

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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AUGUSTA  
KENNEBEC JOURNAL PRINT  
1921

**ERRATA:**

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

## ERRATA

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

### SENATE

Thursday, April 7, 1921.

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

Prayer by Rev. J. H. Ecob of Augusta.

Journal of previous session read and approved.

On motion by Mr. Morrill of Cumberland, under suspension of rules it was

Ordered, that the engrossing department be directed to return to the Senate, Senate Document 212 for further consideration.

Papers from the House disposed of in concurrence.

From the House: Resolve in favor of the Western Maine Sanitorium.

In the Senate this resolve was passed to be engrossed; the House adopted House Amendment "A," which was read by the secretary of the Senate.

On motion by Mr. Gillin of Penobscot, under suspension of the rules the vote was reconsidered whereby this resolve was passed to be engrossed, and on further motion by the same senator House Amendment "A" was adopted in concurrence, and the bill as amended was passed to be engrossed.

From the House: An Act to amend Section 8 of Chapter 6 of the Revised Statutes, relating to ballots in primary elections, and providing for the order of names of candidates on such ballots to be determined by lot.

This bill came from the House that body having insisted upon its former action, and now asks for a committee of conference.

Mr. FARRINGTON of Kennebec: Mr. President, after the vote that was taken the other day it hardly seems necessary to take more time of the Legislature but in courtesy to the

House, I move that we insist and join a committee of conference.

The motion was agreed to and the Chair appointed as such committee on the part of the Senate, Messrs. Farrington, Emerson and Allen.

From the House: An Act to authorize the division of towns having less than four thousand inhabitants into convenient polling places.

In the House this bill was passed to be engrossed; in the Senate it was indefinitely postponed. The House insisted upon its former action and asked for a committee of conference.

On motion by Mr. Eaton of Oxford, the Senate voted to insist upon its former action and join a committee of conference. The Chair appointed as such committee on the part of the Senate, Messrs. Eaton, Bemis and Spencer.

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

In the House this bill was passed to be engrossed; in the Senate it was indefinitely postponed. The House insisted upon its former action and asked for a committee on conference.

Mr. MORRILL of Cumberland: Mr. President, I move that we insist upon our former action and join a committee of conference.

The PRESIDENT: Under the rules of the Senate the Chair is obliged to appoint a conference committee that reflects the vote of the Senate.

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

From the House: An Act authorizing the establishment of danger signals on public ways and regulating the display of advertisements thereon.

This was passed to be engrossed by the Senate; indefinitely postponed in the House.

On motion by Mr. Parent of Androscoggin, the Senate voted to con-

cur with the House in the indefinite postponement of the bill.

From the House: H. 451, An Act to amend Section 110 of Chapter 4 of the Revised Statutes, relating to the payment of damages done by dogs and wild animals upon domestic animals.

In the House this bill was reported ought to pass by the committee on Agriculture, then was indefinitely postponed.

Mr. TUTTLE of Aroostook: Mr. President, I move that the rules be suspended and the bill given its several readings and passed to be engrossed, in non-concurrence.

The bill was given its first reading.

Mr. FARRINGTON of Kennebec: Mr. President, do I understand that this comes in as a House report this morning?

The PRESIDENT: Yes.

Mr. FARRINGTON: And do I understand that the report has been accepted and the bill given its first reading?

The PRESIDENT: Mr. Tuttle moved that the bill take its first reading and under suspension of the rules take a second reading and be passed to be engrossed.

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

From the House: Resolve in favor of Richard T. Dunning, Secretary of the committee on State School for Boys, State School for Girls and State Reformatories.

On motion by Mr. Gould of Aroostook, the rules were suspended and the bill without printing was read twice and passed to be engrossed, in concurrence.

From the House: Resolve in favor of Charles J. Dane, Secretary of committee on School for Feeble Minded.

On motion by Mr. Morrill of Cumberland, the rules were suspended and without printing the bill was read twice and passed to be engrossed in concurrence.

From the House: Resolve in favor of Arthur E. Fogg, Secretary of the committee on Sanitoriums for expenses of the committee.

On motion by Mr. Baxter of Sagadahoc, the rules were suspended and the bill without printing was read twice and passed to be engrossed, in concurrence.

From the House: Resolve on the pay roll of the House of Representatives of the 80th Legislature.

On motion by Mr. Thompson of Knox, the rules were suspended and the bill without printing; was read twice and passed to be engrossed, in concurrence.

From the House: Resolve in favor of certain officers of the House of Representatives of the 79th Legislature for services at the organization of the House of Representatives of the 80th Legislature.

On motion by Mr. Stevens of York, the rules were suspended and without printing the bill was read twice and passed to be engrossed, in concurrence.

From the House: Resolve in favor of Ann M. Clancey.

On motion by Mr. Clement of Waldo, the rules were suspended and the bill without printing was read twice and passed to be engrossed, in concurrence.

From the House: H. 460, An Act relating to the taxation of shares of stock of trust companies organized under the laws of this State and banking institutions formed under the laws of the United States.

House Amendment "A" was adopted in the House.

The amendment was read by the Secretary.

On motion by Mr. Baxter of Sagadahoc, House Amendment "A" was adopted in concurrence, and on further motion by the same Senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed, in concurrence.

From the House: H. 465, An Act to

amend Chapter 198 of the Private and Special Laws of 1915, entitled "An Act to incorporate the Mutual Loan Society of Lewiston."

Mr. Baxter of Sagadahoc offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A" to an act entitled:

An Act to amend Chapter 198 of the Private and Special Laws of 1915, entitled "An Act to incorporate the Mutual Loan Society of Lewiston."

Sections 4 and 5 of said act are hereby amended by striking out the whole thereof and substituting the following:

Section 4. Section 12 of said Chapter is hereby stricken out and the following is substituted in place thereof:

"Section 12. The corporation shall repay to members who have not obtained loans, referred to herein as non-borrowing members, immediately after this act takes effect, the full amounts paid in by them, both to the accumulated fund and the administration fund, after March 31, 1921, except for payments made after that date of sums due prior thereto, using for that purpose only moneys received after that date from such payments and undivided profits sufficient to make up the deficit, if any. Within thirty days after this act takes effect the directors shall prepare and file with the bank commissioner a complete list of all non-borrowing members with the respected amounts standing to the credit of each as of April 1st, 1921, and a certificate showing that the aforesaid payments have been made. They shall return to such members monthly, in numerical order of their membership certificates, from the sums paid in on the principal by borrowing members, as fast as moneys are available from that source, the full principal accumulated on such certificates respectively, returning the same serially until all are paid in full. They shall deposit at interest in banks authorized to receive savings deposits in this State, as paid in, two-thirds of all sums paid in by borrowers to the administration fund

after this act takes effect and distribute the same, at such times as the bank commissioner may order, pro rata among the non-borrowing members who have not been repaid. The remaining one-third of the sums thereafter paid to the administration fund as aforesaid shall constitute full compensation to the corporation for all services hereafter rendered by or through it, and, with the profits already made, full lawful return on its investment. The corporation shall also within thirty days after this act takes effect, furnish a bond with satisfactory surety or sureties, corporate or individual to the bank commissioner and his successors in office, for the benefit of the non-borrowing members, in the sum of ten thousand dollars, as additional security independent of the present liability of it and its stockholders, for carrying out its obligations to such members if it is permitted to complete its liquidation under this act, such bond otherwise to be null and void."

Section 5. Section 13 of said chapter is hereby stricken out and the following section substituted in place thereof:

"Section 13. The directors may, in order to expedite the liquidation of the corporation and with the written approval of the bank commissioner, sell any notes or other evidences of indebtedness owned by it, and assign the security therefor, whereupon the purchaser and his assigns shall have full power to collect the same according to the tenor thereof, and the proceeds of such sales shall be distributed, as aforesaid. If the full amount of the principal due said non-borrowing members, exclusive of payments of interest mentioned in Section 12 of this act, is not repaid within thirty days after the last of the loans mentioned in Section 4 are due and payable, or if it fails otherwise to comply with the provisions of this act the bank commissioner or the directors of the corporation may apply to the supreme judicial court in equity for the appointment of a receiver to liquidate the affairs of the corporation."

On motion by Mr. Baxter, Senate

Amendment "A" was adopted and the bill, under suspension of the rules, was given its readings and was passed to be engrossed.

From the House: H. 467, An Act to amend Sections 4 and 6 of Chapter 262 of the Public Laws of 1917, relating to the fees of city clerks.

On motion by Mr. Garcelon of Androscoggin, the rules were suspended and without printing the bill was given its second reading and was passed to be engrossed, in concurrence.

From the House: An Act to grant a new charter to the city of Portland.

On motion by Mr. Farrington of Kennebec, the rules were suspended and the bill without printing was read twice and was passed to be engrossed, in concurrence.

From the House: An Act to grant a new charter to the city of Portland.

The PRESIDENT: This is a second charter.

On motion by Mr. Sprague of Piscataquis, the rules were suspended and without printing the bill was read twice and was passed to be engrossed, in concurrence.

From the House: Majority report of the committee on Legal Affairs on An Act to amend Chapter 147, Section 2 of the Revised Statutes, as amended by Chapter 80 of the Public Laws of 1917, relating to the State Board of Charities and Corrections, reporting that it ought to pass.

(Signed)  
Messrs. THOMBS,  
EMERSON,  
GARCELON,  
on the part of the Senate.

Messrs. MASON,  
HUSSEY,  
WILLARD,  
on the part of the House.

The minority report of the same committee on the same bill, reporting ought not to pass.

(Signed)  
Messrs. FAGAN,  
WEEKS,  
MURRAY,

of the House.

The PRESIDENT: The minority report, ought not to pass, was accepted in the House.

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

The bill was read by the Secretary.

The majority report, ought to pass, was accepted, and on further motion by Mr. Thombs the rules were suspended and without printing the bill was given its two readings and was passed to be engrossed, in non-concurrence.

From the House: The majority report of the committee on redistricting the State into legislative districts, reporting the Resolve "A" herewith presented and that the same ought to pass.

(Signed)  
Messrs. GARCELON,  
COBB,  
SPRAGUE,  
SPENCER,  
EATON,  
HOLT,  
MORISON,  
on the part of the Senate.

Messrs. WEEKS,  
CASE,  
AUSTIN,  
VILES,  
BUZZELL,  
MASON,  
BROWN,  
PHILLIPS,  
SMITH,  
SNIPE,  
on the part of the House.

The minority report of the same committee, reporting a resolve apportioning 151 representatives among the several counties, cities, towns and plantations in the State of Maine, as Resolve "B" and that it ought to pass.



(Signed)  
Messrs. BRAGDON and  
WEEKS

of Androscoggin.

On motion by Mr. Garcelon of Androscoggin, the majority report was accepted.

H. D. 463, Resolve apportioning 151 representatives among the several cities, towns and plantations of the State.

On motion by Mr. Garcelon of Androscoggin, the resolve was given its first reading and was then laid on the table.

#### Communication from the Secretary of State

##### STATE OF MAINE

Office of Secretary of State

Augusta, April 7, 1921.

To the President of the Senate and Speaker of the House of Representatives,

Gentlemen:-

In accordance with the requirements of Section 4, Chapter 1, of the Revised Statutes, I have the honor to notify you that the public acts, a list of the titles of which is hereto appended, have been approved by the Governor.

Very Respectfully,

Your Obedient Servant,

(Signed) FRANK W. BALL,  
Secretary of State.

#### The List

An Act for the preservation, perpetuation and increase of the Forests of the State of Maine. Approved March 30.

An Act to amend Section 26 of Chapter 117 of the Revised Statutes, relating to the salary of the adjutant general. Approved April 1.

An Act to amend Paragraph V of Section 55 of Chapter 53 of the Revised Statutes, relating to insurance on glass. Approved April 1.

An Act to amend Section 2 of Chapter 34 of the Revised Statutes relating to the duties of the Commissioner of Agriculture. Approved April 1.

An Act to amend Chapter 293 of

the Public Laws of 1917, relating to the powers of the Commission of Sea and Shore Fisheries. Approved April 1.

An Act to amend Section 70 of Chapter 8 of the Revised Statutes, relating to forest fire fighters in the Maine Forestry District. Approved April 1.

An Act to amend Section 36 of Chapter 53 of the Revised Statutes, relating to mutual fire insurance companies. Approved April 1.

An Act to repeal Chapter 18 of the Resolves of 1917, relating to animal industry. Approved April 1.

An Act relating to the licensing of Maternity Hospitals. Approved April 1.

An Act to amend Section 5 of Chapter 117 of the Revised Statutes as amended by Chapter 170 of the Public Laws of 1917, relating to the salaries of justices of the supreme judicial court. Approved April 1.

An Act to amend Section 1 of Chapter 34 of the Revised Statutes, providing for the appointment of a Commissioner of Agriculture to fill a vacancy. Approved April 1.

An Act to amend Section 74 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to night hunting of skunks and raccoons. Approved April 1.

An Act to amend Section 64 of Chapter 11 of the Revised Statutes, relating to collection of poll taxes. Approved April 1.

An Act to amend Section 82 of Chapter 16 of the Revised Statutes, relating to free high schools. Approved April 1.

An Act to amend Section 16 of Chapter 129 of the Revised Statutes, making same applicable to the Reformatory for Women, Reformatory for Men, State School for Girls, and State School for Boys.

An Act to amend Section 86 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, and by Chapter 142 of the Public Laws of 1919, relating to the disposition of money collect-

ed under the provisions of the inland fish and game laws. Approved April 1.

An Act authorizing the Maine General Hospital to increase number of directors to 24. Approved April 4.

An Act to amend Section 51 of Chapter 219 of the Public Laws of 1917, as amended by Chapters 196 and 249 of the Public Laws of 1919, relating to the placing of bear traps. Approved April 4.

An Act to amend Section 85 of Chapter 2 of the Revised Statutes, as amended by Chapter 226 of the Public Laws of 1917, relating to the State contingent fund. Approved April 4.

An Act to provide for the acceptance of the benefits of an act by the Senate and House of Representatives of Congress assembled entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry and otherwise and their return to civil employment;" and to provide for their administration of the same. Approved April 4.

An Act amendatory of and additional to Chapter 45 of the Revised Statutes, as amended, relating to the lobster industry. Approved April 4.

An Act to amend Section 10 of Chapter 128 of the Revised Statutes, relating to the unauthorized use of insignia of war veterans. Approved April 4.

An Act to amend Sections 2 and 3 of Chapter 264 of the Public Laws of 1919, extending the provisions for applicants for the soldiers' bonus. Approved April 4.

An Act to amend Section 1 of Chapter 62 of the Revised Statutes as amended by Chapter 48 of the Public Laws of 1919, relating to corporations for literary, charitable, educational and other purposes. Approved April 4.

An Act to amend Section 139 of Chapter 16 of the Revised Statutes as amended, relating to the appropriation for industrial education. Approved April 4.

An Act to amend Section 13 of Chapter 21 of the Revised Statutes, relating to burying grounds. Approved April 4.

An Act to amend Section 11 of Chapter 117 of the Revised Statutes, as amended by Chapter 249 of the Public Laws of 1917 and Chapter 198 of the Public Laws of 1919, relating to the salaries of stenographers of Cumberland and Kennebec Superior Courts. Approved April 4.

An Act to amend Section 37 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 131 of the Public Laws of 1919, relating to the protection of moose. Approved April 4.

An Act to amend Section 9 of Chapter 29 of the Revised Statutes, as amended by Chapter 202 of the Public Laws of 1917, prohibiting the treatment of World War Veterans as Paupers. Approved April 4.

An Act to amend Section 13 of Chapter 117 of the Revised Statutes, relating to the duties of the Secretary of the Senate. Approved April 4.

An Act to amend Section 55 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917 and by Chapter 62 of the Public Laws of 1919, relating to the protection of game birds. Approved April 5.

An Act to provide for Temperance Day in the public schools in the State of Maine. Approved April 5.

An Act to amend Section 20 of Chapter 68 of the Revised Statutes, relating to administration granted without bond. Approved April 5.

An Act to amend Section 85 of Chapter 82 of the Revised Statutes, relating to the terms of Superior Court for the County of Kennebec. Approved April 5.

An Act to control the establishment of sanatoriums and hospitals for infectious and contagious diseases within the populous districts of cities and towns. Approved April 5.

An Act to amend Section 12 of Chapter 36 of the Revised Statutes, as amended by Chapters 126 and 237 of the Public Laws of 1919, relating to the sale of clams, oysters and scallops. Approved April 5.

An Act to amend Section 2 of

Chapter 16 of the Revised Statutes, providing for the improvement of conveyance of pupils to common schools. Approved April 5.

An Act to amend Section 1 of Chapter 215 of the Public Laws of 1917, increasing the bounty on bears in Penobscot and Washington counties. Approved April 5.

An Act to amend Section 10 of Chapter 117 of the Revised Statutes, as amended by Chapter 216 of the Public Laws of 1917 and as amended by Chapter 31 of the Public Laws of 1919, relating to salaries of reporters of the Supreme Judicial Court. Approved April 5.

An Act to amend the first two paragraphs of Section 38 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 37 of the Public Laws of 1919, relating to the protection of deer. Approved April 5.

An Act to amend Section 17 of Chapter 12 of the Revised Statutes as amended by Chapters 121 and 299 of the Public Laws of 1917, relating to the recording of deeds. Approved April 5.

An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, relating to exemption from taxation of the Estates of War Veterans. Approved April 5.

An Act relating to Life Insurance for minors and the surrender of such insurance. Approved April 5.

An Act additional to Section 11 of Chapter 128 of the Revised Statutes, relating to the use of fare boxes and fare registers on street cars and the mutilation of coin used in the payment of fares. Approved April 5.

An Act amending Section 25 of Chapter 30 of the Revised Statutes, relating to appointment of Inspector of Buildings. Approved April 5.

An Act to amend Chapter 239 of the Public Laws of 1919, relating to the use for public purposes of armories built by municipalities with State Aid. Approved April 5.

An Act relating to adoption. Approved April 5.

An Act to amend Chapter 118, Section 2 of the Revised Statutes, relating to the fees of trial justices. Approved April 5.

An Act to amend Chapter 118, Section 20 of the Revised Statutes, relating to the fees of town clerks. Approved April 5."

#### Communication from the State Highway Commission

State Highway Commission  
State of Maine

Augusta

April 5, 1921.

3:00 P. M.

The Honorable Senate and House of Representatives.

Sirs:

We beg leave to report that to date applications for State aid received from 405 towns call for apportionments of State aid amounting to \$607,027.15.

Fourteen towns have reported that that they made no appropriation. We should expect to receive application from 86 more towns, which will make an average of \$1500.00 each for apportionment. It would thus appear that there should be provided approximately \$735,000.00 to meet apportionments of State aid against the applications by towns for State aid for 1921.

Respectfully,

(Signed)

W. M. AYER, Chairman

P. J. DEERING,

F. A. PEABODY,

State Highway Commission.

Placed on file.

#### Reports of Committees

Mr. Emerson from the committee on appropriations and financial affairs, on resolve of the payroll of the Senate of the 80th Legislature, reported same ought to pass.

On motion by Mr. Emerson, the report was accepted and under suspension of the rules the bill was given its second reading and was passed to be engrossed.

The same senator from the same committee on resolve for the pay of the chaplains of the Senate of the

80th Legislature, reported same ought to pass.

On motion by Mr. Morrill of Cumberland, the report was accepted and under suspension of the rules the bill without printing was read twice and passed to be engrossed.

The majority report of the committee on Inland Fisheries and Game on Bill, "An Act to repeal Chapter 23 of the Public Laws of 1921, entitled 'An Act to amend Section 1 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing license fees.'" that the same ought not to pass.

(Signed)

SPRAGUE,  
PUTNAM,  
WILSON,  
CRAFTS,  
LANDERS,  
GIPSON,  
BARNEY.

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

(Signed)

COBB.

Tabled by Mr. Cobb of Kennebec, pending the acceptance of either report.

The majority report of the committee on Inland Fisheries and Game on Bill, "An Act to repeal Chapter 57 of the Public Laws of 1921, entitled 'An Act to provide funds for operating the fish hatcheries and feeding stations for fish,'" that the same ought not to pass.

(Signed)

SPRAGUE,  
PUTNAM,  
WILSON,  
CRAFTS,  
LANDERS,  
BARNEY,  
GIPSON.

Minority report from the same committee on same bill submitted new draft entitled "An Act to amend Section 1 of Chapter 57 of the Public Laws of 1921, entitled 'An Act to provide funds for operating the fish hatcheries and feeding stations for fish,'" and that

the same ought to pass.

(Signed)

COBB.

Mr. COBB of Kennebec: Mr. President, in connection with this bill there is an amendment and I would like to have it read.

The PRESIDENT: The Chair will inform the Senator there is no amendment, except the new draft, that was reported ought to pass.

Mr. COBB: Mr. President, I move the acceptance of the minority report, ought to pass in new draft.

The PRESIDENT: In order that this may be perfectly understood by all, this is An Act entitled "An Act to provide funds for operating the fish hatcheries and feeding stations for fish."

The original bill was reported ought not to pass by the majority of the committee. Senator Cobb signed the minority report ought to pass in new draft, the title of which bill I just read, and Senator Cobb now moves that the minority report be accepted.

Mr. THOMES of Penobscot: Mr. President, personally I would like very much to have the new draft read.

(The secretary read the bill in full.)

Mr. COBB: Mr. President and Fellow Senators: I want it to be understood that this is a friendly discussion. When the points are brought out clearly I feel that you will be with the minority report—or the minority will be in the majority.

Now fellow senators, as I understand the law was previously \$2.15. There was a bill put in to raise the fee to \$5.15. It was advertised. Everything was proper. It happened that I was on another committee at the time of the hearing and was not at this committee hearing. For some reason, and I think the men were truthful, they say that they did not understand that this bill meant an increase the way it was advertised, so at the hearing there was no opposition to the bill to raise the fee to \$5.00. The men at the State House, in charge, sent out their applications

for licenses to the different guides as guides collect these license fees in a good many instances. When a party came for fishing the guides would pass out these applications and tell them the fee was \$2.15. Now when they sent out applications for licenses to these guides and told them it would be \$5.15, they sent back the applications saying that they could not get a fee of \$5.15 and they wanted to know why it was. Then there was an investigation and reports came in the way of remonstrances, and so a bill was put in here to repeal that act.

Now in the last hearing this last week the committee room was filled with remonstrances, with objections to the \$5.15 license fee to non-residents. You understand at this season of the year the traveling is bad, but there was a large delegation from Kennebec, Somerset, Cumberland, York, Oxford, Franklin and Waldo in remonstrance against this tax.

The claim was that men coming to the State, wealthy people—they used the word “true” sportsmen—but I claim that in these counties named, the people come down here not only to fish but for other pleasures, they are just as much of a true sport as these true sportsmen we have spoken of—but when people come into the State especially to fish they claim that \$5.15 is not too much, spending two weeks’ time. But when a family, a man and his wife and two children come into these places, not only to fish but for other recreation, but if they take a notion to fish \$5 is a little too much for the man, his wife and the children; and I take that stand, gentlemen. Now in Kennebec and these other counties that have been named there is a large amount of increased property, taxable property, we had testimony brought in that there were many men who had camps, and those people come in there partly for fishing and partly for other recreation, some staying only a week, some staying a few days, but with the tax at \$2.15 and they could have a little fishing they would do so; but these men claim that \$5.15 is too much; they wouldn’t

object to the amendment making it \$3.15.

Now in regard to these camps for boys and girls where they come down, a hundred or more. Now you take that tax for them \$5.15 added to their other expenses makes quite a little amount. And to the camp owners in these central Maine, Penobscot, York and Oxford counties, this difference means a good deal. It seems to me, with the large amount of revenue we have received from out of the State people, that if we encourage them to come here we get the tax of that \$2.15, and if the men are charged \$3.15 it will help out our department enough to make up the deficiencies instead of making it \$5, and we will encourage more people to take out licenses, we will encourage more people to come into the State, and by so doing we will get more money for the inhabitants of the State as well as to the State direct. I believe, gentlemen, that if you study this carefully, and you realize the number of people that come to Somerset county, these beautiful lakes here, where they have camps—the testimony of some people was that they came just to stay over Sunday—they wouldn’t want to pay a tax of \$5 but they would pay a tax of \$2.15. There are lots of camps all along the shore where they pay a large amount of money to the people. The owners of these camps claim that the class of people that they have, if the tax is brought up to \$5, the people wouldn’t come. So I feel that this amendment making it \$3.15 will help the fish and game department and it will be for the best interests of the State of Maine.

Mr. ADAMS of Kennebec: Mr. President and fellow Senators, I regret very much that at this late day I felt obliged to introduce any extra business before this Legislature. There was passed in the early part of the session a law, which was passed by both branches of the Legislature, signed by the Governor and became an active law because it had the emergency clause attached to it, changing the license fee of non-resident fishermen from \$2.15 to \$5.15. I am blaming nobody unless it is my-

self that this was not properly brought before the people who were interested. It is not strange that these people in looking over a whole page of hearings advertised, unless they had some special idea of something important that would interest them, that this escaped them. Later on there was another act passed with exactly the same wording carrying the emergency clause.

The first one did not. The last one carried the emergency clause, and as I understand this—I am blaming nobody at all, but this was advertised in such a way, and perhaps it was all the way it could be done, that nobody would recognize the body of the bill by the heading, there being no family resemblance between the two.

Now as quick as my people, whom I represent in a way, found out this—they did not know that it had become law, but they found out there was such a bill before the Legislature—I began to receive telephones and telegrams notifying me to do all I could to hinder this legislation. And the only thing I could do was to introduce an act to amend this act that had already been passed. Now I happen to live in the very midst of this chain of lakes which is known as the Belgrade chain of lakes, consisting of North pond, East pond, McGraw pond, Salmon pond, Great pond, Long pond, Lake Messalonskee, comprising about forty miles or more of lakes and their tributaries. Now on the shore of these lakes there are hundreds of camps, hundreds of cottages, and hotels. I do not know how many—some of them, one of them at least being one of the largest inland hotels we have in the State. And these men have invested their money, and the thing that brought these people here was the fishing in these lakes. They have invested their money and they depend upon the people that come here for their income. And round in these different towns and bordering on these lakes are hundreds of guides that all they do the whole year practically is to guide these people who come here fishing. And they realized at once that this was a blow to their income.

In consequence of this I have asked to have this bill put before the Legislature, and I believe that when you consider this matter in its true light that you will agree with me that \$3.15 is a sufficient fee for a non-resident license for fishing. There might be a question how much this increased license would add to the income of the State. It is easy to say that it will add so much. It might be easy for me to say it would not add anything, but I leave that to you—how much in your mind that might increase the revenue of the State. As I understand from the chairman of the fish and game commission, for whom I have a good deal of respect, at the hearing which we had the other day he gave me the impression that this was not their idea of raising money by raising the license, but it was the only means they had to raise funds which they felt they must have. We have added an extra dollar which with the 15,000 licenses will make an increase of about fifteen or sixteen thousand dollars which will take care of the deficiency, as I understand, for which they want it.

Let me say one thing, these people represented here the other day the section that paid into the State treasury last year between one-ninth and one-tenth of all sums received for non-resident fishermen's licenses. I submit that this should be placed at the sum of \$3.15 instead of \$5.15.

Mr. CLARK of Lincoln: Mr. President and gentlemen of the Senate: This is a subject that interests me considerably and I am sure it does the residents of Lincoln county.

Personally I want to go on record as saying that I believe this is one of the most unreasonable laws that was ever enacted in this State, changing this from \$2.15 to \$5.15. I believe that every resident of Lincoln county would object to it, that I could get a petition with the signatures in a short time if it was necessary, opposing it. In our county we are trying to induce summer people to come and spend a few weeks with us. I have served two years as game warden in Lincoln county, and I have also sold these fishing licenses for

several years and there has been lots of complaint about paying \$2.15 but yet they have done it. Possibly they will pay \$3.15 if it becomes a law—and I am sure I should use my influence to induce them to. Our fish and game commissioner stated the other day at the last hearing that he wanted to have more game wardens. Now I submit to you, gentlemen, if we enact this kind of law, we need more game wardens. If the fishing license fee is \$5.15 I believe you would need one on every pond in this State, and then you will not collect all the fees you should. I am quite sure I could not sell non-resident fishing license fees for that amount, I would not expect to sell one the coming year, and I have some that have been mailed to me at Jefferson now. It seems to me it is entirely wrong. My personal opinion in the matter is that if this law had been changed to \$1.15 the State would have had more money at the close of this season than they would at \$5.15. People are willing to stand a fair taxation and a fair fee, but I believe, gentlemen, that it is unreasonable. I shall not object to this compromise, \$3.15. I shall do my duty as far as it is known to me in collecting this fee, but I shall still feel that it is wrong. And yet if this Legislature passes that law I shall endeavor to abide by it and do my best to collect those fees. Gentlemen, I agree with the minority report.

Mr. SPENCER of York: Mr. President and members of the Senate, I only wish to say that the fee for a non-resident fishing license in New Hampshire is one dollar. It is possible that if this law remains as it is you may expect some reciprocal action.

Mr. COBB: Mr. President, may I mention one thing. You understand. Mr. President and fellow senators that if we repeal this law we will not have any \$2.15 or any non-resident license, and that is why we put on this, making it one dollar more than we had last year. There is no other way, unless we pass the minority report and get the one dollar additional.

Mr. SPENCER: Mr. President, I

do not wish to be misunderstood. I understand that the law is now \$5.15. I said, if the law remains as it is, we may expect some reciprocal action from the State of New Hampshire.

Mr. SPRAGUE of Piscataquis: Mr. President, I want to try and clear up a few things here. I will first refer, Mr. President, to the first meeting that was held. The notice of that meeting was published in the Kennebec Journal and in all of the daily papers that we patronize, the Lewiston Journal, Portland papers, etc. It was in the Bangor Daily News, I know. Now that was a largely attended meeting. Men were here from all parts of the State. It was not only attended for this purpose but we had other important matters in regard to fish and game, all advertised for that afternoon, and our committee worked the latest, I think, that we have at any time during this session except when the Merrymeeting Bay matter was before us.

Now there appeared before our committee several out of the State fishermen, advocating this, because they wanted to see the State of Maine have a larger fund for the propagation of fish, and they expressed themselves as being not only willing but very desirous of co-operating with the department to this extent, to have this fee raised from two to five dollars. Now among those men from out of the State was a Mr. Southard whose home is in Gloucester, Mass. He is a member of an angling association at Rangeley. Some of his associates were with him, residents from Rangeley and from the Dead River region and from Oxford county and from that whole game section, were here before our committee advocating this. Now this Mr. Southard is one of the leading men in angling affairs in this State. He is the author of a book published last year on the History of Angling, of Fish and Fishing in this Country, a book of eight or nine hundred pages, very valuable, very costly work. He also wrote me a letter—I haven't that letter now because it is in my office at Dover. After we had passed this bill, Mr. Southard wrote

me a letter, congratulating our committee on having taken this advance step. Now that is the way out of the State fishermen look at it, as we saw not only from some who were present with Mr. Southard but from letters and petitions which were placed before us from non-resident fishermen, asking for this. They wanted it, and they want it now, because they want to see the fund, the appropriation by the State raised that will help increase the propagation of fish and the employment of more wardens to protect the fish in this State. That is the view that they generally take of it so far as we were able to gather from the testimony, written and oral, that was before us that afternoon.

Now, Mr. President, the department of fish and game was started way back when I could almost say I was a boy—I was a very young man—started by Stillwell and Stanley, and it has from the very first law passed in this State protecting fish and game and establishing systems by which fish might be propagated by the State and furnished to the lakes and ponds and rivers of the State—it has been the only department which has, as I observed here on the floor of this Senate the other day in discussing another matter, the only State department that actually brings millions on millions of dollars—the lowest estimate by the most scientific investigators being twenty-five millions of dollars, into this State. I do not have any objection—I believe in all of these charitable institutions and educational institutions, and as I said yesterday, I believe one answer to the question of what is the matter with the State of Maine is that we are not progressive enough on any of these lines—I am in full accord with all of this progress, but I say for all of that here is the one department in the whole State which brings in millions of dollars to the people of this State and puts it in circulation. Why, way back in the hard times from 1870 to 1890, when such a money depression was sweeping all over the country, I heard William P. Frye say that it would not reach Maine be-

cause the summer visitors came here from all over the country, increasing our volume of currency to such an extent that the money depression would not reach us. Now that is the benefit of the fish and game department to Maine.

Now the idea of every commissioner from the time of Stillwell down to today, and we have had a line of most able men, we have had good men, such men as Leroy T. Carleton, such men as John P. H. Wilson, the Democrat who was in two or three years, he was a most excellent man, he was a progressive man, he entered into the spirit of this thing as much as any man in Maine ever did, he was a capable man in this work, there is no question about it—but from that day to this day the aspiration of all of these men has been to make an effort to make this department self-sustaining. Llewellyn Powers, one of the ablest governors that Maine ever had, was one of the first to advocate that. He advocated it in our meeting, he was a member of the Maine Sportsmen Fish and Game Association, and he worked on that line when he was governor of the State to make this department self-sustaining. And I tell you, gentlemen, that if you keep this as a free target for shooting at from every nook and corner of this State, for all sorts of little things that may come up, you will never make it self-sustaining. You are putting trigs in the way when any thing of that kind is done.

Now there is no more opposition to this proposition to raise this fee from \$2 to \$5 than there has been to every other step that has been taken in this direction. Think what a fight we had—I remember it well because I was here in it—to get the guides of Maine registered; the guides of the Kineo country where I live, and of the Rangeley lake and the River country united together and brought a strong lobby here of highly paid attorneys to fight that law for at least two sessions.

After awhile we obtained that. Today you couldn't get a vote from among the guides of Maine from any



quarter to repeal that law. It has helped them. It has benefitted them and they know it.

Just so it has been in regard to your non-resident taxes. The non-resident hunting license met with the same opposition and we were eight years in establishing that, having to resist just such an opposition as this is here today. A fishing license of \$2 was resisted, just as this raise is resisted. Now New Hampshire is spoken of. New Hampshire taxes their residents. Their residents and their non-residents pay a tax of one dollar. Can you imagine the uproar in this State that there would be if the department, or the Maine Sportsmen Fish and Game Association should come in here united for a resident fishing license. Why, you would have stories from every corner of the state, talking about the barefoot boy and the poor little ragged girl going out with a cotton fish line and having to pay a dollar for it. Now New Hampshire has done that. But as I understand, I have read something about it in the papers there is a bill before the Legislature and they are liable to raise the non-resident license considerably higher.

We come in competition with New Brunswick. Now, if I understand the law—looking over the United States bulletin for a few minutes yesterday, New Brunswick charges \$10 license for fishing, for any kind of fishing, and if you get what they call salmon rights you pay \$25; but the ordinary fishing that is free to all the same as this is, the province of New Brunswick comes in and taxes each man \$10 for the privilege of fishing.

Now I don't believe that there is any "nigger in the woodpile" here. I do not believe that there is anything that you Senators need to fear. I believe that this is meeting only the same resistance that everything has met in the entire evolution of the game laws of Maine—that it cannot be avoided, the opposition cannot be, because it is inherent somehow in the people of Maine to kick and smash and knock the fish and game department whenever they can get an op-

portunity to do it. And I say that I believe it will meet with the approbation of the non-residents, the better class of them at any rate, from one end of this State to the other, who come here into the Dead River, into the Rangeley Lake and into the Moosehead Lake regions. I have not any doubt about it. I am so thoroughly convinced that it will be successful that I have no doubt whatever about it in my own mind.

Now I have only a word or two more. We have heard this winter considerable discussion about standing by the reports of committees. Now I say to you as a matter of fact, and Senator Putnam who was associated with me on that committee can bear me out in it, that we had no question before us that we heard more carefully, and exercised our best judgment in relation to, than we did this. We had evidence both oral and written, as I have said; we heard it as carefully as we knew how; and that was the unanimous decision of that committee. I cannot see any reason for overturning our original decision.

Mr. THOMBS of Penobscot: Mr. President and fellow Senators: I believe that this is a question in which both sides are right and it remains for us to take our choice between the two, selecting the one that we think is, if you please, more right than the other.

Mr. President, I watch with considerable interest and diligence the reading of acts and their final passage in this body because that is the outlet through which each one must finally pass, and without any criticism whatever upon any person, I have to say that I did not observe under the careful reading of the President of this body any title which gave any suggestion to me that we had changed the law with respect to non-resident fishing licenses. If I had heard such a title read I believe that I should have asked that the matter be laid aside until I could have investigated it. So I feel quite free at this time to express my opinion. And Mr. President, there are so many of these things that get by me that I am be-

ginning to think I am a little deaf, and so I am sure that there cannot be any reflection upon any person.

Now, Mr. President, during this discussion I have looked around and I have wondered how many members of this Senate are fishermen! Because I believe that every fisherman would very easily and consistently take a stand upon this question. I am unable to tell from looking into the faces of my colleagues here how many are fishermen. I can tell the clergyman, I think, usually, by his mien and by his hearty handshake and his good word of cheer. I can tell the doctor, I think, by his careful dress and his bearing. I can tell the banker by his opulence and his happy, care-free expression. I can tell the lawyer because he is such an honest appearing chap, (Laughter) but, Mr. President, I have no way of telling the fisherman. But, gentleman of the Senate, there are fishermen and near fishermen, and that is the answer in my opinion to the question that is now under debate. I agree with the Senator from Piscataquis when he says that there ought to be a \$5.15 license. There ought to be a license of that amount for the fisherman who comes into our State, who is the real fisherman. Now that is the man—and usually if he comes down here he is well able to do it—that is the man who comes into this State with luggage enough to fill a one-horse cart; and he has got fishing poles, probably fifty and more running from the four and one-half ounce fly rods up to a trolling rod, and he has got a book of flies that is as thick as that (indicating) and they have the most wonderful names. That is the man who hires a guide here and spends one week, two weeks, three weeks upon our lakes and streams. Many of them come with the opening of the lakes to fishing; they are waiting in Boston and New York and elsewhere for the telegraph message which tells them that Sebago is clear of ice, that Moosehead is clear and that many or all of our lakes and ponds are ready for fishing. That is the man, if you please, that comes in here and he kills a

hundred, two hundred, or five hundred of our game fish. He can do it. You and I may think we are fishermen but we cannot always make them bite. But I am going to tell you, Mr. Senator, that there are men who have the art down so fine that they can make them bite whether they want to or not, and those are the fellows that get their money's worth every time they come to Maine. I should think they would be ashamed if they made any protest against the raising of a non-resident fishing license up to \$5.15. They ought to pay more than that in my opinion.

Now, Mr. President, there are the near fisherman, and I am in that class and I think perhaps some of the other Senators are. To illustrate just how this matter works, I want to tell you an experience of my own last summer. We were fortunate in having visit us for a few weeks in the summer a relative and his wife, both born and reared in New York City. We were glad to have them with us and we entertained them as well as we could. One day at noontime my wife said, "We are going up the lake this afternoon," and I said, "That is fine." And they said, "Yes, we thought we would go early and get a mess of fish," and I said "That is nice." And they invited me and I said, "I don't believe I can go very well," and I asked the gentleman visitor if he was used to boats and he said, "Why, some." And I said "All right, I will engage a boat for you," and I asked him if he had any fishing tackle and he said no, he did not come down fishing particularly, and I said "All right, I will provide you with some." And, Mr. President, I went down town and I engaged what they called a boat. I called it a scow. I thought it was a safe proposition for them, and I worked an hour or two and I rigged up a pole with lines and sinker and I went out and I dug some angle worms and they started away. And then it occurred to me, Mr. President, that I might get into a little difficulty. I knew the fish and game warden up in our section and it flashed through my mind that I had seen him quite recently in that

vicinity and I didn't know but he might be up on the lake around there that afternoon. I thought the situation required some action on my part. So I went in and laid down my \$4.30 and bought two non-resident fishing licenses and I hurried down to the water's edge and called Mrs. Thombs aside and I said, "Perhaps you better take these with you. If anybody asks you if our friends have a fishing license, why you can say yes and produce these papers."

Well, Mr. President, after paying out the \$4.30 I had a little left and I went back to the butcher's shop and invested that in beefsteak because I did not believe that we were going to have any fish for supper. And my prophecy came true. They were home when I returned and I said "Have you had a nice time?" "Oh," they said, "fine." And I said—I hadn't smelled any fish cooking, I said, "Did you get any fish?" And they said, "No, we didn't fish but a little while. The sun was so hot they didn't seem to be biting and we thought we wouldn't fish any more." They stayed four or five days longer but they didn't make another proposal to go fishing.

Now Mr. President and fellow Senators, there are, I doubt not hundreds and hundreds of people in the State of Maine who entertain in that manner their friends and relatives. Like my friend, they probably do not know even that a non-resident fishing license is required. And it seems to me that those people are in quite a different class than the fishermen that I have attempted to describe to you; and my proposition and the reason that I say that this matter could be easily determined, I think, by a fisherman is the difference between these two classes—one takes advantage of the money and the conservation that is constantly going on to preserve Maine's splendid game fish, and that man ought not only to pay \$5 but I believe he ought to pay more. My friends, and many, many visitors that come to Maine for a few days or a few weeks, as has been described by the Senator from Kennebec, belong to that other great class of near fishermen, and I be-

lieve it is unjust to them for this State to exact from them any larger fee than has been recommended.

I believe, gentlemen, that the true solution of this matter is in some way to make a graduated scale. The man who has the ability to take from our streams and lakes the fish, who has the ability to get his money's worth every time he comes—if he only pays \$5, he is not paying what the privilege is worth. On the other hand there are many, many people who go out on the lakes and ponds for a little time and they dangle their lines but they come home without fish, and it seems to me that those people, down here as our guests and as our summer visitors—I believe that it is rather unjust to hold them up for a larger license fee than they are now paying.

Under all the circumstances, Mr. President, I feel that it is my duty to support the new draft, although, as I have indicated to you, fellow Senators, I do not believe that it is the true solution of this matter.

Mr. CLARK: Mr. President, gentlemen of the Senate, I dislike very much to use this valuable time but I will submit that I have not used very much of it thus far this session and I will try to be very brief. It has been stated here that the opponents of this law were antagonistic to the fish and game department. Now I want to clear myself along those lines. I have always worked in conjunction with this department, what little I have had to do with it. Mr. Parsons I think would tell you that we are very good friends, and I have no desire to be anything else with him or the department. Perhaps we may not always see things just alike or from the same angle. It would be strange if we did.

Now he says he needs more money to screen these lakes and ponds in the State of Maine and I believe he does and that they should be screened. He thinks this is the proper way to get the money to do it. Now I do not. I think I am speaking for a majority of the non-resident fishermen who come to

our State each year to catch a few messes of fish as has been stated by the Senator from Penobscot. They are people who work in the factories in the adjoining states for a weekly wage not too large. They have families to support. They come down here to spend a couple of weeks in the State of Maine. Thousands of these people were born here in the State. They come back to their own State to spend two or three or four weeks. They want to catch a few messes of fish. Do you think it is right to ask these people \$5.15 for the privilege of getting fish a few times? I for one think it is absurd, to use that word.

Now they say they have a resident fishing license fee in New Hampshire. I would agree to have one in Maine, twenty-five cents, same as we did resident hunting licenses which brought in thousands of dollars into the department. I do not believe there is any one in the State of Maine that would object to taking out a resident fishing license. It seems to me that would be much preferable to charging \$5.15 to our non-residents.

Then it has been said that we have sportsmen coming here who want the \$5.15. If we have got some sportsmen here, wealthy men, and they want to give the fish and game department something to screen some of these ponds, let them do it. I am willing. So are all of you. We would appreciate it and thank them for it.

But the common people who come here, as I have said before, to catch a few fish, I feel it is not right for them to pay \$5.15. As I said before, if it could be \$1.15 and then a resident license of twenty-five or fifty cents I believe it would be much better. Gentlemen, I thank you for the time I have used.

Mr. PARENT of Androscoggin: Mr. President, I merely rise to, I think, correct a statement which has been made by the Senator from York relative to the license fees paid by the State of New Hampshire. I think that the license fees in New Hampshire are \$1.15 for residents

and \$2.15 for non-residents instead of one dollar.

The PRESIDENT: In the interest of a clear understanding by us all, the Chair will state the question as the Chair understands it, subject to correction on the part of the gentlemen who have led in the debate for the respective sides if it be stated incorrectly: The present Legislature has passed an act to provide funds for operating fish hatcheries and feeding stations for fish, which has become Chapter 57 of the Public Laws of 1921. Subsequently to the passage of that and the signing of it by the Governor, a new law was introduced the effect of which was to repeal the old law so far as the amount of increase of fees provided for. This the majority of the committee have reported ought not to pass. The minority of the committee report that it ought to pass in a new draft, the effect of which is by an emergency enactment to change the fees from \$5.15 as established under the law passed by this Legislature to \$3.15. The Senator from Kennebec, Senator Cobb, has now moved that the minority report be accepted, which is the bill in a new draft.

The minority report was accepted by a viva voce vote, and the new draft, on motion by Mr. Cobb, under suspension of the rules, without printing, was read twice and passed to be engrossed.

Mr. COBB of Kennebec: Mr. President, I move to take from the table the other bill temporarily tabled by me, An Act to repeal Chapter 23 of the Public Laws of 1921, entitled "An Act to amend Section 1 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing license fees."

The PRESIDENT: The majority report on this bill is ought not to pass, the minority report, signed by Senator Cobb, is ought to pass, and the senator now moves the minority report be accepted.

The minority report was accepted, and under suspension of the rules the bill was given its readings and was passed to be engrossed.

#### Reports of Committees

The committee on interior waters to which was referred An Act to provide for a commission to be known as the People's Rights Water Power Commission of the State of Maine, reported the same ought not to pass.

The report was accepted and sent down for concurrence.

The committee on ways and bridges to which was referred An Act to provide for the State maintenance of highway bridges, reported the same ought not to pass.

Mr. EMERY of Washington: Mr. President, I move that the bill be substituted for the report.

The PRESIDENT: This is Senate Bill 57, and very important. The secretary will please read it.

(The secretary read the bill.)

Mr. GILLIN of Penobscot: Mr. President, I wish to endorse the motion made by the senator from Washington, Senator Emery, and trust that the bill may be substituted for the report of the committee.

Mr. THOMBS of Penobscot: Mr. President, I was in hopes that possibly there might be some reason given why the motion of the senator from Washington should not prevail. Mr. President, I am going to vote to substitute the bill for the report. Now I want to just lay before the Senate one instance that I am familiar with.

In the county of Penobscot, at the meeting point of the Piscataquis and the Penobscot rivers are the little towns of Howland and Enfield, Howland on the Piscataquis river side and Enfield on the easterly bank of the Penobscot. Now through those towns lead highways, and what I mean by highways, gentlemen, are those roads that lead from one town to another as distinguished from a town way. Now there is a bridge across the Penobscot river 1200 ft. in length built somewhere about twenty years ago, and

built—I do not know the exact figures but I venture to say that the State put into the building of that bridge at least 90% of its cost, and I do not know but the entire amount. The Howland bridge is some 800 ft. in length over the Piscataquis river, built in the same manner. Now at every session of the Legislature those towns come before it and get an appropriation for the maintenance, that is, the replanking and painting, of those bridges. It has been a continuous process and I believe that if you were to go back over the records you would find that that has been done at every session of the Legislature.

Now, if you please, remember that these bridges are upon highways, that they lead from one county to another in both instances—crossing the Penobscot river, traveling toward the west into Piscataquis county and farther west in the State, crossing the river on that bridge if he is in the easterly part of the State. And the traveler who is desirous of going into Piscataquis county, he crosses on the Piscataquis river bridge. So that these bridges are largely used to take care of this inter-county and inter-town travel. And I believe that inasmuch as the State has built these bridges practically and in a great measure provides for the expense of their maintenance, it seems to me that it is only fair that they should be taken over by the State and put under the control of the State highway commission, and I hope, Mr. President, that the motion of the gentleman from Washington will prevail.

Mr. BAXTER of Sagadahoc: Mr. President, I did not intend to say anything on this matter. But it has occurred to me, and it occurred to members of the committee when this matter was considered, how unfair this bill might be to those who had a bridge 590 ft., or even 598 ft. Where are you going to draw the line? If you are going today to vote to substitute the bill for the report, and I was able to do so, I would present a bill by which the State would take over all the bridges. You are going to involve the State in large sums of money.

The Martin's Point bridge, for instance between Portland and Falmouth, near the marine hospital, is one in question. You are familiar with the bridge, Mr. President. It was estimated last year that to rebuild that bridge would cost about a million dollars. We are going to have other problems of the same nature.

But why this bill does not appeal to me is the fact that you are discriminating against the poor town that has a bridge 599 feet 6 inches. What are you going to do? Are you going to make flesh of one and fowl of the other? If that is fair, go ahead and do it. It is nothing in my life—but I think it is absolutely unsound, and that was the judgment of the committee.

Mr. THOMBS: Mr. President, not in answer at all to the argument advanced by the Senator from Sagadahoc, but allow me to make this observation. When I came down here the first of January I thought that this Legislature might be able to cure all the evils that existed in the State of Maine. I have some time since given up that hope. But, gentlemen, I have not as yet seen any reason, as I see it, why you should not take one step in the right direction, if you believe that that step is starting the right way. In other words, if that is the only argument against it, let us pass this bill, and let future Legislatures take care of the troubles with the bridges that would not come under it. It may be that they ought to be included. It may be that they ought not. I do not know. But I do believe bridges of the great size contemplated by this act certainly need the support and care of the State of Maine.

Mr. MORRILL of Cumberland: Mr. President, without much thought on this subject, and I do not think it calls for a great deal, situated same as I am, taking in the average country town, it is about impossible for the towns to keep the main thoroughfares in decent traveling condition under present automobile and truck usage, so that our cross roads and some of them that are not cross roads are badly out of repair. And

when we come here from all over the State and ask for a little assistance as a third class road the demands are so enormous we cannot come anywheres near being satisfied. Now on lots of these roads, I mean universally all over the State, if we could unload the bridges onto the State, then we could put what little money we could spare on these second and third class roads, you might call them—it would give the towns a little more money to fix the roads if they could be relieved of the bridges, and I do not have to think on this subject a long while, looking at it from the country standpoint, to say that I am in favor of the bill rather than the report of the committee.

Mr. EMERY of Washington: Mr. President and gentlemen of the Senate, I had supposed that the matter was so clearly understood that no discussion was necessary, but since the question has been raised as to the reason why we have established the limit at 600 feet, I feel that perhaps some explanation is due.

It seems to me that the issue at stake is not as to any particular class of bridges, but is as to the principle of bridge maintenance. We have had a good deal of bridge legislation at this session. We have had a good deal in previous sessions. But, Mr. President, and gentlemen of the Senate, it has been a patchwork policy. There has been no settled and permanent and uniform policy about it. The purpose of this bill is to establish such a policy, the policy of State maintenance.

Now having laid that principle down, the question is how shall we go about establishing that policy. We have to follow one of two courses. We have the course as suggested by the Senator from Sagadahoc, that of taking over all bridges; we have the course adopted here, that of taking over a class. If we take over all the bridges, Mr. President, we are assuming quite a large burden for the State; we are taking them over all at once without adequate preparation and adaptation of our highway department to the burden. If we

take over a class of bridges, those over 600 feet in length, we are relieving the towns which are most oppressed, because those bridges being the longest are certainly the most expensive to maintain and to build,—and we are making a beginning. If we take over this class of bridges this year, why it must follow that subsequent Legislatures will add other classes until finally in the space of six or eight years perhaps, perhaps sooner, the entire bridge problem of the State will be where it belongs in the interest of equal taxes and efficiency, with the highway department.

That is the reason, Mr. President and gentlemen, why this limit was established. It gives the highway department a chance to adapt itself to the problem of taking over our bridges, it relieves those most oppressed, and it makes a beginning. It establishes a precedent and founds the policy and paves the way for the ultimate solution of our bridge problem, which is a most serious one.

And, gentlemen of the Senate, this is advanced not in the interests of the special towns which may be benefited, or the districts which will be benefited by this law, but it is advanced in the interest of the small town and of the city and of the entire State. Perhaps there may be a certain hardship worked on the town with the 500 ft. bridge or the 400 ft., or a 300 ft. bridge, but, gentlemen, those towns must await their turn. If the Legislature establishes this principle they can well afford to wait for two or three or four years. I hope the motion will be sustained.

Mr. SPRAGUE of Piscataquis: Mr. President, just one single word—I do not want to speak more. The paramount reason in my mind why I favor this bill rather than the report is that I have for a lifetime had quite positive convictions in regard to the equalization of taxation in this State. I have believed for a long time that the faster you could put municipal burdens over onto the State by doing it gradually, doing it logically, doing it fairly, not in a revolutionary way, that you are then

solving these great tax problems. That is why I stand for anything of this kind that is not too radical, and I agree positively with my friend, the distinguished senator from Penobscot, Senator Thombs, that this is a step in the right direction. It is the beginning of getting nearer to the constitutional definition of taxation, a just taxation.

Mr. BAXTER: Mr. President, this matter was gone over very carefully by the committee on ways and bridges, that committee has given the matter very careful and earnest thought.

It develops that there are some counties where there are practically no bridges over 600 feet. There are other counties of course having quite a number of large bridges. But those counties having innumerable small bridges will be a long time getting any relief under this measure. Six hundred feet bridges—why not make it 700 ft. and go it easier?—that would eliminate some in certain counties. But I am not going to dwell on that at all. I am just going to tell you, gentlemen, that this was the unanimous report of the committee on ways and bridges after it had been given careful, earnest thought. And it seems strange to me that at this late hour in the day and the session that the matter should be brought up in this way without full and complete understanding of the problem by the members of this body.

Mr. COBB of Kennebec: Mr. President, I do not wish to say but a few words because the matter has been pretty well handled and I have the same idea, but when the senator from Sagadahoc was speaking and asking—What is going to become of the small bridges in these poor towns if we pass this bill? It seems to me there is a little ray of light and hope if we pass a bill of this nature. Take towns with these long bridges—a through road to these towns, with long bridges,—it seems to me unfair to think that the town should pay for their support and upkeep. Absolutely all classes are benefited. It is my opinion that this is the right step;

600 feet is the limit; we cannot expect to take over all the bridges at one time. Everybody knows such a bill would not pass at this time.

Mr. THOMPSON of Knox: Mr. President, I hope that the committee before which this matter was heard will not take the suggestion that their report is being overridden too seriously. In all committees there are essentially two questions to arise, one perhaps a question of fact, another something like a question of law. Now where a committee sits and hears the facts which are in dispute and hears the contentions on the one side and on the other, it carries to my mind a very great deal of weight and as such is entitled to very great consideration. While in other hearings before committees where the questions involved are questions of judgment, the facts not being particularly in dispute, it carries to my mind less weight. It is simply the judgment of the committee as to the consequences that might flow from a given set of facts. Now it was so perhaps in the pauper law. You recollect a few years ago the Legislature passed a law relating to paupers that went and lived for five years beyond the limits of the State and returned into the State at the expiration of those five years without in the meantime having received any support from any source in the State,—they and those who derived settlement through them lost their residence in said town. Now that law took effect in 1893, I think, April 26 is my recollection of it. Now the question there was not a question of fact, but it was a question of the application of the principles. How many of the poorer towns who had paupers of traditional residence would be affected. That law took effect on that date and after it went into effect such paupers became State paupers. Now there is more or less analogy between that pauper law and the present law.

I know of a case, a suit that is pending in Knox county, returnable to this very term, where that precise question was involved. The de-

fendant town lacks just about three months of bringing itself within that law. Now that is no reason why that pauper law passed in 1891 or 1893 should not have its effect. The fact that there has to be some dividing line should be taken into account, as it was in that case, and is taken into account precisely in this way; there has to be a beginning.

Now it is a step in the right direction, and it seems to me that we are walking in the direction which we must ultimately walk and assume responsibilities as a state toward the town which we must ultimately assume, and it is for that reason that I am a believer in the passage of this bill and the substitution of the bill for the report. It is far from my intention, Mr. President and Senators to make any attack on the judgment of the committee. There are no particular facts in dispute. The committee were not called upon to decide anything. If it was a question of whether a man was born in a certain place, and from the determination of that fact, flowed important consequences, then it would be another question. This is a question of judgment. It is a question of a policy to be adopted by this state, and as such it is no attack upon the report of the committee. The committee had to report something, and this is a matter which we are discussing, and the discussion can be presented as a general proposition in no other way.

Mr. FARRINGTON of Kennebec: Mr. President, may I ask one question, simply for information, if the answer can be given by any member of the ways and bridges committee. Was the report, ought not to pass, based upon a belief that the principle was wrong or upon a feeling perhaps that this was not just the time to make the change? If that is a fair question, I would like to have it answered.

The PRESIDENT: Will any member of the committee on ways and bridges answer the question of the Senator from Kennebec, Senator Farrington?



Mr. ADAMS of Kennebec: Mr. President, I think the two things were taken into consideration. After thoroughly considering, while the step might be in the right direction, the committee did not feel at this time that it was the appropriate time for this kind of legislation—if that will answer the question.

I would like to say another word which I did not intend to say. So many of these Senators have spoken in favor of substituting this bill for the report, it reminded me very forcibly of something that took place here yesterday in this Senate. There was a question before the Senate in regard to the arrangement of the names on the ballot. It was pretty easy to determine what the initials of the gentlemen were who voted by the way they voted, with some exceptions, and I find that most of these gentlemen who are in favor of this have some bridge which might affect them. I hear them tell about the burden some of these smaller towns are suffering, from being bridge poor and I acknowledge it to be a fact. And now do you propose to let them keep on maintaining their burden of caring for their bridges and also help support these 600 ft. bridges here that will cost hundreds of thousands of dollars to do? I think it is class legislation and I am opposed to it.

Mr. FOLSOM of Somerset: Mr. President, the remarks made by the honored Senator remind me of my position on the same question yesterday. Some one asked me how I would vote on the question of drawing lots and I said I was going to vote against it, and he says "Why you made a speech in favor of it two years ago," and I allowed then that I begged of these fellows whose names begin with A, B, C, etc., to give the fellow farther down the list a chance, and they would not do it then, and I wasn't going to let them do it now. Now I happen to live in a town which has a 600 ft. bridge in Somerset county and I am going to vote to sustain the committee report, for I believe that they based their judgment on the assumption that with the great road and

bridges program which the state now has in hand, that it would be unwise to thrust upon the highway commission, or any other body of men, the burden of taking over the supervision, the repair and upkeep of these bridges, and also put upon the state the burden of increased taxation.

Mr. PARENT of Androscoggin: Mr. President, so far as the remarks of the Senator from Kennebec relate to the voting on the placing of the names on the primary election ballot, fortunately or unfortunately I happened to be called to the telephone and was not here to vote, so I do not think those remarks apply to me. However, I am going to vote to substitute this bill for the report because I believe it is sound in principle—not because there are two bridges between Lewiston and Auburn which will come within this bill. I am honest in that statement when I make it. If they had no bridges that came within this bill, I should still vote for it.

This taking the view that many of us have taken in the State of Maine that now is not the time, although we believe in the principle of the thing, in my judgment is unsound in theory, it is unprogressive; and those remarks apply not only to this measure or question under discussion but to others, and I think that many of us are going to realize that in a very short time.

Mr. EMERY: Mr. President, I feel that the ground has been quite thoroughly covered by the discussion, but there are some points that perhaps need something further said. As to the fact that some counties are discriminated against by this proposed measure by not having any 600 ft. bridges, I would say that these bridges include twenty, and they go into practically every county in the State,— there are only four or five exceptions, and those counties would be benefited by the next class of bridges taken on under the bill.

Now, gentlemen, I do not wish to take issue with any Senator on any matter of principle, but I do take de-

cided issue with any man who challenges my motive or my interest in this matter. I am not interested primarily for selfish advantage; if I thought I were I should tender my resignation at once from this Senate. My interest in this bill is not primarily a selfish interest. I believe in it because I believe it is the proper and right thing for the State of Maine. I have great respect for the gentlemen of the ways and bridges committee. All of them I believe are friends of mine. There is no harder worked committee or more conscientious committee of the House or Senate. But, gentlemen, I submit to you that the mere fact that a bill does not originate with that committee should not militate against it to the extent perhaps that it has in this case. I believe that all bills should be given consideration by all of the Senate and the House regardless of their source, and while I believe that this measure is correct in principle, if in the judgment of the Senate it is overruled, why I shall abide cheerfully by the decision. But I sincerely hope that the members of the Senate will sustain this motion in the interests of the whole State,—not of any one county or any one town, in the interest of equal taxation, in the interest of efficient administration of our bridge problems—which is at the present time inefficiently handled—and to the best interests of all.

A viva voce vote being doubted, a rising vote was had, and fifteen voting in the affirmative and thirteen in the negative, the motion prevailed and the bill was substituted for the report.

Mr. EATON: Mr. President, I move the matter lie on the table. I wish to offer an amendment.

The motion was agreed to.

Mr. EMERY: Mr. President, will the Senator assign a time for its consideration?

The PRESIDENT: The Chair will suggest that all matters should be taken from the table if possible this afternoon.

Mr. EATON: I will assign it for the afternoon session.

### Final Reports

The following committees submitted their final reports which were accepted:

Federal relations.

Library.

Interior Waters.

State School for Boys, State School for Girls and State Reformatories.

### Passed to be Enacted

An Act relating to the fire department of the city of Portland.

An Act to amend the law relating to investigations in animal husbandry.

An Act to amend Sections 1 and 7 of Chapter 101 of the Revised Statutes, relating to the replevin of distrained beasts.

An Act to incorporate the Howland sewerage and water district.

An Act to amend Section 21 of Chapter 117 of the Revised Statutes, increasing the salary of the commissioner of agriculture.

An Act to amend Section 5 of Chapter 111 of the Revised Statutes, relative to the number of names in the jury-box.

An Act to amend Section 7 of Chapter 303 of the Public Laws of 1917 as amended by Chapters 141 and 223 of the Public Laws of 1919, changing the conditions under which loans may be granted by farm lands loan commissioners.

An Act to amend Section 11 of Chapter 260 of the Public Laws of 1917, increasing the salary of the stenographer of the Androscoggin superior court.

An Act to amend Paragraph 3 of Section 1 of Chapter 127 of the Public Laws of 1919, relating to the amount of secondary school tuition to be paid in the case of unorganized territory students.

An Act to amend Section 87 of Chapter 16 of the Revised Statutes, relating to state aid to High schools under emergency conditions.

An Act to authorize the county commissioners of Cumberland county to issue bonds of said county for the purpose of refunding bonds issued for the erection of a county building in Portland under the provisions of Chapter 213 of the Private and Special Laws of 1903 and acts amendatory thereof.

An Act to authorize the Public Utilities Commission to regulate headlights on electric cars.

An Act to authorize the Auburn Water commissioners to make a further issue of bonds to be used for the purpose of erecting a new pumping station at Lake Auburn, and the extension and improvement of the present system.

An Act to provide for the appointment of a treasurer and resident auditor at the University of Maine, and define their duties.

An Act to amend Section 15, of Chapter 9, of the Revised Statutes, and Section 32, of Chapter 117, of the Revised Statutes, as amended, relating to the board of state assessors.

An Act to amend Chapter 2, Section 81 of the Revised Statutes, relating to the election of the state auditor.

(Tabled by Mr. Parent of Androscoggin, until afternoon session.)

An Act to amend Section 9 of Chapter 126 of the Revised Statutes, relating to accessories.

An Act to amend Sections 85 and 86 of Chapter 16 of the Revised Statutes as amended by Chapter 229 of the Public Laws of 1917, Chapter 96 of the Public Laws of 1919 and Chapter 103 of the Public Laws of 1919, providing for an increase in the amount of tuition to be paid by towns for secondary school pupils and in the amount of state aid for the same.

An Act to amend Paragraph 7 of Section 98 of Chapter 4 of the Revised Statutes, as amended by Section 2 of Chapter 58, of the Public Laws of 1917, relating to gasoline tanks and pumps placed within the limits of highways.

An Act to amend Section 16 of

Chapter 117 of the Revised Statutes as amended by Chapter 196 of the Public Laws of 1917 to increase the salary of the state treasurer.

An Act authorizing the City of Portland to transfer the statutory and fund received by it as a legacy under the last will and testament of Franklin Simmons to Portland Society of Art.

An Act to amend Chapter 424 of the Private and Special Laws of 1897, and Section 1 of Chapter 486 of the Private and Special Laws of 1885, relating to pensions for police officers for the City of Portland.

An Act authorizing married women and widows to use family name as part of name by which they shall be registered as voters.

An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to the protection of white perch in East Pond and in North Pond of the Belgrade chain of Lakes, so-called, in Kennebec county and in Somerset county.

(Tabled by Mr. Farrington of Kennebec, until the afternoon session.)

An Act to amend Section 5 of Chapter 128 of the Revised Statutes, relating to removal or concealment of mortgaged or attached personal property.

An Act to regulate the use of aircraft.

An Act to amend Chapter 197 of the Public Laws of 1917 as amended by Chapter 172 of the Public Laws of 1919 and to amend Chapter 19 of the Revised Statutes relating to department of health.

#### Finally Passed

Resolve in favor of Nash and Viles for services in connection with work on brick dormitory building at the Maine school for feeble-minded.

(Tabled by Mr. Emery of Washington, until the afternoon session.)

Resolve, making an appropriation for printing and binding Adjutant General's report for 1917, 1918 and 1919, (war period.)

Resolve, in favor of the commissioners of pharmacy.

(Tabled by Mr. Thompson of Knox, until the afternoon session.)

Resolve, in favor of the Central Maine Sanatorium, Fairfield, Somerset county.

Resolve, in favor of Horace Nelson, representative of the Penobscot tribe of Indians.

Resolve, in favor of Wallace Lewey, representative of the Passamaquoddy tribe of Indians.

Resolve, to purchase 500 copies of the public letters of John Fairfield.

Resolve, in favor of the State School for Boys for the construction of a Central school building.

(Tabled by Mr. Gould of Aroostook, until the afternoon session.)

Resolve, in favor of law libraries.

Resolve, appropriating money for construction and improvements at the State Reformatory for Women.

Resolve, in favor of the Maine school for the deaf.

Resolve, in favor of the University of Maine, appropriating money for use by the Maine Agricultural Experiment Station in conducting investigations at Highmoor and Aroostook Farms.

**Passed to Be Enacted**  
(Emergency Measures)

An Act to repeal Section 6 of the emergency act enacted at the present session of the Legislature under the title "An Act amendatory of and additional to Chapter 9 of the Revised Statutes, relating to the assessment and payment of excise taxes," which has become Chapter 71 of the Public Laws of 1921.

(This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-seven Senators voting in the affirmative and none in the negative the bill was passed to be enacted.)

An Act relating to Martin's Point bridge, so-called, in the County of Cumberland, and amending Section 2 of Chapter 89 of the Private and Special Laws of 1919.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twen-

ty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

An Act to punish bomb outrages and blackhand activities.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

An Act to legalize and make valid certain acts of the assessors of the town of Danforth for the year 1921.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be finally passed.

**Finally Passed**  
(Emergency Measures)

Resolve, in favor of the State School for Boys for maintenance and other purposes.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

Resolve, in favor of the State School for Girls, for maintenance and other purposes.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

Resolve, in favor of the State Reformatory for Men for maintenance.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

Resolve, appropriating money for the construction and improvement of the State Reformatory for Men.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirma-

ative and none in the negative the bill was passed to be engrossed.

Resolve, in favor of the Central Maine Sanatorium, Fairfield, Somerset county.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

Resolve, in favor of the national conference of commissioners on uniform state laws and of the commissioners from Maine for the promotion of uniformity of legislation in the United States.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative and none in the negative the bill was passed to be engrossed.

Resolve, in favor of the Maine General hospital.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-five Senators voting in the affirmative and none in the negative the resolve was finally passed.

Resolve, in favor of the Northern Maine Sanatorium, Presque Isle, Aroostook county.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-four Senators voting in the affirmative and none in the negative the resolve was finally passed.

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

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-four Senators voting in the affirmative and none in the negative the resolve was finally passed.

From the House: A Communication from the Governor.

The PRESIDENT: The Chair will

state that this resolve, a resolve in favor of the Carey hospital in Caribou, Aroostook county, to aid in the construction of a hospital, having been passed by the House notwithstanding the objections by the Governor, and having been properly certified to this body, it will be necessary to consider it under the provisions of the Constitution.

(The secretary read the resolve and then read the message from the Governor.)

The President: The Chair will state the question before the roll is called. The question is shall the resolve be passed notwithstanding the objections of the Governor?

Mr. TUTTLE of Aroostook: Mr. President and fellow Senators, all that I wish to do at this late hour is just to place the facts as I view them before you and leave the matter to your own judgment.

George Jefferson Carey, one of the pioneers of Aroostook county, lived in Caribou. He died in 1903 and left his entire estate to the town, the sum of \$65,000, with the proviso that it should be held until it accumulated to an amount sufficient to build a hospital, and he reserved an endowment for the maintenance of the hospital of \$100,000. At present it is a sum of \$109,000. The town feels the need of a hospital, not only that town, but the surrounding towns, and therefore I claim that under the provisions of this will it was to be a public hospital, and I claim it is.

The towns of Limestone, Woodland, New Sweden, Perham, Washburn, and Van Buren need this hospital, as well as the town of Caribou.

At the time of the settlement of this estate the town paid as an inheritance tax to the State of Maine \$3,283.44. This \$3,283.44, plus interest would amount to more than \$4,500. So that really the town of Caribou is only asking about \$5,500, and they feel that it is their just due.

I do not feel that his Excellency was aware of a great many of these circumstances. And it does not seem

to me just that they should draw the line at this time, a town that has never asked the State of Maine for a dollar for any appropriation. Neither can I feel that the policy of cutting these small appropriations and thus discouraging the towns from building these hospitals, and later making a demand on the State for public hospitals, is a just view to take upon this subject.

Mr. GOULD of Aroostook: Mr. President, I feel like answering one question that Mr. Tuttle just lately asked here. He did not understand why these appropriations should be cut off. I can tell him, I think, it is because it is from Caribou. We are too far north, way up back, in the back woods, in some respects. I do not know as we are entitled to anything up there, but we need this hospital very much, and I do not understand any reason for styling it a private hospital. It is to be a public hospital, and a very worthy cause in the hearts of the people there, who as Mr. Tuttle says, have been self sustaining and have not asked very much, if anything, from the State.

This is a peculiar condition of things. Our Presque Isle hospital was built by our own community there, but we have to ask aid to support it, to maintain the amount of charitable work we are doing. But this Caribou hospital is different in that it has a fund to take care of any deficit that may come up from year to year. You understand, as Mr. Tuttle explained to you, there is \$100,000 to remain there and the interest is to take care of the deficits or the maintenance of the hospital. I wish we had it in Presque Isle, but we have not, and do have to ask some aid once in a while.

I wish to speak about the Presque Isle hospital too, and that will save taking any extra time. This Presque Isle appropriation is in Senate Bill 182. I have just noticed that it has been taken out of that bill and a separate resolve brought in for that. I don't know why this was done, but I suppose it is all right. One thing I do hope and that is that the little

small appropriations asked for these two hospitals in Presque Isle and Caribou will be carried through without being turned down here, after it has gone through so overwhelmingly in the House—I am speaking of the Caribou matter now. I understand about ninety to thirty-five in favor of carrying this over the veto of the Governor. I certainly hope that this will be carried through here as well.

Mr. THOMBS of Penobscot: Mr. President and fellow Senators, I shall content myself at this time with a very brief statement, although I am in a position in this matter—if there were time I should like to enter into a discussion of the functions of the legislative and executive departments of the State, as I understand them. But I may safely say that those functions and duties and responsibilities are well known to every senator.

There is one feature of the veto message which I desire to call to your attention, and if I incorrectly quote I wish to be corrected. I think the veto message fairly implies in these words—"because the budget committee did not recommend it,"—that that seems to me to have had some weight with the Governor. The budget committee I have great respect for. It has done so far a very valuable service to this Legislature. I want to see it continued for the aid of future Legislatures, but I am unwilling, as a member of the present Legislature, to have the argument advanced that the recommendations of the budget committee are in any way binding upon this Legislature. The responsibility is upon us. There might have been good reasons why this matter was not presented to the budget committee. I do not know whether there are or not, but I do not want to be understood as one in this Senate whose actions are going to be guided by the recommendations of the budget committee. So far as they are of assistance to this present Legislature I endorse them, and so far as my views run contrary to their views I am going to reject them, be-

cause they are offered only in an advisory way.

Mr. TUTTLE: Mr. President, I wish to state why this matter was not in the budget. I thank Senator Thombs for calling my attention to that. At the time the budget committee had their hearing in our community this matter was put up to them in a different light. They simply asked for 50-50, the State to appropriate \$10,000 and the town to raise \$10,000. The town was somewhat undecided then as to what they would do, and for that reason I think the budget committee felt excused for not mentioning it in their report.

The PRESIDENT: The Chair will repeat; the question is shall the resolve be passed notwithstanding the objections of the Governor? The secretary will call the roll.

The secretary called the roll. Those voting yes were Messrs. Adams, Allen, Bemis, Clark, Cobb, Eaton, Emerson, Emery, Farrington, Folsom, Garcelon, Gillin, Gould, Hall, Holt, Morison, Morrill, Parent, Putnam, Sargent, Sprague, Stevens, Thombs, Thompson, Tuttle,—25. Those voting no were Messrs. Baxter, Clement, Spencer,—3.

Twenty-five senators voting in the affirmative and three in the negative the resolve was passed notwithstanding the objections of the Governor.

Mr. FOLSOM of Somerset: Mr. President, I move that all matters now on table unassigned be automatically placed before the Senate at the next session.

The motion was agreed to.

Mr. PARENT of Androscoggin: Mr. President, I would like to inquire through the Chair whether or not that applies to a matter which I recalled yesterday and is not on the docket.

The PRESIDENT: The Chair will state that the matter has been returned by the engrossing department.

Mr. PARENT: Mr. President, Senate Document 210 as drafted and printed is very wrong, and will re-

quire considerable time to put it in proper condition. I for one member do not propose to rush things through and make errors. This matter affects eight counties. We had better go a little slow and use a little caution and not make mistakes like this.

The PRESIDENT: The Chair will expect reports from the conference committees as early as possible.

On motion by Mr. Bemis of Somerset, the Senate recessed until 2.30 o'clock this afternoon.

#### After Recess

Senate called to order by the President at 2.35 o'clock P. M.

The PRESIDENT: Before we begin with the business of the afternoon the Chair wishes to announce the resignation of Senator Clement from the conference committee, and the Chair appoints Senator Sargent in his place.

The PRESIDENT: The Chair desires to lay before the Senate a communication from his Excellency, the Governor, coming from the way of the House of Representatives. The bill will be read by the secretary in order that it may be clear to everybody what is involved. It is An Act to amend Section 12 of Chapter 117 of the Revised Statutes, relating to the mileage of members.

The secretary read the bill in full.

The PRESIDENT: The change is to substitute one dollar per mile for two dollars for every ten miles. The bill having passed and gone to his Excellency, the Governor, his Excellency has returned the bill to the House of Representatives with his veto message, where the bill was passed notwithstanding the objections of the Governor. The bill comes to us through that channel, and the secretary will read the message.

(The secretary read the message which appears in the House Record.)

The PRESIDENT: The Senate

hears the message. The question before the Senate is shall the bill be passed notwithstanding the objections of the Governor?

Mr. Tuttle of Aroostook: Mr. President, I have heard it said that lightning never strikes twice in the same place, but I am beginning to think it strikes three times pretty close together.

I have been interested in this bill inasmuch as I think it is doing a justice to those who live at a distance, and have to come here and stay and practically leave their business, if they have any, and if they haven't any they are not among those that we want in a representative body like this. It seems to me that this is an equitable way of evening up things for those from a long distance, and gives them a chance to go to their homes as often as those who are near. It cannot give them a chance to spend as much of their time at home and attend to their business.

The expense from my town of Caribou to Augusta and return is \$25.00 for carfare, to say nothing about the other extra expenses, I feel that this is a just and equitable bill and I shall support it.

(The President stated the question again.)

The secretary called the roll. Those voting yes were Messrs. Bemis, Eaton, Emerson, Folsom, Gould, Morison, Putnam, Sprague, Tuttle—10. Those voting no were Messrs. Adams, Allen, Baxter, Clark, Clement, Cobb, Farrington, Garcelon, Gillin, Hall, Holt, Morrill, Parent, Sargent, Spencer, Stevens, Thombs, Thompson—18.

Ten voting in the affirmative and seventeen in the negative the veto was sustained.

The President: It is necessary to proceed somewhat irregularly, in order to facilitate matters for the printer. After the Chair lays before the Senate the next matter of business, with the consent of the Sen-

ate we will then proceed in the regular order of the day as we start out ordinarily in the morning, and we will thus keep matters going for the printing department, there being a faint hope now dawning that we may get through this week.

The Chair lays before the Senate S. D. 210, recalled from the engrossing department by Senator Parent, and being An Act to increase salaries of certain county officers and the amount of money allowed for clerk hire in certain county offices.

Mr. PARENT: Mr. President, I move the bill be tabled until tomorrow morning.

I will say for the benefit of the senators present, Mr. President, that this bill has to be amended and re-drafted and looked up very carefully. I do not think it can be done for a later session. It involves seven counties in this State. They have not taken into consideration the laws of 1919. There are salaries increased that it was not the intention of the committee to increase, and salaries increased against the unanimous recommendation of delegations in certain counties. And certain county officers are left out entirely. Wrong references to the statutes have been made, and it will take time to make these corrections.

Mr. THOMBS: Mr. President, may I make this inquiry, not in the way of debate, are the senators going to make it their business to proceed with this with all possible despatch?

Mr. FOLSOM: Mr. President, I think there are a few mistakes which were made, owing to omissions that we did not consider. I thought they were considered at the special session in 1919. It does not seem to me it will take very long to get it into shape. I am ready to look the matter up after this session, and it can be done in a half or three quarters of an hour.

The PRESIDENT: May the Chair inquire whether in the opinion of



Senator Folsom, if we recess and come back at four o'clock if we can get it in the hands of the printing department tonight?

Mr. FOLSOM: I think so.

Mr. PARENT: Mr. President, I am very glad to yield to the senator from Somerset, if he thinks it can be done in half an hour.

The motion to table was agreed to.

Mr. FARRINGTON: Mr. President, I have been over this as far as Kennebec county is concerned, and if the senators from each county would look this over and find what corrections are to be made it will facilitate matters.

The PRESIDENT: The suggestion is a good one.

The PRESIDENT: It is now moved that we suspend the orders of business and revert to the regular order of the proceedings of the morning.

The motion was agreed to.

From the House: The following communications were read by the secretary:

State of Maine  
House of Representatives,  
Office of the Clerk.

Augusta, April 7, 1921.

To L. Ernest Thornton,  
Secretary of the Senate of the 80th  
Legislature:

Dear Sir: The Governor of the State having returned to the House without his approval and with his objections to the same, resolve authorizing Michael Burns to bring a suit at law against the State of Maine, the House proceeded to vote on the question, Shall this resolve be passed notwithstanding the objections of the Governor?

A yea and nay vote was taken and 21 members voted in the affirmative and 108 in the negative, and accordingly the resolve failed to receive a passage.

Respectfully,  
Clyde R. Chapman,  
Clerk of the House.

State of Maine,  
House of Representatives,  
Office of the Clerk.

Augusta, April 7, 1921.

To L. Ernest Thornton,  
Secretary of the Senate of the 80th  
Legislature.

Dear Sir:

The Governor of the State having returned to the House without his approval and with his objections to the same, An Act amending Section 14 of Chapter 74 of the Revised Statutes, increasing the annual appropriation for scientific investigation in animal husbandry, the House proceeded to vote on the question, Shall the bill be passed notwithstanding the objections of the Governor?

A yea and nay vote was taken and 10 members voting in the affirmative and 114 in the negative the bill accordingly failed to receive its passage.

Respectfully,  
Clyde R. Chapman,  
Clerk of the House.

State of Maine,  
House of Representatives,  
Office of the Clerk.

Augusta, April 7, 1921.

To L. Ernest Thornton,  
Secretary of the Senate of the 80th  
Legislature:

Dear Sir:

The Governor of the State having returned to the House without his approval and with his objections to the same, An Act regulating taxes on institutions within the State, the House proceeded to vote on the question, Shall the bill be passed notwithstanding the objections of the Governor?

A yea and nay vote was taken and 32 members voting in the affirmative and 101 in the negative accordingly the bill failed to receive a passage.

Respectively,  
Clyde R. Chapman,  
Clerk of the House.

Papers from the House disposed  
of in concurrence.

From the House: Resolve in favor of the Gardiner and Randolph draw-bridge.

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

From the House: Resolve in favor of the Wiscasset and Edgcomb bridge.

On motion by Mr. Clark of Lincoln, the rules were suspended and the bill without printing was read twice and was passed to be engrossed.

From the House: H. 466, An Act to amend Sections 8, 22, 37, 53, 54, 55, 57, 63, 64 and 88 of Chapter 259 of the Public Laws of 1917, known as the military law.

The bill was read once and second reading assigned for tomorrow.

From the House: An Act conferring certain additional powers on the city of Portland, namely, power to establish a municipal ferry to Peak's Island.

In the Senate indefinitely postponed.

The House insisted upon its former action and asked for a committee of conference.

On motion by Mr. Baxter of Sagadahoc, the Senate voted to join a committee of conference.

The Chair thereupon appointed as such committee on the part of the Senate, Messrs. Baxter, Clement and Hall.

From the House: Resolve appropriating money for the purpose of maintaining and repairing bridges.

In the Senate passed to be engrossed; in the House indefinitely postponed.

On motion by Mr. Baxter of Sagadahoc, the Senate voted to concur with the House in the indefinite postponement of the bill.

Mr. THOMPSON of Knox: Mr.

President, I would like to ask if this is the bill which this morning was substituted for the report?

The PRESIDENT: The Chair will state that it is not.

#### Bills in First Reading

S. 224. Resolve in favor of clerks, stenographers and messengers of the several committees of the 80th Legislature.

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

S. 225. Resolve providing for expenses in connection with the funeral of the late Gov. Parkhurst.

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

#### Orders of the Day

On motion by Mr. Morrill of Cumberland, An Act prohibiting public games and amusements on Memorial Day was taken from the table.

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

Mr. MORRILL: Mr. President, we have tried to prepare an amendment.

The PRESIDENT: The Chair was informed that an amendment was ready this morning.

Mr. MORRILL: Mr. President, there have been two or three different amendments offered, and we tried to compromise on something that would be acceptable. I move that the bill be tabled until we can arrange a satisfactory amendment.

The Chair lays before the Senate, An Act relating to the salary of the secretary of the State, tabled by Senator Parent, the pending question being the acceptance of the report.

Mr. PARENT: Mr. President, I move at this time that we substitute the bill for the report, and if that is done I shall offer an amendment.

The secretary read the bill.

The PRESIDENT: The question is on the substitution of the bill for the report.

Mr. FOLSOM of Somerset: Mr. President and fellow Senators, in opposing this motion I shall have to repeat some things that I have already said in reference to the equalization of salaries, and I will only take a few moments of your time in saying, as I have already explained that the committee after long and careful study of the matter decided to place certain salaries on a basis equal to that of the secretary of State, \$3000 per year. It was understood when this was first placed on the table by Senator Parent that there was another bill pending which might increase the duties of the secretary of State. I do not think that any legislation which we pass and which is before this Legislature will increase his duties. They will remain under any circumstances practically as they are now. His salary is \$3000 per year. We increased the State treasurer and the commissioner of agriculture to \$3000. There were some offices, as I have already stated, requiring the services of men who have trained especially for those positions, and your committee felt that such men were perhaps entitled to more salary than incumbent of offices which did not require special training. We feel that the judgment of the committee should be sustained by the Senate.

Mr. PARENT: Mr. President and fellow Senators, I am a member of the committee on salaries and fees, although I was obliged to attend meetings of the judiciary committee, and therefore was unable to attend a great many meetings of the salaries and fees committee.

I do not know how many times the question of salaries was taken up by the committee relating to the heads of departments of the State. I do know this, though, that there have been certain increases made for the heads of certain departments.

Now the office of secretary of State I think you will all agree carries with it a considerable amount of dignity. I am not asking to have the

secretary of State's salary increased on that account solely. I thoroughly believe that the compensation is inadequate for several reasons. Years ago the secretary of State was on a fee basis. That was remedied in 1913, and his salary was fixed at \$3000. Since 1913, or eight years, there have been no increases, although many additional duties have been added to the office. There will be, under this automobile bill, which has been passed to be engrossed in the House within a few moments, additional duties imposed upon the secretary of State. If nothing more, there will be an increase of registration of automobiles, new blanks will be needed, and many other things I do not have in mind at the present time. The Senator from Somerset, chairman of the committee on salaries and fees, overlooked the fact, and I am frank to say I have not heard it discussed in any of our meetings when I was present, that the absentee voting bill which the Legislature has passed, will add new duties to the secretary of State. Since 1913 the number of elections have increased, and you cannot increase elections without adding new duties to the office of the secretary of State.

It is a very busy office, and I thoroughly believe that \$3000 is an inadequate salary, and I do not think that this amendment which I desire to offer to the bill, fixing the salary at \$4000, is unreasonable. We have recently increased, and contrary to the recommendations of the committee on salaries and fees, or their report, certain heads of departments. And I only think it is fair to the secretary of State and regardless of who holds the office, that his salary should be put on a plane with others and that he should receive a just and fair compensation. I hope that the senators here will seriously consider this matter and that we will fix a salary at this session. I think it is safe to say that we will not have to increase it again. I hope my motion will prevail in view of the amendment I intend to offer.

Mr. FOLSOM: Mr. President, I

just wish to reply to the last remark that probably there will be no attempt two years from now to increase the salary of this officer. There will be an attempt on the part of every fellow who does not receive \$4000 a year to have his salary raised to that figure.

Mr. PARENT: Mr. President, that is mere assumption. The Legislature has been accustomed to receiving requests for increases in salary, not only from the heads of departments, but from county officials all through the past, and will be receiving them in the future.

I think I can safely say that this is the first increase I have sponsored for any State department. The Secretary of State does not come from my county and I have no special interest in it. I simply offer this amendment in fairness to Mr. Ball and whoever in the future may head that department.

The question being on the substitution of the bill for the report a viva voce vote was had, the Chair being in doubt a rising vote was had.

Mr. FARRINGTON of Kennebec: Mr. President, is it proper at this time to make a statement? I am going to vote to substitute the bill for the report in order that it may be in amendable shape. But I shall vote against the amendment.

Twelve voting in the affirmative and ten in the negative the motion prevailed and the bill was substituted for the report.

Mr. Parent then offered Senate Amendment A to An Act relating to the salary of the secretary of State, and moved its adoption.

(The secretary read the amendment which substituted for \$5000 a salary of \$4000.)

A viva voce vote was had and the same being doubted a rising vote was taken and nine senators voting in the affirmative and twelve in the negative the amendment was not adopted.

Mr. FOLSOM: Mr. President, I now move that the bill be indefinitely postponed.

Mr. PARENT: Mr. President, I

move that the bill lie on the table until a later session.

A viva voce vote was taken and then Mr. Parent asked for a division.

A rising vote was had, the motion prevailed and the bill was tabled.

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

A majority of the committee on military affairs reported this bill ought not to pass; the minority report of the same committee reported ought to pass.

Mr. FARRINGTON of Kennebec: Mr. President, I yield to the senator from Androscoggin, Senator Garcelon.

Mr. GARCELON of Androscoggin: Mr. President, I move that we accept the minority report, ought to pass. This is a very simple matter and I will explain it very briefly. At the last session we passed An Act, Chapter 81 of the Public Laws, which provides a draft for the National Guard in time of peace. In order that we may understand the matter I will read the first part of the Chapter: "If in time of peace any company, troop, battery or detachment of the National Guard shall have failed by voluntary enlistment to obtain the minimum strength required by the laws of the United States, the commanding officer of such company, troop, battery or detachment, shall report to the adjutant general the number of enlisted men required.

"The adjutant general shall, upon receipt of such report, inform the Governor of the facts, and the Governor then shall draft from the unorganized militia of the town or city where such company, troop, battery or detachment is located, or from adjacent towns or cities, the number of men required to maintain such minimum strength."

The amendment that I propose strikes out the two words "shall

then" from the phrase "the Governor shall then draft," and substitutes therefor the words "may if in his opinion the peace, health or safety of the State is in danger." The change suggested is simply this: Under the present law, upon being notified that any company is below its quota, the governor must order a draft—the law is mandatory. Under the proposed amendment he may order a draft if in his opinion there is any real need.

Mr. President, there is no question about the patriotism of the men of Maine. The history of our wars shows that. The history of our wars shows that the National Guard of Maine has always been among the first, if not the very first in the entire country, to respond to the call and be ready for action. These men do not object to a draft in case of real need. What they do object to, on principle, many of them, is a draft in time of peace, merely to fill a quota. They believe that quotas should be maintained not by a draft, but by making the service so attractive that men will be glad to join voluntarily.

This is the chapter that Governor Baxter in his inaugural address said should be repealed. I, however, do not go so far as that. I do not believe that it should be repealed. I believe that it should remain upon our statute books, to be used in case of need; but to be used, Mr. President, only in case of need.

I hope that the motion will prevail.

Mr. GILLIN of Penobscot: Mr. President, I thoroughly agree with the distinguished Senator and endorse everything that he has said pertaining to the amendment. I hope it will have a passage.

The PRESIDENT: The bill is an Act to amend chapter 81 of the Public Laws of 1919 relating to a draft for the National Guard. The majority report is ought not to pass. The minority report is that it ought to pass. And the motion of the Senator from Androscoggin, Senator Garcelon, is that the minority report, ought to pass, be accepted.

The motion was agreed to by a viva voce vote, and on further motion by the same Senator, Senator Garcelon, the rules were suspended and the bill without printing, was given its several readings and passed to be engrossed.

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The PRESIDENT: The Chair lays before the Senate S. D. 142, Resolve in favor of Northern Oxford Fish and Game Association, tabled by the Senator from Piscataquis, Senator Sprague, the pending question being the adoption of Senate Amendment A.

Mr. SPRAGUE of Piscataquis: Mr. President, I should like to have the amendment read.

The resolve and amendment were read by the Secretary, and on motion by Mr. Sprague of Piscataquis, Senate Amendment A. was adopted, and on further motion by the same Senator the rules were suspended, and the resolve, without printing, was given its second reading and passed to be engrossed.

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The PRESIDENT: The Chair lays before the Senate S. D. 131, Resolve making an appropriation in aid of navigation on Segabo lake, Songo river, Bay of Naples, Chute's river and Long lake in Cumberland county, tabled by the senator from Washington, Senator Putnam, the pending question being second reading.

Mr. PUTNAM of Washington: Mr. President, I move that this resolve be indefinitely postponed. I will say in explanation that this matter has already been taken care of in another resolve.

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

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Mr. PARENT of Androscoggin; Mr. President, I move that the rules be suspended that I may submit a conference report out of order, together with an amendment covering the same, and move the acceptance of the report and the adoption of the amendment.

The motion was agreed to and the following report was submitted:

The committee on conference on the disagreeing action of the two branches of the legislature on H. D. 65, An Act to regulate the payments of appropriations for the care, treatment, support and education of persons in charitable or benevolent institutions not wholly owned or controlled by the State, report that the House recede and concur with the Senate in the substitution of the bill for the report, with amendment to section 5.

On motion of Mr. Parent of Androscoggin the report was accepted, and on further motion by the same Senator the Senate reconsidered its action by which this bill was passed to be engrossed.

Mr. PARENT: Mr. President, I move that Senate Amendment A be adopted. I will say in regard to the amendment, there was an error in the years in which the laws were passed. The original bill said 1919—it should have been 1917. The purpose of the amendment is to correct that error.

The amendment was adopted by a viva voce vote and on further motion by the same Senator the bill as being passage to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 133, Resolve in aid of navigation of Sebec lake in Piscataquis County, tabled by the Senator from Washington, Senator Putnam, the pending question being the second reading.

Mr. PUTNAM of Washington: Mr. President, I move that this resolve be indefinitely postponed.

Mr. SPRAGUE of Piscataquis: Mr. President, I should like to ask the Senator through the Chair if that is also taken care of?

Mr. PUTNAM: Yes, it is, Mr. President.

The motion was agreed to and the bill was indefinitely postponed.

The PRESIDENT: The Chair lays the Senate H. D. 434, An Act to in-

corporate 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 shall again have to ask the indulgence of the Senate to have this laid on the table until the report of the conference committee on the Wells and Ogunquit matter is received. I am sorry to do this but I see no other way.

The motion was agreed to.

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 the Senator from Knox, Senator Thompson, the pending question being passage to be enacted.

Mr. THOMPSON of Knox: Mr. President, for reasons similar to those given by the Senator from York, I move that the matter lie upon the table. When the time comes it may be indefinitely postponed.

The motion was agreed to.

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

Mr. EMERSON of Aroostook: Mr. President, I am requested to offer this amendment.

(Tabled temporarily by Mr. Emerson at the suggestion of the President.)

The PRESIDENT: The Chair lays before the Senate S. D. 214, An Act to enable the town of South Bristol to construct a state aid road to Christmas Cove, tabled by the Senator from Knox, Senator Thompson, the pending question being reconsideration of passage to be engrossed.

On motion by Mr. Thompson of Knox the Senate reconsidered its action whereby it passed this bill to be engrossed, and on further motion by the same Senator the Senate

adopted House Amendment A 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 Joint order relative to printing inland fish and game laws, tabled by the Senator from Penobscot, Senator Thombs, the pending question being passage of the order.

Mr. THOMBS of Penobscot: Mr. President, I offer Senate Amendment A and move its adoption.

"Amend the order by inserting after the word 'governor' in the fifth line, the words 'with the advice and consent of the council.'"

The amendment was adopted, and the order as amended was given a passage.

The PRESIDENT: The Chair lays before the Senate the joint order in relation to the rules and regulations in regard to the fish and game department, tabled by Senator Farrington.

Mr. FARRINGTON of Kennebec: Mr. President, by agreement and understanding I move that this order be indefinitely postponed.

The motion was agreed to.

Mr. FARRINGTON of Kennebec: Mr. President, I ask unanimous consent under suspension of the rules to introduce out of order An Act to authorize the promulgation of the rules and regulations of the commissioner of inland fisheries and game.

The motion was agreed to and the bill was received.

The secretary read the bill.

On motion by Mr. Farrington, the bill under suspension of the rules, without printing, was given its second reading and was passed to be engrossed.

On motion by Mr. Morrill of Cumberland, the bill prohibiting public games and amusements on Memorial Day was taken from the table.

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

Senate Amendment A to S. D. 212, An Act prohibiting public games and amusements on Memorial Day, by striking out all after the enacting clause and inserting in place thereof "whoever on Memorial day engages in any public outdoor game or sport where an admission is charged or collection taken, shall be punished by a fine not exceeding twenty-five dollars or by imprisonment not exceeding ten days, or by both such fine and imprisonment. Judges of municipal and police courts and trial justices shall have jurisdiction over all offences committed under this act."

Mr. MORRILL: Mr. President and fellow Senators, you know that this bill in some form has been before us quite a while, and when we first started on it we thought we would have it quite plain and it was, but it didn't meet the approval of some members of the House. They thought they wanted it more drastic, and so it came back to the committee on judiciary and military affairs, and the stand they took on it pleased me exceedingly, and I want to thank the members of those committees for the interest they took in the matter, and the desire on the part of the House I think has been continuously with us, that in order to protect the different interests, and protect Memorial Day, several amendments were provided that they could put, not before the House, but for the consideration by the people that were interested in it, the judiciary committee and the military committee, and this seemed to be the best thing we could find, and as far as I know it seems to be a unanimous agreement and I hope it will pass.

Mr. COBB of Kennebec: Mr. President and fellow Senators, it seems to me that a little time should be taken by me this afternoon in regard to this bill. A certain order that I belong to has for a long time been feeling that we should have a better observance of Memorial Day. Soldiers

who have gone out to fight for their fellow beings from the beginning of this country have always been honored. In the time of the Civil war the men were honored. The previous wars had never had such an idea as Memorial Day. But in the South an idea started to have a Memorial Day, and then the Northern soldiers, boys, comrades, got together and said, "Boys, let us decorate the comrades' graves. And if any of us die let us see to it that our comrades' graves are decorated." And so General Logan issued a proclamation or a general order that the Grand Army have a Memorial Day, and different states have taken up that idea.

Now when it was first started everybody went to those exercises, and brothers, it is a grand sight, it seems to me that there is no better way of teaching patriotism than the sight of these comrades once each year marching behind that flag for which they fought, and going to those cemeteries and there decorating the graves with evergreen, with flowers, and most of all with the American flag, and it seems to me that does more for the teaching of Americanism than any act that we can do. But as the years have passed and the comrades have become fewer and the ranks have become thinner and the lines shorter, we find that there is not so great an attendance at those exercises. And we find that though we may have men of eloquence and power and ability to preach or to talk, to eulogize in regard to these soldiers, that each year the audience is less, and for the last few years the most we could get would be the Grand Army men, the Relief Corps, the D. A. R., the Daughters of Veterans, the Sons of Veterans and their children.

Now I am interested in this because in the last twenty-five years on every Memorial Day I have followed that company to the cemetery, and I have noticed with pain the lack of interest—I was going to say patriotism, but I do not want to say that—but the lack of feeling for the veterans, and for the last twenty years from sunrise to sun-

set I have gone to the rural districts and we have seen to it that all graves of the comrades were decorated with flags. It seems to me a shame that those men who fought bravely and who sacrificed for their country in a way should be forgotten and not honored more, because we honor men of all wars, we as sons of veterans honor the Civil war veterans, those of the Spanish war and the World war. In late years we find that men of power in the community, men of influence and ability do not seem to realize what Memorial Day means. They do not seem to feel that they should have any interest in attending to it. A good many times the mayors of our cities do not feel called upon to go to these exercises. Gentlemen, that is a deplorable fact, but it is so.

And then take our schools, our teachers, our superintendents of schools, it is getting so that they will see to it that on that day we have ball games, when everybody is having a holiday, and make some money out of that day. I wish to say, gentlemen, that when that idea was started in the South, it was started with the one thought, not of being a holiday, but of being a memorial day. And if you will read the original thought it will be that way, that it was a memorial day to the soldiers. For the last few years, gentlemen, it has been far from a memorial day as I have looked upon it.

It has been more of a gala day, more of a holiday. It seems to me, gentlemen if we are going to take these school children, these high school students and say that they shall have a ball game on Memorial Day at the same time that these exercises are going on, something should be done to make it different. I have been taking my hat off and putting flowers and wreaths upon the graves and trying to show respect to these comrades, when at the same time I have heard the band playing and the shouting going on in a ball game, and they were high school students. Gentlemen, it is some sad thing.

And so we have for a number of years tried to start something to make the people, and especially our



children realize that there is something sacred in regard to Memorial Day and we have had little success. But when the Spanish war veterans came home, we had a little more help, and when the World war veterans came home we had more encouragement, and now this last year the World war veterans, the Spanish war veterans, the Grand Armies of the Civil war veterans and Sons of Veterans at their State convention adopted resolutions in regard to better observance of Memorial Day, and the Relief Corps, the ladies of the G. A. R., the D. A. R. and the Auxiliaries did the same thing. Because of our failures in past years, we come with a feeling of trembling that we might not get this through; we studied the situation and we started with a certain bill. But when we came to the committee hearing, we saw there such an enthusiasm and so much justice in what these people said that we had a bill drawn up that has been passed at this session, or partly passed.

Then there came some opposition and because of the fact that we through our carelessness—I do not wish to say to you or to insinuate that there is any one less patriotic than I, but because of influences and surroundings have become heedless, and because of the fact that they have become heedless in regard to this matter, we have been willing now to let up a little and have accepted the amendment as presented by comrades through Senator Morrill, and though it is not as pleasing to me as it would have been as it was before, I want to be fair, because, gentlemen, I want everybody to realize that we should honor and respect any man who is willing to sacrifice for his country, whether he is a World war veteran, Spanish war veteran, Civil war veteran, War of 1812 or any one, and when we have such a day as Memorial Day when we can go and decorate the graves, and when we can feel that our fathers, once each year, their graves are going to be visited and flowers are going to be placed upon their graves, the effect of that, gentlemen, in years to come is to teach more patriotism, I believe, than any act you can do. And

I want our school children to realize that any soldier who is willing to do something for his fellowmen should be honored, and when a day is set apart for a Memorial Day, that they are the ones that should take interest in it and see to it that it is properly observed.

Mr. THOMES of Penobscot: Mr. President and fellow Senators: I hesitated to say anything at all about this matter for fear that I should be misunderstood, and I wish very emphatically to endorse what the preceding speakers have said. I myself personally hope that I have great respect for Memorial Day and for all that it means, and I hope that neither by act nor by deed may I ever detract from its sacredness. On the other hand, it seems to me that this amendment has been drafted a bit hastily and I just want to call the attention of the Senate particularly to it, because I know that this Senate wants to be perfectly fair, and that its final action here may not invoke any criticism after it is too late to change it,

If I understood this amendment correctly, Senators, it provides that no out-of-door game at which an admission is charged or a collection is taken shall be held at any time on Memorial Day. I have no objection to that whatever. But let me remind you of this: You are still allowing all kinds of indoor games at which admission may be changed. Now if you feel that that is fair to cut out the out-door sports and allow picture-houses and dance-halls and shows, or even shows in tents that might take advantage of the crowd that might be gathered. If you think it is right and proper to pass legislation of that kind, why I am quite willing to acquiesce in it. But it seems to me that in a spirit of fairness that we ought to hesitate a little before we endorse this particular amendment.

Now please do not misunderstand me in the matter at all. My position is not against some regulation that will make for a better observance of Memorial Day, but I cannot distinguish now between an out-of-door and an indoor amusement.

Mr. GILLIN of Penobscot: Mr. President, I would state to my distinguished colleague that the original draft did exclude the indoor as well as the out-door, and that the amendments that they have agreed to have excluded that part of it.

As a member of the judiciary committee before which this was heard, I was in full accord with every other member of the committee in striking out all amusements, and I think that was the bill. But Senator Morrill and Senator Babb have been requested by their members to modify it, and I wish to say to Senator Thombs that the amendment is a modification, and while I am in full accord with Senator Cobb and Senator Morrill in regard to this amendment I would have preferred that the bill be as it originally came out from the committee. I endorse every word that Senator Cobb has said and every word that Senator Morrill has said, and I got up for the purpose of explaining to my distinguished colleague that originally the bill as coming from our committee did just what he intimated he thought it ought to do. But under the circumstances I move that the amendment be accepted.

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

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

#### Additional Papers From the House

H. 455, An Act relative to motor vehicles and the law of the road, and to revise and amend Chapter 26 of the Revised Statutes and acts amendatory thereof and additional thereto.

The bill was given its first reading.

House Amendments B, D, E and F were read by the secretary and adopted in concurrence and the bill as amended, under suspension of the rules, was given its second reading and was passed to be engrossed.

The PRESIDENT: We will deal now with H. D. 219, An Act to provide for a full time state highway

commission, amending Chapter 25 of the Revised Statutes relative to State highways. The new draft is H. D. 454.

In the House two reports were received from the joint committees on judiciary and ways and bridges. The majority of the committee reported An Act to provide for a full time state highway commission, amending Sections 3 and 4 of Chapter 5 of the Revised Statutes relative to the State highways, and also amending Section 34 of Chapter 117 of the Revised Statutes relative to salary of the State highway commission, and that it ought to pass.

The minority of the same Committee on the same bill reported the same ought not to pass.

The House accepted the majority report and amended it by House Amendment A, and upon further consideration rejected their own amendment and passed the bill to be engrossed.

Mr. GILLIN of Penobscot: Mr. President, I move the Senate concur with the House in accepting the majority report.

Mr. COBB of Kennebec: Mr. President, I feel that I should not take much time and I am not going to take much time, but of course in a great matter of this kind we have heard a lot of criticism, and I have tried to investigate and I have tried to burrow out some of these criticisms, and while I feel that I shall vote with the majority, I want it to be completely understood that in so doing I do not want to go on record as criticising the commission, because I feel that they have done good and faithful work. Though with full time men we may have more thorough work done, yet I do not want to go on record as criticising those men, because I feel that any one of us in the same conditions and in the same position would not have done any better than they. I also want to be understood—as it has been circulated and told that if we have this full time commission we would do away with Mr. Sargent—now, gentlemen, I believe if we do that we shall do an

injustice to the people of the State of Maine. I believe that there is no more efficient man about than Mr. Sargent. I believe that he has been conscientious and able, that he has worked efficiently and well, and I have heard lately that under the conditions of the new commission he is not going to be removed. But I want it understood that if I vote for the majority, I do not do it to criticise or in any way belittle Mr. Sargent because I claim that he is a grand good man.

Mr. GILLIN of Penobscot: Mr. President, I think we all heartily concur with the Senator. Of course none of the members of the committee who voted for this measure after painstaking and careful investigation, in my judgment in any way intended to criticise any one or intended to influence anybody, and I think, Senator Cobb, that the distinguished gentlemen who were on our committee will all agree that we did not have any inclination as to who they keep and who they do not keep, and they can appoint the old commission if they want to. As I understand, Mr. President, the committee worked over these measures studiously, long and well, and they think they have got the best measures they could get under the existing conditions, and when we leave this Senate and adjourn and go out, we leave the measures behind us with the best labor and the best thought that we could put into them, without a single criticism towards anybody on the top of this earth.

Mr. FARRINGTON of Kennebec: Mr. President, I want to most heartily express my accord with what has just been said by the Senator from Penobscot, because in these matters personalities did not enter for one moment. It was purely and simply on what we believed to be sound business judgment from the angle at which we viewed it, and absolutely nothing more.

Mr. COBB: I ask the forgiveness of the committee if I have conveyed any thought that it was in the committee I heard any criticism. I have

the greatest respect for the members of this committee.

Mr. PARENT of Androscoggin: Mr. President, as a member of the judiciary committee who spent with other members of the committee several hours going over this matter, I want to say first that I acquiesce in all that has been said by the preceding members of that committee, and that at no time has Mr. Sargent ever been criticized. Personally I have great respect for him and his ability and no personalities have ever been mentioned by any member of the committee or even taken into consideration.

Mr. GILLIN: Mr. President, I just wish to say to Senator Cobb that he need not have apologized because every member of the judiciary committee knows that he did not mean anything except floating criticisms outside, and we thank you.

I move that the majority report be accepted in concurrence with the House.

The motion was agreed to by a viva voce vote and the bill was given its first reading, and on motion by Mr. Hall of Franklin the rules were suspended and the bill was given its second reading and passed to be engrossed.

On motion by Mr. Morison of Penobscot, a recess was taken until five o'clock.

#### AFTER RECESS

Senate called to order by the President, at 5.20 o'clock P. M.

From the House: Memorial to Congress urging favorable consideration of the principles embodied in the Smith-Towner bill.

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

Mr. FOLSOM of Somerset: Mr. President, I would like to inquire what the action of the House was.

The PRESIDENT: The House passed the bill to be engrossed.

The bill was indefinitely postponed in concurrence.

On motion by Mr. Emerson of Aroostook, An Act relating to the State contingent fund was taken from the table.

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

The amendment was read by the secretary.

**Senate Amendment "A" for House Document 222**

Amend said bill by striking out all after the enacting clause and substitute therefor the following:

Section 1. Section 85 of Chapter 2 of the Revised Statutes, as amended by Chapter 226 of the Public Laws of 1917 and as amended by Chapter 96 of the Public Laws of 1921, is hereby further amended by adding at the end of said section the following, to wit: "On January first of each year, the amount of the State contingent fund in excess of \$500,000 shall be used to liquidate the amount due the permanent school fund or due any trust fund until such funds shall be restored to the amount at which they are carried on the books of the State treasurer," so that said section as amended shall read as follows:

"Section 85. The State auditor and treasurer of State shall open on their books an account to be known as the State contingent fund, to which shall be transferred and credited all balances of unexpended appropriations which exist on the first day of January of each year and which are not continued by law, except such appropriations as relate to the issue and payment of State bonds, temporary loans and special funds in the State treasury department. There shall also be credited to said account on the first day of July of each year, or as soon thereafter as the amount can be correctly ascertained, the amount by which the actual income of the State for the preceding year exceeds the current expenses of said year; provided, however, that unexpended balances existing on June 30th, excepting those continued by law, or such as relate to the issue and payment of State bonds, temporary loans or spe-

cial funds in the State treasury, made in the discretion of the Governor and Council, be credited to said State contingent fund on that date. On January first of each year the amount of the State contingent fund in excess of \$500,000 shall be used to liquidate the amount due the permanent school fund or due any trust fund until such fund shall be restored to the amount at which they are carried on the books of the State treasurer."

The amendment was adopted and on further motion by the same senator, under suspension of the rules, the bill was given its second reading and was passed to be engrossed as amended.

**Passed to be Enacted**

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

An Act regulatory of the operation of portable sawmills and providing for the licensing thereof.

An Act to amend Section 14, Paragraph I of Chapter 10 of the Revised Statutes, relating to the taxation of personal property.

An Act to amend Chapter 246 of the Private and Special Laws of 1909, relating to the salary of the judge of the Farmington Municipal Court.

An Act to re-enact Section 24 of Chapter 69 of the Revised Statutes relating to when no succession tax shall be assessed on the stock, bonds and evidences of Maine corporations.

An Act to amend the charter of the City of Lewiston, relating to the office of city clerk.

An Act to promote the efficiency of the fire department of the City of Lewiston.

An Act to amend the charter of the City of Lewiston and to provide for a city auditor.

An Act to abolish the board of public works of the City of Lewiston and to provide for a highway commission.

An Act to amend Section 29 of Chapter 68 of the Revised Statutes, relating to the appointment of public administrators.

An Act to amend Section 10 of Chapter 137 of the Revised Statutes, as amended by Chapter 203 of the Public Laws of 1917 and by Chapter 76 of the Public Laws of 1919, relating to the appointment of probation officers.

An Act to amend Section 77 of Chapter 82 of the Revised Statutes, relative to clerk hire for reporter of decisions.

An act to amend Section 6 and 14 of Chapter 59 of the Revised Statutes, relating to appointment of steamboat inspectors.

An Act to amend Section 21 of Chapter 83 of the Revised Statutes, relating to temporary loans by Cumberland and Kennebec counties.

An Act to amend Section 65 of Chapter 126 of the Revised Statutes, as amended by Chapter 221 of the Public Laws of 1917, relative to the designation of persons appointed to enforce the laws relative to the prevention of cruelty to animals.

An Act to amend Section 19 of Chapter 5 of the Revised Statutes, as amended by Chapter 69 of the Public Laws of 1917, relating to sessions of boards of registration.

An Act to increase the salary of the judge of the municipal court in Gardiner.

#### **Finally Passed**

Resolve, appropriating money for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of the commissioner of Inland Fisheries and Game, and other expenses incident to the administration of the department of Inland Fisheries and Game.

Resolve, to reimburse the town of Prentiss for sheep and poultry killed by dogs and wild animals in 1919.

Resolve, appropriating money for the purpose of obtaining information

in regard to wild lands for the purposes of taxation.

Resolve, dividing the state in executive councillor districts.

Resolve, providing for the payment to Mrs. Fannie Bradley of aid as a soldier's dependent.

#### **Passed to be Enacted (Emergency Measure)**

An Act to ratify, confirm and make valid the execution of bonds issued under the provisions of Chapter 264 of the Public Laws of 1919, known as the Maine Military service loan.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting in the affirmative the bill was passed to be enacted.

#### **Finally Passed**

##### **(Emergency Measures)**

Resolve, in favor of the Augusta State hospital for furniture and other equipment.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting in the affirmative the resolve was finally passed.

Resolve, making appropriations for the Passamaquoddy tribe of Indians for the half year from January 1, 1921 to June 30, 1921, and the years July 1, 1921 to June 30, 1923.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting in the affirmative the resolve was finally passed.

Resolve, in favor of the Bangor State hospital for maintenance during the years 1921, 1922 and 1923.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting in the affirmative the resolve was finally passed.

Resolve, in favor of the State Reformatory for Women for maintenance.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-five senators voting in the affirmative the resolve was finally passed.

Resolve, in favor of the Penobscot tribe of Indians for the general care maintenance and education thereof.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-six Senators voting in the affirmative the resolve was finally passed.

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The PRESIDENT: The Chair wishes to state at this time that in order to keep the printer going it is necessary to hold a meeting this evening at 8 o'clock. The Chair earnestly hopes that all conference committees will report as early as possible.

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On motion by Mr. Parent of Androscoggin, the resolve in regard to the salary of the secretary of State was taken from the table.

The same senator then offered Senate Amendment B and moved its adoption.

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

The PRESIDENT: The senator will state his point.

Mr. FOLSOM: The motion before the Senate is on the indefinite postponement of this bill.

The PRESIDENT: The Chair rules that a motion to amend under our orders should take precedence.

The secretary read the amendment B, which struck out the salary of \$5000 and inserted in its place \$3500.

The amendment was adopted by a viva voce vote.

Mr. FOLSOM: Mr. President, I now withdraw my motion to indefinitely postpone the bill.

On further motion by Mr. Parent, under suspension of the rules, the bill as amended was given its second reading and was passed to be engrossed.

On motion by Mr. Eaton of Oxford, S. D. 57, An Act providing the State maintenance of highway bridges over 600 feet in length, was taken from the table.

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

(The amendment was read by the secretary.)

Mr. PARENT of Androscoggin: Mr. President, I move that the amendment offered by the senator from Oxford, be referred to the next Legislature.

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

The motion was put by the Chair and was not adopted.

On motion by Mr. Emery of Washington, the rules were suspended and the bill was given its two readings and was passed to be engrossed.

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Mr. THOMPSON of Knox: Mr. President, this forenoon I tabled a resolve that was to be finally passed, relating to the commissioner of pharmacy.

I move that it be taken from the table.

The motion was agreed to and on further motion by the same senator the resolve was finally passed.

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Mr. PARENT of Androscoggin: Mr. President, I move we take from the table S. D. 210, and I yield to the senator from Somerset, Senator Folsom.

Mr. FOLSOM of Somerset: Mr. President, I offer two amendments to S. D. 210. The first is simply to correct the title. The second corrects various mistakes, not only of the committee but of some of the county delegations.

Senate Amendment A to Senate 210, correcting the title of the bill was adopted, without reading, on motion by Mr. Folsom.

The same senator then offered Senate Amendment B to S. D. 210 and moved its adoption.

**Senate Amendment "B" to Senate Document No. 210**

Senate Document No. 210 is hereby amended as follows:

By striking out in the seventh line on page five of the printed Act after the word Lincoln the words "fourteen hundred", and substituting therefor the words "twelve hundred", so that the same as amended shall read: 'Lincoln, twelve hundred dollars.'

By striking out in line three of page ten after the word Androscoggin the words "thirteen hundred" and inserting therefor the words 'eighteen hundred', so that the same as amended shall read: 'Androscoggin, eighteen hundred dollars.'

By striking out in line seven on page eleven the words "twelve hundred and forty-eight" and substituting therefor the words 'fifteen hundred', so that the same as amended shall read: 'for clerks in the office of register of deeds, fifteen hundred dollars'.

By striking out on page eleven all between the words "Aroostook county and Cumberland county" and inserting therefor the following: 'For clerks in the office of register of deeds of the northern district, one thousand dollars; for clerks in the register of deeds for the southern district, twenty-four hundred dollars; for clerks in the office of register of probate, seven hundred and eighty dollars; for clerks in the office of clerk of courts, twenty-six hundred dollars; for clerks in the office of the county attorney, six hundred dollars; for clerks in the office of county treasurer, three hundred dollars; for expenses of clerk of courts and his subordinates while attending sessions of supreme judicial courts at Caribou, such sums as allowed by courts.'

By striking out of line thirteen on page twelve the words "six hundred dollars" and inserting therefor the words 'seven hundred and eighty dollars,' so that the same as amended shall read: 'For clerks in the office of clerk of courts, seven hundred and eighty dollars.'

By striking out of line sixteen on page twelve the words "eighteen hundred" and substituting therefor the words 'twenty-three hundred' so that the same as amended shall read: 'For clerks in the office of register of deeds, twenty-three hundred dollars.'

By striking out of line twenty-two on page twelve the words "five hundred and twenty" and substituting in place thereof the words 'five hundred and seventy-two,' so that the same as amended shall read: 'For clerks in the office of register of probate, five hundred and seventy-two dollars.'

By striking out of line twenty-six of page twelve the words "two hundred dollars" and substituting therefor the words 'four hundred' so that the same as amended shall read: 'For clerks in the office of register of deeds, four hundred dollars.'

By striking out of line nineteen of page thirteen the words "seven hundred and eighty dollars" and substituting therefor the words 'eleven hundred and seventy dollars' so that the same as amended shall read: 'For clerks in the office of register of deeds, eleven hundred and seventy dollars.'

The PRESIDENT: Will the senator explain Senate Amendment B?

Mr. FOLSOM: Mr. President, Senate Amendment B corrects some matters that were called to your attention, and I have repaired everything that in any way has been suggested and apparently it meets with full satisfaction at the present time.

Mr. CLARK of Lincoln: Mr. President, may I ask a question? I did not hear Lincoln county mentioned, and there are two errors in regard to Lincoln county in the salaries of the clerk of courts and the register of deeds. Two hundred dollars was taken from one and put on the other, and that is wrong. I wish to ask if the salaries of the clerk and of the register were both changed?

Mr. FOLSOM: As I remember the only salary in Lincoln county changed in the original draft was a change

from \$1200 to \$1400, which the committee understood was by the recommendation of the delegation subject to certain conditions.

Mr. CLARK: The original bill was all right. I move that the matter lie on the table until the evening session. The motion was agreed to.

Mr. GARCELON of Androscoggin: Mr. President, I move we take from the table H. D. 463, relating to the apportionment of 151 representatives among the several cities, towns, plantations and classes in the State.

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

(On suggestion by the Chair that there was an error in the amendment, the bill was tabled.)

Mr. GOULD of Aroostook: I move we take from the table Resolve in favor of an appropriation for the State School for Boys for the erection of a school building.

The motion was agreed to and on further motion by the same senator the resolve was finally passed.

On motion by Mr. Bemis of Somerset, the Senate recessed until 8 o'clock this evening.

#### AFTER RECESS

Senate called to order by the President at 8.15 o'clock, P. M.

The committee of conference on the disagreeing action of the two branches of the Legislature on An Act to make uniform the fees of deputy sheriffs in attendance upon the supreme, judicial and superior courts, reported that House Amendment A be rejected, in concurrence with the Senate.

(Signed)  
Messrs. BAXTER,  
EATON,  
MORRILL,  
on the part of the Senate.

Messrs. ROUNDS,  
MAXWELL,  
WING,  
on the part of the House.

The report was accepted.

On motion by Mr. Morrill of Cumberland, Resolve in favor of the National Guard for services at the School for Feeble Minded was taken from the table, and on further motion by the same senator the resolve was finally passed.

Mr. CLARK of Lincoln: Mr. President, I move we take from the table S. D. 210, An Act in regard to salaries of certain county officers and the amount of money allowed for clerk hire in certain county offices.

The motion was agreed to.

Mr. FOLSOM of Somerset: Mr. President, I think that Senate Amendment B has been looked over by various senators and it seems to be in shape to take care of all the suggested changes. I move the adoption of Senate Amendment B.

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

The PRESIDENT: The secretary informs the Chair that there is no further business in the Senate at this time.

Mr. FARRINGTON: Mr. President, would it not be well to recess and see if there is something to come from the House?

The PRESIDENT: The Chair is informed that the House is dealing with the Water Power bill.

On motion by Mr. Stevens of York, Adjourned until tomorrow morning at 9 o'clock.