

# 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

**SENATE**

Thursday, April 5, 1923.

Senate: Called to order by the president.

Prayer by the Rev. A. F. Walch of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act to change the name of Rattlesnake pond in the town of Brownfield to Lane Pond.

In the House read three times under suspension of the rules and passed to be engrossed.

Mr. EATON of Oxford: Mr. President, it seems to me that is a good idea. I move that the rules be suspended and this bill given its readings at this time and passed to be engrossed.

The motion was agreed to and the bill was read twice and passed to be engrossed.

From the House: The Committee on Cole Report, on An Act to amend Section 8 of Chapter 117 of the Revised Statutes, relating to the Attorney General, reported the same in a new draft, under the 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.

The report was accepted in concurrence. The rules were suspended, the bill was read twice and passed to be engrossed in concurrence.

From the House: The Committee on Inland Fisheries and Game, on 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 (House Doc. No. 482), reported the same in a new draft, under the same title, and that it ought to pass.

The report was accepted in concurrence.

On motion by Mr. Hussey of Aroos-

took, the rules were suspended and the bill was given its two readings.

On motion by Mr. Ryder of Piscataquis, tabled pending passage to be engrossed.

From the House: 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.

Which came from the House, that branch insisting upon its former action in passing the bill to be engrossed under suspension of the rules, and asking for a committee of conference, the Speaker having appointed as House members of such a committee.

Messrs. HALE of Portland,  
PIERCE of Sanford,  
BRETT of Otisfield.

In the Senate this bill originally was referred to the next Legislature.

On motion by Mr. Hinckley of Cumberland, the Senate voted to adhere to its former action.

From the House: The Committee of Conference on the disagreeing action of the two branches of the Legislature, on An Act to amend Section 2 of Chapter 319, Public Laws of 1915, as amended by Chapter 243, Public Laws of 1919, relating to State and County Aid in the construction of highway bridges, (House Doc. No. 191), and House Amendment "A" thereto, reported that said bill and amendment be indefinitely postponed, subject matter being covered by other legislation.

The report was accepted in concurrence and the bill was then indefinitely postponed in accordance with the report of the committee.

**Orders of the Day**

The President laid before the Senate, 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." (Senate Doc. No. 297).

On motion by Mr. Brewster of Cumberland, the bill was passed to be enacted.

The President laid before the Senate, An Act to amend paragraph 11 of Section 6 of Chapter 10 of the Revised Statutes, relating to Forest

Land Exempted from Taxation. (House Doc. No. 213).

Mr. BUZZELL of Waldo: Mr. President and members of the Senate, I will say that this bill H. D. 213, as well as H. 323, were both in the hands of the Chief Executive, and in accordance with a suggestion made some days ago, he called me to his chambers and said that he could not approve of either one of these bills, and wanted to know if we could not recall them and reconsider both of these matters.

Acting in accordance with that suggestion both bills are here at this time. I wish to say that I have seen Representative Barwise, a gentleman who purported to be interested in this matter, and he says that he has no objection to the indefinite postponement of the matter. I move that H. D. 213, be indefinitely postponed.

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

Sent down for concurrence.

The President laid before the Senate, An Act to amend paragraph 9 of Section 6, Chapter 10 of the Revised Statutes, as amended by Chapter 105, Public Laws of 1919, and by Chapter 119, Public Laws of 1921, relating to exemption from taxation of the estates of war veterans. (House Doc. No. 469).

Mr. BUZZELL of Waldo: Mr. President and members of the Senate, the same statement of facts applies to H. D. 469, and I have talked with Representative Overlock, who introduced the measure, and he has no objection to the indefinite postponement of the bill.

I move that the bill be indefinitely postponed.

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

Sent down for concurrence.

The President laid before the Senate, An Act to amend Section 46 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 133 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. (Senate Doc. No. 305).

Mr. SPENCER of York: Mr. President, I would inquire what the stage of this bill is—has it been passed to be engrossed?

The PRESIDENT: An amendment was presented but not adopted.

Mr. SPENCER: Mr. President, I move the adoption of Senate Amendment A and would like to give a few reasons.

This amendment simply advances the time from the 31st day of August to the 15th day of October, and it applies to raccoons as well as other fur-bearing animals mentioned in the amendment itself.

It is said by those who raise sweet corn that the raccoons do not do any great injury to their crop. In fact they say that the hunters going through their corn fields and taking what they see fit, and treading it down thereby commit more injury than is done by the animals, and that in the prime pelt of the raccoon there is a possibility of recovering all that may be lost by the injury from the animals themselves.

You understand also that under the present law farmers may exterminate any pests of that kind which are damaging their crop. This extends to the class who own young hunting dogs and want to train them, and they hunt raccoons before the fur is prime and thus destroy something that would be valuable later on. I understand that the commissioner of inland fisheries and game is in favor of this amendment, for a reason which is very simple and obvious, that it furnishes a pretext for hunters to go into the woods before the open season, by the first of September, and not only hunt small game, but even hunt deer, and they can go in the night time, and jacklight them if they wish.

These are the principal reasons for making this amendment, and I move the adoption of Senate Amendment A.

The Amendment was read by the secretary:

Senate Amendment A to the New Draft of the bill entitled "An Act to amend Section 46 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 133 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".

Amend bill entitled, "An Act to amend Section forty-six of Chapter two hundred and nineteen of the Public Laws of nineteen hundred seven-teen, as amended by Chapter one hun-

dred thirty-three of the Public Laws of nineteen hundred nineteen, and as amended by Chapter two hundred eighteen of the Public Laws of nineteen hundred twenty-one, relating to the protection of fur-bearing animals", by striking out in line four of said Section forty-six of said Act the word "raccoon" and by striking out in lines five, six, seven and eight of said Section forty-six of said Act the words "or whoever, from the first day of March to the thirty-first day of the following August, both days inclusive, hunts, traps, kills, pursues or catches any raccoon".

Said bill is hereby further amended by adding to said Act at the end thereof the following paragraph 'Provided, however, that it shall be lawful to hunt, catch, pursue or kill raccoons and skunks at night from the fifteenth day of October to the last day of February, both days inclusive. So much of the provisions of Section seventy-four, Chapter two hundred and nineteen, P. L., nineteen hundred and seventeen, as amended by Chapter one hundred and ninety-six, P. L., nineteen hundred and nineteen, and Chapter eighty-nine, P. L., nineteen hundred and twenty-one, as is inconsistent with the provisions of this paragraph is hereby repealed.'

The rules were suspended and the bill given its second reading. Then Senate Amendment A was adopted, and the bill as thus amended was passed to be engrossed.

From the House: Resolve in favor of Ashley A. Smith for Lincoln Day address.

In the Senate the rules were suspended, the bill received, read twice and passed to be engrossed, in concurrence.

From the House: Resolve amending Article IX of the Constitution, increasing the amount of bonds to be issued for the purpose of building a bridge across the Kennebec river between the city of Bath and the town of Woolwich.

In the House indefinitely postponed.

Mr. HINCKLEY of Cumberland: Mr. President, I move that we insist upon our former action in passing this bill to be engrossed and ask for a committee of conference.

The motion was agreed to.

Mr. HINCKLEY: Mr. President, Is this the Carlton bill, may I ask.

(The President again read the title of the bill.)

Mr. HINCKLEY: Mr. President, at the suggestion of the senator from Waldo, I withdraw my motion asking for a committee of conference.

The motion was agreed to and the bill was then tabled.

The PRESIDENT: Now the only matter before the Senate is the last one on the calendar, S. 320, An Act providing for the benefit and assistance for aged persons under certain conditions in the State of Maine and prescribing penalties for violation of the provisions hereof and making an appropriation for carrying out of its purposes, tabled on the motion of the senator from Somerset, Mr. Smith, whom the Chair recognizes:

Mr. SMITH: Mr. President, I would like to offer a few remarks on this subject at this time.

Fellow members:

It seems a little out of order for me to use time that is so much needed during the sunset of this Legislature, and had I not refrained from taking part in many discussions during the past three months, and if the pending bill did not merit careful attention I would not now intrude. But since this measure concerns the welfare of many unfortunate men and women of our State, whose very pleadings for assistance must be made to the younger and stronger of their race, it may be only fair for us to give this question careful and thoughtful consideration, for wherever the sun may cast its rays of light, human beings alike must come face to face with this uncertainty in the journey of their existence.

From time immemorial kingdoms and nations have been confronted with the problem of how to provide for helpless old age, humanely and economically, for each succeeding year has revealed a larger number of aged persons who have lost in life's uneven struggle and through uncontrollable destinies find themselves dependent upon the mercies and charities of others.

Methods pursued in dealing with this issue, have varied and improved in keeping with the progress of man. Legend has it that in primeval days old men were placed in trees and after singing "The Fruit is Ripe"

they were shaken down and clubbed to death.

When comparing this ancient practice with the modern pension system of Europe it is not difficult to realize that while civilization may ebb and flow the character of men moves on without retrogression.

It would appear that foreign countries have been more acute to the justice of alleviating the horrors of feeble years; more responsive to those ideals that would make old age a distinction and a privilege, for nearly all civilized nations in the world except our own, have long since provided pensions for their old men and women who are unable to care for themselves.

It is almost unthinkable and inconceivable that in this land of plenty with its generous hearted and public spirited citizens, that ours is the only nation that says to her wage earners. "Keep up your work as long as you can, as long as you are able to produce, and when that time has passed we shall discard and scrap you just as we do the machines upon which you work when they have outlived their use." Yet we need not be dismayed, the conscience of the nation is slowly awakening to a vision not measured by the rim of a silver dollar, for 18 of our states through their Legislatures are either considering old age pension bills or have appointed commissions to devise some method to better care for those in need. The governor of Massachusetts asked for a pension fund of one hundred thousand dollars. Last Friday the State responded to this call by passing in the House 82 to 64 an old age pension bill almost identical to this one under discussion. The governor of New York recently made a similar demand, and the Assembly almost unanimously passed a similar bill. Public-spirited men, broad-minded citizens, throughout our nation today are making similar requests.

In our State there are 121 poor houses representing an investment of \$1,118,095. Eight hundred sixteen persons were committed to these institutions last year; 351 of them on account of helpless old age. The average cost per inmate was \$5.86 per week, not including overhead and investment charges which amount to more than \$1.50, or a total expense of \$7.36 per week for each old man or woman supported in our almshouses or \$1.32 per week per inmate more than it would cost to care for these unfortunate souls through

the provisions of the proposed act which limits the amount to \$25 per month for those who have attained the age of 65 years, one-half of which is paid by the municipality where applicant has a legal residence.

Take from our poor houses those dependents who have been forced there on account of old age, a number representing more than 40 per cent. of total commitment, and our towns could liquidate an investment of nearly one-half million dollars by disposing of these antiquated and obsolete homes, a saving in interest money equal to entire appropriation provided in this resolve.

Besides the pauperized and stigmatized inmates of the alms houses there are many more citizens who in the fullness of their strength were proud and useful men, that today stand at the threshold of life humiliated and tortured with the prospects of filling a pauper's grave.

Let me read one of many letters which I have received during the past few months concerning this subject:

"I am 72 years of age, born in the city of Auburn and spent my life there and in Lewiston, my husband being a dentist there all the years of his business life. We owned a modest home at the time of his break-down and illness, resulting in paralysis from which he never recovered mentally or physically, living for nine years. In the meantime was obliged to sell our home and bought a very small one at Turner Center which I now own, on which of course I have always managed to keep the taxes paid. Have spent all the time there I possibly could, but have been obliged to spend a part of the time away to earn money to keep up the expense of this little home. I have wanted to feel that I could call some place home. Have often thought, did I have a very little income I could enjoy my own little home again, with garden and chickens. For references I can refer you to such men as George C. Wing, Congressman White's father, and Judge Newell of Lewiston. I do hope that I may be considered should your kindly interest in the elderly residents of the good old State of Maine prevail."

This morning I read in the headline of our papers over nine million dollars spent for public recreation last year, appropriated by our towns and cities. When I think of the contents of this letter and of the significance of this amount of money appropriated

for pleasure,—when I think of the extravagance on the one hand, and on the other we say to that poor old woman, You starve to death or go to the city farm,—I have no words with which to describe such a picture, a condition that should bring shame to every American citizen.

The enactment of this bill would not create a commission or incur administrative expense as is so common to measures of this nature. Not a single person could obtain a pension without the approval of the Governor and Council, and the tax burdens would not be increased a penny, for our towns and states are already taxed to support needy citizens. It would simply replace our inhuman laws governing the care of unfortunate persons with economic and progressive legislation founded and builded on the milk of human kindness.

Pensioning of worthy citizens is not a new principle or an unheard of innovation, even in our own State, the Supreme Court Judges, our soldiers and sailors, postoffice officials, school teachers, railroad and industrial employees share in this method of preventing old age dependency.

Why close the doors; why preclude equally deserving and more unfortunate, the workers of industry, the tillers of the soil, who through illness and business reverses are banished from friends, home and fire-side?

It may be claimed that to encourage is to destroy; that an assurance for old age will make us less industrious and more unmindful of future years. Anyone who analyses his own mentality will appreciate the fallacy of such an idea. It is a natural ambition to go ahead, to strive for better food, better clothes, better environments and for the comforts of old age. Who would suggest that pensions granted to the boys in blue made them lazy, idle and indolent citizens? Who would withdraw that aid so recently given the mothers of our State? God knows that both are laudable contributions, but, that no recipient can be more deserving of assistance than are those poverty stricken fathers and mothers who are drifting in the shadow of the great beyond.

Mr. President, neither your father nor mine, who were so recently called from our affections, would have needed the protection of this meas-

ure, but in every community there are fathers and mothers who are waiting for the last call, that are ragged and hungry, rather than to beg of charity or meet disgrace at the city farm.

The percentage of our helpless old men is gradually growing larger, increasing at the rate of four per cent per year. Medical science cannot cope with the unnatural drain on the working man's energy resulting from the remorseless force and merciless precision of modern machinery which has not only shortened the period of effective service, but is gradually shutting out from gainful occupation the failing eyesight, feeble nerve and the unsteady hand of old age.

There are those who will contend that there is no need of poverty with all its wretchedness, but no man who has given this subject careful and candid reflection will arrive at such an unpardonable conclusion.

Unskilled employes represent one-third of the total amount of labor. Today the average price paid in the United States is \$3.20 per day, make allowance for vacations and shut downs, pay for rent, food, clothes, furniture, educate the children and live respectably, how much have you saved for the inevitable rainy day when old age and sickness comes?

It is glorious to present bills to create great reservoirs as it has been my pleasure, to be able to rebuild the Constitution with that skill so characteristic of the senator from Cumberland, to champion the cause of an exposition building with the ability of that favorite son from Aroostook, to father the teachers' pension act with that dignity so common to the distinguished senator from York, but it is a million times more glorious to extend the hand of help to those in need.

When the old family horse has performed its last work we place it in kindly hands and in green pastures. When the pet dog can no longer respond to its master's call every mercy is extended this faithful animal. But the old man in his declining days goes among strangers over the hills to the poor house.

My friends, instead of this stigma of charity let us place the mantle of respect on those fading years by providing an adequate pension for those unable to care for themselves. For some day, by fellow senators, when our work is done we may have longings

for peace, for comfort, for affection, for some little nook in which to sit and think and dream of life's race well run, life's work well done, life's victory won.

The one thing constant in this life, the one peak that rises above all others, the one window in which the light forever burns, the one star that darkness can never quench, is a mother's devotion. Is there a senator within the confines of this chamber who would challenge that devotion by sending anybody's mother through those gates ajar from whence no traveller returns, with a poor house insignia stamped upon her fair face?

Mr. President, I hope that this bill may not be considered from the standpoint of sympathy or from the viewpoint of dollars and cents, but in the light of decency and of justice.

I cannot believe that this Senate will vote against the only labor measure out of 890 bills that have been presented here during this term, and when the vote is taken I would like it to be by a yea and nay vote. (Applause.)

A sufficient number having arisen a yea and nay vote was ordered.

The PRESIDENT: The pending question is on the passage to be engrossed. Those in favor of its passage to be engrossed will vote "yes;" those opposed will vote "no."

Those voting "yes" were Messrs. Adams, Allen, Bemis, Buzzell, Carlton, Cram, Cram, Croxford, Elliot, Emery, Farrington, Kirschner, Morneau, Phillips, Putnam, Ryder, Smith, Spelts, Stevens, Trefethen, Wadsworth—21. Those voting "no" were Messrs. Hinckley, Hussey, Morison, Sargent, Spencer, Wilson—6. Absentees, Messrs. Bailey, Brewster, Eaton, Powers—4.

Twenty-one senators voting in the affirmative and six in the negative the bill was passed to be engrossed.

Mr. HINCKLEY of Cumberland: Mr. President, I move to take from the table the Constitutional Amendment, increasing the amount of bonds to be issued for the purpose of building a bridge across the Kennebec river between the city of Bath and the town of Woolwich.

The motion was agreed to.

Mr. HINCKLEY: Now, Mr. President, I move that we insist and ask for a committee of conference and I wish to say just a few words in connection with this matter.

During the present week this Senate by a unanimous vote passed this resolve. During the present week this Senate indefinitely postponed the so-called private bridge bill to be located at approximately the same place. I cannot, having in mind that this Carlton bridge bill was indefinitely postponed in the House this morning, and that the private bill was accepted in the House this morning.—I cannot come to the point of being willing to turn a very important part of our highway system in the State of Maine over to private interests. I want to say to you, senators, if this Legislature, taking all things into consideration enacts into law a bill which turns a part of our highways over to private interests, then it will be a sorry day for this Legislature, and a sorry day for the State of Maine, and a sorry day to every man who participates in it.

You can rightfully and properly consider whether or not it is feasible for the State of Maine, for this Legislature to refer to the citizens of Maine, the question of whether or not they are willing to expend the amount of money that is necessary to build the bridge under State auspices and under State ownership.

But it seems to me, gentlemen, when we in this Legislature take the position that we are willing to surrender a part of our great highway system to a handful of men—

The PRESIDENT: The Chair will inquire if the Senator is speaking to the constitutional resolve?

Mr. HINCKLEY: Mr. President, I am trying to show that the constitutional resolve is to a great extent dependent, and the same arguments are being used in connection with it, if this is defeated that we should go ahead with the other bill, and for that reason—

The PRESIDENT: The Chair will rule that the Senator is in order.

Mr. HINCKLEY: It is for this Senate to say, and for the Legislature as a whole to say, whether or not it is better for the State of Maine through its Legislature to turn over this important link in our highway. Yesterday dozens of members were talking in favor of the Carlton bridge bill; today they are talking differently. And I know, Mr. President, that on the Carlton bridge bill, the matter was discussed yesterday, it was dis-

cussed last evening, and it even was agreed that it would be better to abandon our proposition of a bond issue of six million dollars on highways than to permit the Carlton bridge bill to go through. Now it seems to me this is unfair argument. The influence is great here; the influence is tremendous. We have very properly in this Legislature granted the right to private interests to develop business in this State. But it would be just as improper for this Legislature to say to these private interests, you can now come in and take part in governmental affairs, and I hope that this Senate will be the bulwark that will stop this proposition where it is, and that we will be strong enough to say to private interests, we will do all we can to open business in the State of Maine, we will give you the opportunities and the privileges that are yours, we will give you all the help that we properly can to develop the great enterprises in our State and thereby build up our State, but when it comes to the proposition that you ask the right to take over governmental agencies and thereby make money on those, we must call a halt. And I move that we insist and ask for a committee of conference that this matter may possibly be adjusted.

The motion was agreed to by a viva voce vote.

The PRESIDENT: The Chair will appoint the committee just a little later.

From the House: An Act to provide for building a bridge across the Kennebec river between the city of Bath and the town of Woolwich.

This was passed to be engrossed in the Senate and comes back from the House indefinitely postponed.

Mr. HINCKLEY: Mr. President, I move that we insist and ask for a committee of conference.

The motion was agreed to.

The PRESIDENT: The Chair will appoint that committee a little later.

From the House: An Act to incorporate the Maine Kennebec bridge.

This was indefinitely postponed by the Senate. It has been passed to be engrossed by the House, in non-concurrence.

Mr. HINCKLEY: Mr. President, I

move that we adhere to our former action; indefinitely postponing the bill.

The motion was agreed to.

From the House: An Act to amend the charter of the Gould Electric Company.

In the Senate this was passed to be engrossed.

In the House it was passed to be engrossed as amended by House Amendment A.

The secretary read House Amendment A.

Mr. HUSSEY of Aroostook: Mr. President, I move that we reconsider our vote whereby this bill was passed to be engrossed.

The motion was agreed to and on further motion by the same Senator House Amendment A was adopted in concurrence and the bill as amended was passed to be engrossed.

#### Finally Passed (Emergency Measure)

Resolve for the purpose of correcting an error in the Resolve for laying of the county taxes for the year nineteen hundred and twenty-three applying to the county of Cumberland.

This resolve carrying the emergency clause required the affirmative vote of two-thirds of the members of the Senate on its final passage.

Twenty-seven senators voting in the affirmative and none opposed, the resolve was finally passed.

#### Passed to be Enacted

An Act to amend Chapter eighty-four of the Private and Special Laws of nineteen hundred and nineteen, 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.

An Act to constitute the State superintendent of schools a member ex-officio, of the board of trustees of the University of Maine.

An Act to regulate the use of aircraft.

An Act to amend Chapter two hundred and ninety-four of the Public Laws of nineteen hundred and seventeen, as amended by Chapter sixty-three of the Public Laws of 1921, relating to intoxicating liquors.

#### Finally Passed

Resolve for the purpose of correct-

ing an error in the Resolve for laying of the county taxes for the year nineteen hundred and twenty-four as applying to the county of Cumberland.

Resolve in favor of Anne M. Chan-  
cy.

Resolve in favor of clerks, stenog-  
raphers and messengers of the several  
committees of the eighty-first Leg-  
islature.

Resolve in favor of the chaplains of  
the House of the eighty-first Leg-  
islature.

Resolve appropriating money to aid  
in the screening of certain lakes and  
ponds.

Resolve in favor of establishing a  
feeding station for fish on the outlet  
of Upper Shin pond, in the town of  
Mount Chase, in the county of Penob-  
scot.

Resolve calling to the attention of  
the Governor the failure of the Legis-  
lature to enact An Act entitled "An  
Act to amend Sections one and three  
of Chapter three hundred and fifty of  
the Public Laws of nineteen hundred  
and fifteen, relative to the hours of  
employment of women and minors".

Resolve on the pay roll of the Sen-  
ate of the eighty-first Legislature.

On motion by Mr. Ryder of Piscata-  
quis, new draft of bill relating to the  
protection of deer, was taken from  
the table, and on further motion by  
the same Senator was passed to be  
engrossed in concurrence.

The PRESIDENT: This takes ev-  
erything that the Senate has at pres-  
ent before it.

The Chair will appoint as the con-  
ference committee—the Chair feels  
that inasmuch as the matters are so  
tied up with each other that he will  
appoint the same committee on all of  
the bridge matters which are the sub-  
ject of conference—the senator from  
Cumberland, Mr. Hinckley, the sen-  
ator from Sagadahoc, Mr. Carlton,  
and the senator from Knox, Mr. El-  
liot.

(A short recess was taken).

#### After Recess

The Senate was called to order by  
the President at 11:20 A. M.

The PRESIDENT: The Chair  
wishes to call the attention of the  
various conference committees that are  
working on these various matters, to

see that they are closed up in some  
way if possible.

From the House: Resolve in aid of  
navigation on the lakes of Maine.

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

Resolve, appropriating money for  
maternity and child welfare work.

Which came from the House, given  
its two several readings under sus-  
pension of the rules, and passed to be  
engrossed.

On motion by Mr. Buzell of Waldo,  
the Resolve was received under sus-  
pension of the rules.

Mr. BUZZELL: Mr. President, I  
now move the adoption of Senate  
Amendment A, and previous to the  
adoption of the Amendment, I will  
say that this is agreeable to the Gov-  
ernor, and while I have not received  
word from him direct, if this Amend-  
ment is adopted we will save five  
thousand dollars from the Governor's  
original suggestion, five thousand  
dollars each year.

The rules were suspended and the  
Resolve was given its two readings.

Senator Buzzell then presented Sen-  
ate Amendment A to the Resolve ap-  
propriating money for maternity and  
child welfare work, and moved its  
adoption.

Amend said Resolve by striking out  
the words "five thousand" in the sec-  
ond line of said Resolve and insert in  
place thereof the words "ten thou-  
sand" and by striking out the words  
"five thousand" in the third line of  
said Resolve and insert in place  
thereof the words "ten thousand".

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

Sent down for concurrence.

Papers from the House disposed of  
in concurrence.

From the House: An Act to  
authorize the sale by the Sebec Dam  
Company and the purchase by the  
Milo Electric Light and Power Com-  
pany of all the rights, property and  
privileges of the Sebec Dam Com-  
pany.

This bill was passed to be enacted  
by both branches of the Legislature.  
It came from the House passed to  
be engrossed as amended by House  
Amendment A.

The Senate voted to reconsider the action whereby this bill was passed to be enacted and passed to be engrossed.

On motion by Mr. Spencer of York, House Amendment A was adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House: An Act to provide for the benefit and assistance of aged persons under certain conditions in the State of Maine, and providing penalties for violating the provisions thereof and making provision for carrying out the purposes.

This bill was passed to be engrossed by the Senate this morning.

The House adopted the report of the committee, ought not to pass.

On motion by Mr. Smith of Somerset, the Senate voted to insist on its former action and ask for a committee of conference.

The motion was agreed to and the Chair appointed as such committee on the part of the Senate: Messrs. SMITH of Somerset,

MORNEAU of Androscoggin,  
ALLEN of York.

From the House: An Act to incorporate the Maine Kennebec Bridge.

This bill had been passed to be engrossed by the Senate; by the House indefinitely postponed; the Senate then voted to adhere to its former action.

It now comes from the House that branch insisting on its former action and asking for a committee of conference.

Mr. HINCKLEY of Cumberland: Mr. President, is this the private bridge bill or the Carlton bill?

The PRESIDENT: This is the private bridge bill.

On motion by Mr. Hinckley, the Senate voted to adhere to its former action and refused the request of the House for a committee of conference.

From the House: The report of the committee on State lands and forest preservation, on Resolve to retire the Maine forestry district deficit, reported the same ought to pass.

In the House passed to be engrossed under suspension of the rules.

In the Senate, under suspension of

the rules, read twice and passed to be engrossed in concurrence.

#### Reports of Committees

Mr. Eaton for the committee on Appropriations and Financial Affairs, on Resolve appropriating money for general forestry purposes, reported that the same ought not to pass, the same being included in the general appropriation bill.

The same Senator for the same committee reported the same, on resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation. (Senate Doc. No. 206).

The same Senator for the same committee reported the same, on Resolve appropriating money for salaries and clerk hire in the office of the Land Agent and Forest Commissioner.

The same Senator for the same committee reported the same, on Resolve appropriating money for further maintenance of the State Forest Nursery.

The same Senator for the same committee, on Resolve appropriating money for maintenance and operation of State Pier for period Jan. 1 to June 30, 1923, reported that the same ought not to pass.

Mr. WADSWORTH for the same committee, on Resolve appropriating money for the administration of public lands, reported that the same ought not to pass, same being included in the general appropriation bill.

The reports were accepted and sent down for concurrence.

#### Passed to be Enacted

An Act to amend Section 7 of Chapter 293 of the Public Laws of 1917, relating to the director of sea and shore fisheries.

An Act to amend Section 22 of Chapter 127 of the Revised Statutes as amended by Chapter 291 of the Public Laws of 1917, relating to the sale of intoxicating liquors.

Mr. BREWSTER of Cumberland: Mr. President, I move we reconsider our action whereby we accepted the report ought not to pass on Resolve appropriating money for the State pier for maintenance and operation from January one to June 30, 1923.

The motion was agreed to and the bill was then tabled pending acceptance of the report.

On motion by Mr. Croxford of Penobscot, under suspension of the rules it was

Ordered, that 1000 copies of the remarks made by Senator Smith of Somerset, on the bill providing for pensions for aged persons be printed for use of the Senate.

On motion by Mr. Bemis of Somerset, it was

Ordered, that a message be sent to the House proposing a joint convention to be held forthwith in the Hall of the House of Representatives for the purpose of extending an invitation to the Governor to attend the convention and present such communication as he may be pleased to make.

The secretary conveyed the message and subsequently reported that he had delivered the message with which he was charged.

#### Message from the House

A message was received from the House conveyed by the Clerk announcing to this body that the House concurred in the recent proposition for a joint convention.

The PRESIDENT: The Senate hears the message.

Thereafter the Senate retired to the Hall of the House for the purpose of holding a joint convention.

(For proceedings in joint convention, see House report).

Upon the return of the Senate to its Chamber it was called to order by the President.

The PRESIDENT: There is one matter on the table, on the motion of the senator from Cumberland, Mr. Brewster, the ought not to pass report from the committee on appropriations and financial affairs on Resolve appropriating money for State Pier for maintenance and operation from January 1 to June 30, 1923.

Does the Senate desire to act on this now?

On motion by Mr. Brewster, the matter was taken from the table, and on further motion by the same senator the report, ought not to pass, was accepted.

Sent down for concurrence.

On motion by Mr. Allen of York, the Senate recessed until two o'clock.

#### After Recess

The Senate was called to order by the President at 2 P. M.

#### Message From the House

A message was received from the House, conveyed by the clerk proposing a joint convention to be held forthwith in the Hall of the House for the purpose of presenting to His Excellency, Governor Percival P. Baxter a loving cup.

The PRESIDENT: The Senate hears the message.

Is it the pleasure of the Senate to concur with the House in the proposition for a joint convention to be held forthwith in the Hall of the House for the purpose of presenting to His Excellency, the Governor, a loving cup?

The Senate concurred in the proposition. The secretary conveyed the message and subsequently reported that he had delivered the message with which he was charged.

The Senate retired to the Hall of the House for the purpose of holding a joint convention.

(For proceedings in convention see House report).

#### In Senate

Upon the return of the Senate to its Chamber it was called to order by the President.

From the House: An Act to amend Section 59 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917 and Chapter 196 of the Public Laws of 1919, and by Chapter 218 of the Public Laws of 1921, relating to non-resident hunters' licenses.

It comes from the House passed to be engrossed under suspension of the rules and without reference to a committee.

Under suspension of the rules it was given its two several readings and passed to be engrossed.

Report from the committee of conference on the disagreeing action of the two branches, on An Act in relation to the several examining boards, H. D. 295, recommending that the Senate recede and concur with the

House in the adoption of House Amendment A, and that the title of said bill be changed to read, "An Act in relation to the board of registration of medicine", signed by all six members of the conference committee.

In the House the report was accepted.

In the Senate the report of the conference committee was accepted. The Senate then reconsidered the vote whereby this bill was passed to be engrossed without amendment, adopted House Amendment A, and passed the bill to be engrossed as amended by House Amendment A.

Report from the committee of conference on the disagreeing action of the two branches on bill, An Act to amend Section 45 of Chapter 188 of the Public Laws of 1919, relating to the regulation of the practice of the system, method or science of healing known as osteopathy, (H. 121) reporting that they are unable to agree, signed by all six members of the committee.

In the House the Report was accepted.

In the Senate the report of the committee was accepted.

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#### Finally Passed

Resolve in favor of Somerset Academy.

Resolve to provide for copying pictures to be placed in the Speaker's office.

The PRESIDENT: That disposes of all matters at present before the Senate, unless there is something that some senator desires to take up.

(A short recess was taken)

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#### After Recess

The Senate was called to order by the President.

The Senator from Somerset, Mr. Smith, presented the following order and moved its passage.

Ordered, that the engrossing department be requested to return Senate Bill Resolve for the construction, maintenance and repair of roads, bridges and ferries, for further consideration by the Senate.

The motion was agreed to.

The PRESIDENT: Does the senator from Somerset, Mr. Smith, wish to make a motion on the old age pension bill?

Mr. SMITH: Mr. President, I move that we insist upon our action in asking for a committee of conference. If the Senate will be good enough to allow this privilege, I am sure we may have a hearing from the other side.

The PRESIDENT: The Chair will state that the House voted to adhere after the Senate requested a committee of conference and appointed conferees.

The Senate voted to further insist and the Chair appointed the same conference committee.

Messrs. SMITH  
MORNEAU  
ALLEN

The PRESIDENT: There are several conference reports that seem to be out, and the Chair wants to suggest again the necessity of getting these reports in as early as possible. These matters delay the progress of affairs unless they are in.

#### Final Report

Mr. Putnam, from the committee on Inland Fisheries and Game, submitted its final report.

The report was accepted.

The senator from Oxford, Mr. Eaton, presented the following order, out of order, and moved its passage.

Ordered, that the Governor be requested to return to the Senate, S. D. 281, 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, for the establishment of adequate port facilities and for the advancement of commerce as amended by Chapter 123 of the Private and Special Laws of the special session of 1919.

The PRESIDENT: The bill is before the Senate.

On motion by Mr. Eaton of Oxford, the bill was indefinitely postponed.

The PRESIDENT: Senate bill 322, Resolve for the construction, maintenance and repair of roads, bridges and ferries, is before the Senate.

On motion by Mr. Smith of Somerset, the Senate reconsidered its action whereby this bill was passed to be engrossed.

Mr. SMITH: Mr. President, I now present Senate amendment A and move its adoption.

I will state to the senators for

their information that this is simply to correct some errors in printing.

Senate Amendment A was read by the Chair.

Mr. HINCKLEY of Cumberland: Is that the blanket resolve?

Mr. PRESIDENT: This is the blanket resolve.

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

(A short recess was taken at this time.)

The Senate was called to order by the President at 4.45 P. M.

From the House: Resolve in favor of the State Department of Health.

In the Senate this resolve was passed to be engrossed.

In the House it was indefinitely postponed.

The Senate asked for a committee of conference, and appointed conferees.

It comes back from the House, that branch voting to adhere.

The PRESIDENT: No further action is necessary by the Senate, unless some one makes a motion to adhere, or a further motion for a conference.

Mr. TREFETHEN: Mr. President, I move that the Senate further insist, and renew the request for a conference.

The motion was agreed to by a viva voce vote and the Chair appointed the same senators as a committee of conference on the part of the Senate namely:

Messrs. TREFETHEN of Franklin,  
PHILLIPS of Hancock,  
ALLEN of York.

From the House: 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, for the establishment of adequate port facilities and for the advancement of commerce, as amended.

In the Senate it was indefinitely postponed.

In the House it was passed to be engrossed, that branch insisting upon

its action and asking for a committee of conference.

On motion by Mr. Eaton of Oxford, the Senate voted to adhere.

From the House: Report of conference committee on disagreeing action of the two branches, on bill An Act to amend Section 51 of Chapter 82 of the Revised Statutes, as amended, relating to trial terms of the Supreme Judicial Court (H. D. 382) reporting that the committee were unable to agree, and that each branch insist upon its former action.

In the House this report was accepted.

In the Senate the report was accepted in concurrence.

**PASSED TO BE ENACTED**  
**(Emergency Measure)**

An Act to allow the town of Forest City to hold its annual town meeting for the year 1923 in the month of April instead of March as required by law.

This bill carrying the emergency clause required a two-thirds vote of the members of the Senate on its passage to be enacted. Twenty-two senators voting in the affirmative and none opposed the bill was passed to be enacted.

**(Emergency Clause)**

An Act relating to the assessment of the county taxes in the several counties for the year 1923.

This bill carrying the emergency clause required a two-thirds vote of the members of the Senate on its passage to be enacted. Twenty-two senators voting in the affirmative and none opposed the bill was passed to be enacted.

**Finally Passed**

Resolve amending Article IX of the Constitution as amended by Articles XXXV, XLII, XLIII and XLV of the Constitution 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.

On motion by Mr. Hinckley of Cumberland, tabled pending passage to be enacted.

**Passed to be Enacted**

An Act to amend Chapter six of the Revised Statutes of nineteen hundred

and sixteen and Amendments thereto, relating to primary and caucus law.

An Act to establish a teachers' retirement system.

An Act to provide for the supervision, regulation and conduct of the transportation of persons over the public highways of the State of Maine by automobiles, jitney busses and auto stages by the Public Utilities commission.

#### Finally Passed

Resolve, on the payroll of the House of representatives of the eighty-first Legislature.

#### After Recess

Senate called to order by the President at 5:20 P. M.

From the House: Committee of conference on the disagreeing action of the two branches, on An Act to amend Chapter 37 of the Private and Special Laws of 1917, relating to a police commission for the city of Lewiston, reported that they were unable to agree, signed by all six members of the conference committee.

In the House the report was accepted.

In the Senate, the report was accepted in concurrence.

From the House: Committee of conference on the disagreeing action of the two branches, on bill, An Act to provide for an issue of State aid or second class highway bonds, H. D. 457, recommended that the Senate recede and concur with the House in giving the bill a passage, signed by all six members of the committee.

In the House the report was accepted.

In the Senate the report was accepted in concurrence, the Senate reconsidered its action whereby the bill was indefinitely postponed, and passed the bill to be engrossed as amended by House Amendment A, in concurrence.

Committee of conference on the disagreeing action of the two branches, on bill An Act to provide for the benefit and assistance for aged persons under certain conditions in the State of Maine and prescribing penalties for violations of the provisions hereof and making an appropriation for carrying out of its purposes, S. 320, reporting that they cannot agree, sign-

ed by all six members of the committee.

The report was accepted and sent down for concurrence.

The Chair laid before the Senate Resolve in favor of the State department of health.

The PRESIDENT: On this bill the Senate will remember that the House voted to adhere and the Senate voted further to insist on its former action and ask for a committee of conference. It now comes from the House that branch again voting to adhere. Apparently the matter is dead between the two branches, and it seems almost useless to ask for more conference.

The PRESIDENT: The next matter is An Act to amend Section 84 of the Private and Special Laws of 1919 to provide for the building of public wharves and establishing adequate port facilities and for the advancement of commerce, as amended by Chapter 123 of the Private and Special Laws of the Special Session of 1919.

This bill was indefinitely postponed by the Senate. The House had passed it to be engrossed. It comes back the House voting further to insist—the Senate had voted to adhere—and requests a committee of conference.

On motion by Mr. Eaton of Oxford, the Senate voted to adhere.

#### Final Report

Mr. Smith for the joint standing committee on public buildings and grounds, submitted their final report having acted on all matters before them.

The report was accepted and sent down for concurrence.

The PRESIDENT: The following report has been in some way overlooked. The committee on senatorial votes for the several districts at the State election held in September, 1922, report that they have attended to their duty, Spencer for the committee.

The report was accepted.

Committee of conference on the disagreeing action of the two branches on S. D. 302. An Act to provide for the building of a bridge across the Kennebec river between the city of Bath and the town of

Woolwich, reporting that they are unable to agree, signed by all six members of the conference committee.

The report was accepted and sent down for concurrence.

Mr. HINCKLEY: Mr. President, I move that the Senate adhere to its former action.

The motion was agreed to by a viva voce vote.

Committee of conference on the disagreeing action of the two branches on Senate Resolve 133, amending Article IX of the Constitution increasing the amount of bonds to be issued for the purpose of building a bridge across the Kennebec river between the city of Bath and the town of Woolwich, reporting that they are unable to agree, signed by all six members of the conference committee.

The report was accepted and sent down for concurrence.

Mr. HINCKLEY: Mr. President, I move that the Senate adhere to its former action.

The motion was agreed to by a viva voce vote.

Mr. HINCKLEY of Cumberland: Mr. President, I now move to take from the table the constitutional amendment relating to the increased amount of bonds to be issued for State highways, intrastate, interstate and international bridges.

I will not make any extended remarks but I hope this measure will be defeated.

The motion to take the matter from the table was agreed to.

The PRESIDENT: The pending question is on the final passage of the resolve. This is a constitutional amendment and requires a two-thirds vote on its passage.

A division was had and nine senators voting in the affirmative and twenty opposed the resolve failed of passage.

Mr. BUZZELL of Waldo: Mr. President, I have an order that I wish to introduce under suspension of the rules.

The rules were suspended and the Chair read the following order:

Ordered, that the Governor be requested to return to the Senate An Act to amend Section 93 of Chapter 45 of the Revised Statutes, as amended by Chapter 293 of the Public Laws of 1917, relating to the settlements of violations of law and repealing Section 87 of Chapter 219, of the Public Laws of 1917, relating to the same subject.

The order was passed and the Chair stated that the papers were before the Senate.

Mr. BUZZELL: Mr. President, I move that we reconsider the vote whereby we passed this bill to be enacted.

The motion was agreed to and on further motion by the same senator the vote was reconsidered whereby the bill was passed to be engrossed.

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

(Senate Amendment B to S. D. 211 was read by the Chair.)

Senate Amendment B was adopted and the bill as thus amended was passed to be engrossed.

Mr. HINCKLEY of Cumberland: Mr. President, I move that we reconsider the action whereby we voted against the enactment of Resolve amending Article IX of the Constitution as amended, 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, and if I understand correctly, voting with the prevailing side I may be allowed to make the motion.

The PRESIDENT: The Chair will consider the motion, which is of rather a negative form.

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

On motion by Mr. Smith of Somerset,

Adjourned until tomorrow morning at 9 o'clock.