

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, April 4, 1923

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

Prayer by the Rev. Mr. Tetley of Madison.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on resolve in favor of clerks, stenographers and messengers of the several committees of the 81st Legislature, and that it ought to pass.

In the Senate, report read and accepted and the new draft passed to be engrossed.

In the House, report read and accepted in concurrence, and the resolve read twice under suspension of the rules, and passed to be engrossed in concurrence.

From the Senate: Report of the committee on legal affairs on bill An Act to amend Chapter 84 of the Private and Special Laws of 1919, as amended by Chapter 123 of the Private and Special Laws of the special session of 1919, entitled "An Act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce," reporting same in a new draft under title of An Act to amend Chapter 84 of the Private and Special Laws of 1919, entitled "An Act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce," and that it ought to pass.

In the Senate, report read and accepted and the new draft passed to be engrossed.

In the House, report read and accepted in concurrence, the rules were suspended and the bill had its three several readings, and was passed to be engrossed in concurrence.

From the Senate: Bill, An Act making it unlawful for any person to have intoxicating liquors in his possession in any public place.

This was indefinitely postponed in the House April 3rd in non-concurrence.

In the Senate, that body insisted on

its former action whereby this bill was passed to be engrossed and asked for a committee of conference with the following conferees appointed on its part: Senators Hinkley of Cumberland, Stevens of York and Clark of Lincoln.

In the House, that body voted to join in the committee of conference, on motion by Mr. Sturgis of Auburn.

Thereupon the Chair appointed as such conferees on the part of the House, Messrs. Rounds of Portland, Winn of Lisbon and Gagne of Lewiston.

The SPEAKER: We will now recess, and you will respond at the sound of the gavel.

After Recess

The SPEAKER: With the permission of the House, we will under orders of the day pass over those things that are tabled and today assigned, for the reason that the gentleman from Parsonsfield, Mr. Granville, who has several matters on the table today assigned, is now in conference, and cannot be here for a few moments. We will therefore take up matters tabled and unassigned, but first, however, taking up bills on their passage to be enacted.

Passed to be Enacted

(Emergency Measure)

An Act to withdraw from "The Contingent Fund" the sum of \$500,000, and to transfer the same sum to the fund for construction of State-aid highways, and to amend Section 87 of Chapter 2 of the Revised Statutes as amended by Chapter 96 of the Public Laws of 1921.

The SPEAKER: This being an emergency measure, and requiring under the Constitution the affirmative vote of two-thirds the entire membership of this House on its passage to be enacted, all those who are in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and twenty-six voted, and all in the affirmative, so the bill was passed to be enacted.

(Emergency Measure)

An Act to define and fix the order of preference in which State-aid highway construction funds shall be apportioned to towns under existing law.

The SPEAKER: This being an

emergency measure, and requiring under the Constitution the affirmative vote of two-thirds the entire membership of this House on its passage to be enacted, all those who are in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and nineteen voted, and all in the affirmative, so the bill was passed to be enacted.

Passed to be Enacted

An Act to amend Section 1 of Chapter 350 of the Public Laws of 1915, relative to hours of labor of minors.

An Act to amend Section 40 of Chapter 117 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1921, relating to the salary of the Clerk of courts of Franklin county.

An Act to amend Chapter 197 of the Public Laws of 1917, as amended by Chapter 172 of the Public Laws of 1919, as amended by Chapter 162 of the Public Laws of 1921, and to amend Chapter 19 of the Revised Statutes, as amended, relating to the State department of health.

An Act to amend Chapter 319 of the Public Laws of 1915, as amended by Chapter 304 of the Public Laws of 1917, and by Chapters 140, 162 and 243 of the Public Laws of 1919, and by Chapters 50 and 143 of the Public Laws of 1921, providing for State and county aid in the construction of highway bridges.

An Act to make uniform the law of sales of goods.

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.

An Act to amend Section 43 of Chapter 19 of the Revised Statutes, relating to local health officers.

An Act to amend Chapter 132 of the Public Laws of 1919, as amended by Chapter 203 of the Public Laws of 1921, entitled "An Act to create the Maine Water Power Commission."

An Act to amend Section 11 of Chapter 18 of the Revised Statutes, relating to fees charged by the board of registration of medicine.

An Act to enable the towns of Turner and Leeds in the county of Androscoggin, or the county of Andro-

scoggin, to make free the North Turner toll bridge.

An Act to abolish the title of land agent.

An Act to provide for investigation and survey of bridges.

An Act to amend Section 37 of Chapter 117 of the Revised Statutes, as amended, relating to the salary of county attorney of Somerset county.

Finally Passed

Resolve appropriating money to increase the salmon on the Maine coast.

Orders of the Day

The SPEAKER: We will first take up Senate Document 288, tabled and unassigned, out of order, being An Act relating to the sale of intoxicating liquor, tabled by the gentleman from Houlton, Mr. Archibald, April 3, pending its passage to be enacted; and the Chair recognizes the gentleman from Houlton, Mr. Archibald.

Mr. ARCHIBALD: Mr. Speaker, I now offer House Amendment A and wish to explain it so that there will be no misapprehension about it. From those who are directly interested in this bill I find that there is no objection to this amendment. The temperance committee, as I am informed, refused to report in favorably on a bill in relation to a buyer of intoxicating liquors being responsible, and this amendment only applies to four or five words on page three, Senate Document 288, and strikes out the words "seller or buyer" in lines 19 and 20. If the principal shall not be held guilty for anything in relation to the purchase of intoxicating liquors, I can see no valid reason why his agent should be, and I offer this amendment for that purpose. I understand that it is agreeable to the proponents of the bill with whom I have consulted.

On motion by Mr. Archibald of Houlton, the House voted to reconsider its action whereby Senate Document 288, An Act relating to the sale of intoxicating liquor, was passed to be engrossed.

Thereupon the same gentleman offered House amendment A and moved its adoption as follows:

House Amendment A to Senate Bill 288

Senate bill 288 is hereby amended by striking out the words "either for the seller or buyer" in lines nineteen and twenty on Page three of said bill.

The question being on the adopt-

ion of the amendment, the House voted to adopt it, and the bill as amended by House Amendment A was passed to be engrossed.

The SPEAKER: The next matter that we will take up is Senate Document No. 312, an act to provide for the supervision over public highways by automobiles, jitney busses and auto stages by the Public Utilities Commission, tabled by the gentleman from Caribou, Mr. Hamilton, April 3, pending passage to be enacted; and the Chair recognizes the gentleman from Caribou, Mr. Hamilton.

On motion by Mr. Hamilton of Caribou, the House voted to reconsider its action whereby this bill was passed to be engrossed.

Thereupon, the same gentleman offered House Amendment A as follows:

House Amendment A to Senate Bill 312

Amend Senate bill No. 312 by striking out the words "either" and "or property" in line four of Section one on Page two of said bill, and by striking out the words "or motor truck" and "either of" in line two of Section six on Page two of said bill, and by striking out the words "either" and "or property" in line four of Section one on Page three of said bill, and by striking out the words "or motor truck" and "either of" in line two of Section six on Page four of said bill, and by adding after the word "state" in line six of Section one on Page two of said bill, and after the word "state" in line six of section one on Page three of said bill the following words "The words 'regular routes' as used in this act mean those routes over which any person, firm or corporation is usually or ordinarily operating any motor vehicle, even though there may be departures from said routes, whether such departure be periodic or irregular. Whether or not any motor vehicle is being operated over regular routes within the meaning of this act shall be a question of fact, and the finding of the Public Utilities Commission thereupon shall be final and shall not be subject to review, except that questions of law may be raised in the manner provided in Sections fifty-five and fifty-six of Chapter fifty-five of the Revised Statutes," so that chapter one hundred and eighty-four of the Public Laws of nineteen hundred and twenty-one, as amended, shall read as follows:

Mr. JORDAN of Cape Elizabeth: Mr. Speaker, as that amendment is quite lengthy I would like to have it tabled.

The SPEAKER: Does the gentleman from Cape Elizabeth, Mr. Jordan, desire the gentleman from Caribou, Mr. Hamilton, to explain the amendment?

Mr. JORDAN: Yes, sir.

The SPEAKER: Will the gentleman from Caribou (Mr. Hamilton) withdraw his motion temporarily?

Mr. HAMILTON: I yield the floor to the gentleman from Portland, Mr. Nichols.

Mr. NICHOLS of Portland: Mr. Speaker, I was temporarily absent drawing an amendment to this bill, so I did not hear the whole of the motion of the gentleman from Caribou, Mr. Hamilton.

The SPEAKER: Senate Document No. 312 on your calendar is before the House. The gentleman from Caribou, Mr. Hamilton, moved the reconsideration of the vote whereby it was passed to be engrossed; that motion being carried, the gentleman then offered House Amendment A. The Chair has asked the gentleman from Caribou (Mr. Hamilton) to explain the amendment and that gentleman yields the floor to the gentleman from Portland, Mr. Nichols.

Mr. NICHOLS: I am unable to explain the amendment, Mr. Speaker.

Thereupon, on motion by Mr. Jordan of Cape Elizabeth, the bill was temporarily tabled.

The SPEAKER: The next matter is Senate Document No. 130, an act relating to Teachers' Pensions, tabled by the gentleman from Augusta, Mr. Martin, April 3, pending passage to be enacted. The Chair recognizes the gentleman from Augusta, Mr. Martin.

Mr. MARTIN of Augusta: Mr. Speaker, the several parties interested in this matter have not presented any amendment to me, and I move that the bill be passed to be enacted.

The motion prevailed, and the bill was passed to be enacted.

The SPEAKER: The next matter is House Amendment A to Bill, an act establishing a teachers' retirement system, it being Senate Document No. 268, tabled by the gentleman from Caribou, Mr. Hamilton, yesterday, April 3rd, the pending question be-

ing the adoption of House Amendment A. The Chair recognizes the gentleman from Caribou, Mr. Hamilton.

Mr. HAMILTON: Mr. Speaker, I yield to the gentleman from Portland, Mr. Hale.

The SPEAKER: The gentleman from Portland, Mr. Hale, has the floor.

Mr. HALE: Mr. Speaker, I wish that the gentleman from Caribou, Mr. Hamilton, were not in such a yielding frame of mind. Those interested in this matter have prepared House Amendment A and also House Amendment B, which I wish to offer this morning.

The SPEAKER: The pending question is on the adoption of House Amendment A, which must be disposed of before any other Amendment is considered.

Mr. HALE: All I can say, Mr. Speaker, in regard to House Amendment A is that it strikes out—

The SPEAKER: Does the gentleman from Portland, Mr. Hale, desire to have the clerk read House Amendment A?

Mr. HALE: If you please, Mr. Speaker.

The SPEAKER: The Clerk will read House Amendment A to Senate Document No. 268, the pending question being its adoption.

(House Amendment A to Senate Document No. 268 was then read by the clerk in part).

Mr. HALE: Mr. Speaker, I think it is unnecessary to have the whole of the Amendment read. I think there are no objections to any of these Amendments to the statute. The objections to the statute can all be raised on the passage of the statute, as amended, to be enacted. In other words, the opposition to this bill is not on the Amendment but on the bill. My suggestion would be that the House adopt the Amendment and then act on the bill. I move the adoption of House Amendment A.

The motion prevailed and the Amendment was declared adopted.

The SPEAKER: Does the gentleman from Portland, Mr. Hale, offer another Amendment?

Mr. HALE: I now offer House Amendment B to Senate Document No. 268, and move its adoption.

The SPEAKER: The Clerk will read House Amendment B.

House Amendment B to Senate Document No. 268 under Section 2, paragraph 1, line 2, strike out the word "day" and substitute therefor the word "public".

Under Section 3, paragraph 2, line 2 insert after the word "town" the words "under Section 84 of Chapter 16 of the Revised Statutes". In the same line strike out the word "or" and substitute therefor the word "and".

Section 5, line 4 strike out the word "five" and substitute therefor the word "seven". And in line six of the same Section after the words "attorney general" insert the words "the bank commissioner and the insurance commissioner", and in line eleven of the same Section insert after the words "attorney general" the words "bank commissioner and insurance commissioner".

In Section 5, paragraph 4, line 3 insert after the word "expense", the words "of travel".

In Section 6, insert at the close of the Section the words "The reasonable and necessary expense of such clerical assistance shall be met out of the regular appropriation for the State Superintendent of Schools".

In Section 7, lines 12 and 13 strike out the words "under competent actuarial advice" and add at the end of said Section the following sentence "All action taken by the retirement board under the provisions of this Section shall be upon competent actuarial advice".

Strike out all of Section 8, paragraph 1 and insert in lieu thereof the following: "Each member of the retirement association shall pay into the annuity fund under regulations to be prescribed by the retirement board 5 per cent. of such member's salary provided, however, that no member shall in any one year pay into said fund less than \$20 nor more than \$100.

In Section 12, line 12 insert before the word "annum" the word "per".

Strike out all of Section 13.

On page 9 strike out the words "Sect. 14" and insert in lieu thereof the words "Sect. 13".

On page 10 strike out the words "Sect. 15" and insert in lieu thereof the words "Sect. 14".

On page 11 strike out the words

"Sect. 16" and insert in lieu thereof the words "Sect. 15".

Strike out the words "Sect. 17" and insert in lieu thereof the words "Sect. 16".

On page 12, strike out the words "Sect. 18" and insert in lieu thereof the words "Sect. 17".

In Section 17, paragraph 3, line 2 strike out the words "attorney general" and insert in lieu thereof the words "insurance commissioner".

Strike out all of Section 19 and insert in lieu thereof the following:

"Section 18. Accrued Liabilities Fund. All moneys paid into the retirement board under paragraph 1 of Section 8 hereof and all sums deducted from the State school fund under the provisions of paragraph 3 of Section 8 hereof not otherwise expended shall be set aside and administered as a reserve fund wherewith to meet accrued liabilities for retiring and disability allowances as hereinbefore provided. Said fund shall be in all respects subject to the provisions of this Act and to the rules and regulations of the retirement board hereby authorized in respect to custody, investment, audit and disbursement".

Page 13 strike out the words "Sect. 20" and insert in lieu thereof the words "Sect. 19".

Page 14 strike out the words "Sect. 21" and insert in lieu thereof the words "Sect. 20. Accounts".

Strike out the words "Sect. 22" and insert in lieu thereof the words "Sect. 21."

Strike out all of Section 23 and insert in lieu thereof the following:

"Sect. 22. Time of Taking Effect. Any teacher now in service may elect between the provisions of this Act and the provisions of Sections 169-177 inclusive of Chapter 16 of the Revised Statutes but shall not in any case be eligible to benefits under both such Acts. No teacher entering into service after July 1, 1924 shall be eligible to any benefits under said Sections 169-177 but shall be eligible to the benefits of this Act only."

The SPEAKER: The pending question is on the adoption of House Amendment B on the motion of the gentleman from Portland, Mr. Hale.

Mr. STURGIS of Auburn: Mr. Speaker, I hardly believe that we can vote intelligently on that bill as

amended, as the amendment is rather long, and I move its indefinite postponement.

The SPEAKER: Does the gentleman from Auburn, Mr. Sturgis, wish to move the indefinite postponement of the amendment or of the amendment and the bill?

Mr. STURGIS: The indefinite postponement of the bill and the amendment, Mr. Speaker.

The SPEAKER: The gentleman from Auburn, Mr. Sturgis, moves the indefinite postponement of the bill and the amendment.

Mr. BARWISE of Bangor: Mr. Speaker, I think that with a little attention, we can make this House Amendment B. intelligible; intelligible to intelligent people. (Laughter) There is no very definite change in this bill, except to make some matters clearer than they were in the old bill. I think there is nothing in this amendment that would not have been taken care of under the rules which the Retirement Board was authorized to make under the original bill, but in order to make them perfectly clear and to take away some of the objections that we have heard in the corridors, we have agreed with Mr. Hale—in fact I may say that Mr. Hale dictated this measure—and it is perfectly agreeable to him and to those who have been opposing it along those lines.

The first change is simply to make it clear that it is a public school. In the original bill it said "day school." That change has been made so that there may be no question that it is a public school.

The next change is that after the word "town" in section 3, paragraph 2, line 2, insert the section and chapter of the Revised Statutes that make it clear that it is a free high school. Then in the same section to change the word "or" for the word "and," simply to make that agree with the Revised Statutes.

Now in Section 5, we change the word "five" in line 4, to "seven." There was some feeling that in a matter of this kind the Insurance Commissioner and the Bank Commissioner, would be good members of the board, from their training and experience, and that meets with no objection from anybody. We have merely increased the board from five to seven by adding to it the Insurance Commissioner and the Bank Commis-

sioner. And those next several changes are merely to insert the words "the bank commissioner and the insurance commissioner" after the words "attorney general."

In Section 5 paragraph 4, after the word "expenses" we have put in the words "of travel," so that it may not be any unreasonable expense but merely the expenses of travel which those members who are not holding public office would be under no expense for travel. Of course all those people now holding public office, such as the Attorney General, the Insurance Commissioner, and the Bank Commissioner, are right here in Augusta now and will be right here when the meetings of this board are held. The travel and expense only applies to the two lay members or teaching members of the Retirement Board.

Under Section 6, although it probably was taken care of very well in the old bill, we said that the expense of the clerical assistance—probably one girl would be all that would be necessary—was to be met out of the regular appropriation for the State Superintendent of Schools.

In Section 7, in order to make it a little more clear. The words "under competent actuarial advice" which appear near the first of the paragraph, we put at the end, so that it shall read, "All action taken by the retirement board under the provisions of this section shall be upon competent actuarial advice." That merely clears up a possible ambiguity.

Then, "Strike out all of Section 8, Paragraph 1, and insert in lieu thereof the following." The previous bill said not less than five per cent. We have made it definitely a straight five per cent of the salaries of those who wish to go into it, with the provision that it shall not be less than \$20 nor more than \$100. This bill does not apply to teachers having a salary of \$2,000. It would be of no advantage to them because they could not deposit more than \$100 in any one year.

The next is simply that the word "per" was left out before the word "annum" and to make it clear that it was per year that word "per" has been inserted.

In all of the next five or six sections we have simply changed the numbers of the sections.

Then under Section 17, the written report which must be filed under the old bill with the Attorney General, is to be filed now under this new bill with the Insurance Commissioner.

Then in order to make the section under "Approved Liabilities Fund" (Section 18) a little clearer, we have reported so that all moneys paid into the Retirement Board under Section 8, and all sums deducted from the state school fund under the provisions of Paragraph 3 of Section 8, shall remain as an accrued liabilities fund, said fund to be under the provisions of this Act.

The next three are simply changing the numbers of the sections.

Section 23 is struck out entirely in order to make it more clear. It was probably sufficiently clear before, but we have made it clear that any teacher now in the service may elect between the provisions of this Act and the provisions of Sections 169 to 177 inclusive under Chapter 16 of the Revised Statutes.

Any teacher now in the service may elect whether she will stay under the old pension law or whether she will go in under the new law, but no teacher beginning to teach for the first time after July 6th, 1924, shall come in under the old law. That is, that under this bill the teachers teaching now and the teachers who start to teach up to July 1st, 1924, will continue along, if they choose to, under the old bill, and continue along for thirty years, if they teach that long, but new teachers beginning to teach after July 1st, 1924, come in under the new provision. That is, there is no double pension.

As I said the other day, the main proposition here is whether or not we shall adopt a pension system, to replace our present system, which will, and has in other states, worked out for the better interests of the teachers with less expense to the state than the old pension system. Of course, it is elemental. Perhaps I ought not even mention it, but if the state puts in half of the money and the teacher puts in half, manifestly it will cost the state less than if the state put in the whole amount. That is what this bill means. As the teachers are gradually reduced in number under the old bill—and they are reduced in number very rapidly—out of 1400 new teachers only 26 of them are teaching at the end of thirty years,

only 26 at the end of thirty years under the 1400 new ones that come in each new year. If we may judge by the experiences of other states—that is a little over two per cent—we should expect about two per cent of the teachers to avail themselves, under this new Act, and last through the thirty years. We could not expect over that because it would work out about the same for the Maine teachers as it has for the teachers of New Hampshire, New York, and other states, where they have had this Act.

Now there is a great demand on the part of the teachers for this bill. There is a very stubborn resistance against this bill on the part of a few selfish people, perfectly, absolutely, clearly, selfish resistance, by life insurance people afraid they will lose four cents worth of business with these teachers. I have no hesitation as to where I stand between the insurance interests and the educational interests. Of all the people in the state of Maine there is no class that compares, in labor for the state, or in benefit to civilization, with the school teacher. All of the lawyers, all of the doctors, all of the ministers, in the state of Maine are as nothing compared to the humble school teacher in the little red schoolhouse.

Now these teachers have been heard from. I have been getting letters by the dozens. I have not looked into my grip lately, but it is half full of letters and telegrams. I have some here which came in this morning. With your kind indulgence I will read a few:

"Bangor, Me. April 3, 1923. The one hundred and sixty four teachers and members of the Bangor teachers club are solidly behind the two teacher pension bills and feel that the failure of these bills would be a severe blow to the educational policy of the state."

Another: "The sixty teachers of Bangor High School believe that the two teacher pension bills before the Legislature are just and equitable. Interested in their passage. We ask for these bills, the support of the Bangor delegation and all members of the Legislature who believe in the work of the future of Maine."

C. W. Proctor, Principal Bangor High School."

Those outside of Maine are interested in this bill. The greatest

educator before Doctor Thomas that we ever had in the State of Maine was the Honorable Payson Smith. Here is a telegram from him: "Boston, April 3rd. Original Maine Teachers Pension Act has proven of great benefit to teachers and public education throughout the state. Believe its extension as proposed would increase benefits and establish greater sense of economic security for Maine teachers. In a letter to State Superintendent Thomas have stated favorable results of similar legislation. Payson Smith."

Here is one from Winterport: "Teachers of school union number 78 unanimously favor immediate passage of teachers pension bill and retirement act now pending and request your support in its favor."

Richard J. Morage, Superintendent of Schools."

Another one: "Teachers of Columbia College Club are solidly and heartily behind both teachers bills."

Augusta P. Kirstein, Secretary Columbia College Club."

As you know, gentlemen, those of you who attended the hearing, it was a very large hearing in this House. All of the teachers associations from the big cities—Portland, Augusta, Bangor, Lewiston, Waterville—and many of the small towns, as well as the State Teachers Association and several county associations, were represented. All had a committee, appointed at their last meeting, here to finally represent them. We were told—and I have no reason to doubt it—that the organizations which represent six thousand teachers in the state of Maine are solidly behind this bill. There is nothing visionary about this bill. We are not on any wild-goose chase. We are not chasing a will-o'-the-wisp, nor falling into the paths of experience. We are treading the same paths that other states have trod, and successfully trod. We are not embarking upon any adventure into some unknown, uncharted sea. We are following the guideboard of experience, which is the only safe guideboard that we have in this world to follow.

I hope that the motion of the gentleman from Auburn (Mr. Sturgis) will not prevail and that we shall put Maine in line with the other progressive states in educational matters.

Mr. PALMER of Island Falls: Mr.

Speaker and members of the House: Before I say anything on this bill or amendment I would like to clear away some of the minor matters. The proponents of this bill have claimed that there are six thousand teachers clamoring for its enactment. In the next breath they mention that there are only six or seven hundred to come into it and they tell you that only a few will come in. Now, if there are six thousand clamoring, why are there not more than six or seven hundred to come in?

Under the provisions of this Act, with \$35,000 raised you can have only about seven hundred members. That will do, I think, for that.

Now, as to the bill itself. Under Section 5, page 3, is the Retirement Board. This was to consist of three members; the superintendent of public schools, the State treasurer, and the attorney general, and as you can see, it would not be an impartial board. We realize that Doctor Thomas has the welfare of these school teachers at heart and those of us who have heard Doctor Thomas speak in the last five years, know that he is looking out for them. It might well be said that "as a father pitieth his children", so Doctor Thomas pitieth his school teachers and you cannot expect an impartial decision from him. Then there are two other members of the Retirement Session connected with him in regard to any money that might be placed at their disposal, and I understand the amendment that has been offered is to put in two more, so I will not say anything more on that. I expect the Amendment would be all right.

Now as to the money to pay this retirement annuity. Under Section 3, page 6, it says that the superintendent of schools shall, before he shall distribute the State school fund in December—mind you, that is before any other bills are paid or any other things taken care of—this teachers' retirement fund shall be paid first—"he shall deduct the amount necessary to equal the contributions of members as certified by the retirement board", and "such amount together with the amounts paid in by members shall be invested as provided in this act". That is, every teacher that pays in \$100 or \$50 or \$20, just the same amount will be taken from the State school fund to match it, so we are sure that for every teacher that is let in, the State puts in an

equal amount. Now, what are they going to do with this money? It is to be invested. It is not available, or will not be available. There might not be any call for it, hardly, before thirty years, and even with only 700 teachers coming in, and taking the whole \$35,000, if you do not give them any more money—say that they allow 6,000 to come in—even \$35,000 put in by the State and \$35,000 put in by the teachers, will amount in thirty years, as Doctor Thomas admitted, to over \$3,000,000. Now, if you are going to take enough of the State's money to allow all the six thousand teachers in, you will have \$18,000,000 in this fund at the end of thirty years. So you cannot see where it will end.

There is another feature of this bill that is bad. It says in Section 14 on page 9, it says that in the case of death or disability of one who shall have served six years, they shall receive their proportional part. That is, if they paid in for six years or more—it might be 29 years—that they will draw out not only their part of their annuity, which is practically the full part of their annuity if they served the whole 29 years, but under this Section of the Act they are entitled to receive—it is not limited to the full amount of the annuity at \$100 put in, which would be \$843—mind you, they have not put that in—but they have limited it to half of the salary. Now, if the salary of the superintendent of schools is \$4,000 and he is taken sick after paying 25 or 26 years, he is not only eligible to receive his annuity but he is also eligible under the decision of this Retirement Board, to take, he is allowed to take from this disability fund, a sum equal to half of his salary every year, and his salary might be \$5,000 or it might be \$6,000 and he could take \$3,000. Perhaps he would not do it but he would be allowed to do it.

Now, every teacher who pays into this fund, even one year's or two years' or six years' assessments, if she leaves off teaching school and wants to withdraw her funds, she is at perfect liberty to do so, which, of course, is a good provision, a wise provision, but why should not the proponents of this bill give the State the same liberty to withdraw their money that they have put in against that teacher's money. Mind you, they have not done that, and the average turnover for the

teachers of this State is every five years, according to their own estimate. And as the gentleman from Bangor, Mr. Barwise, told you, only 26 out of 1400 stay the full thirty years. Now, if there is only one teacher out of six that comes into this fund, that stays thirty years, what are they going to do with this immense fund that has accumulated there? There is no way to get that money back. There is no provision for the State to get one single cent. They have no more right to touch a cent of that money than they have to touch your bank account. There is no provision where the State can withdraw any of their money after they have put it in to match with the teachers' money.

Now I say that is a vicious feature of the bill, for the Retirement Board to have at the end of thirty years enough to pay those retirement pensions and no one to pay them to. No wonder they have put in this disability clause that allows them to pay the teacher half of his salary. They must have something to do with their money, and so that clause is put in. I think that is enough for that.

I will not discuss any of the proposed Amendments because I do not think you want this bill at all. If this bill is so full of holes that they have to amend it and amend it and amend it, it must have more holes than a strainer and they had better have a couple of years more to draft a new one.

Now let us see who has the benefits from this bill. It is the teachers of the State. And who pays the bills? The taxpayers of the State. Let me draw your attention for a few minutes to the conditions of some of the taxpayers from whom this money comes and the conditions of the teachers who receive the money. We will take the ladies first, the women school teachers, and I might cite you to the fact that in my town we have a manufacturing business there of clothes pins. The girls and women go into that mill and they handle little wooden blocks. It is not hard work, arduous work, but is it tiresome. They stand there putting those little blocks into a machine that calls for two every second—120 a minute—and they have got to pick out that block and look at it and pick out the bad ones—which average ten per cent.—and if they almost look away, that machine is clamping, clamping, 120

times a minute. Now, is there any comparison between those girls' work and the teachers' work in a school-room with plants in the windows—maybe the children are tiresome and mischievous, but there is no comparison as to the work. And now as to the hours of labor. The girl in the mill there works ten hours a day for five days in the week and four hours on Saturday to comply with the law. The school teacher works six hours a day, five days in the week. Is it any comparison for hours? Now, let us see another thing. Most of the girls in the mill live a long ways from home and have to take their dinner. I have seen them going down by my place at six-thirty on a winter morning, wading in the snow, with a dinner box under their arm, and at noon they have got to sit down and eat a cold dinner. Now, compare that with a school teacher who goes home, a short distance from the school, and sits down to the table with silver and linen and pleasant companions. Is there any comparison there? That is enough for the girls.

Now, let us take the men. The men of the town—we will take the trackmen who fix the railroad tracks. They work eight hours a day. They go out winter and summer and walk the track three miles east and west or north and south, and they get the magnificent sum of \$3.20 a day. The girls in the mill get \$10 a week with an additional bonus of 25c a day if they work a full week. If they do not work a full week they do not get their bonus. Now, let us take the lumbermen in the woods. They worked early this fall for \$39 a month and their board—\$1.50 a day. Then take our mill-men. They work ten hours a day and the average daily wage in the mill is less than \$3.00. If you take the conditions of the lumbermen and compare their condition with the condition of the men school teachers, you would want to change everything in the bill.

Think of the girls. Take a young girl, maybe from the same class in high school, a graduate who is unable to go to normal school and who has to go to work. Would you take a cent of her money to give it to some more fortunate sister who has been able to go to normal school and can get higher wages?

There is an old lady—we call her "Old Granny McFarland"—very old

and feeble, over seventy. She was kept on the payroll of the mill long after her usefulness was over because she was trying to keep together a little family of grandchildren. Would you take one cent of her earnings to give to some more fortunate teachers? I do not believe you would. I do not believe you would take a cent from these people who have worked for small wages, or have labored in order to pay for their homes—because the American people are a home-loving and a home-owning people, and they do own their homes and pay their taxes—and this fund is simply a direct tax on their profit. I do not believe this Legislature will take money from those laborers and pay insurance premiums for school teachers.

The Speaker said the other day that we were a kindly Legislature, that we were a Legislature with a heart. Are we? Let us see. I would like to have you, for a moment just change places with these people, put yourself in their place, pick out the lowest paid and hardest working class that you can, whether it be women's work or men's work, and put yourself in their place for a minute, and imagine them in your place, here in this Legislature, ready to vote on this question, remembering that the age-old mandate applies just the same today as it did when it fell from the lips of the Master in His sermon on the Mount, "As ye would that others should do to you, do ye even so to them". Gentlemen, I thank you. (Applause).

Mr. BAKER of Steuben: Mr. Speaker and gentlemen: My good friend from Island Falls (Mr. Palmer) has gone over this matter with very great care, and I assure him, and I assure you, that I have no quarrel with the wage earners, as such. But I do not want this Legislature to assume for a minute that a teacher has no cares or troubles. They have, and they have great responsibilities, too.

I look back to the teachers of my youth with the greatest love and reverence. They instructed me in more matters than those found in books, and those whom I loved most were those who taught me and helped me to establish my future career. It might be interesting to you to know that I have, since the Legislature came, graduated two classes from grammar school. Every one of them went to High School, and

every one of them are still attending.

I was twenty years in other business, and when I finished my term in the Legislature two years ago the grammar school in my own town was closed. The children had been calling for me to come and teach them and I accepted that call, and I am not sorry.

I am not a participant in this pension. I was for twenty years in other business. I love children, and I accepted their call, and I am not sorry. I receive \$18.00 a week for my services—less than the girls who handle the blocks in the factory at Island Falls, to whom the gentleman (Mr. Palmer) has referred. That is all that my home town can afford to pay me. If they could pay me more, I feel sure that they would, but I have never asked them for an increase in salary, and I never shall. I, too, have in mind an old lady, who passed out two years ago—Aunt Jen, everybody called her. Aunt Jen in her later years participated in this old-age pension. What did she do with the money? She was a maiden lady—she had saved enough to take care of herself, even though in the early days she received but five dollars a week. I used to receive seven dollars a week. I got more because I had the reputation of finishing any school of which I had charge, and my services were probably in demand for that reason. Now, Aunt Jen saved her money and when her pension came along, she used that in deeds of public charity among those who were needy, many of them old people, but some of them young, and when she died she had but little left.

My work in that little town is not a matter of dollars and cents, and I shall never participate in this pension. I was afraid that the people would think me mercenary in my argument, so I promise that I shall never participate in it.

I was connected with school work in the state of New York for ten years. I was Secretary of the School Board, and it was my duty, as Secretary of that School Board, to take out five per cent of the teachers' earnings each month. Almost all of the teachers there participated. There is a compulsory law now that they shall. They were all glad to do so. It encouraged them to stay in the teaching profession, which I

count as the greatest asset to that business.

This pension bill sounds frightful as interpreted to you by the gentleman from Island Falls (Mr. Palmer), but there is nothing alarming about it. It was tried out for many years in New York State and I never heard anybody say one single word against it. They felt that it was an encouragement to the young teacher to save money for old age.

I can understand the attitude of the insurance people. If, for instance, a teacher were getting \$1,000 a year, which is very high, five per cent would amount to \$50 a year, and many teachers, I am willing to admit, would rather have the state back of them for \$50 a year, than a \$2,000, twenty-year insurance bond. The pension, in the best judgment of those who are concerned in this matter, will never reach \$100,000.

Somehow, I cannot but feel that my words are very weak, but I can assure you people here that my heart is very warm whenever I think of the teachers to whom I went to school. One came in here yesterday whom I have not seen since I was twelve years old. He was one of my pleasant remembrances of school teachers, and I was very glad to shake his hand and to ask him to come to see me. He has not been back to the old town since he left there nearly forty years ago. To such people as these, teaching is far more than a matter of dollars and cents. I have a sister who taught seventy-six scholars in Bucksport with no assistance. Do you imagine that monthly examinations, or half-term examinations, or term examinations—does it not mean something to take those seventy-six examination papers home and correct them carefully? Who wants the impression to go abroad that the teachers' work stops when three o'clock, or half-past three comes, if they are interested in their work? They are people who are working all the time for the benefit of the little ones, and they never forget it.

The drudgery of examination papers is something beyond anything that I have ever attempted, and I have tried various occupations during my life. That is the hardest work I have ever had to do—to sit down to a great pile of examination papers and correct them, and I simply want to say that if the teachers of this

state have not the interests of the children at heart, then I am very much mistaken. It is not simply a matter of dollars and cents with them. You know very well that they are not unreasonable, and that the return to the state from this pension bill will not be measured merely in dollars and cents. It will be measured in added interest and in more years of experience, and you will be satisfied, when you have grown older, and your children have grown older, that you have done the fair thing to one of the principal professions of this good old state of Maine. (Applause)

Mr. HALE of Portland: Mr. Speaker and members: I feel that I must say a very few words in answer to the argument advanced by the gentleman from Island Falls, Mr. Palmer, because at least two-thirds of his argument was an argument against pensions for any teachers, and therefore, it seems to me, must have been made under a complete misapprehension of facts.

Does the gentleman from Island Falls (Mr. Palmer) realize that these people who work in mills, these people who work in the woods, the fishermen, the farmers, the toilers, paid last year into teacher's pensions \$56,000 and that under this proposed bill they can only pay \$35,000? Does the gentleman realize that the existing pension law, a non-contributory law, was passed in 1913 and that in that year it cost \$5,000 and has been going up about \$5,000 each year ever since until it was \$52,000 last year and, on conservative estimates will in ten years be \$100,000 a year—a burden of \$100,000 on these very people for whom the gentleman from Island Falls (Mr. Palmer) makes his eloquent appeal?

Now, I say, if you are against any pension for teachers, be honest about it, and put in a bill to repeal the present teachers' pension law which costs the State more than this proposed law and will ultimately cost the State three times as much. But the gentleman from Island Falls, (Mr. Palmer) nor anybody else has ventured to do that.

The only purpose of this law is to substitute for the existing, non-contributory pension, into which the teacher has to pay nothing, a new pension law based on the teachers own savings over a period of years,

which the State will match, and the provision of this new law is that under no circumstances is the State to pay more than \$35,000 a year. So much for that.

Just one thing more which the gentleman from Island Falls (Mr. Palmer) stated, that I want to answer. He said that in one breath they tell you that 6000 teachers are clamoring for this measure and in the next breath they tell you only a very few teachers will go into it, and he says that is inconsistency. I think that is a serious reflection on the teacher. The suggestion is that nobody will be in favor of the bill unless he or she is going to get some benefit out of it. Now, that is a very unfair suggestion. It seems to me that 6000 teachers, or however many teachers there are, might reasonably be in favor of this bill even though they realized that it is only going to benefit a minority of the people who are now engaged in teaching, those who will continue to teach for twenty or thirty years. That is all I care to say, Mr. Speaker. (Applause).

(Mr. Wing of Auburn assumed the Chair).

Mr. HAMILTON of Caribou: Mr. Speaker, I will ask the gentleman from Auburn, Mr. Sturgis, if he will withdraw his motion?

Mr. STURGIS of Auburn: I am willing to do so.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Sturgis, asks leave to withdraw his motion for the indefinite postponement of this bill.

Thereupon, a viva voce vote being taken, the gentleman from Auburn, Mr. Sturgis, was given leave to withdraw his motion.

The SPEAKER pro tem: The Chair now recognizes the gentleman from Caribou, Mr. Hamilton, to whom the gentleman from Auburn, Mr. Sturgis, yields the floor.

Mr. HAMILTON of Caribou: Mr. Speaker, I move the adoption of House Amendment B to Senate Document 268.

The SPEAKER pro tem: Is the House ready for the question?

Mr. STITHAM of Pittsfield: Mr. Speaker, is this debatable at the present time?

The SPEAKER pro tem: The

adoption of House Amendment B is debatable.

Mr. STITHAM of Pittsfield: Mr. Speaker and members of the 81st Legislature. I feel that I cannot go back home and face the teachers of my town if I do not at least raise my voice in behalf of a bill that they believe is for their best interests and the best interests of the State. Are there many of us here today that do not owe—in some measure at least—the fact that we are here in this Legislature to some teacher or teachers of the past? We are always hearing the noble work of the teachers praised—her devotion and sacrifice extolled. Today we have a chance to say in a way that counts whether we believe there is anything to this sentiment or not. Or shall we take word back home that the Legislature of the State of Maine does not recognize any special service in a teacher's life. Shall I advise the teachers of my boys to work for all the money there is in the job, to feel free to leave it any time they can get a dollar more and that they had better spend their spare time in earning money waiting on tables or acting as chamber maids in summer hotels or out doing housework in order that they may make up for the three unemployed months and save for their old age.

I am seriously wondering whether I shall advise our teachers back home that they have only themselves to blame if they spend extra time outside of school hours to help the backward children or if they spend their time and money in attending summer schools when they might be engaged in other occupations and be earning extra money. While such advice may not seem so pathetic applied to the teacher of twenty to twenty-five years, I cannot bring myself to look with composure upon the life of the teacher of forty or fifty who must look forward every summer to being a waitress or chamber maid in a summer hotel. Somehow I cannot feel proud of the State of Maine putting women of normal school or college education, culture and maturity into just this work for a life time. Nor can I believe that the children of our State would be benefited by being taught by such teachers.

In the Legislature of 1917 there

was an attempt by the summer hotel people to pass a bill changing the school year. This was based on the argument for a longer hotel season and that the teachers of the State could then be employed in these hotels. This suggestion was indignantly repudiated by that legislative committee on the ground that the State of Maine would not endorse the yearly employment of its teachers in this work.

Unless we expect teachers to do this, we can readily see that the salary paid the average teacher in Maine—a little over \$700—will not enable her to save large amounts yearly. We forget in speaking of the somewhat better salaries paid teachers how that board and room and so forth have increased about as fast as the wages. In a town where ten years ago a teacher could get good room and board for five dollars at the outside, she now pays ten dollars or more. All this must be considered when we are congratulating ourselves upon our increase in salaries.

(At this point Speaker Holley resumed the Chair, Mr. Wing of Auburn retiring, amid the applause of the House.)

However, leaving sentiment aside—and I am willing to confess I still have some toward our teachers—I believe that this bill is sound as a practical measure. I have looked over the records of other states having a similar law and find it has worked successfully and has been a saving in money over the old style pension. I have found in a Government Research Study of Teachers' Pension for the United States, published in 1920, data to support my belief that Maine is only in line with other progressive states educationally if this bill is put on our Statutes. Maine is not, therefore, making an untried experiment.

Based on the experience of other States, we can reasonably expect that not enough teachers will wish to contribute and take advantage of the law to make the sum put up by the State excessive. This will not be a weakness of the law itself but because such a law naturally will attract only the teachers that contemplate making teaching a life work. I wish we might have more of such teachers. In my own town, I would like to see the superintendent of schools and teacher of our

Academy a tax paying citizen of the town who comes to stay and be one of us. I have seen in my own boys' education the damage done and the set-back occasioned in their work by the constant changing of teachers. Only a small number of the teachers between the ages of twenty and thirty will think about pensions, as many of them will contemplate marriage or entering other professions. I do not believe it is advisable to advise such temporary teachers to take advantage of this law but rather to encourage those whom our judgment tells us have taken up teaching as a life work. I understand that the advice that has been given to the teachers by the State Association which is advocating this matter, is just this. In my opinion, it would be a fortunate thing for the State, however, if this law worked toward making a larger permanent teaching force.

In fact, gentlemen, I believe one of the strongest arguments in favor of this whole matter is that we people in the smaller towns particularly are facing a teacher shortage and are being obliged to employ untrained and immature teachers to teach our children. Even these teachers are constantly changing with disastrous results. I believe that at the present time the State of Maine in order to compete with neighboring states who are paying higher salaries and who have these laws that the teachers themselves consider to their advantage, must take steps to make teaching attractive to Maine men and women. If you accept none of the arguments of sentiment or the State's duty toward its teachers, then I believe the bill is warranted on this ground alone—that we know we are every year losing many of our best teachers. None of us are situated at the present time so we can advance their salaries very much, but when they do ask for a measure that it is shown here will not cost the State any more than the old measure, we can let them feel we are endorsing them by passing the bill they believe in. I believe this will have good effect in helping us out on our teacher shortage and in making the men and women trained in the colleges and normal schools of our State willing to remain here and teach our children during the best years of their lives.

(Applause)

Mr. HAMILTON of Caribou: Mr. Speaker, I wish that the members would just give me an opportunity to straighten out the parliamentary situation. I do not think there is any objection to the adoption of the Amendment on the motion which I made, and I move that we adopt the Amendment.

The SPEAKER: The motion for the adoption of the Amendment, the Chair understood when it retired was presented by the gentleman from Portland, Mr. Hale? The gentleman when he presented House Amendment B moved its adoption. Does the gentleman (Mr. Hamilton) now wish to move for the previous question?

Mr. HAMILTON: I understood there was another motion in regard to the indefinite postponement.

The SPEAKER: After that motion was withdrawn, the pending question was on the adoption of the Amendment.

Mr. HAMILTON: I move that we adopt House Amendment B.

The SPEAKER: The gentleman from Caribou, Mr. Hamilton, moves the adoption of House Amendment B.

The motion prevailed, and House Amendment B was adopted.

Mr. HAMILTON: Mr. Speaker, I now move that we refer this bill as amended to the next Legislature.

The SPEAKER: The gentleman from Caribou, Mr. Hamilton, moves that we refer the bill as amended to the next Legislature.

The gentleman from Caribou (Mr. Hamilton) has the floor.

Mr. HAMILTON: Mr. Speaker, and gentlemen of the House. It is not a pleasant situation for me to speak apparently against a profession in which I have spent the best part of my life. I have stood by the teachers in my own town year after year until now it is acknowledged that the State department head is one of the highest salaried officials that we have. I have never opposed any measure for the benefit of the teachers, but it seems to me that I have a duty here to perform, not only as an ex-teacher, but as a citizen of the State of Maine. This measure that we are bringing in here to be adopted is a measure that is acknowledged by the proponents themselves to be expensive. They have offered at the last moment an Amendment that it would

take days and days for our best lawyers to digest, and they have asked you to vote on that Amendment without thorough consideration. It seems to me fair to the citizens of Maine and fair to the members of this House that we refer this matter to the next Legislature in order that there may be time to understand it thoroughly, at which time if our citizens are in favor of it, those who return here can vote for it and carry it through.

In my work here I have endeavored to be as competent as my ability would permit and to vote as intelligently as may be upon every measure. In that way when we finally go home we can be assured that we have done the best we could; but in this particular matter I feel that we are opening the door to a matter that means a great deal to the State of Maine, and I assure you that, as a representative of the people of Maine—and I feel that I am—the teachers of Maine are as loyal to the State of Maine as any citizen in it, and they do not ask you to enact anything of this kind without complete and thorough investigation of it. None of our teachers are urging you to do something until you thoroughly understand it, and I can assure you that with the exception of a few, the teachers of Maine will sustain the reference of this bill for a thorough examination so that we may understand it, and future Legislatures can take it up if they desire. We have had telegrams, a few, and a few letters, but they have been at the instigation of a few persons who have been directly interested in this bill.

Now, I have no comments to make against those people. They are intelligent, they are progressive, and their actions have been all right. I wish we could have more telegrams; but the lack of them from our own citizens, the lack of telegrams from the teachers who are particularly interested, shows to you beyond all question of doubt that the teachers themselves are not thoroughly convinced in relation to the measure concerned. The telegrams that I have received refer entirely to the pension system. They have no reference whatever to this retirement system. Now if they know what they want, if they have thoroughly studied this measure, they would have told us to vote for the retirement system. Instead of that, they have sent their

telegrams to me in reference to the pension system. The House has been generous by raising the pension from \$250 to \$300.

We all desire to aid and support our schools, and it is with pleasure that we can go back home and say to our teachers that if this measure, after a thorough investigation, is what we want, we will endorse it.

Now here is one circumstance as to which the bill raises a doubt, and you have already heard it said that it was not thoroughly understood. In one place they tell you that the teacher can receive so much in reference to their salaries, and in another place they tell you that \$35,000 is the maximum which the State will pay. Now, gentlemen, we have entered into that contract with the teacher, and it is a contract which we will be obliged to carry out, and we have a demand in one year for over \$35,000 and what shall we do? One part of your bill says that we should not pay out more than \$35,000. Shall we do as we are doing with reference to our third-class roads, when our towns have raised a certain amount of money and the State is unable to meet it because they have mortgaged the money that should go there to other departments, or other sections of the State roads. The State road money is so mixed up today that no one can tell where it is, none of you; and do we want to commence with our common school problem in the same way? I say no. This measure, if it is a good measure, is one that will stand the light of day, and a reference to another Legislature will give us an opportunity to study it thoroughly; and I feel that the teachers will be satisfied if we take time enough to thoroughly look into it?

Mrs. PINKHAM of Fort Kent: Mr. Speaker, I feel that I ought to say a few words on this bill to clear up one or two misapprehensions. It is very plain that the opponents of the bill have jumped at conclusions on at least one or two points. In the first place, they say that this bill has not been carefully considered by all the members of the House. Well, is there any bill that we have passed which has been carefully considered by every member of the House? I think you will all agree that that would be impossible. This bill, however, has been carefully considered by our State Department of Education for a

period of two years. It has been submitted to the Carnegie Foundation, to their experts in this Department, and has their endorsement. Similar bills are in force in seventeen northern States and are working without any of the disastrous results predicted.

As to the fact that only teachers have endorsed this bill in the State, and that they are selfish in their endorsement, I think nobody can dispute that the teachers who have been most active in working for the bill are those who will not benefit from it in the least. They are the older teachers and they are interested in the future welfare of their profession because they have seen our best teachers go out of the State. I believe it is true that approximately two-thirds of the teachers trained in this State in our normal schools and colleges go out of the State where they can earn more money.

My chief reason for being in favor of this bill is that I feel that it would stabilize the teaching force, and I think nobody can question the value of such a result. It happens that the first work I did after finishing school was as a teacher. That was eight years ago, and I received a salary of \$500. I do not say I was worth any more, but I can say that I left that profession because I could get four times as much in another position, which was much easier.

I think that very few people here believe that teachers work only five hours a day, five days a week. Practically all the teachers I ever knew about went to work at eight o'clock in the morning, had a cold lunch—I am referring to the grade teachers particularly—and stayed there until six o'clock and sometimes 6.30, helping the pupils or staying with them for other reasons. Then they went home and spent their evenings correcting papers; and anybody who has ever corrected a set of papers, all on the same subject, and tried to mark them fairly, knows it is about as hard work as one can do. At least it is uninteresting work.

I think the gentleman from Caribou (Mr. Hamilton) is quibbling with words when he says that these telegrams say "pension" and do not say "retirement system." We have referred to them right along as the two pension bills. I believe also that the gentleman from Caribou (Mr. Hamilton) has acknowledged at different times that he left the

teachers' profession because he could make more money in another profession.

I wish to answer one objection of the gentleman from Island Falls, Mr. Palmer, in relation to the great sum of money which this fund may represent in future years. We have other Legislatures coming that can amend this bill, and make possible the transfer of those funds which have been paid in for teachers but did not remain in the profession, so that those funds can be used instead of appropriating new amount each year. In fact, a great many people who have studied this bill and the system in other States, think it will be almost self-supporting in time.

In conclusion, I wish to say that I think this is a very forward step in our educational system. Surely, nothing is more fundamental than education, and nothing more valuable to all citizens of the State, and therefore nothing more worthy of fostering. (Applause)

Mr. PHILLIPS of Orrington: Mr. Speaker and members of the Legislature: I had not intended saying anything on this bill for I did not anticipate there would be any opposition to it. I have failed yet to find any argument of the opponents that seemed to me sound against this measure. Now the motion before the House is to refer this to the next Legislature, and, as I gathered from the gentleman from Caribou (Mr. Hamilton), the reasons were that there was not sufficient time to consider this matter. Well, then, on that ground I should presume that it would be proper and right to refer our road bills to the next Legislature, our bridge bills, and so forth.

I had the pleasure of attending this hearing, one of the few hearings that I have attended this session, and it was apparent to me at that time that there was practically no opposition to this bill,—just a feeble opposition from the Insurance Companies. Now think of it, members of the Legislature! This bill has been heard by our committee on Education, and no one will question the efficiency and hard work of that committee. They have done splendid work. Now I am satisfied to abide by their decision.

The argument that has been advanced by the opponents as to the difference in labor and one thing and another, I do not believe that any

member of this Legislature will take seriously into account. Think of comparing the labor of mill workers with teachers. Think of the time it takes for the preparation of the teacher and the expense to which the teacher is put. Then think of the hours of the mill worker compared with the hours of the teacher. Now I have taught school, my father has taught school, my mother has taught school, and I have brothers teaching school today. Twelve hours a day is a good easy day for a teacher. Think of it, gentlemen! Think of the responsibility of a teacher. You turn your children out at five or six years of age as a rule. Who has the responsibility of the intellectual, and to a large extent, the moral, training of our children? Is it not the teacher? It has been pointed out to you, and it seems to me plain, that financially the State will be better off by the stabilizing of this proposition. Some think not. Well, those of you who have been here before, and those of you who have followed up preceding Legislatures, know just what pension bills come in. I would far rather take my chances economically on a proposition of this kind than I would with the heterogeneous mass of pensions that are continually coming before us. Compare your teachers with other professions and then consider the matter carefully. I hope the motion will not prevail.

Mr. ROGERS of Rockland: Mr. Speaker, just one point I would like to have cleared up. The point I wish to make is this: How is it going to benefit the teachers if only one-half is coming from the State? How does it benefit them more than as though the whole would come from the State. Unless I can see that clearly, I shall vote for the motion to indefinitely postpone.

Mr. MAHER of Augusta: Mr. Speaker, I do not want the occasion to pass without adding one word from my own particular angle. I am not particularly familiar with this bill, although I have read it over twice. I am not particularly concerned with some of the objections which have been advanced for I think they are more theoretical or technical than real. I believe the basic thing is that this is a measure which is calculated to strengthen and develop and support our great public school system in Maine, and I for one, from my particular angle,

not prejudiced by the fact that one of my daughters happens to be a teacher in the public schools, but just looking at it from the standpoint of a citizen and Representative, I want to say that when the committee on Education, acting in conjunction with the educational authorities, takes particular steps which appeal to me as not sound, I shall oppose that; but when they take steps which I believe are absolutely sound and make for the upbuilding and the development of our public school system in Maine, I am for it and enthusiastically for it: and you cannot do one single thing, with all your vaunted loyalty to the public schools of Maine, that will be more practicable than to give substantial encouragement to the men and women who have made the work of the pedagogue their life's profession. It seems to me that just ordinary fair play, just a little bit of the love for your public schools, will result in a practical unanimous vote of this House in favor of this matter. (Applause)

Mr. WING of Auburn: Mr. Speaker, the immediate pending question, as I understand it, is whether this House will vote to refer this matter to the next Legislature. As I look back over the last three months, it seems to me that this House has already conducted itself with becoming decency, that it has never refused to take a position, that it has sustained itself with reason. Now I am not one of those who believe in running away from the thing. I believe in standing fair and square, meeting the issue as it comes, disposing of it, and passing on to the next thing. This is my way, and I think it is the best way, of conducting public business. Now this motion to refer to the next Legislature has an element of cowardice in it, and I mean no offense to my distinguished friend from Caribou (Mr. Hamilton): but it dodges the issue. It passes the thing on to the next man. Now that I am opposed to. I believe in meeting things as they come, deciding them, and going on to the next. Now, gentlemen, members of this House, let us keep our poise and our balance and our sense of the fitness of things and of our dignity and of our responsibilities, and meet this issue fair and square. I sincerely hope that the motion of the gentleman from Caribou (Mr. Hamilton) will not prevail. We should decide this matter here and

now, and at least progress will have been made. (Applause).

Mr. PIERCE of Sanford: Mr. Speaker and members of the House: I want to say first that as a member of the committee on Education I have made quite a study of this, and the more I studied it, the more deeply interested I became in it. I want to give a few figures on it. I want to say first, of course, that you all understand that this new Teachers' Retirement System is calculated to supercede the present gratuitous pension act. This bill is proposed for four specific reasons. (1) To eventually relieve the State of a considerable burden; (2) to develop and encourage thrift; (3) to provide a better annuity for retiring teachers. Many of these teachers are the last of the line and want to be sure of reasonable financial assistance in living out their days. (4) To make the profession more attractive, so that teachers can afford to spend their lives in the service and develop their professional standing.

In connection with the amount of money, I want to take up the matter of a statement which has been circulated among the members to some extent and which to my mind bears several very erroneous statements. One was that there were 7,000 teachers, and if this were a good thing, 5,000 would avail themselves of it. This is utterly preposterous. There are only 6,232 teachers, and of these 4,640 retire before the first twelve years have expired, leaving only 1,592 teachers to go down in their experience to the close of the thirty years; and you will find at the end of thirty years that there are only twenty-six drawing their pension.

The circular referred to also states that the average annual payment would be sixty dollars a year for 5,000 teachers. Evidently the person who made this statement knows nothing about the subject. The average would be more nearly \$30 per year and 1,000 teachers, and that average would require only \$30,000 a year to maintain it. Some of the opponents have said that the cost to the State would be very large. Vermont has had this system for eight years. Their population is about half that of Maine and their teaching force is about one-half. Last year they found that the cost would be only \$19,000 to carry their system. It should be under-

stood that this system is not new. The United States Steel corporation has adopted it; the Pennsylvania railroad system likewise; the International Harvester Company and the Government also has adopted something along this same line. The bill is not compulsory, and now there are but three states that have the same system we now have in Maine. Seventeen of the northern States have either had a bill like the present one go through their Legislature, or have changed their old systems to this new one, and I think that is a pretty good recommendation of this bill. We find that those States, those seventeen northern States, have not yet found the funds so big that they could not handle it.

The circular referred to also said that if it were a good thing, 5,000 would enroll. It will be a good thing only if they continue in the profession for at least thirty years. It would be fine if it would induce 5,000 teachers to stay in the profession. It would really make a profession and it would be the best expenditure the State could ever make. If the profession can be stabilized, this argument is enough to induce any man in this Legislature to support it.

This measure is proposed by the Maine State Teachers' Association, with over 4,000 members.

The opponents of the bill also say that the teachers do not know about it. This was taken up two years ago by the Maine Teachers' Association and they have been working on it. They have been working with the State Educational department. They have been working on it with the best actuaries that they could possibly find in the country.

They tell about the salaries of the teachers today. I want to give you a few figures on that. The average elementary woman teacher's salary today is \$755.34, the average man teacher's salary is \$906.20; and the average of both, \$764.20. That takes it up to the high school. In the high schools of the State, the average women teacher's salary is \$1,185.36; the average man teacher's salary is \$1,740.90; the average of both, \$1,386.20. There has been quite a lot of talk on this matter so I will not take up much more of your time; but I want to read just one or two telegrams out of a lot that I have received and some letters. One from Fort Fairfield as

follows: "The passage of Senate Bill 268 would not only be of material benefit to teachers but would be a far-reaching influence for the up-building of Maine. It would constitute a lasting memorial to the desire of this Legislature to make Maine a better State, a better home for her mature boys and girls".

One from Houlton, from an ex-president of the Association: "Aroostook County Teachers' Association teachers are anxious that Teachers' Retirement Bill be placed on Statutes of Maine".

Someone said the old teachers are not particularly in favor of it. Here is one from Caribou: "Hope for your support of the Teachers' Pension bill". That is from one of the oldest teachers in that territory, and we also have others.

Here is another one from Caribou: "Caribou teachers unanimously desire passage of Teachers' Pension bill, signed Madeline Long at request of Caribou teachers".

I have others, also letters from my own home town, asking me to support this bill. I will say just one more word, Mr. Speaker, let those who are interested in the chief resources of the State, in that which brings to it its success or failure, the highest element of the State's achievement—the boys and girls—give this measure the consideration it deserves, eliminate prejudice, undertake it with open minds for the welfare of the most essential industry in which the State is now engaged,—the strengthening of the schools. Gentlemen, I am for the school marm.

Mr. MAHER: Mr. Speaker, I move the previous question.

The SPEAKER: As many as are in favor of the previous question will rise.

A sufficient number having arisen, the previous question was ordered.

The SPEAKER: The question is on the motion of the gentleman from Caribou, Mr. Hamilton, that the bill be referred to the next Legislature.

Mr. HAMILTON of Caribou: Mr. Speaker—

The SPEAKER: The gentleman from Caribou, Mr. Hamilton, will address himself to the previous question.

Mr. HAMILTON: Mr. Speaker, the proponents have had all the oppor-

tunity so far in this discussion, and it seems a little unjust not to have an opportunity to answer some of the remarks that have been made.

The SPEAKER: The members having voted overwhelmingly for the previous question, the previous question must be put unless the motion is reconsidered.

Mr. HAMILTON: Mr. Speaker, I would ask the privilege of making a few further remarks.

Mr. MAHER of Augusta: Mr. Speaker, in order to clarify the situation and to be perfectly fair, I move that unanimous consent be given the gentleman from Caribou, Mr. Hamilton, to address the House on the matter before it.

The motion prevailed, and the gentleman from Caribou, Mr. Hamilton, was thus given unanimous consent.

Mr. HAMILTON: Mr. Speaker and gentlemen: I know that a measure of this kind is a hard thing to oppose because I have seen it tried so many times in our own town meetings, where anyone who opposes a school measure gets himself in bad at once; and that is why I suppose I have never opposed such a measure before. A reference has been made here in regard to this motion as to cowardice. Now, I take no back step from any member here in regard to courage. I think it shows courage to get up and oppose a measure such as this, and when any reference is made to a cowardly act, Mr. Speaker, I think the gentleman does not mean what he says, and I do not think he intends any reference of that kind.

I do want to say in answer to the lady from Fort Kent, Mrs. Pinkham, that I did leave the profession as a teacher and went into something else. At that time in my town, as principal of the High school and as superintendent of the schools of the town, I received \$1,500, where today we are paying over \$5,000 for the same—not for better work. (Laughter). I am almost inclined to go back into the profession if this passes because I think it will be a better one than my own. It seems to me that, as shown in our county of Aroostook and in our town—and I think it is the same throughout the State—the desire of the individual town to do its part for its teachers is evident. I feel that we are making a mistake when we come down here to this Legisla-

ture and endeavor to override the present law and do something else for those people. It creates in our towns a sentiment against us that we are unable to dictate or say anything in regard to what we shall pay. Leave us alone; leave the towns alone; leave the cities alone and they will take care of their teachers in the future as they have in the past, and the increase in pay I think you will find will be general all over this great State of Maine.

The SPEAKER: The previous question having been ordered, the question now before the House to be acted upon is the motion of the gentleman from Caribou, Mr. Hamilton, that the bill be referred to the next Legislature. As many as are in favor of referring this bill to the next Legislature will say aye; those opposed no.

A viva voce vote was doubted by the gentleman from Caribou, Mr. Hamilton.

The SPEAKER: The gentleman from Caribou, Mr. Hamilton, doubts the decision of the Chair on a voice vote. As many as are in favor of referring this measure to the next Legislature, on the motion of the gentleman from Caribou, Mr. Hamilton, will rise.

Mr. HAMILTON: Mr. Speaker, I call for the yeas and nays.

The SPEAKER: As many as favor the yeas and nays will rise.

A sufficient number not having arisen, the yeas and nays were not ordered.

The SPEAKER: The question now being on the motion of the gentleman from Caribou, Mr. Hamilton, that the matter be referred to the next Legislature, the voice vote having been doubted, as many as favor referring this matter to the next Legislature will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

Twenty-seven voting in the affirmative and 91 in the negative, the motion to refer to the next Legislature was lost.

On motion by Mr. Barwise of Bangor the bill, having already been read three times, was passed to be engrossed as amended.

The Chair presents out of order papers from the Senate.

From the Senate: Bill, An Act to repeal Section Eight of Chapter 522 of the Private and Special Laws of 1885, and to amend Section One of Chapter 9 of the Private and Special Laws of 1887, relating to the Camden and Rockland Water Company.

In the Senate, read twice under suspension of the rules and passed to be engrossed.

In the House:

Mr. WING of Auburn: Mr. Speaker, I move that it be tabled and be assigned to follow an act entitled An Act relating to the Gould Electric Company.

Mr. ROUNDS of Portland: Mr. Speaker—

Mr. WING: Mr. Speaker, I have not yet yielded the floor with reference to the assignment. These two measures involve the same principle. The Act to create the charter of the Gould Electric Company and this charter are species of special legislation. If they both pass, I have no objection; but if one is to fail the other should fail, and that is my position, and that is why I ask to have this particular measure follow the Gould Electric Company.

The SPEAKER: Does the gentleman from Portland, Mr. Rounds, have any objection to that procedure?

Mr. ROUNDS: I have no objection except that I do not want to keep tabling things and be here all summer.

Thereupon, the motion by Mr. Wing of Auburn to table prevailed.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill, An Act to amend Chapter 37 of the Private and Special Laws of 1917, as amended by Chapter 124 of the Private and Special Laws of the Special Session of 1919, relating to the salaries of Chief of Police and Police Captains of the city of Lewiston.

This was passed to be engrossed as amended by House Amendment A in the House, March 29.

In the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Gagne of Lewiston, that body voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will later appoint that committee.

From the Senate: Bill, An Act to provide for the construction of gravel roads in all cases except where a different type of construction is especially authorized.

This was passed to be engrossed in the House April 3rd.

In the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Nickerson of Swanville, that body voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will later announce that committee.

From the Senate: Bill, An Act providing for a tax upon gasoline and other products used in operating internal combustion engines.

This was passed to be engrossed in the House, March 30.

In the Senate, passed to be engrossed as amended by Senate Amendment A and C in non-concurrence.

In the House, on motion by Mr. Leland of Sangerville, that body voted to insist on its former action, and ask for a committee of conference; and the Chair appointed as such conferees on the part of the House,

Messrs. LELAND of Sangerville,
GRANVILLE of Parsonsfield,
MAHER of Augusta.

The SPEAKER: On the matter of the motion of the gentleman from Lewiston, Mr. Gagne, creating a conference committee, relative to the police salaries of the city of Lewiston, the Chair appoints as such conferees on the part of the House.

Messrs. GAGNE of Lewiston,
DOUGLAS of Lamoine,
CRAFTS of Greenville.

The SPEAKER: On the motion of the gentleman from Swanville, Mr. Nickerson, creating a committee of conference on the gravel-road bill, so-called, the Chair appoints as such conferees on the part of the House.

Messrs. NICKERSON of Swanville,
LELAND of Sangerville,
HAMILTON of Caribou.

On motion by Mr. Baker of Steuben unanimous consent was granted the gentleman to explain a certain

matter before introducing it out of order.

Mr. BAKER: Mr. Speaker, in the early part of this session, I introduced an order to instruct the Clerk to procure pictures of ex-Speakers to hang in the Speaker's room. It was impossible then to tell what the cost would be. As to many of them their people have all died and no trace can be got of them. There are not many of them, but as to some of them there is no one to furnish a picture of proper size, and in some instances it is necessary to reproduce them in order to get them of uniform size and frames. And this is a resolve calling for one hundred and fifty dollars to be expended for this purpose. I ask unanimous consent to introduce this, as it has direct bearing on an order previously introduced in this House.

Thereupon, the rules were suspended, and Mr. Baker of Steuben introduced a resolve to provide for copying pictures of former Speakers to be placed in the Speaker's office; and the resolve had its two several readings under suspension of the rules and was passed to be engrossed.

Mr. HALE of Portland: Mr. Speaker, I move that the rules be suspended and ask unanimous consent of the House to introduce a public law, and I desire to explain the nature of the law if the House will permit me.

The SPEAKER: The gentleman from Portland, Mr. Hale, may explain.

Mr. HALE: Mr. Speaker and members, this is An Act to amend Chapter 197 of the Public Laws of 1917 as amended, relating to the State department of health. A similar law was seasonably introduced by me into this House and referred to the committee on Public Health. The law as introduced was defective in that it called upon the Governor to make an appointment which was illegal. There was then seasonably introduced a corrected draft which did not call for such illegal appointment. The corrected Act as introduced was favorably reported by the committee on Public Health and passed by them, passed by the House and Senate, but in some way which I have never been able to understand the act enacted was the draft which called for the illegal appointment, and the Governor very properly failed to send the Act back for correction, but vetoed it, and this

House very properly sustained the veto.

This act is the act as presented, amended without the error and I would appreciate it if the house would give me the privilege of introducing it.

The SPEAKER: If the Chair understands the matter correctly, it is a bill to correct.

Mr. HALE: Yes, Mr. Speaker.

Unanimous consent being given, the gentleman from Portland, Mr. Hale, introduced out of order the following bill: Bill, An Act to amend Chapter 197 of the Public Laws of 1917 as amended by Chapter 172 of the Public Laws of 1919 relating to the State Department of Health.

Thereupon, under suspension of the rules, the bill received its three several readings and was passed to be engrossed.

The SPEAKER: The Chair presents out of order House Document No. 482, An Act relating to the protection of deer, tabled by the gentleman from Auburn, Mr. Wing, April 3rd pending passage to be engrossed, and the Chair recognizes the gentleman from Auburn, Mr. Wing.

Mr. WING: Mr. Speaker, I yield to the gentleman from Hanover, Mr. Bartlett.

The SPEAKER: The gentleman from Hanover, Mr. Bartlett, has the floor.

Mr. BARTLETT: Mr. Speaker, I move that we reconsider the vote whereby the bill was passed to be engrossed.

The SPEAKER: The act, having been passed to be engrossed, the motion is unnecessary.

Mr. BARTLETT: Then, Mr. Speaker, I wish to introduce House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Hanover, Mr. Bartlett, presents House Amendment A to House Document No. 482, and moves its adoption, and the clerk will read the Amendment.

House Amendment A to House Document No. 482. Bill, An Act relating to the protection of deer.

Amend said bill by striking out the word "Oxford" on page two in the twenty-fourth line and by striking out the word "Oxford" in the twenty-eighth line of page three.

Mr. CRAFTS of Greenville: Mr. Speaker, as I understand that the various members from Oxford and Franklin counties have now arrived at a position where they have made their wants known on the deer law. The accepting of this Amendment would lead to several corrections that should be made in the law otherwise. I hope the gentleman will withdraw his amendment and if he will, I will move that the bill be submitted back to the committee on Inland Fisheries and Game, and we will correct the bill so that the gentleman will be taken care of.

Unanimous consent of the House being granted, Mr. Bartlett of Hanover withdrew House Amendment A and his motion thereon.

On motion by Mr. Crafts of Greenville the bill without the Amendment was recommitted to the committee on Inland Fisheries and Game.

The SPEAKER: The next matter is New Draft Senate Document No. 304, Report of commission on education on bill. An Act to declare the University of Maine a State institution, tabled by the gentleman from Bangor, Mr. Barwise, April 3rd, pending acceptance of the report.

Mr. BARWISE: Mr. Speaker, I move that we concur with the action of the Senate, which as I understand it, was to indefinitely postpone.

The SPEAKER: The gentleman from Bangor, Mr. Barwise, is correct.

Mr. BARWISE: Mr. Speaker, I move that we concur with the action of the Senate in this matter.

The SPEAKER: The gentleman from Bangor, Mr. Barwise, moves that the bill be indefinitely postponed in concurrence. Is this the pleasure of the House?

The motion prevailed.

On motion by Mr. Jordan of Cape Elizabeth,

Recessed until two o'clock this afternoon.

After Recess

The SPEAKER: The Chair is pleased to present to the members of the House twin sons of a former member of this House, now a member of the Senate; and it is my pleasure and privilege to introduce to you Harold and Hermon Trefethen, boys who

are now attending Dartmouth college and residents of Wilton, Maine. (Applause, the House rising).

Senate Papers Out of Order

From the Senate: Final report of the committee on Ways and Bridges.

In the House, read and passed in concurrence.

From the Senate: Resolve in favor of Somerset academy.

In the Senate, received under suspension of the rules, given its two several readings and passed to be engrossed.

In the House, given its two several readings under suspension of the rules, and passed to be engrossed in concurrence.

Papers from the Senate disposed of in concurrence.

On motion by Mr. Rogers of Rockland, that gentleman was granted permission to present the following order out of order:

Ordered, that there be printed one thousand copies of the new draft, bill, An Act to provide a new charter for the city of Rockland, and to repeal Chapter 482, Private and Special Laws of 1885.

The order received passage.

From the Senate: Resolve amending Article IX of the Constitution, as amended by Article XXXV of the Constitution, and as amended by Article XLIII, increasing the amount of bonds to be issued for the purpose of building State highways and State-aid highways and providing for the building of intrastate, interstate and international bridges.

This was passed to be engrossed as amended by House Amendment A.

In the Senate passed to be engrossed as amended by Senate Amendments A and B in non-concurrence.

In the House:

On motion by Mr. Granville of Parsonsfield, the House voted to reconsider its action whereby this resolve was passed to be engrossed.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I would like to have the amendments read.

(Senate Amendment A read)

Mr. GRANVILLE: Mr. Speaker and gentlemen of the House: This Act was drawn by an attorney and

it was supposed that his references were correct. After it was printed and brought into this House, I took it to the Attorney General's office to determine whether all the provisions were correct because we had made some mistakes in the references. They determined that they were not all correct, and I offered House Amendment A which was adopted. Now this went to the engrossing clerk and they called my attention to the fact that there were still some errors in the matter, and this Senate Amendment A is to correct those errors. Now we have had this carefully gone over by three attorneys and it is supposed to be now with this amendment in accordance with the original intent of the bill. In fact it calls for a referendum in September, 1923.

I move the reconsideration of the vote whereby it was passed to be engrossed; and I further move the adoption of Senate Amendment A.

The Speaker: The Chair will say that we also have Senate Amendment B. Does the gentleman (Mr. Granville) wish Senate Amendment B read? It is nearly as long as Senate Amendment A.

Mr. GRANVILLE: Mr. Speaker, if I am correctly informed, I shall object to that amendment. Senate Amendment B reappropriates the amount, four million dollars for trunk lines and two million dollars for State aid, which is not according to the agreement or understanding.

The SPEAKER: Does the gentleman wish to move that the matter be tabled temporarily, the vote now having been reconsidered whereby we passed the bill to be engrossed.

Mr. GRANVILLE: Yes, Mr. Speaker, I make that motion.

The motion prevailed.

Mr. GARDINER of Gardiner: May I inquire, Mr. Speaker, if Senate Amendment B is printed.

The SPEAKER: Senate Amendment B appears to be Senate Document 365 as nearly as the Chair can tell from the endorsement. The Chair will state that there is an error in the endorsement of Senate Amendment B, and Senate Amendment B is Senate Document 316.

Mr. MAHER of Augusta: The second amendment, Mr. Speaker, presents the question to the people on the question of adopting the two

propositions. I think that Senate Amendment B should be indefinitely postponed.

The SPEAKER: The matter is on the table at the present time.

On motion by Mr. Granville of Parsonsfield, the matter was then taken from the table.

Mr. GRANVILLE: Now what is the parliamentary situation?

The SPEAKER: The gentleman wishes to move now that the House concur with the Senate in the indefinite postponement of House Amendment A?

Mr. GRANVILLE: Yes, Mr. Speaker.

Thereupon, on motion by Mr. Granville of Parsonsfield, it was voted that the House concur with the Senate in the indefinite postponement of House Amendment A; and the same gentleman moved the adoption of Senate Amendment A.

Mr. ROUNDS of Portland: Mr. Speaker, if I heard the Clerk read that right, it calls for sixteen million dollars. Am I right?

The SPEAKER: The gentleman from Parsonsfield, Mr. Granville, may answer through the Chair.

Mr. GRANVILLE: I will inform the gentleman from Portland, Mr. Rounds, through the Chair, that it calls for six million. The sixteen million comes from the fact of the addition of the six million to the ten million already authorized. This calls for \$2,500,000 for trunk lines and \$3,500,000 for State-aid, making \$6,000,000.

Mr. ROUNDS of Portland: Mr. Speaker and gentlemen of the House: If I understood that right, it was \$800,000 first, to be for all kinds of business for the State. Then there was \$10,000,000 for roads. Now there is nothing said about \$1,100,000 that has been spent for wharves, and nothing said about \$500,000 that I think was passed here two years ago for the Kittery bridge. And the \$6,000,000 now it looks to me as though it would be \$17,600,000 when you get it right. I just ask for information to see if I was right or wrong.

The SPEAKER: The gentleman from Parsonsfield Mr. Granville, may answer through the Chair.

Mr. GRANVILLE: Mr. Speaker, I would inform the gentleman from Portland (Mr. Rounds) that this re-

solve amends the Constitution only in regard to the moneys issued for roads. There has been authorized a war loan, as I understand it of \$1,000,000, \$500,000 for the Kittery bridge and also the Soldiers' Bonus; but that has nothing to do with the particular section of the Statute which this amends. This resolve, if passed, amends the Constitution, so that there may be issued a maximum of \$16,000,000 for road construction purposes, and the "16" is arrived at by adding \$6,000,000, which this resolve proposes, to the \$10,000,000 already passed.

Mr. ROUNDS: Mr. Speaker, why did they put in that resolve for \$800,000? Why not put it in right? It seems to me it should be \$17,600,000. If they had left out the \$800,000 I would not say a word. They have put in the \$800,000 for general purposes but they have not put in the \$1,600,000 that has been appropriated for the Kittery bridge and for the State Pier.

Mr. MAHER of Augusta: Mr. Speaker, if I can clarify the situation, as I understand it the Constitution provides now in Section 17 for a certain amount of bonds that can be used for highway purposes—just for highway purposes—and that amount is \$10,000,000. Now that word "ten" in that Section 17 has got to be changed to "sixteen" in order to make the two come together and expressly applying to highways, just as the present Section 17 does.

The SPEAKER: The question is on the adoption of Senate Amendment A in concurrence. Is it the pleasure of the House that Senate Amendment A be adopted.

Thereupon, the House voted to adopt Senate Amendment A in concurrence.

The SPEAKER: The question now is on the adoption of Senate Amendment B.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I move that Senate Amendment B be indefinitely postponed in non-concurrence.

Mr. HALE of Portland: Mr. Speaker, I would like to ask a question of the gentleman from Parsonsfield, Mr. Granville, if I may.

The SPEAKER: The gentleman may ask the question through the Chair.

Mr. HALE: Is the effect of Senate Amendment B simply to have the people vote on each proposition separately instead of voting on the whole proposition?

Mr. GRANVILLE: Answering the gentleman from Portland (Mr. Hale) through the Chair, I do not understand that it is.

Mr. HALE: If the effect is simply to clarify the issue to be put before the people at the polls, what is the objection of the gentleman from Parsonsfield, Mr. Granville, to the amendment?

The SPEAKER: The Chair will state that the members have Senate Amendment B before them in Senate Document No. 316.

Mr. GRANVILLE: Mr. Speaker, I might answer the gentleman from Portland (Mr. Hale) that the effect as it would appeal to me is that where you split up, the two propositions you might have the people in one particular locality in favor of one type who will vote yes, and you will have people along the trunk lines voting yes and ignoring the other, so you will have two separate votes of yes whereas those who happen to be very much in the minority may consistently however, be enough to defeat both.

The SPEAKER: The question is on the motion of the gentleman from Parsonsfield, Mr. Granville—

Mr. GRANVILLE: Mr. Speaker, I would like to explain why we determined upon the particular division of the bond money, three and one half million for State-aid and two and a half million for trunk lines as was in the bill as passed to be engrossed by this House. Now the trunk lines at the present time are financed for two years by An Act passed by this Legislature authorizing the Legislature to issue \$2,200,000 for the trunk line construction for the next two years.

Now during the discussion as to whether it was expedient to offer an amendment for \$10,000,000 or \$6,000,000, it was decided by the committee and others concerned that perhaps it was best to offer the \$6,000,000 one. Now we wanted to have the program balance, so that the financing of the State-aid and trunk lines would break even, as it is a four-year program. Now two and one-half million dollars on the trunk lines for roads and bridges would make an additional two year's financing for trunk lines, added to what we already have would make four years; and according to the best estimates which we could determine, it would take three and one-half million dol-

lars to finance the State-aid for four years. That is the reason it was divided in that manner, and I see no reason why you should separate a bond issue on the construction of State-aid and trunk lines. As the gentleman from Augusta (Mr. Maher) has pointed out, it is a matter in which we are all interested. We should have a common interest in the matter, and you could have no less fund than \$6,000,000 and finance it for four years.

As I understand this amendment B, from a hasty reading, sets off \$4,000,000 for trunk lines and \$2,000,000 for State-aid, which would over-finance trunk lines and under-finance State-aid. Now if that legislation which is pending in this Legislature which we call the third-class road bill, introduced by the gentleman from Sangerville, Mr. Leland, should pass, it will be necessary to finance the State-aid roads from bond money. It contemplates that and in the judgment of those who have gone into this matter, any other division would not be equitable. So I hope that Senate Amendment B will be rejected.

The SPEAKER: The question is on the motion of the gentleman from Parsonsfield, Mr. Granville, to indefinitely postpone Senate Amendment B in non-concurrence.

The motion to so indefinitely postpone prevailed.

On motion by Mr. Granville of Parsonsfield, the matter was temporarily tabled, pending passage to be engrossed as amended.

From the Senate: Majority report of the committee on labor on bill An Act to amend Section 36, Chapter 49 of the Revised Statutes of Maine, relating to preference to Maine workmen and contractors reporting same in a new draft under same title and that it ought to pass.

Report was signed by the following members:

Messrs. RYDER of Piscataquis
CLARK of Lincoln
SMITH of Somerset
—of the Senate
STITHAM of Pittsfield
ROGERS of Rockland
AYER of Lincoln
O'CONNELL of Millinocket
—of the House

Minority report of the same com-

mittee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. KITCHEN of Presque Isle
TOWNE of Norway

—of the House

In the Senate majority report read and accepted and the bill indefinitely postponed.

In the House, on motion by Mr. Towne of Norway, it was voted to concur with the Senate in the indefinite postponement of this bill.

From the Senate: Bill An Act to withdraw from the Contingent Fund the sum of five hundred thousand dollars and to transfer the same sum to the fund for construction of State aid highways, and to amend Section 87 of Chapter 2 of the Revised Statutes, as amended by Chapter 96 of the Public Laws of 1921; which was passed to be enacted in the House earlier in the day and passed to be engrossed April 2nd.

In the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Granville of Parsonsfield, it was voted to insist on the former action and that a committee of conference be appointed, and the Chair appointed as such conferees on the part of the House: Messrs. Granville of Parsonsfield, Leland of Sangerville, and Maher of Augusta.

On motion by Mr. Maher of Augusta, it was voted to take from the table, House Amendment A to bill, An Act to provide for building bridge between Bath and Woolwich, being Senate Document 302, tabled by the same gentleman, April 3, pending adoption of the Amendment.

Mr. MAHER: Mr. Speaker, I yield the floor to the gentleman from Bath, Mr. Morse.

On motion by Mr. Morse of Bath, it was voted that that gentleman have permission to withdraw House Amendment A.

Thereupon the same gentleman offered House Amendment B to Senate Document 302 and moved its adoption.

House Amendment B to Senate Document 302.

Amend Senate Document No. 302 by striking out in Section two, lines three, four, five and six as far as the word "they" in the sixth line, and

substituting in place of said line, the following "to be determined by the Governor and Council and a joint committee of the present Legislature, consisting of three members of the Senate, appointed by the President of the Senate, and three members of the House, appointed by the Speaker of the House, after consultation with competent engineers".

Thereupon House Amendment B was adopted, and on further motion by the gentleman from Bath, Mr. Morse the rules were suspended, and the bill as amended had its third reading.

On motion by Mr. Granville of Parsonsfield, tabled pending passage to be engrossed.

The SPEAKER: The next matter to bring to the attention of the House is Resolve in favor of the State department of health, tabled by the gentleman from Parsonsfield, Mr. Granville, April 3, the pending question being the motion of the gentleman from Portland, Mr. Rounds, to indefinitely postpone.

Mr. GRANVILLE of Parsonsfield: I yield to the gentleman from Auburn, Mr. Wing.

Mr. WING of Auburn: Mr. Speaker and gentlemen of the House. I hope this motion will not prevail. This matter has been discussed here and we are all aware of the needs of the department of Public Health. I believe certain gentlemen of this House

Mr. HAYES of Chelsea: Mr. Speaker, we cannot hear a word over here.

The SPEAKER: The gentleman from Chelsea, Mr. Hayes, asks the gentleman from Auburn, Mr. Wing, to speak louder.

Mr. WING: I regret that you cannot hear me. I believe this garage has been examined by certain gentlemen of this House who are interested in the measure under discussion, among whom was the distinguished gentleman from Lewiston, Mr. McIlheron. I am told that the property is a good one, that the price is a proper one, that it will be a sound investment for the State, and a proper housing for the department of health. As I said the other day, the State can afford to be generous in the matter of the health of its citizens, and this is a department which

reaches the homes of every one of us, of every citizen of the State, and I think it deserves consideration at our hands. The gentlemen who practice the art of healing in my community have been very much interested in this matter and they are very ardent in the passage of this measure; and in behalf of them and the families that they represent, I hope the motion will not prevail.

Mr. ROUNDS of Portland: Mr. Speaker, I will admit that I have said a good deal on this subject; but I would like to ask if any gentlemen of this House has ever been into that garage to see what kind of a garage it is. I would like to ask that question.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Greenleaf, to answer the question.

Mr. GREENLEAF: I have been inside the garage.

Mr. ROGERS of Rockland: I was not inside Mr. Speaker but I have been out and looked around.

Mr. ROUNDS continuing: This State House was built over in 1909, this part from right out there (indicating) was built, and a part on the other end was built for \$375,000; and you are buying an old garage, built in 1919, and in 1923 paying \$26,000 for it. That is the interest when they have it all fixed up on almost \$800,000 at four and one-half per cent. Now it looks to me that after we have refused the Library here that might burn up twice the things, we cannot afford to buy this for \$26,000 and pay \$9,000 to fix it up. I never have seen any old buildings—and I have fixed up quite a number, I think I have fixed up the last one that I ever shall—that did not cost me twice as much as I thought it was going to cost when I started in. At the present time I have engineers at work on something that I expected to fix up for \$4,000, but before I get through it is going to cost me \$10,000. Now, gentlemen, see what you are paying before you go into anything more; and let's put a good fire-proof building up, and put our Secretary of State in it, as well as the last one hundred years of records of this great State of Maine, and your library. If you want to spend money, I will spend it with you—I do not care what it is—and I will go home and face the people that have got

to pay one-sixth of this, and I have got to pay one-sixth of it; but do not buy any more garages at this time.

Mr. MOODY of York: Mr. Speaker, I am interested in the Health Department, I am interested in the Public buildings of the State of Maine. I have seen this garage, but have not been in it; but I believe that so far as its being suited for a laboratory for the Department of Health, that it is a delusion and a snare. (Laughter and applause).

Mr. ROGERS of Rockland: Mr. Speaker, I claim to have a little knowledge of buildings. I have built quite a number of different kinds of buildings, and in talking with a gentleman the other day, he told me about this garage, and I went and looked at it. It is quite a large building with walls of concrete and brick. In the front it is about fourteen feet high, and in the back about eight feet high. The floors are about a foot above the surface of the ground outside. It is built on clay land, and the water is oozing up through the floor at the present time. It is not a fit place to keep chickens in, and newspapers or anything of that sort in there would be pulp in a very little while. If we bought that building, I consider that the State would be giving somebody \$20,000. I represent \$17,000,000 worth of taxable property, and I object.

Mr. ADAMS of Liberty: Lady and gentlemen of the House: I was talking with a real estate agent here in the city a few days ago and he said that he could have bought that garage recently for \$20,000, and that the man who is trying to sell it to the State now gets \$1,000 for his part of it. It seems to me that it would be absolutely unwise for the State to pay more than an article costs new.

Mr. WINN of Lisbon: Mr. Speaker, I certainly hope that the members of this House will stay by the gentleman from Portland, Mr. Rounds. The day that this matter came up, I know there were several watching for it, but it would have got by if it had not been for the watch-dog of the House, Mr. Rounds. I believe he has got excellent judgment, and I hope the members will stay with him.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen: We went down and looked this garage

over, and I think it was apparent to those who went down that it was worth that money. I do not know as it is particularly applicable for this purpose, but what substitute have we to offer, and where is the State Department of Health going if we indefinitely postpone this bill? As I understand, it will leave the State Department of Health without any home. Now those who propose the indefinite postponement of this bill, what have they to offer as a suggestion? It may be suggested that we possibly should build a building somewhere on these grounds to house the State Department of Health, the Department of Education, and the Library; but have they got a concrete proposal or any resolve covering it? I am interested in the State Department of Health and in the citizens of the State of Maine. If this proposal is not practical, what have you got to offer in its stead?

Mr. ROUNDS of Portland: Mr. Speaker, I want to just say that to fix it over as they want to would take from four to five months, and they have assured me that before the 30th of April they will be all ready to go back into the same place where they were. It has been told to me that the nurses of the State hospital would like that building; but I have been assured that for the next two years they will not get it. Therefore, I see that we are not going to move them out of that, and I am afraid that they will not have anything; but if anybody will prepare an amendment to put a building on the State lot, as I said yesterday, I will gladly vote for the Department of Health to have it. Just because the Commissioner of Health has got his house opposite is no reason why we should put a laboratory next to his house.

Mr. STURGIS of Auburn: Mr. Speaker, I am a friend of the Board of Health of the State of Maine; but from the explanation as given by my friend, Mr. Rogers of Rockland I feel that with the floor a foot lower than the surrounding ground, and the water oozing up through, possibly these eminent surgeons and doctors might get wet feet, and thereby have cold feet and lay down on the job.

Mr. McILHERON of Lewiston: Mr. Speaker, I am just as intensely interested in the welfare and health of

the State as any member of this House. We were invited by Mr. Hamilton, after discussing the matter, to go down and look the proposition over. I acted on that and I went down and looked it over for my own satisfaction. The first time this matter was called to my attention was through Dr. Sturgis of Auburn, and I know that Dr. Sturgis would not come over here and misrepresent anything. He looked the proposition over and Dr. Kendall looked the proposition over. I did not know that Dr. Kendall lived so near to the proposition as he does from the information of Mr. Rounds; but I looked the matter over and I saw no water oozing from the floor. There is a concrete floor in the building. Exercising my own judgment in the matter I figured it was a fairly good trade. It was put up to me that it was \$35,000. I told them that that was too much, that it was not worth \$35,000. Then I was told that that was complete; that was to fix it over and have it ready to go into at that price. The price was \$26,000 and I wish that every member of this House could go over there. It is only a short walk from the State Capitol, and it would be well to look the proposition over as Mr. Hamilton suggested. I took enough interest in the matter to do that. The only interest I have in the matter is to see that the State of Maine has got a place suitable for the work that they have got to do, and I have got the judgment of your State physician and Dr. Sturgis and am acting on that in conjunction with what I have seen myself. My own judgment is that the proposition is a good one.

Mr. STURGIS of Auburn: Mr. Speaker, as I understood it, the gentleman, Mr. McIlheron, referred to Dr. Sturgis of Auburn as looking over this building and pronouncing it all right. I think that he is wrong. I called up this same doctor and he said that he had not time to look it over, but he had spoken to a member from Auburn, Mr. Greenleaf, to look it over, and that he thought it was a good thing. That is the way I understood it.

Mr. ROGERS of Rockland: Mr. Speaker, the floor is concrete, and as I said it is somewhere about a foot lower than the ground outside. They built this on the ground, and they hauled in gravel from outside or dirt,

and filled up around that building. There is not a morsel of the underpinning in sight. If there was a grass fire there, the roof would burn up.

Mr. GREENLEAF of Auburn: Mr. Speaker, I would like to ask the gentleman from Rockland, Mr. Rogers, through the Chair, if he climbed up on the roof and looked at it.

The SPEAKER: The gentleman may answer if he wishes through the Chair.

Mr. ROGERS: I did, sir. There was a ladder leaning up against the roof on the back side, and I went up one or two steps and looked at the roof. (Applause).

Mr. BOULTER of Kittery: Mr. Speaker, I move for the previous question.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Rounds, that the Resolve be indefinitely postponed. As many as are in favor of its indefinite postponement will say aye, those opposed no.

A viva voce vote being taken,

The motion to indefinitely postpone prevailed.

The SPEAKER: The Chair presents reports A and B of committee on State lands and forest preservation on bill An Act to provide for the protection of white pine trees, House Document No. 486, tabled by the gentleman from Parsonsfield, Mr. Granville, pending acceptance of either report.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen: I move you the acceptance of the majority report, ought to pass, in new draft. I will say in support of this motion that I wish a tongue more eloquent than mine could express my opinion in regard to the purposes and intent of this bill, for it has to deal with the great natural resource of the State of Maine, that is, our timber supply, for upon the woods which cover your hills and your valleys depend your water supply, your reservoir, your summer tourists traffic. The tourists do not come to the State of Maine to gaze upon bare hills stripped of all growth. They like to see them clothed in green and at the foot a babbling brook. The people who came over here from the Old World on the Mayflower, when they first saw the shores of America,

saw them clothed in green as far as the eye could reach, a swelling land clothed in green from the Atlantic to the Mississippi river, one of the greatest resources of timber the world then know. In order that they might build their homes and till their farms it was necessary that a portion of this growth should be removed. The tree, in that sense, was their enemy for until the fields were cleared they could not practice agriculture; so they cut and they slashed indiscriminately. They set fires and let them run until they exhausted themselves at some pond or stream. They did not care except that they did not burn buildings. They continued this policy until such time, about 1850, before the advent of the railroad, when they were worried even for the supply of wood for their fireplaces. That situation was temporarily relieved by the fact that the coal mines were opened and railroads were built which brought their fuel to their doors. At the same time the railroads opened up the West, a great agricultural region. It brought competitors. It was a market against your New England farmer. They could raise the corn and the grain a good deal cheaper than they could here in New England. Then there came gradually an abandonment of our New England homesteads and farms. They began going to more populous centers. They began traveling West where agricultural conditions were more favorable. When Maine was first settled, she was for New England a great timber center, the great source of supply for building materials. Gradually that source was exhausted, that supply was exhausted. The center of activity moved to New York, Pennsylvania, and finally it went West to the Great Lakes. All those centers are practically exhausted today. We have left, perhaps, a twenty-year supply in the South, but our great source of supply is in the far Pacific where we have to pay high freight rates, this affecting the cost of your building material today.

I, myself, inside of twenty years have worked in the woods and helped roll into the river better pine lumber than you can find today that netted the owner \$3.50 a thousand in the water, better square-edged boards than you can find on the market today for one cent a foot. Gentlemen, that is the condition that prevailed thirty years ago. As our centers have de-

veloped, the population of the country has increased. There is an ever increasing demand for lumber and we have spent it recklessly without any thought of the future, only for temporary profit and convenience, until the United States today is placed in the position that in twenty years the shortage of lumber will be so marked in extent that the price will be prohibitive.

In centuries gone other people in other climes have been faced with a like situation, for we read in history before the Christian era, before the birth of Christ, there flowed out of the Steppes and Plains of Asia repeated waves of hordes of barbarians which inundated Europe and flowed to the sea,—millions of men coming out of the woods of northern China and eastern Siberia. It was a woods country; it supported an immense population. As they developed in their civilization not having any thought for the future or any guide from history, they attacked the trees until today China, a country whose area compares about equally to our own, the whole northern and western portions are uninhabitable, they are cold and bleak in the winter and hot sunshine and sands in the summer, for the simple reason that they cut off the trees. There is a similar situation in Egypt, once supporting a teeming population. Arabia, prominent in like manner, ruthlessly slaughtered their growth, and today they are driven right to the river banks where they can possibly irrigate in order to get a living. Europe, two or three centuries ago, was faced with this same proposition, and they tell me that during the World War in the stress of battle that a Frenchman would move a cannon before he would shoot down a tree. They recognized the inestimable value of trees. They recognize that it takes more than one generation to replace them.

We have arrived in America today in a position where something must be done to protect our forest growth. In twenty years there will be a stringent shortage of lumber. Today, even with the present supply, it is hindering the building of homes because of its high cost.

Before our committee, the Ways and Bridges committee, we have a great many humdrum things that come there, but we meet people from all over the State of Maine, and nearly everybody that comes there gives

us heart to heart talk as to the condition and situation of his particular town; and this year from four towns in the State of Maine has some testimony that there was urgent need of assistance because the timber was all gone, the mills had moved out, and the scavengers were gone; for once when they had stripped the land, they do not stay to view the devastation; they visit Florida in the winter and summer resorts in the summer. They reap their gain and they leave the inhabitants to stand the loss.

The bill which we have before us is one which is aimed to check as far as it may the ruthless destruction of young growth. Now, in my portion of the State, until the West was opened up, the farms were all inhabited, the farm lands were cultivated, the sons and daughters of the farmers staid on the farm. Today, economic conditions are different. The farms are being abandoned. We have in the south western area of this State, the largest area of white pine in the United States. It is not old growth; it is second growth; it is growing up on the fields once cultivated and on the farms once occupied. From New Hampshire, Massachusetts and other great centers, come a swarm of men, seeking to use this young pine in the manufacture of lumber. They come and ruthlessly destroy, even down to the little saplings, hundreds of trees year after year. A tree, as provided by this bill, eight inches in diameter, is of no value to any one for lumber. It would surprise you, if you should caliper these trees to see how small they are. You can cut a hundred of the best of these trees and drag them into a mill and you will probably get 200 ft. of knotty box wood. When a purchaser comes to a farmer in the State of Maine intending to purchase such lumber he does not include it in the estimate. That is what we call "velvet". The man on whose soil it has grown for twenty years receives nothing for it, and the man who manufactures it, if he makes an accurate account of it, receives nothing for it either, because every few feet of such grade of boards discredits the whole lumber yard, and he receives less per thousand feet for his lumber.

Now, take a tree twenty years of age that has just started, so far as growth is concerned. It is probably

twenty feet high. You can get one little log ten feet long out of it, and you can saw out a few feet of lumber. From the time the tree is ten inches high until it is twenty years old, it grows rapidly. The next twenty years it will become a good sized tree. Why should we take a tax, why should we not wait twenty years? Why should we raise a tree eight inches in diameter and sell it, and destroy good potential property? Whenever any one wishes to defeat a measure in the Legislature, I have learned that there are several things which they propound to the Legislature. The first is that the measure is unconstitutional. The constitutionality of this act, I understand, has been questioned, but I can refer them to the Maine Forest Commissioner's report of 1908. The Senate in that year propounded this question to the Superior court and I have before me the question and the decision:

"While careful and economical cutting is being observed by the larger land owners, there has been a tendency in recent years in some of the southern counties to strip the lands, in the desire for immediate returns, and to the great injury of the owners, and the water powers upon which the forests largely depend. As a result, some of the people of that section realizing the great value of their forests to the State from a commercial standpoint, the preservation of its valuable water powers, and the general utilities of public interest asked for a law at the last session of the Legislature to prohibit the cutting of spruce and pine of a size below 12 inches on the stump.

There was considerable opposition to this measure, many of the members believing that such an act would be unconstitutional. As a result, an order was passed by the Legislature asking for an opinion from the supreme court of Maine as to the constitutionality of a law to restrict the cutting of trees on the wild lands of the private holders, in the interests of forestry, the preservation of water powers and rainfall and the general utilities of public interest in these domains.

The order as it was submitted to the supreme court is as follows:

Ordered, the justices of the supreme judicial court are hereby requested to give to the Senate, accord-

ing to the provisions of the constitution in this behalf, their opinion on the following questions, to wit:

In order to promote the common welfare of the people of Maine by preventing or diminishing injurious droughts and freshets, and by protecting, preserving and maintaining the natural water supply of the springs, streams, ponds and lakes and of the lands, and by preventing or diminishing injurious erosion of the land and the filling up of the rivers, ponds and lakes, and as efficient means necessary to this end, has the Legislature power under the constitution—

1. By public general law to regulate or restrict the cutting or destruction of small trees growing on wild or uncultivated land by the owner thereof without compensation therefor to such owner;

2. To prohibit, restrict or regulate the wanton, wasteful or unnecessary cutting or destruction of small trees growing on any wild or uncultivated land by the owner thereof, without compensation therefor to such owner, in case such small trees are of equal or greater actual value standing and remaining for their future growth than for immediate cutting, and such trees are not intended or sought to be cut for the purpose of clearing and improving such land for use or occupation in agriculture, mining, quarrying, manufacturing or business or for pleasure purposes or for a building site; or

3. In such manner to regulate or restrict the cutting or destruction of trees growing on wild or uncultivated lands by the owners thereof as to preserve or enhance the value of such lands and trees thereon and protect and promote the interests of such owners and the common welfare of the people?

4. In such regulation of the control, management or use of private property a taking thereof for public uses for which compensation must be made?"

Now they reported as follows: "We find that the legislature has by the constitution "full power to make and establish all reasonable laws and regulations for the defense and benefit of the people of this state, not repugnant to this constitution nor that of the United States." Constitution of Maine, Article IV, Part III,

Section 1. It is for the legislature to determine from time to time the occasion and what laws and regulations are necessary or expedient for the defense and benefit of the people; and however inconvenienced, restricted or even damaged particular persons and corporations may be, such general laws and regulations are to be held valid unless there can be pointed out some provision in the state or United States Constitution which clearly prohibits them. Those we understand to be universally accepted principles of constitutional laws."

There is a great deal more to that decision which any one who wishes can read, but I will not tire you with a further reading. What I have read covers the point which I wish to make.

The next objection that they will have is that this measure is unnecessary. Now, I think that no one really acquainted with the conditions of the lumber supply in the state of Maine will dare to say that it is unnecessary. Neither is it confiscatory, which is another objection, because you are only prohibiting a man from cutting that which is of no value to him, but is of great potential value to the state. A lumber concern which is doing business, in a community if they intend to stay and continue in the operation of the manufacture of lumber for a considerable period of time, is as anxious to conserve the lumber supply of that particular locality as anyone in the state of Maine. Those people are good citizens. They are good citizens, not only in the sense that they are trying to save natural resources of the state of Maine, but by doing so they are public spirited. The fly-by-night operator who goes into a town and tries to purchase from some local owner, land at what he calls a good trade, is not concerned as to the welfare of that town. He only buys that which he can cut, as he thinks at a good price, and on which he can make a large profit.

Now, gentlemen, I do not see, by the enactment of this bill, how anyone can possibly be damaged. I presume a large land owner—and there are such in some sections of the state, who have always claimed that we should not inquire into their business nor legislate in any way which would attract attention to them—would also object to this bill. This

is simply an appeal of the tree to be allowed to go on growing until such time arises, if nothing interferes with its development, that it will be valuable to mankind. Every acre of our abandoned farms, every acre of our hillsides, might be earning for the inhabitants of this state, ten dollars net per acre. In order to do this, when we remove lumber we must use care and judgment, and leave the seed trees, leave those trees which are good for nothing except to grow, and in a few years we can come back and reap an abundant harvest.

So, gentlemen, I do not see—and I was born and brought up in the woods myself and have swung an axe all my life—I do not see what possible injury this bill can work to anyone, and it certainly will establish and start a principle which will be of incalculable value to the state of Maine.

Mr. CUMMINGS of Portland: Mr. Speaker and gentlemen: Sometimes it happens that a thing which seems superficially desirable, upon closer examination proves to involve a principle which might not be well to establish. I notice that the decision of the Supreme Court, read in part by the representative from Parsonsfield (Mr. Granville), merely applied to wild land, and to trees that were of no particular value to the owner, it does not seem to me that that in any way applies to the case in hand.

Again I notice that this bill applies only to white pine. It would be rather a novel thing, it seems to me, if the state of Maine should say to a man who owns white pine that he could not cut a tree below eight inches in diameter, when anyone else, owning spruce or fir or hemlock or any other sort of growth, could cut whatever he pleased. Again, if the state, without an amendment to the Constitution, has a right to enact this law and restrain a man from cutting and selling his own trees, I feel sure that you are embarking upon a course which it may be that you do not consider the end of. If you have a right to do that, logically you would have a right to do a great many other things equally unreasonable. If you can do that, why can you not pass a law saying that no man shall sell a calf until it is four years old, or that he cannot sell a chicken until it is three years old. (Applause)

It seems to me gentlemen, that there is a principle involved in this bill which ought to have very careful consideration before you enact it into law. (Applause)

Mr. SMALL of Standish: Mr. Speaker and gentlemen of the House: In preparing this bill I asked the assistance of my friend from Parsonsfield, Mr. Granville, but I certainly did not expect the help which I have had. However, he said a great many things that I have thought of, and I would like to say just a few words a little more to the point.

As I came into the hall the other morning someone handed me this little book which I hold in my hand. I supposed it was a joke, because it was about the forest trees of Maine, but when I read it I was very glad to have it because I realize that the forests of Maine are disappearing, and more particularly the white pine in Maine. Now I beg leave to read one little paragraph. Please take notice how it commences: "At one time white pine was very abundant in the state, and it was for this reason that the appellation of Pine Tree State' was given to Maine. It was also because of the abundance and value of the white pine that this tree was chosen as the emblem of the state."

Now then, this bill is intended as a measure to protect the white pine of the State and also to protect the pocket books of the owners. You who have visited the southern and western portions of the State of Maine have noticed the numberless piles of sawdust—and remember that farther back from the road there are countless numbers more—and they are all that is left of a pine growth that was generally pine because that is the pine section of the State. I will say this, that it takes twenty-five years—my friend, Mr. Granville, has said twenty, but I will add five years more—to raise a pine tree up to eight inches, and that pine tree will make a two by five joist, and that quality and size of lumber is not worth ten dollars standing. That tree is worth eight cents. That is what it is really worth. Now then, in the next twenty-five years what will it be? It will be a tree of sixteen inches, so that in that period of time, provided it has good fair growing conditions, it will grow to be worth \$2.50.

Now I have heard through the cor-

riders about a lot of sympathy for the poor farmer from gentlemen who are not members of the House, but who, I presume, were hired to come here by lumbermen's associations, or something of the kind. Now, Mr. Speaker, do you believe that this lobby has been here in the interest of the poor farmer, or was it brought here with the idea of holding the right to cut every living thing off the ground. Now, gentlemen, with reference to the piles of sawdust, if this bill had been enforced there would have been enough small growth, which no one received any returns for except the man who cut it, who may have received a little but not much, there would have been a growth on the land that in thirty years would have been ready for another cutting. I say, that this bill protects the farmer's pocketbook.

Now there is another thing that has been brought up to me. What would the farmer do who needed a little money, perhaps for repairs or something? Now, if he owns this timber, this small growth, there is nothing in the world that he can get as much money out of, as he can that to borrow on at 5 per cent. Money can be had at 5 per cent. and the growing timber can be taken to secure it. Now, why is there not money in it for him?

At a former hearing in one of the rooms of the State House I asked a lumberman this question: "When you buy a piece of timber land do you buy it in order to strip it"? He answered, "No, I do not"; and I asked him, "How is that"? and he said, "I save all the growth under ten inches. I am very careful of the small growth, because I think it is a good investment". By the same token then, why is it not a good investment for the owner before it is sold?

Now in a careful study of this bill—I will not read the first part, but it says: "except for the purpose of clearing land for agricultural use, for building, or for the construction of yards, roads or highways; for use in building camps, dams, or ways; or for personal use on the farm of the owner in the ordinary course of good husbandry". I think that answers the question propounded by my friend, Mr. Cummings from Portland. If it does not the next will: "Provided, however, that white pine trees less than eight inches in diameter may be removed from localities where the

trees are unduly exposed or are too thick for profitable growth, or where for any reason"—now this is pretty broad—"their retention is unnecessary for the practice of conservative forest management".

Now, gentlemen, it is then, as I said before, a question whether you wish to preserve the forests of Maine. My friend, Mr. Cummings asks, "Why did you designate the pine"? In our portion of the State it is practically all pine, and the pine is disappearing faster than any other kind of tree, and so, believing that something must be done sometime in the near future, this bill was drafted as the first step toward forest preservation.

I believe that if the present management is continued for the next twenty years as it has been in the last, that about all the pine trees you will have to look at will be the one on the State flag and the one on the seal of the State of Maine. Gentlemen, I thank you.

Mr. STURGIS of Auburn: Mr. Speaker and members of the House: I have been greatly entertained this afternoon listening to the beautiful speeches. Last Friday night I went home expecting to go back home again by Tuesday night. Now I feel perfectly resigned to sitting here and listening to this beautiful talk and I am satisfied now to staying until the first of May if nothing happens, and we go ahead at the present rate.

We have been carried this afternoon away back to the time of the Pilgrims, three hundred and three years ago. We have been carried down the Amazon and over into Europe, and the poor little pine tree has been thoroughly dissected and discussed.

I live on a farm, and have for some time, as you may possibly know by looking at me, and I believe the farmers of the State do not need any guardians yet. If I have a timber lot of pine, hemlock or spruce, I propose to stand off any measure that tries to come in and tell me when it shall be cut and when it shall not be cut. There is such a thing as supply and demand and I think that if a farmer has a nice growth on his land and wants to sell it to someone to be sawed up into lumber, he has a perfect right to do so. Now, another thing, referring to this eight inch tree, I will give it thirty years. I

know the previous speaker, Mr. Small, went one better than my friend, Mr. Granville and called it twenty-five years, but I will say thirty, and I am not much of a woodsman either.

Now those men, as I understand it, live in the southwest corner of the State, and they do not seem to have got very far out. In the north we have spruce—and I was born in the woods, but I have tried to get out a little ways, although I may not have got very far out yet. Now going back to the tree eight inches through. It might be that after twenty years you could get three logs out of it, but if it is like some of the trees I have seen in the State of Maine, the limbs start about so far (indicating) from the ground and the tree goes principally into limbs. In regard to the other tree—you take a tree eight inches through and forty feet in the air, you cut the growth all around that tree, and unfortunately we have a hot sun here in the summer time, and that tree has been protected for years by the other trees all around it, and you cut them down and leave it standing out there looking all around for companionship, and the sun blisters that tree and stops its growth. I for one, hope that this bill will not have passage.

Mr. SMALL of Standish: Mr. Speaker, and gentlemen; it seems to me that it is evident that this gentleman, (Mr. Sturgis) has not read the bill. It specifies in the bill that where trees are unduly exposed or can be cut profitably, the owner has a right to cut them any time, and in regard to the trees outside of the white pine district, we do not have many such trees as he describes, not many.

I want to say one word more with your permission, because I might want to get up again if I did not, and that is about the rights of the individual. There is not a law on the statutes but what restrains somebody, somewhere, somehow, from doing something that he perhaps would like to do. Even the prohibitory law, as someone has claimed, interferes with their personal privilege. But, so long as it is better for the farmer to be restricted in the cutting, I do not think that he should find any fault. It is a matter that concerns the future welfare of the whole State and is a matter which I, for one, am willing to submit to a vote of the State, and I believe the State has a right to protect the growth of those trees.

Now I offered this bill although it does not look much like the one I wrote. I acknowledge that I know little or nothing about the conditions in the northern part of the State. I know that there are many different conditions throughout the State to be considered, but this is a matter which concerns the State as a whole, and I hope that the members of this House will so consider it.

On motion by Mr. Crafts of Greenville the previous question was ordered.

The SPEAKER: The question is on the motion of the gentleman from Parsonsfield, Mr. Granville, that report A ought to pass be accepted.

A viva voce vote being doubted,

A division of the House was had.

Forty-one having voted in the affirmative and 69 in the negative, the motion failed of passage.

On motion by Mr. Piper of Jackman, report B ought not to pass was accepted.

The SPEAKER: The next matter is, bill, An Act to amend the charter of the Gould Electric Company, tabled by the gentleman from Auburn, Mr. Wing, on April 3rd, on the motion of that gentleman to reconsider, and the Chair recognizes the gentleman from Auburn, Mr. Wing

Mr. WING: Mr. Speaker, I yield to the gentleman from Houlton, Mr. Archibald.

Mr. ARCHIBALD: Mr. Speaker, I would like to inquire what the pending question is.

The SPEAKER: The pending question is the motion of the gentleman from Auburn, Mr. Wing, to reconsider the vote whereby the rules were suspended and the bill received its readings.

Mr. ARCHIBALD: Mr. Speaker, I would like to say—

Mr. WING: Mr. Speaker, I rise to a point of personal privilege. Will the gentleman from Houlton, (Mr. Archibald) yield for a moment? If he will, I would like to ask consent to withdraw my motion.

Mr. Archibald of Houlton having yielded the floor to Mr. Wing of Auburn, that gentleman, upon receiving the unanimous consent of the House, withdrew his motion to reconsider.

Mr. ARCHIBALD: Mr. Speaker, I

will now move that the bill receive its several readings.

The SPEAKER: The bill has already had two readings.

Thereupon, on motion by Mr. Archibald of Houlton the rules were suspended and the bill received its third reading, and was passed to be engrossed.

Mr. WING of Auburn: Mr. Speaker, is the next matter on the calendar in regard to the Camden and Rockland Water Company?

The SPEAKER: The gentlemen from Auburn, Mr. Wing, assigned that matter to come up immediately after the previous matter and it is in order at this time to take it from the table.

Thereupon on motion of Mr. Wing of Auburn, the rules were suspended and Senate Document No. 318, An Act to repeal Section 8 of Chapter 522 of the Private and Special Laws of 1885, and to amend Section 1 of Chapter 9 of the Private and Special Laws of 1887, relating to the Camden and Rockland Water Company, was taken from the table and received its three several readings and was passed to be engrossed.

The SPEAKER: The next matter is Senate Document No. 271, An Act to regulate the use of aircraft, tabled by the gentleman from Augusta, Mr. Maher, April 3rd, pending passage to be enacted.

On motion by Mr. Maher of Augusta the bill was temporarily retabled.

The SPEAKER: The next matter is Senate Document No. 294, Resolve amending Constitution for purpose of building Kennebec bridge tabled by the gentleman from Bath, Mr. Morse, April 3rd, pending final passage.

On motion by Mr. Morse of Bath, the bill was temporarily retabled.

The SPEAKER: The next matter is Senate Document No. 301, majority and minority report of the committee on Public Utilities and Ways and Bridges on, bill, An Act to incorporate Maine Kennebec bridge, tabled by the gentleman from Bath, Mr. Morse, April 3rd pending the acceptance of either report.

On motion by Mr. Morse of Bath the matter was temporarily retabled.

REPORTS OF COMMITTEES (Out of Order)

The SPEAKER: The Chair presents out of order the following reports: The gentleman from Greenville, Mr. Crafts, from the committee on Inland Fisheries and Game, on bill, An Act to amend Section 46 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 233 of the Public Laws of 1919, and as amended by Chapter 218 of the Public Laws of 1921, relating to the protection of fur bearing animals, reporting that same ought to pass.

On motion by Mr. Crafts of Greenville, the bill received its three several readings and was passed to be engrossed, under suspension of the rules.

CONFERENCE REPORTS

Report of the committee of conference on House Document No. 422, Resolve in favor of State Park commission, reporting that the Senate recedes and concurs with the House in passing the Resolve to be engrossed. The report was accepted.

Report of the committee of conference on bill, An Act to amend Section 14 of Chapter 78 of the Revised Statutes relative to conveyances not effectual against others unless recorded, reporting that the Senate recede and concur with the House in giving the bill a passage.

The report was accepted.

From the Senate: House Document No. 464, bill, An Act to amend Chapter 37 of the Private and Special Laws of 1917 relating to a police commission for the city of Lewiston on which the House accepted the minority report, bill ought to pass, in a new draft, and the bill was passed to be engrossed in the House.

In the Senate, the majority report, ought not to pass accepted in non-concurrence

In the House, that body voted to insist on its former action and asked for a committee of conference, and the Chair appointed as such committee on the part of the House, Messrs. Holmes of Lewiston, Martin of Augusta and Weeks of Fairfield.

On motion by Mr. Jordan of Cape Elizabeth, Senate Document No. 312, An Act to provide for the supervision, regulation and conduct of the trans-

portation of persons over the public highway of the State of Maine by automobiles, jitney busses, and auto stages, by the Public Utilities commission, tabled by that gentleman earlier this morning, was taken from the table.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Jordan.

Mr. JORDAN: Mr. Speaker, I yield to the gentleman from Portland, Mr. Nichols.

Mr. NICHOLS: Mr. Speaker, the question is on the adoption of the amendment on the motion of the gentleman from Caribou, Mr. Hamilton. I second the motion of that gentleman, that the Amendment be adopted.

The SPEAKER: The question is on the adoption of the Amendment, on the motion by the gentleman from Caribou, Mr. Hamilton.

A viva voce was doubted.

Mr. CURTIS of Brewer: Mr. Speaker, what is this bill, please?

The SPEAKER: The Chair will state that it is an act to provide for the supervision, regulation and conduct of the transportation of persons over the public highway of the State of Maine by automobiles, jitney busses, and auto stages, by the Public Utilities commission, the pending question being the adoption of House Amendment A offered by the gentleman from Caribou, Mr. Hamilton, in the morning session, later tabled by the gentleman from Cape Elizabeth, Mr. Jordan, taken from the table by the same gentleman, the pending question still being the adoption of the Amendment.

Mr. PHILLIPS of Orrington: Mr. Speaker, may we have the Amendment read or explained?

The SPEAKER: The Amendment was read this morning and explained, but the gentleman may have it again.

Mr. HAMILTON of Caribou: Mr. Speaker, I think I can make it clear in regard to this Amendment. The original bill that was put in here had reference to automobiles and trucks on regular routes and especially the carrying of persons and of property. The proponents state that the original law at the present time includes only persons, and one of the objections was that we could not extend that law any further, that while it does include persons it should

also include property. Personally, I am against having it include either persons or property, but for the benefit of those interested I introduced that Amendment.

Mr. NICHOLS of Portland: Mr. Speaker, I will explain the Amendment a little further. The bill as drafted gave certain powers to the Utilities Commission and left it entirely with the Utilities Commission at their discretion. Now, we have defined the powers of the Utilities Commission by giving them authority only as to a matter of fact, they to determine the matter of fact as to what vehicles are under this law, but the questions of law are reserved for the courts, and the penalty is fixed by the courts and not by the Public Utilities Commission. Now, if this bill does not pass, the present law leaves the entire authority and the enforcement of the law with the Public Utilities Commission, and provides that the Public Utilities Commission may act as a court of law and fine for contempt.

Now the members of the Judiciary committee thought that that was vesting, was giving, too much authority to the Public Utilities commission for that commission to determine first the facts and then to fix the penalty, and in addition to that they could also punish for contempt, making the Public Utilities commission a court of contempt proceedings. Now, unless this bill is enacted you leave that law on the statute books, and it is practically unworkable. The Amendment was drawn taking out the words "or property" so that carriers of property are not under the Public Utilities commission. That is, the trucks which carry property but do not carry passengers are not under the Public Utilities commission. The bill is reported by the committee inserting those words. The Amendment proposed by the gentleman from Caribou, Mr. Hamilton, cuts the words "or property" out of the bill. I think that explains the present law, the bill, and the Amendment.

The SPEAKER: The question is on the motion of the gentleman from Caribou, Mr. Hamilton, that House Amendment A be adopted. A viva voce vote has been doubted, which calls for a division of the House.

A division of the House being had, Eighty-seven having voted in the affirmative and 12 in the negative,

the motion to adopt House Amendment A prevailed.

Mr. JORDAN of Cape Elizabeth: Mr. Speaker, if in order, I move the indefinite postponement of Senate Document No. 312.

A viva voce vote being taken, the motion failed of passage, and the bill as amended was passed to be engrossed.

On motion by Mr. Granville of Parsonsfield it was voted to take from the table Resolve amending Article IX of the constitution as amended by Article XXXV of the constitution and as amended by Article XLIII increasing the amount of bonds to be issued for the purpose of building state highways and state-aid highways, and providing for the building of intrastate and interstate and international bridges, tabled by that gentleman earlier in the session; and on further motion by the same gentleman the resolve as amended was passed to be engrossed.

On motion by Mrs. Pinkham of Fort Kent,

Recessed to respond to the sound of the gavel.

AFTER RECESS

Senate Papers Out of Order

From the Senate: Report of committee on Ways and Bridges reporting same in new draft under title of, Resolve for the construction, maintenance and repairs of roads, bridges and ferries, and that it ought to pass.

In the Senate, report read and accepted and resolve passed to be engrossed.

In the House, report read and accepted in concurrence, and on motion by Mr. Keene of Belfast, the rules were suspended, and the resolve had its two several readings and was passed to be engrossed in concurrence.

From the Senate: Report of the committee on Inland Fisheries and Game on Resolve appropriating money to aid in the screening of Lake Winnecook or Unity Pond in the towns of Burnham and Unity in the county of Waldo, reporting that the same be placed on file as the subject

matter has been incorporated in another resolve.

In the Senate, report read and accepted.

In the House, report read and accepted in concurrence.

From the Senate: Bill, An Act relating to the assessment of the county taxes in the several counties for the year 1923.

In the Senate, read twice under suspension of the rules and passed to be engrossed.

In the House, the rules were suspended, and the bill had its three several readings and was passed to be engrossed in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill An Act to amend Chapter 197 of the Public Laws of 1917, as amended by Chapter 172 of the Public Laws of 1919, relating to the State Department of Health.

This was passed to be engrossed in the House earlier in the day.

In the Senate, referred to the next Legislature in non-concurrence.

In the House, on motion by Mr. Hale of Portland, that body voted to insist on its former action, and that a committee of conference be appointed.

The Chair appointed as such conferees on the part of the House: Messrs. HALE of Portland,
PIERCE of Sanford,
BRETT of Otisfield.

From the Senate: Report of the committee of conference on a resolve in favor of the State Armory at Lewiston, reporting that the same ought to pass.

In the Senate, report read and accepted.

The resolve in the House was referred to the committee on appropriations and financial affairs.

In the Senate, it was referred to the next Legislature in non-concurrence, and the committee of conference resulted.

In the House, it was voted to accept the report of the committee; and on motion by Mr. Hamilton of Cari-

bou, the matter was temporarily tabled.

From the Senate: Report of the committee of conference on bill, An Act making it unlawful for any person to have liquor in his possession in any public place, reporting that the same be referred to the next Legislature.

In the Senate, report read and accepted.

In the House, report read and accepted in concurrence.

From the Senate: Bill, An Act (House Document 74) relating to the salaries of chief of police and police captains of the city of Lewiston, on which the House earlier in the day insisted on its action and asked for a committee of conference.

In the Senate, that body adhered to its former action.

In the House, on motion by Mr. Holmes of Lewiston, that body voted to adhere to its former action.

Reports of Committees Out of Order

Mr. Archibald from the committee appointed to consider the Cole report on bill, An Act to amend Section eight of Chapter 117 of the Revised Statutes, relating to the Attorney General, reported the same in new draft under title of An Act to amend Section 8 of Chapter 117 of the Revised Statutes, as amended by Chapter 210 of the Public Laws of, 1919, relating to the attorney general and that it ought to pass.

Report read and accepted, and the rules were suspended and the bill had its three several readings at this time and was passed to be engrossed.

Mr. CRAFTS from the committee on Inland Fisheries and Game on bill An Act to amend Section 38 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 37 of the Public Laws of 1919, and as amended by Chapter 117 of the Public Laws of 1921, relating to the protection of deer, reports the same in new draft, under same title and that it ought to pass.

Report read and accepted, and the rules were suspended and the bill had its three several readings and was passed to be engrossed.

At this point, the House recessed to respond to the sound of the gavel.

AFTER RECESS

Senate Papers Out of Order

From the Senate: House Document 455, An Act to amend Section 14 of Chapter 78 of the Revised Statutes, relative to conveyances not effectual against others unless recorded, on which the committee of conference reported that the Senate receded and concurred with the House in giving the bill a passage. The report was read and accepted in the House earlier in the day, went to the Senate, and that body accepted the report, and then indefinitely postponed the bill.

In the House, on motion by Mr. Maher of Augusta, that body voted to adhere to its former position.

Conference Report

Report of the committee of conference on the disagreeing action of the two branches on House bill 191, bill, An Act to amend Section two of Chapter 319 of the Public Laws of 1915, as amended by Chapter 243 of the Public Laws of 1919, relating to State and county aid in the construction of highway bridges, reporting that the bill and amendment be indefinitely postponed, the subject matter being covered by other legislation.

Report read and accepted.

On motion by Mr. Bickford of Brownfield unanimous consent was granted that gentleman to introduce a bill out of order, under suspension of the rules, changing the name of a pond from Rattlesnake Pond to Lane pond, so-called.

Thereupon the bill had its three several readings under suspension of the rules, without reference to a committee, and was passed to be engrossed.

On motion by Mr. Archibald of Houlton, the House voted to reconsider its action whereby it passed to be engrossed bill, An Act to amend the charter of the Gould Electric Company; and on further motion by the same gentleman the bill was tabled for the purpose of amendment.

On motion by Mr. Pendleton of Islesboro,

Adjourned until, tomorrow morning at nine o'clock.