

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, March 7, 1923.

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

Prayer by the Rev. Mr. Dunrack of Augusta.

(Mr. Bartlett of Waterville assumed the Chair.)

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

Senate 104. An Act to amend Section 2 of Chapter 55 of the Revised Statutes, relating to Public Utilities Commission.

Senate 160. An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in the office of clerk of courts in Androscoggin county.

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

Agriculture

By Mr. Rounds of Portland: An Act relating to pasteurization of milk and cream and certified milk.

(500 copies ordered printed)

By Mr. Hamilton of Caribou: An Act to amend Section 2 of Chapter 34 of the Revised Statutes, as amended by Chapter 81 of the Public Laws of 1921, relating to the duties of the commissioner of agriculture.

(500 copies ordered printed)

By Mr. White of Bowdoinham: An Act to amend Section 13 of Chapter 34 of the Revised Statutes relating to the apportionment of State aid to county and local agricultural societies.

(500 copies ordered printed)

By Mr. Reed of Harmony: An Act to amend Section 16 of Chapter 9 of the Revised Statutes, as amended by Chapter 285, Public Laws of 1917, and by Chapter 199, Public Laws of 1919, relating to inventory of exempt live stock and fowl.

(500 copies ordered printed)

By Mr. White of Bowdoinham: An Act relating to the packing and grading of apples.

By Mr. Lamson of So. Portland: An Act to amend Section 12 of Chapter 36 of the Revised Statutes and Chapter 113 of the Public Laws of 1921 relating to the purity and quality of clams, oysters and scallops.

By Mr. Rounds of Portland: An Act to amend Section 8 of Chapter 48 of the Revised Statutes as amended by Chapter 61 of the Public Laws of 1917 relating to local sealers of weights and measures.

Appropriations and Financial Affairs

By Mrs. Pinkham of Ft. Kent: Resolve appropriating money for the repair of the Historic Block House at the junction of the St. John river and the Fish river at Fort Kent.

By Mr. Phillips of Orrington: An Act to amend Section 67 of Chapter 82 of the Public Laws of 1919 in relation to the attorney general.

By Mr. Houghton of Fort Fairfield: Resolve authorizing the attorney general to procure pictures of former attorneys general and appropriating money therefor.

By the same gentleman: Resolve for the publication of the reports of the attorney general and making appropriation therefor.

By Mr. Martin of Augusta: Resolve in favor of an appropriation of \$25,000 for the erection of a granite memorial monument at ancient Koussinoc on the east side of the Kennebec river in the city of Augusta, Maine, in memory of the Mayflower Pilgrims, original owners of the land on which the State House and the city of Augusta now stand.

(500 copies ordered printed)

Cole Report

By Mr. Archibald of Houlton: An Act in relation to the several examining boards.

(500 copies ordered printed)

By the same gentleman: An Act creating the office of commissioner of public welfare and defining his duties.

(500 copies ordered printed)

By the same gentleman: An Act to repeal Chapter 64 of the Public Laws of 1919, entitled "An Act to authorize the commissioner of agriculture to group the various bureaus and lines of work of the department of agriculture into divisions."

(500 copies ordered printed)

By the same gentleman: An Act relating to the duties of the superintendent of public buildings.

By the same gentleman: An Act to amend Section 8 of Chapter 117 of the Revised Statutes, relating to the attorney general.

Education

By Mr. Jordan of Cape Elizabeth: An Act relating to free high schools. (500 copies ordered printed)

By Mr. Overlock of Washington: An Act to amend Section 2, Chapter 33, Public Laws of 1921, relating to the sanitation of school houses. (500 copies ordered printed)

By Mr. Sturgis of Auburn: An Act providing for the use of the English language in this State. (500 copies ordered printed)

Inland Fisheries and Game

By Mr. Drake of Bath: An Act relating to the protection of mink and muskrat in Winnegance creek and stream in the county of Sagadahoc.

By the same gentleman: An Act prohibiting the taking of trout in Lake Nequasset and certain tributaries thereto, in the county of Sagadahoc.

(At this point Speaker pro tem Bartlett surrendered the gavel to Speaker Holley, amid the applause of the House.)

Interior Waters

By Mr. Chalmers of Bangor: Resolve in aid of navigation on the various lakes, rivers and thoroughfares in the State of Maine.

Judiciary

By Mr. Barwise of Bangor: An Act amending Section 35 of Chapter 104 of the Revised Statutes, relating to reduction of bail by bail commissioners.

(500 copies ordered printed)

By Mr. Hale of Portland: An Act to amend Chapter 238 of the Public Laws of 1919, as amended by Chapter 222 of the Public Laws of 1921, relating to employers' insurance policies.

(500 copies ordered printed)

By Mr. Maher of Augusta: An Act relative to the taxation of motor vehicles.

(500 copies ordered printed.)

(Tabled by Mr. Downing of Bangor, pending reference.)

By Mr. Archibald of Houlton: An Act to amend Section 4, 5 and 6 of Chapter 96 of the Revised Statutes in relation to foreclosure of chattel mortgages.

(500 copies ordered printed)

By Mr. Maher of Augusta: An Act to amend Section 53, Chapter 211,

Public Laws of 1921, relating to motor vehicles.

(500 copies ordered printed)

By Mr. Maher of Augusta: An Act to provide for safeguarding from damage from motor vehicles.

(500 copies ordered printed)

By Mr. Phillips of Orrington: An Act relating to the subordinate officers of the Senate and House of Representatives.

(500 copies ordered printed)

By Mr. Archibald of Houlton: An Act relating to the registration of motor vehicles.

(500 copies ordered printed)

By Mr. Hale of Portland: An Act to amend the Public Laws of 1919, Chapter 238 as amended by Chapter 222 of the Public Laws of 1921, relating to employer's insurance policies.

(500 copies ordered printed)

By Mr. Bartlett of Waterville: An Act in regard to discharge of mortgages.

(500 copies ordered printed)

By Mr. Archibald of Houlton: An Act relating to costs in civil actions in the supreme judicial and superior courts.

(500 copies ordered printed)

(On motion by Mr. Wing of Auburn, the House voted to reconsider its action whereby this bill was referred to the committee on judiciary, and on further motion by the same gentleman, the bill was tabled, pending reference.)

By Mr. Newcomb of Carmel: An Act to amend Chapter 269, Public Laws of 1917, and Chapter 219, Private and Special Laws of 1903, relating to judges of municipal courts being attorneys at law and exempting the Eastport municipal court from its provisions.

By Mr. Oakes of Portland: An Act to change the jurisdiction of the supreme judicial and superior courts.

By Mr. Maher of Augusta: An Act creating the State Board of Podiatry.

By Mr. Hutchinson of Brunswick: An Act relating to the distribution of decisions of the supreme judicial court, Revised Statutes and Session Laws.

Judiciary and Labor

By Mr. Gardiner of Gardiner: An Act to amend Section 1 of Chapter 350 of the Laws of 1915, relative to hours of labor of minors.

(500 copies ordered printed)

Legal Affairs

By Mr. Jordan of Cape Elizabeth: An Act to amend Section 2 of Chap-

ter 11, Revised Statutes, relative to collection of taxes.

(500 copies ordered printed)

By Mr. Brewster of Dexter: An Act providing for the regulation and taxation of certain advertising signs.

(500 copies ordered printed)

By Mr. Hale of Portland: An Act for the protection of bird life of the State by the licensing of cats.

(500 copies ordered printed)

By Mr. Littlefield of Kennebunk: An Act to amend Section 2 of Chapter 22 of the revised statutes, relating to the purchase of sewers by towns.

(500 copies ordered printed)

By Mr. Boman of Vinalhaven: An Act to amend Section 72, Chapter 11 of the Revised Statutes relating to sale of real estate for taxes.

(500 copies ordered printed)

By Mr. Hale of Portland: An Act to amend Section 10 of Chapter 118 of the Revised Statutes relating to costs to be taxed for parties and attorneys.

By Mr. Overlock of Washington: An Act to amend Section 32, Chapter 219, Public Laws of 1917, as amended by Chapter 174, Public Laws of 1919 and as amended by Chapter 178, Public Laws of 1921, relating to pollution of waters of the State by sawdust and other mill waste.

By Mr. Martin of Augusta: Resolve for the annual display of the American Flag on Mothers' Day, the second Sunday in May.

Mercantile Affairs and Insurance

By Mr. Drake of Bath: An Act to amend Section 130 of Chapter 53 relating to transactions between insurance companies or agents.

(500 copies ordered printed)

By the same gentleman: An Act to amend Section 124 of Chapter 53 of the Revised Statutes, relating to licensing of insurance agents and brokers.

(500 copies ordered printed)

By the same gentleman: An Act relating to the incontestable clause in life insurance policies.

(500 copies ordered printed)

Military Affairs

By Mr. Bartlett of Waterville: An Act to amend Section 3 of Chapter 158, Public Laws of 1919, relating to use of flag.

Public Utilities

By Mr. Heal of Weston: An Act to

amend Section 30 of Chapter 55 of the Revised Statutes relating to preference or rebate as to rates for service.

(500 copies ordered printed)

Salaries and Fees

By Mr. Archibald of Houlton: An Act to amend Chapter 117, Section 42, and Acts amendatory thereof, in relation to salaries and expenses of county commissioners.

By the same gentleman: An Act to amend Section 41 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of the Public Laws of 1919, as amended by Chapter 219 of the Public Laws of 1921, relating to salary of sheriff of Aroostook county.

By Mr. Drake of Bath: An Act to amend Section 40 of Chapter 117 of the Revised Statutes as amended by Chapter 219 of the Public Laws of 1921, increasing the salary of the clerk of the judicial courts in the county of Sagadahoc.

By Mr. Phillips of Orrington: An Act in relation to employees and office expenses of the department of attorney general.

By Mr. Barwise of Bangor: An Act amending Chapter 222 of the Public Laws of 1919, relating to fee of constables.

By Mr. Drake of Bath: An Act to amend Section 43 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of the Public Laws of 1919 as amended by Chapter 219 of the Public Laws of 1921, increasing the salary of the register of deeds in the county of Sagadahoc.

Sea and Shore Fisheries

By Mr. Hodgkins of Bangor: Remonstrance of Thomas E. Sullivan and 35 other citizens of Bangor against any change of the Sea and Shore Fisheries Commission.

By Mr. Phillips of Orrington: An Act to amend Section 7 of Chapter 293 of the Public Laws of 1917, relating to the director of the Sea and Shore Fisheries.

Taxation

By Mr. Sanders of Portland: An Act to amend Section 9 of Chapter 10 of the Revised States, relative to real estate where taxed.

(500 copies ordered printed)

The SPEAKER: The Chair presents out of order a message from the Executive Department.

STATE OF MAINE
 Officer of the Governor

Augusta, March 7, 1923.

To the Honorable House of Representatives of the 81st Legislature:

A few days ago I returned to you without my approval a resolve in favor of the Commission of Agriculture carrying out the provisions of Chapter 81 of the Public Laws of 1921.

After having conferred with some of the Representatives interested in this measure, I would like to have my veto message returned as the measure is to be amended so as to make it conform to the provisions of our statute. I understand that if this measure is kept upon the table of the House that the members interested will prepare the necessary amendment.

Respectfully,

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

(On motion by Mr. Wing of Auburn, it was voted to table the communication and that it be assigned for further consideration for tomorrow, March 8.)

Passed to Be Engrossed

Senate 31: An Act to amend Section 109 of Chapter 16, Section 23 of Chapter 40, Section 52 of Chapter 82 and Section 82 of Chapter 86 of the revised statutes, relating to Armistice Day, Nov. 11th.

Senate 94: An Act to amend Section 32, Chapter 117, revised statutes, as amended by Chapter 183, Public Laws of 1917 and by Chapter 152, Public Laws of 1921, relating to the Board of State Assessors.

Senate 145: An Act to amend Section 1 of Chapter 82 of the revised statutes, relating to the Supreme Judicial Court.

House 223: An Act to amend Chapter 141 of the private and special laws of 1921, relative to the office of city clerk of the city of Lewiston.

House 224: An Act to amend revised statutes, Chapter 117, Section 45 as amended by Chapter 214 Public Laws 1919, as further amended by Chapter 219 of Public Laws of 1921, restoring the amount for clerk hire in office of Register of Probate in Washington County to same rate as in 1922 and the three years preceding.

(Tabled by Mr. Maher of Augusta pending third reading.)

House 226: An Act to amend Section 33 of Chapter 81 of the revised statutes, relative to notice of sale.

House 227: An Act to amend Chapter 206 of the private and special laws of 1907 entitled "An Act additional to Chapter 174 of the private and special laws of 1903, relating to the West Branch Driving and Reservoir Dam Company."

House 229: An Act to amend Section 45, Chapter 117, revised statutes, as amended in 1917, 1919 and 1921, relating to clerk hire in the office of Clerk of Courts in Waldo County.

House 231: An Act to incorporate the Auburn Water District.

House 242: An Act to amend Sections 1 and 7 of Chapter 182, of the Public Laws of 1919, relative to commitments to the State Reformatory for Men

House 244: An Act to amend Section 39 of Chapter 117, revised statutes, as amended in 1917, 1919 and 1921, relative to salaries of registrars of probate.

(Tabled by Mr. Holmes of Lewiston pending third reading.)

House 245: An Act to amend Section 17 of Chapter 182 of the Public Laws of 1919 relating to competitive bids in construction work for the State Reformatory for Men.

House 249: An Act to authorize the Register of Deeds of the Southern Registry District for the county of Aroostook to certify records.

(Tabled by Mr. Archibald of Houlton pending third reading.)

House 250: An Act to cure defect in the original organization of Madigan Memorial Hospital, a charitable and benevolent corporation, and to validate the doings of said corporation and officers thereof since its organization.

House 253: An Act to amend Section 38 of Chapter 117 of the revised statutes, as amended by Chapters 162, 167, and 292, Public Laws of 1917, Chapter 214, Public Laws of 1919 and Chapter 219, Public Laws of 1921, relating to the compensation of judges of probate in Oxford County

House 254: An Act to amend Section 1 of Chapter 145, revised statutes, relating to hospital trustees.

House 257: An Act to make valid the doings of the Penobscot County Water Company, and to define and confirm its powers.

House 262: An Act to extend the

time limit for exercising the corporate powers of the Great Pond Railway Company.

House 263: An Act entitled "An Act to amend an Act to provide a Charter for the City of Gardiner," as amended by Chapter 126 of the private and special laws of 1917.

Senate 82: Resolve appointing a committee of investigation to procure plans and estimates for a State Library Building.

Senate 156: Resolve in favor of the State School for Boys for maintenance and other purposes.

(Tabled by Mr. Tilden of Hallowell pending second reading.)

House 225: Resolve providing for the purchase of "History of Aroostook."

House 228: Resolve appropriating money to repair Eastport bridge.

House 230: Resolve in aid of navigation on Moosehead Lake.

(Tabled by Mr. Chalmers of Bangor pending its second reading.)

House 243: Resolve providing a State pension for Charles E. Bradford of Carmel.

House 246: Resolve for State pension for Rena Cooley.

House 247: Resolve in favor of Alonzo E. Peabody of Dixmont for State pension.

House 248: Resolve providing for the purchase of "Music and Musicians of Maine."

(Tabled by Mr. Sanders of Portland pending its second reading.)

House 251: Resolve in favor of John A. McDonald, secretary of the committee on insane hospitals, for committee expenses.

House 255: Resolve for State pension for Annie D. McLean.

House 256: Resolve in favor of bridge between Howland and Enfield.

House 258: Resolve in favor of Olive E. Brann of Augusta for State pension.

House 259: Resolve increasing the State pension of Meldon Nealley of Brewer.

House 260: Resolve increasing the State pension of Catherine Nelligan of Brewer.

House 261: Resolve providing for the purchase of "Maine 1783—1815."

(Tabled by Mr. Hale of Portland pending second reading.)

By Mr. Overlock of Washington: An Act to amend paragraph 9 of Section 6, Chapter 10 of the Revised Statutes, as amended by Chapter 105, Public Laws of 1919, and by Chapter 119, Public Laws of 1921, relating to Exemption from Taxation of the Estate of War Veterans.

(500 copies ordered printed.)

Ways and Bridges

By Mr. Winslow of Raymond: Petition of Matthew C. Morrill and 11 other citizens of Gray in favor of road in Raymond and Gray.

By the same gentleman: Petition of G. H. Hall and 11 others of Raymond in favor of same.

By Mr. Gardiner of Gardiner: An Act authorizing the State to take over the control and maintenance of certain Highway Bridges.

(500 copies ordered printed.)

By Mr. Dunbar of Orland: An Act to amend Chapter 319, Public Laws of 1915, as amended by Chapter 304, Public Laws of 1917, and by Chapter 140, 162, and 243, Public Laws of 1919 and by Chapters 50 and 143, Public Laws of 1921, providing for State and County Aid in the construction of Highway Bridges.

(500 copies ordered printed.)

By Mr. Gardiner of Gardiner: An Act concerning the maintenance of bridges.

(500 copies ordered printed.)

Mr. PHILLIPS of Orrington: Mr. Speaker, I would like to ask with reference to these resolves calling for salaries, whether or not those are not Private and Special Laws?

The SPEAKER: The Chair will state for the benefit of the gentleman asking the question, and the members of the House, that these matters were very carefully examined by the committee of reference, and it did not appear to that committee that there was any bill or resolve in there which would come under the head of Private and Special Laws.

Reports of Committees

Mr. Hale from the Committees on Legal Affairs on bill an act to amend Section 98 of Chapter 82 of the Revised Statutes, relating to the Superior Courts, reports that the same be printed and recommitted.

Report read and accepted and sent up for concurrence.

Mr. Martin from the Committee on

Legal Affairs on Bill "An Act additional to Chapter 356 of the Private and Special Laws of 1883 entitled 'An Act to authorize the construction of a Bridge over Tidewaters between Orr's Island and Bailey's Island' as amended by Chapter 91 by the Private and Special Laws of Maine for the year 1921, and to authorize the town of Harpswell to hire money for the construction of said Bridge and to construct the same under the provisions of Chapter 319 of the Public Laws of 1915 and acts additional thereto and amendatory thereof" reported that legislation thereon is inexpedient.

Same gentleman from same Committee reported "ought not to pass" on Bill "An Act to amend Section 47 of Chapter 96 of the Revised Statutes relating to License on Logs, Lumber, Wood and Bark."

Reports read and sent up for concurrence.

Mr. Hale from the Committee on Military Affairs, on bill "An Act to create the National Guard Pay Fund, reports that the same "ought not to pass."

Report was read and accepted.

(On motion by Mr. Maher of Augusta, the House voted to reconsider its action whereby the report of this committee was accepted; and on further motion by the same gentleman, the report was tabled pending acceptance.)

Mr. Morse from the Committee on Military Affairs reported "ought not to pass" on Resolve for the creation of a War Memorial Commission.

Same gentleman from same Committee reported same on Resolve to authorize and instruct the Governor and Council to erect a Statue in memory of the Sons of Maine who served in the World War.

Mr. Atwood from same Committee reported same on Bill "An Act to extend the Time for Filing Applications for the Soldiers' Bonus."

Reports read and accepted and sent up for concurrence.

Mr. Sanders from the Committee on Appropriations and Financial Affairs on Resolve making an appropriation for the Maine Seed Improvement Association reports the same in a new draft under same title, and that it "ought to pass."

Mr. Houghton from the Committee on Appropriations and Financial Affairs on Bill "An Act to promote the Production and Sale of Certified Seed and to protect the branding

thereof; making an appropriation therefor, and repealing Chapter 141, Public Laws of 1917" reported same in a new draft under title of "An Act to promote the Production and Sale of Certified Seed and to Protect the Branding thereof, and Repealing Chapter 141, Public Laws of 1917" together with a Resolve under title of "Resolve, for Carrying out the Provisions of An Act of the Legislature of 1923, relating to the Production and sale of Certified Seed" and that they "Ought to pass."

Mr. Beckett from the Committee on Salaries and Fees on Bill "An Act to amend Section 45 of Chapter 117 of the Revised Statutes as amended by Chapter 219 of the Public Laws of 1921, relating to Clerk Hire in the office of Register of Probate in Kennebec County" reported same in a new draft under title of "An Act to amend Paragraph 7 of Section 45 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of Public Laws of 1919, as further amended by Chapter 219 of the Public Laws of 1921 relating to amount allowed for Clerk Hire in the offices of Register of Deeds and Register of Probate in Kennebec County" and that it "Ought to pass."

Reports read and accepted and the new draft ordered printed under the Joint Rules.

Mr. Siddall from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to amend the Act of Incorporation of the Trustees of Fryeburg Academy, in the town of Fryeburg and county of Oxford."

Mr. Atwood from the Committee on Military Affairs reported same on Bill "An Act to amend Section 3 of Chapter 264 of the Public Laws of 1919 as amended by Chapter 100 of the Public Laws of 1921, relating to Applications for Soldiers' Bonus."

Mr. Ray from the Committee on Public Health reported same on Bill "An Act to amend Section 129 of Chapter 301 of the Public Laws of 1917, relating to Care and Treatment of certain Infectious Diseases."

Same gentleman from same Committee reported same on Resolve in favor of Miss Edith L. Soule.

Reports read and accepted and the Bills and Resolve ordered printed under the Joint Rules.

Mr. Gamage from the Committee on Sea and Shore Fisheries on Bill, "An Act to amend Section 75 of Chapter 45 of the Revised Statutes, relating

to the taking of smelts, reports that the same "ought to pass."

Report read and accepted and the bill ordered printed under the Joint Rules.

First Reading of Printed Bills

House 274: An Act relating to taking of clams in Machiasport.

House 275: An Act relating to Good Templar's Hall in Dexter.

Orders of the Day

On motion by Mr. Chalmers of Bangor it was voted to take from the table report of the committee on Maine publicity on Resolve in favor of State of Maine Building at Eastern States Exposition, tabled by that gentleman Feb. 28, pending acceptance of the report.

Mr. CHALMERS of Bangor: Mr. Speaker, I move the indefinite postponement of this report, and I wish to state at the outset that there is no prejudice against any person or any interest that actuates me in opposing this resolve. I simply do not believe that the State has the money for the erection of any building outside of the State at the present time. Also there is a question in my mind as to the State spending any money for advertising. This resolve seeks for the appropriation of \$25,000, with outside interests subscribing a like amount. Now, in the statement of facts, House Document 214, a part reads as follows: "The agriculturists and the vacationists hired space in the main exhibition hall of the Exposition in 1921 and 1922, for which the expense to the State was approximately \$2,000 (which I presume means annually). With a building of its own this amount will be annual-saved."

But in House Bill 208 we have to all intents and purposes appropriated \$3,500 annually. This does not show that the new building will take care of the \$2,000. Now there is \$3,500 annually that we have already appropriated and the committee on publicity wants to appropriate \$25,000 more and expenses for five members of the committee, and it looks to me as if we would have some money in Massachusetts before we get through.

Now, then, where are the private subscriptions to come from? Perhaps from a large associated interest—probably not from a general subscription. If from a large private interest, and their interest is so great, and

they want a building badly and can afford \$25,000, it would seem to me that the private interest should build the building. I did not object to the passage of the \$3,500 appropriation, as it seemed to me that that would give exhibitors plenty of space. If this Legislature is bound to spend \$25,000, why not spend it with the fairs of our own State?

Some of the members will say that I am not progressive. But there are two ways of progressing: one way to thrift through carefully looking after expenditures; one way to bankruptcy through careless expenditures. I am informed that in one court in an agricultural county of this State there are one hundred cases or more where tax collectors are suing for taxes, and from ordinarily well-to-do people, but owing to the low prices in the past, of farm crops, they are unable to pay. Now do these men want to build a building in Massachusetts? If the farmers grade their products, the industries make products superior to none, the State keep its tax rate down, industries will seek sites, and other states will seek our farm products and products of our industries.

I am on the hospital committee for the insane, and was two years ago, and when I go around through the wards and see the poor unfortunates—some that are raving, some bed-ridden, some cases that will be cured, and perhaps many more that might be cured if it were not for the crowded conditions—when I see all this and realize that we have not the money to build or enlarge buildings—or at least we did not have two years ago—I wonder whether the members of this House are going to appropriate money for out of State buildings.

Mr. DOUGLAS of Lamoine: Mr. Speaker and members of the House, I had no intention of having to speak for this bill. I did not think it possible for anyone to get up on the floor of this House and say that they do not believe in advertising Maine. I did not think it possible that any man would object to our boys and girls of Maine having a chance to exhibit to the outside world what they can do. The bill that was presented here went before the committee, was duly passed, and Mr. Chalmers, and anyone else, had a chance to appear against the bill at that time. We had an extended hearing and not one soul appeared against

it. That bill asks for \$25,000 from the State, conditional upon the fact that a few public-spirited men who believe in advertising Maine, men who believe that we have a state here and not log cabins, men who believe that our boys and girls should have a chance to compete with the rest of the United States, have gone down into their pockets and agreed that they will put up \$25,000 against the State's \$25,000.

The Eastern States Exposition Company have agreed to give the State of Maine a title deed—a warranty deed—of the land on which that building is to stand. The Associated Industries have verbally agreed to take space enough in that building, at a rental sufficient to pay all of the up-keep of the building and in four years' time, to pay back with these rentals,—if the Commission saw fit,—to pay back the entire cost to the State in four years. Now, two years ago I was in the State House several times and I took no interest in this bill, which was up then. But down in my own town I do take an interest in the boys and girls and their clubs, and I was instrumental in getting some of our boys and girls to that exposition last fall. And they came back and sold everything that they had up there, and had orders right up to the last week for canned goods to send as far west as Ohio, last year.

Now if that does not mean something for the agricultural and industrial interests of our State, what does it mean? It means a development that we should look after. It means that an association of 13 other states, with approximately three hundred thousand visitors in the three weeks, will have a chance to see what we have to exhibit in agricultural and industrial products. It is not a fair. You cannot compare it to a fair. It is an exposition. It is a chance to show, not in one day nor in two days but in three weeks, and a chance for everyone to come and see. It induces those people to trade with our State. It also advertises our State.

It has been said that "Douglas had better not get on his feet in favor of this bill as it might hurt his personal bill." I want you gentlemen to understand that I never came here with a personal bill, and a man who comes here with a personal bill had better stay at home. My bill that was referred to is a State bill. It is the State that will profit. I never will

profit a cent by it. It is to advertise our State, and the exposition building will advertise our State. It is an investment, absolutely and purely an investment, for our State to loan, practically loan, this \$25,000.00 to build that building, that our fine young men and young women and our men and women of this State may have a chance to show to the outside world what we are doing within the State. I hope, gentlemen, that you will not allow this bill to be indefinitely postponed, that you will let it go along on its route.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen, there are some other matters that are being considered by different committees of this Legislature as to what would be the best thing to do under certain circumstances. I do not believe that we should indefinitely postpone this bill, but the matter needs to be discussed in the House and I think we had better accept the report of this committee and then later assign it for some day next week when we can act on it more intelligently.

Mr. DOUGLAS: Mr. Speaker and gentlemen, I do not know Mr. Granville's reason for the postponement of this bill but I have faith in the gentleman's judgment, and as he is a State of Maine man I am willing to abide by Mr. Granville's judgment.

Mr. GRANVILLE: Mr. Speaker and gentlemen, I do not want the bill indefinitely postponed. I want the report of the committee accepted, and that gets the matter before us and then if there is any other discussion to be had in view of this and some other things, I think we had better assign it to some day next week.

The SPEAKER: The question is on the motion of the gentleman from Bangor, Mr. Chalmers, that the report of the committee be indefinitely postponed.

A viva voce vote being taken the motion was lost.

The SPEAKER: The question is now on the acceptance of the report of the committee.

On motion by Mr. Douglas of Lamoine it was voted to accept the report and the new draft was ordered printed under the joint rules.

On motion by Mr. Downing of Bangor it was voted to take from the table Senate Document 162, "An Act requiring Excise Tax on Cigarettes,"

tabled by that gentleman on March 6th, pending reference; and on further motion by the same gentleman it was referred to the Committee on Taxation."

Mr. WING of Auburn: Mr. Speaker, I intended to catch the eye of the Speaker with relation to the committee's report on the Maine Publicity Resolve, and to ask that it be assigned for its first reading Thursday next in accordance with the suggestion of Mr. Granville.

The SPEAKER: The gentleman from Auburn, Mr. Wing, will inform the Chair whether he alludes to tomorrow or a week from tomorrow?

Mr. WING: Mr. Speaker, I mean a week from tomorrow.

Mr. ROUNDS of Portland: Mr. Speaker, I think that it is all wrong to get all these big bills together at the last minute. I should like to see this one come along and get by. I am in favor of it and I want to see it get by. I would like to see all these matters discussed properly. I do not like to see them all coming in here together as they probably will be the last week of the session.

Mr. STURGIS of Auburn: Mr. Speaker, I will second Mr. Rounds' motion.

The SPEAKER: The question is on the motion of the gentleman from Auburn, Mr. Wing, on the assignment of the Resolve, and the gentleman moves that the Resolve relating to the Eastern States Exposition building be specially assigned for a week from tomorrow, Thursday, March 15th., for its first reading.

A viva voce vote being taken the motion was lost.

Thereupon, on motion by Mr. Wing of Auburn, the rules were suspended and the Resolve had its first reading.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I do not wish in any way to delay or disturb the action of this Legislature. I am just as anxious as anyone that this matter get along, but there are other matters to be considered with this, and I would like to see this assigned for its second reading for next Tuesday, March 13th.

The SPEAKER: The Chair will state for the benefit of the members that if the Resolve is assigned for next Tuesday it will not be very far behind where it would be if it went through in its regular course.

Thereupon, the Resolve was assigned for its second reading for Tuesday, March 13th.

On motion by Mr. Downing of Bangor it was voted to take from the table An Act relative to taxation on motor vehicles, tabled by that gentleman this morning; and on further motion by the same gentleman it was referred to the committee on judiciary.

Mr. HAMILTON of Caribou: Mr. Speaker, I move that we take from the table House Document Number 191—

The SPEAKER: The gentleman will please wait a moment until the last matter is cleared up.

Mr. HAMILTON: Mr. Speaker, I move that it be passed to be engrossed.

Mr. CHALMERS of Bangor: Mr. Speaker, if I am in order I have an amendment.

The SPEAKER: The gentleman from Bangor, Mr. Chalmers, offers House Amendment A to House Document 191.

House Amendment A

House Amendment A to Bill, An Act relating to State and county aid in the construction of highway bridges. "Amend Section 2, 21st line by adding the word 'unanimous' after word 'the' and by striking out—

The SPEAKER: The Bill and amendment will lie on the table under the motion of the gentleman from Bangor, Mr. Chalmers, pending the adoption of the amendment.

On motion by Mr. Maher of Augusta, it was voted to take from the table House Document No. 121, An Act relating to the regulation of the practice of osteopathy, tabled by that gentleman March 2, pending motion of Mr. Fickett of Naples to recede and concur.

Mr. MAHER: I yield the floor to the gentleman from Parsonsfield, Mr. Granville.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and Gentlemen of the House: This is the great general court of the State where everyone has the right to have an impartial hearing and judgment. We select certain of our members to act in our stead on committees because it is impossible to have all matters heard before the whole of us. As I under-

stand it, a full hearing was had on this matter, and there was a unanimous report of the committee. Now this House had accepted that report and gave that bill its several readings and sent it along to the other branch. I think it has had a part of its readings there, but later some technicalities were discovered in the matter, and it was indefinitely postponed in the Senate. It comes back here, and I think we have before us now a motion to recede and concur with the Senate in the indefinite postponement of this bill.

Now we all think a great deal of our doctors, and there are thousands of people in this State employing osteopaths for relief.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I would ask the gentleman (Mr. Granville), to speak a little louder. We cannot hear what he says over here.

The SPEAKER: The gentleman from Parsonsfield, Mr. Granville, will endeavor to speak so that the members can hear.

Mr. GRANVILLE continuing: I say, if we wish to consider ourselves seriously, or have others so consider us, it does not seem to me that we can carry matter to this extent and then, without further consideration, indefinitely postpone. If there are any technicalities which need to be weeded out in this matter, I think we should insist on our former action, and have a committee of conference appointed to see if we cannot straighten this matter out to the satisfaction of all concerned. Therefore, I hope that this motion will not prevail.

The SPEAKER: The Chair will state that the question is now on the motion of the gentleman from Naples, Mr. Fickett, made the day the bill was tabled, to recede and concur with the Senate in the indefinite postponement of the bill. The members will confine themselves to a discussion of the motion.

Mr. BARWISE of Bangor: Mr. Speaker, this is a matter where we should endeavor to stand by our honest convictions. This matter was very thoroughly aired out before the committee and a unanimous report from the committee was adopted by this House, and then certain members of the medical profession got busy and began to write letters and use such influence on the other end of the Capitol that they flopped. Now if we had any reason for adopting the

committee's report, that reason is just as good now as the morning we adopted it.

The medical profession is entitled to very great respect, but through that profession more than through any other profession in the world there is a very large vein of selfishness. Its entire history has been a history of fighting every new idea that has appeared in the art of healing. We all remember—those of us who are middle-aged—that the homeopaths were not allowed to live 25 years ago, but now the lion and the lamb lie down together and everything is peaceful so far as the homeopaths are concerned. Then another school of medicine comes along, the osteopaths, and they are fighting them with the very same vigor that they used to fight the homeopaths; and pretty soon, I suppose, they will be fighting some other school in the same way. The old line medical profession never takes up a new idea until it is absolutely forced to. They never treat any disease any ten years in succession alike. Every ten years they have an exactly different treatment to what they had the ten years before, and yet they come in here and insist in front of us that they are right all the time. The fact is we got on very well for a good many million years here on the face of the earth without any doctors of any kind. We survived without any doctors, and probably there is no need of half of our cases for doctors of any kind; but if we are going to have any, every school ought to have an equal show. There ought not to be monopoly of the art of healing confined to the allopaths, and, if we are going to have an osteopathic school working in the State of Maine, there is no reason why we should not have a proper board to examine those osteopaths. The argument that they should go before the allopaths and be examined would afford them just about as much chance of getting through an examination as the proverbial snowball would have in the nether world. I think we should stand by our guns in this matter and have a committee of conference appointed and see if we cannot bring the other end of the Capitol to reason.

Mr. ARCHIBALD of Houlton: Mr. Speaker, I have but very little to say in this matter except that I am a member of the committee before whom this matter was heard. Now the mat-

ter under consideration is whether we will recede and concur, or whether we will insist. I understand that is all there is before this House.

The SPEAKER: The motion before the House is whether we shall recede and concur.

Mr. ARCHIBALD, resuming: It is not on the question of the matter that is still on the table in relation to the board of osteopathic examination. It is on the question of the bill enlarging the scope of the practice of osteopathy, and that is all there is to it. Now after that full hearing and examination, with a unanimous committee report coming in here, without any opposition whatever, or a word being said, after it was actually passed to be enacted and went to the Senate, it seems to me in all fairness to anybody interested in the matter in one way or the other, in perfect fairness to all sides, that it would be proper to insist on our position and have a committee of conference to see if there is any possibility of any reasonable adjustment of this matter. It seems to me this is the easiest and most diplomatic way to handle this matter, and I trust the motion will not prevail.

Mr. HAMILTON of Caribou: Mr. Speaker, I am not as able in this matter as my brother from Bangor (Mr. Barwise) to quote the necessary terms that he has quoted; but I feel that the people of the State of Maine ought not leave entirely to a committee of lawyers what they should have done in regard to medicine. I have the greatest respect for lawyers. I feel that we should all of us respect them in every way, but when a matter of this kind is left to lawyers to decide, it seems as though the rest of the representatives here ought to have something to say. I do respect their decisions and I do notice how very zealous they are to have their committee reports accepted, but part of this committee is in the Senate and the Senate has indefinitely postponed this bill. Now they must have some reason for it and it seems to me that the Judiciary Committee ought to give us more reason than they have for the enactment of a law such as this. There are several matters that ought not to have gone out of the committee. But committees can make mistakes. I have never found any committee here that has not been more or less made up of human beings, and I do not know why lawyers should not make

mistakes as well as the rest of them. And I feel that in this particular instance they have made a serious mistake on certain parts of this business which can be remedied by a committee of conference, but certainly this bill as it stands now ought not to go through, and I, for one, feel that the best way to get at it is to follow after the Senate and concur with it.

The SPEAKER: The question is on the motion of—

Mr. FICKETT of Naples: Mr. Speaker and members of the House, Mr. Barwise spoke about the lion and the lamb lying down together. That is true in the case of the homeopaths, and now the osteopaths want to do the same thing, but they want to lie outside and not inside. I think myself that this bill ought to be reconsidered because there was not sufficient evidence laid before the Judiciary at the time for them to take a fair value of the facts. Now this is a matter that strikes into every man's home. If an osteopath has advertised himself for the last ten years as a drugless healer, why should you license all these osteopaths to practice medicine with the most powerful drugs known to men. For instance, in obstetrics, surgery is a very important thing, and in the course of study in an osteopathic school, the surgery of obstetrics is not included. I think that was not brought out in the Judiciary hearing. I was there and I think Dr. Bryant thought that the whole matter was so plain to everybody that he did not make any extended remarks. I remember Mr. Maher asking him a few technical questions and he said that he did not have a legal mind. Well, then he should have brought a legal mind with him and perhaps he might have got a better report out of that committee than he did.

Now I think that we ought to recede and concur with the Senate for the simple reason that we do not want to turn loose on the people of the State of Maine our approval that the osteopathic physician, belonging to a drugless cult, is able to administer chloroform, ether, strychnine, atropin, and all the other powerful poisons that are used in our materia medica.

Mr. MAHER of Augusta: Mr. Speaker and gentlemen, I am very much impressed, as a member of the committee, with the very fair state-

ment of the last speaker. In fact, I am more persuaded by the logic of his remarks than I am by the logic of the preceding attorney who speciously referred to the situation of the lawyers not being qualified to turn loose on the public, doctors. The logical conclusion of that legal gentleman's remarks would be that this body of lawmakers, unless they were particularly conversant with any of the particular matters that are desiring recognition, that they would not be competent to pass laws, and therefore the people would have to go either unprotected or else get what little protection they might out of their own disorderly manner of procedure. But the statement of the Doctor is a logical one and interesting and fair, except that it does not seem to me that his conclusion follows. I wish to be fair about that. Now the committee has not the slightest interest in osteopaths, allopaths or homeopaths or anybody, except to do as near as they can the right thing, and give a square deal. And the gentleman from Naples, Mr. Fickett, says that the committee was not in possession—very fairly—was not in possession of evidence which it should have had in order to have rendered any different report than it did.

Now, gentlemen of the House, that situation being, and the overwhelming mass of evidence being such that there was an unanimous report in favor of this bill, do you not believe that that creates a prima facie case showing that something should be done. Perhaps the committee has not framed the bill in just the way it should be framed. Now there is only one way to reach that, and I am speaking all the time to the motion, there is only one way to conserve and work out the interests of all concerned, if there is need of change in this bill, and that is to preserve the bill itself and either amend it or recommit it for further hearing in which evidence might be brought out, if so desired, or reach that, as I said before, by amendment. But to indefinitely postpone, which would be the result of receding and concurring, would be to create the same situation as burning your house to destroy the rats in case there was need.

Now is it not fair and wise to preserve the structure of that bill if it can be done? And there is but one way in the world in which it can be done, and that would be for this

House to vote against the motion of the honorable gentleman who has so fairly stated the other side of the matter, because if we adopt that motion that kills the bill, and if we vote against his motion the next proper parliamentary stage would be a motion to insist and ask for a committee of conference, which is the orderly procedure. And the Senate would appoint conferees who would represent those who are opposed, that is, those who voted against the measure and in favor of indefinite postponement. And the House would appoint impartial men, and from those conferees, that new committee not made up of any profession that is in the making of law distasteful to the gentleman from Caribou, (Mr. Hamilton), but made up of men who could address themselves to the matter absolutely fairly and impartially, there would have to come one of two things: either an unanimous recommendation in favor of some constructive measure, or that they could not agree, and if they could not agree then the bill would die between the two branches. And if the committee did agree upon some constructive measure then it would come before both branches of the Legislature for fair consideration, making alterations, amendments, changes,—even rejection.

Now is it not the fair thing gentlemen, to vote down the motion of the gentleman from Naples, (Mr. Fickett) simply in the interest of fair play, not holding alive any glamour of Judiciary or any other committee, but just in the interest of the rather large, respectable and dignified representation of those who favor this law and who are not, according to the gentleman from Naples (Mr. Fickett), adequately, I do not say unintelligently, but who are not adequately represented in the opposition? Is it not proper to vote it down and then proceed in an orderly way by orderly stages? I trust that the motion of the gentleman from Naples, (Mr. Fickett) will either be withdrawn or that we will vote it down.

Mr. FICKETT: Mr. Speaker, I think what Mr. Maher has said is very fair, and I would ask that that procedure be instituted.

The SPEAKER: Does the Chair understand that the gentleman from Naples, Mr. Fickett, wishes the House to allow him the privilege of withdrawing his motion?

Mr. FICKETT: Yes, Mr. Speaker.

Thereupon the House voted to accord Mr. Fickett the privilege of withdrawing his motion to recede and concur with the Senate in the indefinite postponement of the bill.

The SPEAKER: The motion of Mr. Fickett of Naples to recede and concur with the Senate having been withdrawn the question is now on the motion of the gentleman from Fairfield, Mr. Weeks, made March second that the House insist on its former action and that a committee of conference be appointed. The motion is debatable.

Mr. BARWISE of Bangor: Mr. Speaker, I second the motion.

A viva voce vote being taken on the motion that the House insist on its former action and that a committee of conference be appointed, the motion prevailed, and the Chair appointed as such conferees Messrs. Weeks of Fairfield, Barwise of Bangor and Bartlett of Waterville.

On motion by Mr. Jordan of Cape Elizabeth, it was voted to take from the table House Document No. 162, An Act relating to Portland Water District, tabled by that gentleman Feb. 27, pending passage to be engrossed; and that gentleman offered House Amendment A as follows:

House Amendment A.

Section 4 is hereby amended by striking out all of said section after the word "District" in the third line.

On motion by Mr. Jordan of Cape Elizabeth, the bill and amendment were tabled pending further consideration, and 500 copies of the amendment ordered printed.

On motion by Mr. Archibald of Houlton it was voted to take from the table Senate Document No. 142, An Act relating to printing and binding of reports of certain State departments.

Mr. ARCHIBALD: I offer, Mr. Speaker, House Amendment A to that bill, and I would say that I am informed by those who are interested in it that the amendment is for the purpose of making the law conform to Federal requirements.

The SPEAKER: Does the gentleman understand there is no objection to the amendment?

Mr. ARCHIBALD: I understand there is no objection.

House Amendment A to bill, An Act to amend Chapter 3, Section 31 of the revised statutes, relative to

printing and binding of reports of certain State departments.

Amend said bill by striking out in lines 14 and 15 the following words: "the University of Maine; the Maine agricultural experiment station."

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

The SPEAKER: The next matter which the Chair will present is House Document No. 174, An Act relating to Caribou Municipal Court, and recognizes the gentleman from Augusta, Mr. Maher. The gentleman not now being in the room, the matter will be tabled temporarily.

Mr. HAMILTON of Caribou: Mr. Speaker, I think, if it is in order, I will move that we take that from the table. I do not think there is any intention of delaying it any longer by Mr. Maher. If it is in order I make that motion now.

The SPEAKER: The Chair will state that the bill automatically comes from the table under the order passed by us two weeks ago on each Wednesday. Matters tabled the week before are automatically released from the table.

Thereupon, on motion by Mr. Hamilton of Caribou House Document No. 174, An Act relating to the Caribou Municipal Court, was passed to be engrossed.

On motion by Mr. Rounds of Portland it was voted to take from the table House Document No. 131, An Act relating to the State Department of Health, tabled by that gentleman Feb. 28, pending third reading; and on further motion by the same gentleman the bill had its third reading and was passed to be engrossed.

On motion by Mr. Rounds of Portland it was voted to take from the table Senate Document No. 155, An Act making it unlawful to have intoxicating liquors in possession in public places.

Mr. ROUNDS: Mr. Speaker, I yield to the gentleman from Parsonsfield, Mr. Granville.

On motion by Mr. Granville of Parsonsfield, the bill was again tabled.

The Chair presents Bill, An Act directing the State Board of Veterinary Examiners to issue a certificate

to Joseph R. Waller, tabled by the gentleman from Fairfield, Mr. Weeks, March 2, pending first reading.

Mr. BECKETT of Calais: I move that the Bill now have its first and second reading.

Mr. ROUNDS of Portland: Mr. Speaker, on account of the fact that

Mr. Weeks is not in his seat, I move that it be re-tabled.

The motion prevailed.

On motion by Mr. Whitney of Corinth,

Adjourned until 10 o'clock tomorrow morning.