statutes, relating to bonds of State treasurer.

(On motion by Mr. Stevens of York, the rules were suspended and the bill was given its second reading and passed to be engrossed.)

Reports of Committees

Mr. Emerson from the committee on Appropriations and Financial Affairs, on Resolve providing for expenses in connection with the funeral of the late Governor Parkhurst, reported the same in new draft under same title, and that it ought to pass.

The report was accepted and the bill tabled for printing, under the joint rule.

The same senator from the same committee, on Resolve in favor of George A. Dow and Francis C. Colburn, document clerks, for extra services in preparing weekly cumulative index to Senate and House documents, reported that the same ought to pass.

On motion by Mr. Emerson of Aroostook, the rules were suspended and without printing this resolve was read twice and passed to be engrossed.

Mr. Emerson from the committee

on Appropriations and Financial Affairs on the following:

Resolve in favor of the clerk, stenographer and messenger to the committee on Appropriations and Financial Affairs.

Resolve in favor of William W. Gallagher for services as clerk of the committee on Judiciary.

Resolve in favor of stenographer of Judiciary committee.

Resolve in favor of Kenneth F. Lee for services as messenger to committee on Judiciary.

Resolve in favor of Lawrence P. Barton for services as clerk to the committee on Legal Affairs.

Resolve in favor of Faith A. Tryon for services as stenographer to the committee on Legal Affairs.

Resolve in favor of George H. Chick for services as messenger to the committee on Legal Affairs.

Resolve in favor of clerk and stenographer to Public Utilities committee.

Resolve in favor of George T. Hinchliffe.

Resolve in favor of Louis A. McGowan for services as clerk to the committee on Mercantile Affairs and Insurance.

Resolve in favor of Carolyn L. Sparks for services rendered to the committee on Counties.

Resolve in favor of the clerk of the committee on Ways and Bridges.

Resolve in favor of clerk and stenographer for committee on Salaries and Fees.

Resolve in favor of Olive M. Dutton for services as clerk of the committee on Library.

Resolve in favor of the clerk of the committee on Taxation.

Resolve in favor of Benjamin A. Swasey, clerk to the committee on State Sanatoriums.

Resolve in favor of Ralph W. Farris for services rendered as clerk of the Senate committee on Bills in the Second Reading.

Resolve in favor of Arthur F. Tiffin

for services as clerk of the committee on Bills in the Third Reading.

Resolve in favor of Brooks Brown for services as clerk to committee on Agriculture.

Resolve in favor of Julian K. Croxford for services as clerk on the committee on Claims.

Resolve in favor of Kenneth Lee for services as stenographer to committee on State Lands and Forest Preservation.

Resolve in favor of Kenneth F. Lee for services as clerk to committee on Insane Hospitals.

Resolve in favor of Julian K. Croxford for services as clerk and stenographer to the committee of Public Health.

Resolve in favor of Nellie S. Lord for services as clerk and stenographer to the committee on Pensions.

Resolve in favor of S. D. Lord for services as clerk to the committee on Towns.

Resolve in favor of Bernice E. Bates for services as clerk of the committee on Education.

Resolve in favor of Edith B. Wilson for services rendered to the House and Senate committees on Engrossed Bills.

Resolve appropriating money to pay the clerk and stenographer to the committee on Interior Waters.

Resolve in favor of Faith A. Tryon for services as stenographer to the committee on Military Affairs.

Reported the same in new draft under title of

"Resolve in favor of clerks, stenographers and messengers of the several committees of the 80th Legislature," and that it ought to pass.

The report was accepted and the bill tabled for printing under the joint rules.

The committee on conference on the disagreeing action of the two branches of Legislature on An Act to amend Section 57 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, and further amended by Chapter 61 of the Public Laws of 1919, relating to the protec-

tion of wild birds, report that the House recede from its former action in the indefinite postponement of the bill, and concur with the Senate in passing the bill.

(Signed)

Messrs. THOMPSON,
SPRAGUE,
MORISON,

on the part of the Senate.

Messrs. TRASK,
LUQUES,
LEIGHTON,

on the part of the House.

On motion by Mr. Allen of York, the report of the committee was accepted.

Orders of the Day

On motion by Mr. Gillin of Penobscot, the resolve authorizing the Austin W. Jones Co. to bring a suit at law against the State of Maine, was taken from the table.

The same senator then offered Senate Amendment A to the above resolve and moved its adoption.

(The amendment was read by the Secretary. The amendment has the effect of substituting a new resolve in the place of the original.)

The PRESIDENT: The Chair will state that there is added in the new resolve the words "alleged to have been burned."

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

On motion by Mr. Morrill of Cumberland, the vote was re-considered whereby An Act conferring certain powers on the city of Portland, namely, the power to establish a municipal ferry to Peak's Island from Portland harbor, was passed to be engrossed.

On further motion by the same senator, the bill was indefinitely postponed.

The PRESIDENT: The Chair lays before the Senate H. D. 410, An Act to regulate use of motor driven vehicles, tabled by the senator from Penobscot, Senator Gillin. The Chair will state for the information of the

Senate that the act is An Act to regulate the use of motor driven and animal driven vehicles on highways. The Senate adopted Senate Amendment "A" and then passed it to be engrossed. The House rejected Senate Amendment "A" and adopted House Amendment "A."

On motion by Mr. Gillin of Penobscot, the Senate voted to suspend the rules and reconsider its action whereby it passed this act to be engrossed, and on further motion by the same senator the Senate receded and concurred with the House in the rejection of Senate Amendment "A."

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

The Secretary read House Amendment "A."

The motion was agreed to by a viva voce vote and House Amendment "A" was adopted in concurrence, and on further motion by the same senator the bill as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate H. D. 434, An Act to incorporate the Kennebunk, Kennebunkport and Wells Water District, tabled by the senator from York, Senator Allen, the pending question being passage to be engrossed.

Mr. ALLEN of York: Mr. President, I think it is quite well understood that there is a bill before this Legislature to divide the towns of Wells and Ogunquit, and until that matter has been disposed of indefinitely I shall have to ask the indulgence of the Senate from day to day to have this bill laid upon the table.

(Tabled on motion of Mr. Allen of York.)

The PRESIDENT: The Chair lays before the Senate H. D. 366, An Act relative to trial terms of the supreme judicial court for the county of Sagadahoc, tabled by Senator Thompson, the pending question being passage to be enacted.

Mr. THOMPSON of Knox: Mr. President, the situation is almost identical with that cited by the senator from York. As soon as another bill passes the House, which I think it undoubtedly will, I will take that matter from the table and postpone it indefinitely.

(Tabled on motion by Mr. Thompson of Knox.)

The PRESIDENT: The Chair lays before the Senate H. D. 414, An Act to provide additional funds for the maintenance of State and State aid highways, tabled by the senator from Sagadahoc, Senator Baxter, the pending question being second reading.

Mr. BAXTER of Sagadahoc: Mr. President, I yield to the senator from Kennebec, Senator Adams.

Mr. ADAMS of Kennebec: Mr. President, gentlemen of the Senate inasmuch as this act has been taken care of in another bill, I move that this be indefinitely postponed.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 125, Resolve for purchase of history of Grand Lake Stream, tabled by the senator from Piscataquis, Senator Sprague, pending question being final passage.

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

The PRESIDENT: The Chair lays before the Senate S. D. 58, Resolve for purchase of history of Williamsburg, tabled by the senator from Piscataquis, Senator Sprague, the pending question being final passage.

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

The PRESIDENT: The Chair lays before the Senate H. D. 333, An Act relating to ice fishing in China Lake, tabled by the senator from Washington, Senator Putnam, the pending question being passage to be enacted. The Chair will state that for

the purpose of correcting a clerical error only Senator Putnam moves that the rules be suspended and that the Senate reconsider its vote by which this was passed to be engrossed.

The motion was agreed to and the same senator offered Senate Amendment "A" and moved its passage.

Senate Amendment "A." Amend the title to H. D. 333 by striking out the words "chapter thirty-three of the Revised Statutes as amended" in the title and inserting in place thereof the words, "chapters two hundred and nineteen and two hundred and forty-four of the Public Laws of 1917 as amended by Chapter one hundred and ninety-six of the Public Laws of 1919."

The motion was agreed to, Senate Amendment "A" was adopted, and on further motion by the same senator the bill as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, Resolve in aid of navigation of lakes and certain waters, tabled by the Senator from Piscataquis, Senator Sprague, the pending question being first reading.

On motion by Mr. Sprague of Piscataquis, the rules were suspended and the Resolve without printing was given its several first readings and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate Resolve in aid of navigation of lakes, fiscal year ending June 30, 1921, which the Chair understands to be the same matter, providing for another period.

On motion by Mr. Sprague of Piscataquis, the rules were suspended and the resolve, without printing, was given its several readings and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate An Act relating to a draft for the National Guard, tabled by the Senator from Androscoggin, Senator Garcelon, the pending question being acceptance of majority or minority report.

Mr. FARRINGTON of Kennebec: Mr. President, in the absence of Senator Garcelon, and at his request, I move this lie on the table until tomorrow morning.

The motion was agreed to.

Mr. PARENT of Androscoggin: Mr. President, I would like to inquire if Senate Document 210 is in the hands of the Senate? I am informed by the Clerk of the House that it is: I do not know.

The PRESIDENT: Will the Senator please give the title?

Mr. PARENT: It is a general act to increase the salaries of certain county officers and the amount of money allowed for clerk hire in certain county offices.

The PRESIDENT: The Secretary informs the Chair that in his opinion it has gone to the engrossing department.

Does that answer the question of the Senator from Androscoggin?

Mr. PARENT: Yes, Mr. President, I will present an order for its recall.

Mr. SPRAGUE of Piscataquis: Mr. President, I have an amendment to offer to S. D. 80, Resolve providing for the purchase of reports of the centennial celebration of the Maine State Bar Association—I have not heard it read.

The PRESIDENT: That passed this morning.

On motion by Mr. Sprague of Piscataquis the Senate reconsidered its vote by which this matter was finally passed, and on further motion by the same Senator the Senate reconsidered its vote by which it was passed to be engrossed.

The same senator then offered Senate Amendment "A" and moved its adoption:

Senate Amendment "A." Amend by striking out the words "one thousand" in the first line and substituting therefor "two hundred and fifty" and by striking out the words "five hundred or more" in the third line.

The motion was agreed to, Senate Amendment "A" was adopted, and

on further motion by the same senator the resolve as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, An Act apportioning representatives to Congress, tabled by Senator Sprague, the pending question being acceptance of the report of the committee on redistricting the State. The committee reports this accompanying bill and that it ought to pass.

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

On further motion by the same senator, the rules were suspended and the bill without printing was read twice and passed to be engrossed, in concurrence.

Mr. PARENT of Androscoggin: Mr. President, I move that the rules be suspended that I may present out of order the following order:

Ordered, that An Act to increase the salaries of certain county officers and the amount of money allowed for clerk hire in certain county offices, be recalled from the engrossing department.

The order was given a passage.

The PRESIDENT: The Chair lays before the Senate, H. D. 422, An Act relating to the State contingent fund, tabled by Senator Emerson, the pending question is second reading.

(The secretary read the bill.)

Mr. EMERSON of Aroostook: Mr. President, an amendment to this bill has just been handed to me. I move that the bill be tabled.

The motion was agreed to and the bill was tabled.

On motion by Mr. Morrill of Cumberland, An Act to amend Section 104 of the Private and Special Laws of 1915, providing a board of recreation for the city of Portland, was taken from the table.

This bill was reported by the Port-

land delegation and the report was accepted by the House, sent up for concurrence and was accepted by the Senate. A clerical error having been discovered the proposed amendment is to strike out all after the enacting clause:

Senate Amendment "A"

Said act is hereby amended by striking out all after the enacting clause and inserting the following:

"Section 6 of Chapter 164 of the Private and Special Laws of 1915 is hereby amended by striking out the word 'ten' in the fourth and sixth lines of said Section 6, and inserting the words 'twelve and a half,' so that said Section 6 as amended shall read as follows:"

The bill was given its first reading and Senate Amendment "A" was then adopted.

On further motion by Mr. Morrill, the rules were suspended and without printing the bill was given its second reading and was passed to be engrossed as amended, in concurrence.

Mr. THOMBS of Penobscot: I think there is upon the table, although it does not appear on the printed calendar, An Act relating to the East Branch Improvement Company.

The PRESIDENT: The pending question is on the second reading of the bill.

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

The PRESIDENT: The secretary informs the Chair that the order sent to the engrossing department by Senator Farrington, requesting the return of the bill, on account of printing, cannot be complied with until morrow morning.

On motion by Mr. Sargent of Hancock, the Resolve in favor of the Home for Feeble Minded was taken from the table.

House Amendment "A" was then adopted in concurrence and the bill as amended was passed to be engrossed.

On motion by Mr. Gillin of Penobscot, the Senate recessed until 4.45 P. M.

AFTER RECESS

Senate called to order by the President.

On motion by Mr. Thombs of Penobscot,

Adjourned until tomorrow morning at 9 o'clock.