

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, February 13, 1925.

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

Prayer by the Rev. Mr. Purves.
Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act to regulate the practice and business of horseshoeing; providing for the issuance of licenses; providing for the appointment of examiners and defining their duties; defining certain misdemeanors and providing penalties therefor. (S. P. 148).

In the Senate, referred to the committee on Agriculture.

In the House referred to the committee on Agriculture in concurrence and on motion by Mr. Audibert of Ft. Kent, 500 copies ordered printed.

From the Senate: An Act relating to allowance for Clerks in the Registry of Deeds of Cumberland county. (S. P. No. 157).

In the Senate referred to the committee on Claims.

In the House, on motion by Mr. Wing of Auburn tabled pending reference in concurrence.

From the Senate: An Act to prohibit the taking of firearms into unorganized townships during closed season on partridge or ruffed grouse, so-called. (S. P. No. 165).

In the Senate referred to the committee on Inland Fisheries and Game.

In the House, referred to the committee on Inland Fisheries and Game in concurrence, and on motion by Mr. Bartlett of Hanover, 500 copies ordered printed.

From the Senate: An act to regulate fishing in the brooks and streams of the State. (S. P. No. 167).

In the Senate referred to the committee on Inland Fisheries and Game.

In the House, referred to the committee on Inland Fisheries and Game in concurrence, and on motion by Mr. Bartlett of Hanover, 500 copies ordered printed.

From the Senate: An act to

amend Sections 30 and 47 of the Public Laws of 1921, relating to fees of operators and to fees for licensing motor vehicles. (S. P. 170) (S. D. 58).

In the Senate referred to the committee on Taxation.

In the House, on motion by Mr. Hamilton of Caribou, tabled pending reference in concurrence.

Senate Bill in First Reading

S. P. No. 33: An act authorizing the State Highway Commission to cooperate with the Bureau of Public Roads of the United States Department of Agriculture in numbering and marking routes of interstate character.

From the Senate: An act relating to fees for the registration of vehicles relating to the transportation of school children. (H. P. No. 379) (H. D. No. 74).

This was referred to the committee on Judiciary in the House February 5th.

Comes from the Senate referred to the committee on Taxation in non-concurrence.

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

The SPEAKER: For a committee of conference on the part of the House the Chair will appoint the gentleman from Auburn, Mr. Wing, the gentleman from Boothbay Harbor, Mr. Bishop, and the gentleman from Portland, Mr. Hale.

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

Agriculture

By Mr. White of Bowdoinham: An Act to provide for the destruction of dead and worthless apple trees. (H. P. No. 588)

(1000 copies ordered printed)

Appropriations and Financial Affairs

By Mr. Atwood of Portland: Resolve in favor of an appropriation for the Directors of the Port of Portland, for the payment of salaries and expenses. (H. P. No. 589)

By Mr. Lunt of North Kennebunkport: Resolve in favor of the York Hospital, York, Maine. (H. P. No. 590)

Banks and Banking

An Act relating to Trust Companies. (H. P. No. 591)

(500 copies ordered printed)

Claims

By Mr. Morse of Oakland: Resolve to reimburse the town of Oakland for aid to the family of Harry D. Sabine. (H. P. No. 592)

By Mr. Palmer of Island Falls: Resolve in favor of the town of Island Falls. (H. P. No. 593)

By Mr. Sturgis of Auburn: Resolve in favor of George L. Fickett, for reimbursement for the burial expenses of Martha J. Fickett. (H. P. No. 594)

By Mr. Wing of Kingfield: Resolve in favor of the town of Rangeley. (H. P. No. 595)

By Mr. Frost of Belfast: Resolve in favor of George T. Kelso, compensating him for loss of crops by moose. (H. P. No. 596)

By the same gentleman: Resolve in favor of Herbert J. Kimball, compensating him for loss of hens by foxes. (H. P. No. 597)

Education

By Mr. White of Bowdoinham: An Act relating to Teachers' Pensions. (H. P. No. 598)

(500 copies ordered printed)

Indian Affairs

By Mr. Decker of Milo: Petition of Governor John S. Nelson for the repeal of Chapter 36 of the Resolves of 1866, relating to the Election of Tribal Officers. (H. P. No. 599)

By the same gentleman: Remonstrance of Governor John S. Nelson and 46 others, members of the Penobscot Tribe of Indians against any change in Section 18 of Chapter 14 of the Revised Statutes, relating to dividends to members of the tribe. (H. P. No. 600)

Inland Fisheries and Game

By Mr. Drake of Bath: An Act to close hunting in certain territory in Sagadahoc County, to be known as the West Bath Game Preserve. (H. P. No. 601)

By Mr. Wheeler of Paris: An Act relating to fishing in brook emptying into Thompson Lake at Oxford, known in Oxford and Otisfield as Greely Brook, and in the town of Norway as Lombard Brook. (H. P. No. 602)

By Mr. McDonald of East Machias: An Act relating to the taking

of suckers, eels, hornpouts and yellow perch. (H. P. No. 603)

By Mr. Forhan of Canton: An Act relating to a bounty on porcupines in Oxford County. (H. P. No. 604)

By Mr. Page of Skowhegan: Resolve appropriating money to aid in the screening of Wesserunsett Lake in the town of Madison, county of Somerset. (H. P. No. 605)

By Mr. Ireland of Stetson: Resolve appropriating money to aid in the screening of Stetson Pond in the town of Stetson in the county of Penobscot. (H. P. No. 606)

Interior Waters

By Mr. Mitchell of Newfield: Resolve changing the name of Adams Pond in Newfield to Rockhaven Lake (H. P. 607).

By the same gentleman: Resolve changing the name of Turner Pond in Newfield to Mirror Lake (H. P. 608).

Judiciary

By Mr. Martin of Augusta. An Act to provide for the appointment of a Board of Commissioners of Police for the City of Augusta (H. P. 609).

(1000 copies ordered printed.)

By Mr. Lamson of South Portland: An Act to create a Board of Boiler Rules which shall formulate rules and regulations for the safe construction and use of steam boilers; to provide for the enforcement of the rules and regulations of the Board of Boiler Rules; to provide for the inspection of steam boilers and the fees to be charged therefor; to provide for a Bureau of Boiler Inspection to carry out the provisions of this act and to provide a penalty for the violation of the provisions of this act. (H. P. 610).

(500 copies ordered printed.)

By Mr. Boynton of South Portland: An Act to incorporate the South Portland Sewerage District (H. P. 611).

(500 copies ordered printed.)

By Mr. Frost of Eastport: An Act to amend Section 1 of Chapter 62 of the Revised Statutes as amended, relating to Corporations for Literary, Charitable, Educational and other purposes (H. P. 612).

(500 copies ordered printed.)

By Mr. Oakes of Portland: An Act to regulate loans the payment of which are secured by mortgage or pledge of household furniture (H. P. 613).

(500 copies ordered printed.)

By Mr. Winn of Lisbon: An Act relating to Ballots (H. P. 614).

(500 copies ordered printed.)

By Mr. Wing of Auburn: An Act relating to organization of Corporations for Literary, Charitable, Educational and other purposes (H. P. 615).

(500 copies ordered printed.)

By Mr. Hall of Waterville: An Act to amend Chapter 195 of the Public Laws of 1887, as amended, entitled, An Act Incorporating the City of Waterville (H. P. 616).

By Mr. Martin of Augusta: An Act to exempt the Hallowell Granite Works from the provisions of Section 49 of Chapter 211 of the Public Laws of 1921, as amended by Chapter 60 of the Public Laws of 1923, so far as relates to certain streets in the City of Hallowell (H. P. 617).

Legal Affairs

By Mr. Mitchell of Newfield: An Act to amend Chapter 4 of the Revised Statutes, relating to the registration and licensing of dogs (H. P. 618).

(500 copies ordered printed.)

(Tabled by Mr. Littlefield of Kennebunk, pending reference.)

By Mr. Frost of Belfast: An Act amending the Charter of the Belfast Municipal Court (H. P. 619).

By Mr. Piper of Jackman: An Act to incorporate Houston Brook Driving Company (H. P. 620).

Library

By Mr. Wing of Auburn: Resolve for the purchase of 125 copies of the History of the town of Dresden (H. P. 621).

(500 copies ordered printed.)

Pensions

By Mr. Norwood of Warren: Resolve in favor of Emily P. Grotton of Washington for State Pension (H. P. 622).

By Mr. Metcalf of Farmington: Resolve providing for an increase of State Pension for Helen B. Hobart of Farmington (H. P. 623).

By Mr. Friend of Etna: Resolve providing for a State Pension for Mary C. Kimball, of Carmel (H. P. 624).

By the same gentleman: Resolve in favor of Ann M. Hiltz of Newburg, for State Pension (H. P. 625).

By Mr. Frost of Belfast: Resolve in favor of Bessie E. King of Belfast for State Pension. (H. P. No. 626).

By Mrs. Allen of Hampden: Resolve providing for a State Pension for Granville Baker of Hampden. (H. P. No. 627).

By Mr. Ireland of Stetson: Resolve in favor of Mary Louise Rowe for State Pension. (H. P. No. 628).

Public Utilities

By Mr. Roberts of Bar Harbor: An Act to extend the Charter granted to the Salisbury Cove Water Company for the taking of water from Lake Wood and furnishing water to the Village of Salisbury Cove for two years. (H. P. No. 629).

By Mr. Hammond of Van Buren: An Act relating to Police Regulations at Stations. (H. P. No. 630).

(500 copies ordered printed)

By the same gentleman: An Act relating to abolishment of grade crossings. (H. P. No. 631).

(500 copies ordered printed)

By Mr. Hamilton of Caribou: An Act to incorporate the Caribou Sewer District. (H. P. No. 632).

(500 copies ordered printed)

(On motion by Mr. Hamilton of Caribou the House voted to reconsider its action whereby the above bill was referred to the committee on Public Utilities; and on further motion by the same gentleman the bill was tabled pending reference).

By Mr. Lait of Old Town: An Act to incorporate the Old Town Water District. (H. P. No. 633).

(500 copies ordered printed)

Salaries and Fees

By Mr. Littlefield of Kennebunk: An Act relating to clerk hire in the registry of Probate of York County. (H. P. No. 634)

By Mrs. Allen of Hampden: An Act relating to the compensation of Judges of Probate in Penobscot County. (H. P. No. 635).

By Mr. Smith of Bangor: An Act relating to the salary of the Judge and Recorder of the Bangor Municipal Court. (H. P. No. 636).

By Mr. Frost of Belfast: An Act relating to salary of sheriffs of Waldo County. (H. P. No. 637).

By the same gentleman: An Act relating to the Salary of the Judge of Probate of Waldo County. (H. P. No. 638).

Sea and Shore Fisheries

By Mr. Mathews of Cherryfield: An Act to repeal Chapter 27 of the Public Laws of 1923 relating to smelt fishing (H. P. No. 639).

By Mr. Sargent of Sedgwick: An Act relating to close time on scallops. (H. P. No. 640).

By Mr. McDonald of East Machias: An Act amending an act relating to taking of clams in the

town of Roque Bluffs. (H. P. No. 641).

By the same gentleman: Petition of Fairfield A. Morse and 45 others in favor of same. (H. P. No 642).

Ways and Bridges

By Mr. Wheeler of Paris: An Act for the location of a State Highway in the county of Franklin extending from Rangeley to the Canadian Line. (H. P. No. 643).

(On motion by Mr. Eustis of Strong the bill was tabled pending reference; and on further motion by Mr. Piper of Jackman, 500 copies were ordered printed).

By Mr. Ellis of Fairfield: Resolve to appropriate the sum of Twenty Thousand Dollars to aid in the construction of a Concrete Bridge across Martin Stream so-called, in the town of Fairfield, Maine. (H. P. No. 644).

By Mr. Pullen of Danforth: Resolve in favor of Lambert Lake Plantation for repair and improvement of road. (H. P. No. 645).

By Mr. Sargent of Sedgwick: Resolve in favor of the town of Brooklin to aid in repair of a road. (H. P. No. 646).

By Mr. Dunbar of Orland: Resolve in favor of the town of Castine for the repairing and rebuilding of a road. (H. P. No. 647).

By the same gentleman: Resolve in favor of Toddy Pond Bridge in the town of Orland, Hancock County. (H. P. No. 648)

By Mr. Davis of Dexter: Resolve in favor of road building in the town of Dexter. (H. P. No. 649)

By Mr. Tupper of No. Berwick: Resolve in favor of a road in North Berwick. (H. P. No. 650)

By Mr. Frost of Berwick: Resolve appropriating money for the construction of a new Highway leading from the Milton Road, so-called, to the Pond Bridge Road, along the shore of Northeast Pond, in the town of Lebanon. (H. P. No. 651)

By Mr. Wing of Kingfield: Resolve for the improvement of a road in Rangeley. (H. P. No. 652)

By Mr. Ireland of Stetson: Resolve in favor of Mill Bridge over Stetson Stream in the town of Stetson, Penobscot County. (H. P. No. 653)

By Mr. Cole of West Gardiner: Resolve in favor of a Road in the town of Manchester. (H. P. No. 654)

By Mr. Mears of Morrill: Resolve in favor of the town of Morrill. (H. P. No. 655)

By Mr. Crockett of Hollis: Resolve in favor of the town of Buxton. (H. P. No. 656)

By Mr. Burnham of Kittery: Resolve in favor of Old Mill Bridge in the town of Kittery, York County. (H. P. No. 657)

By Mrs. Allen of Hampden: Resolve in favor of the town of Glenburn to aid in building the Ohio Street Road. (H. P. No. 658)

By the same member: Resolve in favor of the town of Hampden to aid in building a road. (H. P. No. 659)

By Mr. Leighton of Dennysville: Resolve in favor of the town of Dennysville, Washington County. (H. P. No. 660)

By Mrs. Allen of Hampden: Resolve in favor of the town of Hermon to aid in building the so-called Sweett Road. (H. P. No. 661)

By Mr. Crockett of Hollis: Resolve in favor of the town of Hollis. (H. P. No. 662)

By the same gentleman: Resolve in favor of the town of Waterboro. (H. P. No. 663)

By Mr. Frost of Berwick: Resolve in favor of the town of Berwick for a road. (H. P. No. 664)

By Mr. Thissell of Norridgewock: Resolve in favor of the town of Norridgewock for repair of bridge across the Kennebec River. (H. P. No. 665)

By the same gentleman: Resolve in favor of the town of Norridgewock for repair and reconstruction of road. (H. P. No. 666)

By Mr. Benoit of Brunswick: Resolve in aid of repairing and rebuilding a road in Brunswick. (H. P. No. 667)

By Mr. Stone of Bridgton: Resolve in aid of the construction, repairing and maintaining of a road in Bridgton. (H. P. No. 668)

The SPEAKER: Out of order, the Chair presents the following order from the Senate:

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Tuesday afternoon, February 17th, at 4.30 o'clock.

In the Senate read and passed.

In the House passed in concurrence.

Reports of Committees

Mr. Norwood from the Committee on Agriculture reported "ought not to pass" on Resolve increasing the State Aid provided for the Maine State Agricultural Society. (H. P. 243) (H. Doc. 42)

Report read and accepted and sent up for concurrence.

Mr. Sturgis from the same Committee reported "ought to pass" on Bill "An Act to Legalize the Sale of Cider which has been so treated as to prevent fermentation and which does not contain one-half of one percent of Alcohol by volume." (H. P. 185) (H. Doc. 45)

Report read and accepted, and the bill having already been printed, was read twice under suspension of the rules and tomorrow assigned.

Same gentleman from same Committee reported same on Resolve to appropriate money for Co-operative Agricultural Work between the College of Agriculture and the University of Maine and the United States Department of Agriculture. (H. P. 184) (H. Doc. 33)

Report read and accepted, and the resolve having already been printed, was read once under suspension of the rules and tomorrow assigned.

Mr. White from the Committee on Appropriations and Financial Affairs on

Resolve in favor of Asbury M. Blake in payment of Counsel Fees and Disbursements made by him in the contested representative election case from Lisbon, heard before the House Committee on Elections. (H. P. 187)

Resolve in favor of Walter C. Winn in payment of Counsel Fees and Disbursements made by him in the contested election case from Lisbon heard before the House Election Committee; (H. P. 188)

and

Resolve in favor of Ruel C. Hanks, (H. P. 303) reported same in a new draft under title of Resolve providing for the expenses of the Contest over the Election as Representative to the Legislature from the town of Lisbon. (H. P. 669) and that it "ought to pass."

Mr. Hamilton from the Committee on Judiciary on Bill "An Act to Incorporate the Cousins and Littlejohns Islands Village Corporation." (H. P. 157) reported same in a new draft under same title (H. P. 670) and that it "ought to pass."

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

First Reading of Printed Bill

H. P. 110: An Act relating to hunting in certain specified localities in the State of Maine.

Passed to be Engrossed

S. P. No. 35: An Act ratifying Transfer of Land from State of Maine to Trustees of Gorham Academy in the county of Cumberland and from Trustees of Gorham Academy in the county of Cumberland to State of Maine.

Orders of the Day

On motion by Mr. Thompson of Rockland, it was voted to take from the table H. P. No. 18, House Amendment A, to an act to disorganize Criehaven Plantation, tabled by that gentleman Feb. 12, pending adoption of the amendment; and that gentleman offered House Amendment A as follows, and moved its adoption:

House Amendment A to House paper number eighteen, House document, number seventy-three, being bill, an act to disorganize Criehaven Plantation, in the county of Knox.

Said bill is hereby amended by adding thereto the following: "Provided that any tax on property therein that may become due after April first, nineteen hundred and twenty-six, may be collected by the Treasurer of State," so that said bill as amended shall read as follows:

"Criehaven plantation in the county of Knox, organized under Chapter three hundred and eighty-six of the private and special laws of eighteen hundred and ninety-seven is hereby disorganized, provided that any tax on property therein that may become due after April first, nineteen hundred and twenty-six, may be collected by the Treasurer of State."

Thereupon the amendment was adopted, the bill received its second reading and the third reading assigned for the next legislative day at 4:30 P. M.

On motion by Mr. Wing of Auburn, it was voted to take from the table an act relating to allowance for clerks in the registry of deeds of Cumberland county (S. P. 157); and on further motion by the same gentleman the bill was referred to the committee on Salaries and Fees in non-concurrence with the Senate.

On motion by Mr. White of Bowdoinham, it was voted to take from the table H. D. No. 7, report of committee on Ways and Bridges, ought not to pass, on resolve providing for a commission to investigate site for Kennebec Bridge, the pending question being acceptance of the report of the committee; and on further motion by the same gentleman, it was voted to accept the report.

On motion by Mr. Hale of Portland, it was voted to take from the table S. D. No. 56, an act to accept the provisions of the Act of Congress of the United States relating to welfare of Maternity and Infancy, etc.; and on further motion by the same gentleman the bill was referred to the Committee on Public Health in concurrence with the Senate.

On motion by Mr. Hamilton of Caribou, it was voted to take from the table the document relative to Caribou sewers tabled by that gentleman earlier in the day; and on further motion by the same gentleman the matter was referred to the committee on Judiciary.

Mr. CURTIS of Brewer: Mr. Speaker, I would like to inquire what effect the adjournment to Tuesday next will have upon the reception of bills? The order passed limits their reception to Monday, February 16, at four o'clock.

The SPEAKER: The Chair will state that the order will stand as passed and that "close time" begins at 4 P. M. Monday. If it is desired to change the same, it should be done by an order which might well be prepared during recess. That order would have to be a joint order with the Senate.

After Recess

Rules suspended to consider out of order papers from the Senate.

Additional papers from the Senate disposed of in concurrence.

Additional reports of committees after recess, out of order.

Mr. Frost from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act to Regulate Fishing in Bog Brook, so-called, in Oxford and Androscoggin Counties." (H. P. 156.)

Mr. Kinsman from the same Committee reported same on Bill "An Act providing for Protection of Moose." (H. P. 261.)

Reports read and accepted and the bills ordered printed under the Joint Rules.

Mr. Kinsman from the same Committee on Bill "An Act relating to Ice Fishing in Moose Hill Pond in the town of East Livermore" (H. P. 265) together with two petitions (H. P. 266 and H. P. 267) reported

same in a new draft under title of Bill "An Act relating to Ice Fishing in Moose Hill Pond, in the town of East Livermore, in the county of Androscoggin" (H. P. 673) and that it "Ought to pass."

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

Mr. Kinsman from the same Committee on Bill "An Act to close certain ponds in Somerset except to fly fishing certain times in the year" (H. P. 235) reported same in a new draft under title of "An Act to regulate fishing in certain ponds in Somerset County" (H. P. 672) and that it "Ought to pass."

(On motion by Mr. Stitham of Pittsfield tabled pending acceptance of report.)

Same gentleman from same Committee on Bill "An Act to regulate Fishing in the Brooks of York, York County, Maine" reported same in a new draft under title of "An Act to regulate Fishing in the Brooks in York, in the county of York" (H. P. 671) and that it "Ought to pass."

(On motion by Mr. Littlefield of Kennebunk tabled pending acceptance of report.)

Mr. Moore from the Committee on Sea and Shore Fisheries on Bill "An Act to Establish Close Time on Lobsters west of Petit Manan Point" (H. P. 126) (H. D. 23) reported same in a new draft under same title and that it "Ought to pass."

Mr. Lamson from the same Committee on Bill "An Act relating to the taking of Smelts in Casco Bay" (H. P. 209) (H. D. 40) reported same in a new draft under same title and that it "Ought to pass."

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

Mr. Hammond of Van Buren presented the following order, out of order, and moved its passage:

Ordered, the Senate concurring that the time for presenting private and special legislation be extended to and including February 17, 1925, and that no bill, act or resolve pertaining to private or special legislation be received after four o'clock in the afternoon of February 17, 1925.

Mr. CURTIS of Brewer: Mr. Speaker, four o'clock will hardly accommodate some people from the East.

The SPEAKER: Is it the pleasure of the House that this be considered a typographical error and amended to read 4.30 o'clock? The matter will be regarded as a typographical error and the order stands as passed reading 4.30.

Thereupon the order received passage, as amended, and was sent up for concurrence.

On motion by Mr. Littlefield of Kennebunk it was voted to take from the table an act to amend Chapter 4 of the Revised Statutes, relating to the registration and licensing of dogs. (H. P. No. 618;) and on further motion by the same gentleman the bill was referred to the committee on agriculture.

Recess

Further papers from the Senate, out of order, and under suspension of the rules, disposed of in concurrence.

The SPEAKER: Under orders of the day the gentleman from Kennebunk, Mr. Littlefield, moves to take from the table the bill tabled by him a few moments ago in regard to fishing in York County, the pending question being the acceptance of the report of the committee, which was "ought to pass;" and the same gentleman now moves that the report be accepted.

Thereupon the report was accepted and the bill ordered printed under the joint rules.

On motion by Mr. Stitham of Pittsfield it was voted to take from the table report of the committee on

Inland Fisheries and Game relative to fishing in certain ponds in Somerset county, tabled; pending acceptance of the report and on further motion by the same gentleman the report was accepted and the bill ordered printed under the joint rules.

On motion by Mr. Hamilton of Caribou the House voted to reconsider its action whereby the report of the committee on Judiciary relative to an act to incorporate the Cousins and Littlejohns Islands Village Corporation, the report being ought to pass in new draft; and on further motion by the same gentleman the report was tabled pending acceptance.

The SPEAKER: The members will bear in mind the order that we have just passed relative to the time limit for the introduction of private and special legislation, Tuesday afternoon at 4.30.

On motion by Mr. Fuller of Southwest Harbor the House voted to reconsider its action whereby the report of the committee on Sea and Shore Fisheries on bill, an act to establish close time on lobsters west of Petit Manan Point was accepted, the report having been "ought to pass;" and on further motion by the same gentleman the matter was tabled pending the acceptance of the committee's report.

On motion by Mr. Allen of Harpswell,

Adjourned until 4.30 P. M., Tuesday, February 17.