

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Friday, March 27, 1925.

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

Prayer by the Rev. Mr. Webber of Hallowell.

Journal of the previous session read and approved.

The SPEAKER: The Chair will state that no information has come yet from the Senate as to their desire relative to adjournment. As soon as any is received it will be imparted to the House. The Chair might state at this time that no member need to hesitate to take up time in debate. There is ample time for a full and free discussion of every matter to be passed upon by this House. Delay is rarely caused by the debate of matters. Delay comes from slow workings of Committees or by keeping matters on the table, but full and free debate on every subject is much to be desired.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Judiciary reporting ought to pass on bill an act relating to penalty for reckless driving of motor vehicles, S. P. 38, S. D. 29.

Comes from the Senate report read and accepted and the bill passed to be engrossed.

In the House: The report read.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I move to table this matter.

A viva voce vote being taken, the motion to table failed of passage.

Thereupon the report was accepted in concurrence with the Senate, the bill had it two several readings and the next legislative day was assigned for third reading.

From the Senate: Majority Report of the Committee on Judiciary reporting ought to pass on Resolve proposing an amendment to the Constitution prohibiting the use of public funds for other than public institutions and public purposes (S. P. No. 40) (S. Doc. No. 31)

Report was signed by the following members:

Messrs. MAHER of Kenneboc

—of the Senate

MARTIN of Augusta

HAMILTON of Caribou

NICHOLS of Portland

WING of Auburn

HOLMES of Lewiston

OKES of Portland

—of the House

Minority report of the same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. HINCKLEY of Cumberland

HUSSEY of Arrostook

—of the Senate

HALE of Portland

—of the House

Comes from the Senate majority report read and accepted and the resolve passed to be engrossed.

Mr. HOLMES of Lewiston: Mr. Speaker, I move that the matter be tabled pending acceptance of either report.

Mr. WING of Auburn: Mr. Speaker, I ask for a division.

Mr. FROST of Belfast: Mr. Speaker, I would like to inquire if it would be in order to make any explanation in regard to this matter or any remarks at this time?

The SPEAKER: The pending question is to lay on the table. A division has been requested. The gentleman may ask for unanimous consent to make any statement to the House.

Thereupon, on motion by Mr. Holmes of Lewiston, the gentleman from Belfast, Mr. Frost, was given the unanimous consent of the House to address the House upon this matter.

Mr. FROST: Mr. Speaker and members of the House: My only object is that we may, perhaps, a little better understand just what we are asked to do.

Back of almost every measure that originates in connection with the Legislature there is a cause. Possibly we may not be able to get at the real meaning of this bill until it goes back into the Senate and the man who introduced it is given an opportunity to defend it, if that is his desire, and then we may understand just what it stands for.

Our present situation reminds me very much of a little boy, who at the age of four, being the only child in

the family, was very anxious that he have a sister.

He was told by somebody that possibly, if he prayed for it, he might get one, so the little fellow started in and for a matter of three or four months that was a part of his daily petition. And then becoming discouraged he gave up. About a year afterwards he was called into a room by a nurse and was asked to look into the cradle where there were two little girls. He was very much impressed with it and went back to his mother and said, "Mother, wasn't it a good thing that I stopped praying when I did?" (Laughter.)

Now, we have this situation. The other day some of us were privileged to listen to one of the most scholarly addresses that has been delivered during this session of the Legislature, in the Senate Chamber, and perhaps one of the ablest and most scholarly addresses that will be delivered during this whole session of the Legislature. The man who made that address took sides against a bill which would have deprived certain institutions in our State, in which have every reason to believe he was personally interested, of an amount of \$6,000. Now, the same man has introduced a bill which, if put through, will deprive some institutions, in which I judge him to be personally interested, of an amount of money more than six times as large.

Now, is it reasonable to suppose that this man who is back of this bill here really desires its passage? I take it if we exercise our good common sense in connection with this, we will see immediately that this man is hoping that this bill will be killed here in the House and that it will never go back to him to defend.

Therefore, notwithstanding the fact that I voted for the so-called Barwise Bill, notwithstanding the fact that I am very much opposed to the depriving of our charitable institutions of State aid, I, personally, would like to see the rules of this House suspended so that this bill may go through to the Engrossing Committee today, as it went through the Senate yesterday, and compel the man who is back of this to disclose what he really wants to do. (Applause.)

Mr. HOLMES of Lewiston: Mr. Speaker, I ask unanimous consent to make a reply.

Thereupon unanimous consent was given to the gentleman from Lewis-

ton, Mr. Holmes, to address the House in reply to the remarks just made.

The SPEAKER: The Chair has allowed a good deal of latitude under unanimous consent and intends so to do, if it be the pleasure of the House.

Mr. HOLMES: Mr. Speaker, I cannot voice the sentiments of any other member of this Legislature and particularly I cannot voice the sentiments of any Senator. I was not certain in my own mind as I listened to the remarks of the gentleman that it was considered strictly in order to impugn the motives of any member of the Legislature.

The SPEAKER: The Chair is aware of the point of order that the gentleman raises but no point of order having been raised at the time, the Chair made no ruling, and possibly the discussion of that subject would not be beneficial.

Mr. HOLMES: Mr. Speaker, I had finished all that I had intended to say on that point, but I wish to add that I want the opportunity to discuss with this House this measure which goes in the index of the Legislative Record under the name of the Maher Resolve, but which is more commonly, and perhaps appropriately, called the Massachusetts amendment. And I want to say, having received unanimous consent, that I personally am very heartily in favor of it, and, as I said, I know nothing about the wishes or intentions of any other member of the Legislature. But I want to assure this House that I am very sincere in my proposing or favoring and advocating the passage of the Massachusetts Amendment.

I made a motion to table in order, as I look at it at the moment, now to have an opportunity to discuss it upon the question of the acceptance of either report, and I thought that the matter was important enough to warrant discussion, perhaps in two stages of its passage: upon the question of the acceptance of the report and upon the question, if it comes to that, of the final passage. And I do not want to go to debate at this moment this morning.

Mr. HAMILTON of Caribou: Mr. Speaker—

The SPEAKER: The gentleman desires unanimous consent—

Mr. HAMILTON: No, Mr. Speaker, I wish to ask a question through the Chair: if the parliamentary situation would not be that if we pass this to the engrossing point, it would then

come up in this House for action and then we should have our discussion. Is not that the situation?

The SPEAKER: The gentleman has correctly stated the situation. As the Chair understands this matter, if this question proceeds to the stage of enactment, that question of enactment will come up in this House before the matter is returned to the Senate for its further consideration, so there will be no discussion in the Senate upon this bill unless and until the House has passed upon it. And the Clerk reminds the Chair that the course of the bill up to enactment proceeds upon a majority vote and it is only upon the stage of enactment that a two thirds vote is required. The motion before the House is that this matter lie on the table. A division of the House has been requested.

A division of the House being had, Twenty-nine having voted in the affirmative and 81 in the negative, the motion to table failed of passage.

The SPEAKER: The Chair awaits a motion.

Thereupon, upon motion by Mr. Wing of Auburn, a viva voce vote being taken, the majority report of the committee "ought to pass" was accepted and the resolve received its first reading; and, on motion by Mr. Frost of Belfast, the rules were suspended and the resolve received its second reading and was passed to be engrossed.

From the Senate: Report of the committee on Legal Affairs reporting ought not to pass on bill an Act relating to the registration of voters, and providing method of registration by a person who is physically infirm or disabled, S. P. 201, S. D. 77.

Comes from the Senate the bill substituted for the report, Senate Amendment A read and adopted, and the bill as so amended indefinitely postponed.

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

From the Senate: Report of the committee on Public Health on bill an Act to amend Chapter 197, Section 8, Laws of 1917, as amended by Chapter 217, Laws of 1919, relating to appropriations of the State Department of Health, S. P. 139, S. D. 54, reporting same in a new draft, (S. P. 523) (S. D. 201) under the

same title and that it ought to pass.

Comes from the Senate report read and accepted and the bill indefinitely postponed.

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

### Orders

On motion by Mr. Warren of Winslow, it was

Ordered, that the Clerk of the House cause to be printed three hundred copies of House Document No. 331, as the supply is now exhausted, and a hearing on this bill is assigned for Tuesday next.

### Final Report

Final report of the committee on County Estimates read and accepted.

### Reports of Committees

Mr. Johnson from the Committee on Appropriations and Financial Affairs reported ought not to pass on bill An Act relating to the collection of fees by State Officers and their clerks (H. P. No. 1121) (H. Doc. No. 371).

Mr. White from same Committee reported same on bill An Act amending Section 1, Paragraph II of Chapter 238 of the Public Laws of 1919 relating to Workmen's Compensation and defining "Employee" (H. P. No. 1122) (H. Doc. No. 372).

Mr. Bragdon from the Committee on Education reported same on Resolve in favor of North Yarmouth Academy, Yarmouth Maine (H. P. No. 696) as the subject matter is taken care of in another resolve.

Mr. Eustis from the same committee reported ought not to pass on Resolve in favor of Patten Academy for building and equipment (H. P. No. 6).

Mr. Hall from same committee reported same on Resolve in favor of Somerset Academy (H. P. No. 694) as the subject matter is taken care of in another resolve.

Mrs. Allen from same Committee reported ought not to pass on Resolve in favor of Freedom Academy for heating plant (H. P. No. 240).

Mr. Crockett from same Committee reported same on Resolve in favor of Higgins Classical Institute, town of Charleston, county of Penobscot, State of Maine, for repairs and im-

provements to Water System ( H. P. No. 58).

Mr. Pierce from same Committee reported same on Resolve in favor of East Corinth Academy (H. P. No. 305).

Mr. Flint from the Committee on Inland Fisheries and Game reported same on bill An Act regulating the possession of firearms by children (H. P. No. 1089) (H. Doc. No. 320).

Mr. Curtis from the Committee on State Lands and Forest Preservation reported same on bill An Act relating to the taxation of forest property in unorganized towns and plantations (H. P. No. 947) (H. Doc. No. 246).

Mr. Dunbar from the Committee on Ways and Bridges reported same on bill An Act relating to towns uniting for the purpose of breaking snow (H. P. No. 1149) (H. Doc. No. 366).

Mr. Drake from same Committee reported same on bill An Act to amend Section 2 of Chapter 353 of the Private and Special Laws of 1905 relative to maintenance of Wiscasset Bridge (H. P. No. 338).

Same gentleman from same Committee reported same on bill An Act relating to State Highways and to the creation of further revenues (H. P. No. 805) (H. Doc. No. 186).

At the request of Mr. Boody of Windham, a viva voce vote being taken, the above matter was tabled pending acceptance of the report.

Same gentleman from same Committee reported same on bill 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) (H. Doc. No. 142).

Same gentleman from same Committee reported same on bill An Act to provide for the building of a bridge across the Kennebec River between the towns of Richmond and Dresden (H. P. No. 295) (H. Doc. No. 58).

Same gentleman from same Committee reported same on Resolve authorizing the purchase by the State of Maine of that portion of the Interstate Toll Bridge, between South Berwick in the county of York, and Dover, New Hampshire, which is within the limits of the State of Maine (H. P. No. 1150) (H. Doc. No. 367).

Same gentleman from same Committee reported same on Resolve amending Article IX of the Constitution authorizing the issuing of bonds to be used for the purpose of

building a bridge across the Kennebec River between the town of Richmond and the town of Dresden (H. P. No. 1148) (H. Doc. No. 365).

Same gentleman from same Committee reported same on Resolve in aid of the repairing and rebuilding of a road in Freedom (H. P. No. 832).

Same gentleman from same Committee reported same on Resolve in favor of the town of Mattawamkeag for aid in constructing the bridge across Mattaceunk River (H. P. No. 819).

Same gentleman from same committee reported same on Resolve in favor of the town of Farmingdale (H. P. No. 824).

Mr. Sargent from the Committee on Sea and Shore Fisheries on certain remonstrances against bill An Act to amend Section 35 of Chapter 45 of the Revised Statutes relating to the legal size of lobsters and method of measurement" (H. P. 556) (H. Doc. No. 120) reported that same be placed on file.

Reports read and accepted and sent up for concurrence.

Mr. Drake from the Committee on Ways and Bridges reported Ought to pass on bill An Act to authorize the construction and maintenance of a bridge across Beach Creek in Bristol (H. P. No. 339).

Mr. Waterman from the Committee on Library reported same on Resolve for the purchase of 150 copies of the History of the town of Lee (H. P. No. 501).

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

Mr. Holman from same Committee reported same on Resolve providing for the purchase of Selections from the Autobiography of Elizabeth Oakes Smith, edited by Mary Alice Wyman (H. P. No. 65) (H. Doc. No. 19).

Mr. Drake from the Committee on Ways and Bridges reported same on bill An Act for the State to acquire the American portion of the International Bridge at Calais in Washington County, and to provide for its maintenance (H. P. No. 806) (H. Doc. No. 185).

Reports read and accepted and the bill and resolve having already been printed, the bill was read twice, the resolve read once, and tomorrow assigned.

Mr. Clarke from the Committee on Agriculture on bill An Act to regulate the manufacture and sale of soft drinks, syrups and non-alcoholic beverages (H. P. No. 1118) (H. Doc. No. 381) reported same in a new draft (H. P. No. 1242) under same title and that it "Ought to pass."

Mr. Johnson from the Committee on Appropriations and Financial Affairs on the following Resolves:

Resolve in favor of Alexander Spiers for traveling expenses and meals for Committee on School for Feeble Minded (S. P. No. 391).

Resolve in favor of John A. McDonald, Secretary of the Committee on Insane Hospitals for Committee expenses (S. P. No. 421).

Resolve in favor of J. Henry Morse, Secretary of Committee on State Prison, for reimbursement of expenses (H. P. No. 514);

Resolve in favor of J. E. Drake for reimbursement for expenses (H. P. No. 515); Resolve in favor of E. L. Hight for \$337.66 to cover railroad fares and expenses of Committee visiting State Sanatoriums (H. P. No. 1080);

Reported same in a new draft (H. P. No. 1243) under title of Resolve in favor of the Secretaries of certain Committees of the Eighty-second Legislature for expenses of said Committees in performing Legislative duties, and that it ought to pass.

Mr. Flint from the Committee on Inland Fisheries and Game on bill An Act relating to open season on Golden Eye, or Whistler, so-called, and Shel Drake (H. P. No. 951), reported same in a new draft (H. P. No. 1244), under title of "An Act relating to open season on certain Game Birds" and that it "ought to pass."

Mr. Drake from the Committee on Ways and Bridges on Resolve appropriating money to rebuild one pier of the Gardiner and Randolph Drawbridge reported same in a new draft (H. P. No. 1246) under title of "Resolve making available funds for the State's share of reconstruction under the Bridge Act of the substructure of the Gardiner and Randolph Bridge," and that it ought to pass.

Mr. Dunbar from the Committee on Ways and Bridges on Resolve in favor of the town of Hampden (H. P. No. 825) reported same in a new

draft (H. P. No. 1245) under same title and that it ought to pass.

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

Majority Report of the Committee on Education reporting ought not to pass on bill An Act permitting children to be excused from the public schools to receive religious instruction, amending Section 37 of Chapter 16 of the Revised Statutes relating to the management of schools; election and discharge of superintendent (H. P. No. 840) (H. Doc. No. 196).

Report was signed by the following members:

Messrs. ALLEN of York  
BARWISE of Penobscot  
—of the Senate

Mrs. ALLEN of Hampden  
Messrs. DUDLEY of Woodstock  
PIERCE of Sanford  
HALL of Waterville  
BRAGDON of Perham  
—of the House

Minority Report of same Committee reporting ought to pass on same bill.

Report was signed by the following members:

Messrs. SPEIRS of Cumberland  
—of the Senate  
CROCKETT of Hollis  
EUSTIS of Strong  
—of the House

Mr. HOLMAN of Bangor: Mr. Speaker, I move the acceptance of the minority report, and in support of this motion I beg the indulgence of the House for a few moments at this time, in order that I may call to your attention some of the provisions contained in this bill which seem to me may be worthy of our favorable consideration.

In order that we may know at the outset what the bill provides, I will ask that we turn to the bill itself at this time, which is House Document 196. As the title indicates, it is an act permitting children to be excused from the public schools for the purpose of receiving weekly religious training in their respective churches. It is simply an addition to Section 37 of Chapter 16 of the Revised Statutes relating to the management of schools, and so far as this bill is concerned the entire bill is found on Page 3 beginning with Line 14. There is no other language in the present statute beginning with the word "they" which re-

fers to the superintending school committees in the several towns or municipalities of the State. "They may, upon the request of the parent or guardian, excuse his or her children for a period not to exceed sixty minutes in any week to permit such child or children to attend weekday schools giving religious instruction. The superintending school committee in such instances shall direct the superintendent of school, with his teachers, to so adjust the school program and course of study as to facilitate the provisions of this act in fairness to the child or children so excused."

That is the entire bill and, as you will see, it is not compulsory. It simply permits those towns or cities who desire to maintain week-day religious training in their respective churches, to do so. The towns which do not care to take advantage of the provisions of the bill are not compelled in any way to do so. This being the case, it seems to me that there should be no objection to the bill. It is not a new measure. In fact, this bill has been introduced in compliance with a strong increasing public sentiment that has grown up in this State and throughout the Nation in recent years, that the children in our public schools should receive more adequate religious training.

In fact the bill itself was drafted by our State Commissioner of Education and provides in it the same provisions that were advocated throughout the State in the recent campaign by our Chief Executive. And I might say at this time that he is very anxious that the bill receive a passage. The bill in its same form, or a similar one, has already been enacted into law in several of our states, and at the present time in nearly eight hundred towns or municipalities throughout fifteen states in the Union the churches are carrying on week-day religious training in connection with the public school system. In those different cities and towns as many as ninety percent have enrolled in the church schools and it is a significant fact that in some of these schools as high as twenty-five percent of the pupils who have enrolled have never attended any religious institution, not even the Sunday School.

Doctor Cadman, Rabbi Wise and Cardinal O'Connell have frequently said that religious training is as essential to our boys and girls as is

food or water. This bill makes it possible for our children to receive religious training irrespective of race or religion. There are many who feel that the place for every boy and girl is in the public school system, and that being the case, there should be no place in the public school system for the teaching of any particular creed or doctrine.

Someone has said that the thoughts of youth are long, long thoughts, and we who have traveled Life's journey sufficiently long to behold some silver threads among the gold know that this is true and fortunate, indeed, is the man who can recall, as a part of the early recollections of his life, the teachings that have come into his life through the teachings of a Christian father and a Christian mother. But many of our children have no parents, and many of them who have, the parents are not worthy of the name. And so it seems to me that it is our duty to provide some means whereby these children who are not receiving any form of religious instruction may have an opportunity to do so.

Some of our greatest educators, as well as our greatest theologians, feel that this movement on the part of the churches will do much to strengthen our future citizenship, much to lessen the great increase in crime that has grown up in recent years.

And so, Mr. Speaker and members of the House, in conclusion, I trust that you will give this bill your favorable consideration and by so doing, making it possible for our children to know more of the great principles laid down by the great Teacher of all mankind, Who said, "Suffer little children to come unto Me, and forbid them not." (Applause).

Mr. BECKETT of Calais: Mr. Speaker and members of the House: I wish to most heartily second this motion of the gentleman for the acceptance of the minority report. We have all heard on various occasions that one of the great troubles today is the disregard of law. It is not the breach of the particular law, but it is the violation of that law by some influential representative of the people, and the idea of the younger generation that the law is to be laughed at and the general encouraging of the opinion that the law should be disregarded.

Now, to some of you I may be



putting that strongly, but is it not the fact? You have heard our former Chief Executive speak upon this, you have heard our present Chief Executive, and all over our country, not only in this State but in every one, the enforcement of law is one of the burning questions, and, gentlemen, the question of enforcement of law comes, not from the laws that we put upon the statute book, but it comes from within us, from the way we look upon the Government and what our regard for law and order is.

You may attend church, I may attend church, you may be a member of the church, I may be a member, but I do not believe that there is a man or woman in this room, church member or not, who would for a moment entertain the idea of removing from every town and hamlet in our State and in our Country, every church and what every church stands for. Think of that for a moment! Take the city of Augusta, and take every church out of it, take out every principle that the church stands for, and would you want to live here? Would you want to live anywhere that has such conditions? And, members, you may not be particularly interested in church work but if there comes home to you what would happen if such a state of affairs should come about, I believe that every one of you would align himself with some church and see that every principle was enforced.

We as parents do not do our duty to our children. In how many homes is there religious education? I blush to acknowledge that in my own there is not as much as there should be. We leave it to the Sunday School but we do not see that all the children reach them. Here is an opportunity for the furtherance of what, in my opinion, will give us greater observance of law. We have tried education; it does not reach it. Religious training has been tried, as you have heard, in many places over our country, and it does reach it. Put the boys and the girls where they will come under the influence of the teachings of Jesus Christ and you need not worry about the future of our country. (Applause)

Mr. CROCKETT of Hollis: Mr. Speaker and members of the House: I hope this bill will pass because it is intended to benefit our boys and girls, to give them a better foundation for life's activities. To gain the highest degree of education obtainable we all know it is necessary to

have an all-round development which means a sound body, a mind developed by the best education obtainable and a religious training that will enable us to meet the temptations and disappointments of life. Our schools are concerned primarily with the intellectual development of the pupil. The World War taught us, during the draft, that we need to give some attention to the physical welfare of our boys and girls. It is gratifying to note that some progress is being made in this direction. School officials are seeking the cooperation of parents when corrective measures are deemed necessary.

There is nothing compulsory in this bill, yet it may enable us to reach some of our boys and girls who are getting little or no religious training in the home or in the church. In consideration of this problem let us not forget the influence of the automobile, the movie, and the radio. New conditions call for new methods. Now, I say there is nothing radical or compulsory in this bill. There will be no religious training given without the consent and approval of parents. Experienced school officials have advised me that this bill would present no problem which would interfere with the ordinary work of the schoolroom.

I hope that this bill will pass because I believe that it may do some good and that it can do no harm. I am sure we all agree that this kind of training is desirable and necessary, and I hope that we can agree to give this bill our support. (Applause.)

Mr. HOLMES of Lewiston: Mr. Speaker, I wish, too, to very heartily support the motion of the gentleman from Bangor, Mr. Holman. I will say just a word. Having in mind that I am a member of a school board, I had been interested in the subject for some time, and I think it was generally believed that we already have the right under the law, but a doubt has been raised by the fact—if I remember rightly—that in Portland the attorney for the city ruled that the city did not have the right under the present law. Therefore, it is wise and right to pass this bill in order to make it clear that every municipality does have the right, and I therefore support the motion of the gentleman from Bangor, Mr. Holman.

The SPEAKER: Is the House ready for the question?

Mr. BRAGDON of Perham: Mr. Speaker and members of the House:

I realize the futility of speaking upon this question. At the committee hearing we were told that among other reasons why this bill should pass was that it has received the support of the Republican Party in its platform, that it was heartily endorsed by the Governor of our State and also by the great and glorious Ku Klux Klan of the State of Maine. And now that the gentleman from Lewiston, who is the Democratic leader of the House, and who, I assume, is speaking for his party and for the Catholic Church—

The SPEAKER: The gentleman will refrain from such reference. (Applause.)

Mr. BRAGDON (continuing) if it will be in order, Mr. Speaker, I will give some of the reasons that moved the majority of the committee to report as they did on this matter.

It has been stated here that this was not compulsory, that it was simply in order that the children may be permitted to be excused from the schools for one hour during each week to go to some place where they may receive religious instruction, and first, members of the committee who signed the majority report took into consideration the question of where we are getting to in our school work. I think that in the cities and large towns of the State we have a school year of thirty-six weeks. In the smaller towns the school year is about thirty weeks. Our teachers' conventions are taking one week, or five days out of the 150 of the school year in the smaller places. You have all had occasion to consider the multiplicity of holidays that we are adding to the burden of our school year, and hardly a Legislature convenes without feeling impelled to add another holiday, or at least a few more lessons assigned to our school course.

I think that we have gone far enough on that course, so that we should stop and consider as to whether or not we are leaving enough of the school year to take care of the studies that were contemplated when our common school system was established.

It has been said that this only permitted the children to leave school for an hour each week to take this religious instruction. It may occur to you to inquire of yourselves as to what would be done

with those who did not see fit to go out during that hour and take it for religious instruction. The proponents of the measure were asked at the hearing if those children who went out for an hour each week would be able to keep along in their studies and do the work that was being performed by those who remained in school. They replied that they would be, that the statute itself provided that no discrimination should be made on account of those who went out; they would get just the same amount of education as they would if they stayed in. It would naturally follow that if that could be done, we might legislate their education without attendance at any school at all.

It was also discussed in the committee with regard to where this religious instruction would be given. Of course, in cities like Augusta, or Portland, or Lewiston, there are churches near at hand where this could be given, and there are policemen and truant officers enough to see that the children who are excused from the school to get this hour of instruction actually go and receive the instruction and do not go behind the lumber piles in the mill yards or into some of the vacant sheds and have a game of cards, as children sometimes do. But out in the country it would be rather hard to find out where they really would go.

Now, in regard to those children getting the same benefit from their school as if they had not taken out this hour when the other children were working on their studies. It is possible that a teacher could, for a few weeks, give those children credit that would correspond with what the others were getting, but my opinion is that if this were followed up right through their school course, the taking out of an hour each week for the eight years that they would attend school, it would in the end cause a discrepancy between those children that the teacher could not help noticing, and the result would be that at the end they would not get the rank that this act contemplates, and if they did get it, it would be valueless to them because they would simply get it on paper.

I felt that it was my duty to call your attention to these facts which the majority of the committee considered.

Another matter that I intended to mention was that in inquiring of the proponents of this measure when it was before the committee, no one seemed to know who would give that religious instruction, what textbooks would be used for this purpose, or what the nature of the instruction would be. I feel, myself, that it was a wise provision of our Constitution which kept religious matters out of our public school and I also feel that all that it is necessary to teach those children are questions of morality, patriotism and good citizenship, that can be taught in any school, and in addition to that, to give them an education and then let them use that education in deciding for themselves what kind of religious instruction they want.

Of course, here in Augusta it would be only a short distance to a church where they could receive this instruction. There are some of the large villages in Maine where places are provided, where churches would be convenient where this instruction could be given, but when you get out into the country it is a different matter. Our schoolhouses there are often a long way from any church, and we are up against the question of transportation in getting our children to the public schools. It is getting so it costs us almost as much to get them there and to get them home again as it does to conduct the schools after they get there, and if we have to add to that the expense of gathering up the children in these country places from the scattered schools and bringing them to a central point where they could receive this instruction, it is going to add tremendously to the burden of our public schools. I think that these matters should be given some thought before the vote is taken on this question.

Mr. HOLMAN of Bangor: Mr. Speaker, I would like to take just a moment to answer one or two of the objections that have been spoken of by the gentleman from Perham, Mr. Bragdon. And taking up the last one first I will say that it will probably be a long time before the churches in the rural sections will be able to take advantage of the provisions of the bill. It will probably come about in the course of years through some of the parents of the children in the schools opening up their homes and having religious instruction in that way, but of course there are many, many boys and girls in our city schools and in

the larger towns who can very easily attend their own churches.

As to the teachers who will carry on this work, I would say that the responsibility rests entirely with the teachers themselves, and this responsibility, as brought out at the hearing, they are willing to assume as well as the entire expense connected therewith. There will be no connection whatever between the school training and the religious training that they receive in the schools.

Another objection has been raised relative to the fact that possibly some day it might be made compulsory. The only way we have of judging the future is by the past, and since the system was first established, in Gary, Indiana, in 1913, there has been no attempt in any place to make the law compulsory, and I feel sure there never will be.

In answer to the objection that possibly our present school system may be already somewhat overcrowded, it seems to me that it might be possible, in case the necessity does exist, for us to eliminate some of the non-essentials, and substitute in their place some of the more-essentials, something that will give our boys and girls an opportunity and a broad education that will help them not only in obtaining their high school diplomas but something that will be of help to them throughout their entire lives in overcoming the difficulties and the sorrows that present themselves in Life's pathway.

And so, with these few answers to the objections that have been raised, I thank you for your kind attention. (Applause.)

Mr. CUMMINGS of Portland: Mr. Speaker, I would like to ask the last speaker, through the chair, to what he refers in speaking of the courses that might be introduced into the schools to bring about the result that he mentioned.

The SPEAKER: The gentleman from Bangor (Mr. Holman) may reply through the Chair if he desires.

Mr. HOLMAN: Mr. Speaker and gentlemen, in replying through the chair, I will say, in answer to the gentleman from Portland, Mr. Cummings, that the method of carrying out the provisions of the bill would be left entirely in the hands of the church teachers—that the public school officials would have nothing to do with it whatsoever. Their one duty would be to comply with requests of the parents,

or the guardians of the children, who desire their children to attend these week-day schools.

Mr. CUMMINGS: The gentleman does not seem to understand my question. He referred to the cutting out of some courses now existing and the substitution in their place of something which he thought would better fit the children for the duties of life and the troubles that would come. I desire to know to what he referred. Is it some secular instruction or is it a religious instruction which he proposes to introduce into the public school?

The SPEAKER: The gentleman may reply further if he cares to, through the Chair.

Mr. HOLMAN: Mr. Speaker, again replying through the Chair, I would say that I think I now understand the question that has been raised by the gentleman from Portland, (Mr. Cummings) and in connection with the thought that I expressed, I would say that I had in mind at that time that possibly it might me well for some of our children to give the time that they are now expending in the study of the ancient, or dead, languages, or possibly similar subjects, to the acquiring of a knowledge of religious principles that will help them through their entire lives.

Mr. CUMMINGS: Thank you, that is what I suspected. (Laughter) Now, Mr. Speaker and members of the House, very many of us came here firmly in the belief in the principle of total and complete separation of Church and State. I am amazed to see that men who declare that they so believe, should appeal to the civil power to propagate any religious faith, and that is what this means. This is the step which they propose to take. If not, then why enact a law? It is an appeal to the civil power, and for what purpose? The purpose is plainly declared. I cannot understand the lack of logic that must exist in the minds of persons who, declaring that they believe in total separation of Church and State, come here to apply to the civil power to take the first step in the other direction.

We know that the first step logically leads to many others. Why, let me ask, must these children be dismissed from our public schools on a secular day? If no compulsion is sought, if no force of civil power is anticipated, then why cannot they send their children on Sunday when they have a whole day?

I think that this matter is worthy of very careful consideration, and I want to warn a great many of my friends here that they are taking a dangerous and most illogical step if they pass this bill.

I hope that the minority report will not be accepted and that this House will accept the majority report and let our institutions alone, and not begin to mingle the civil and the sacred, and not take the first step wherein this civil power proposes to mix and mingle with religious affairs.

Mr. ATWOOD of Portland: Mr. Speaker and members of the House: It appears to me that this bill is so limited in its scope that it would render very little benefit to those children who might really need it. Those are the children whose parents or guardians are not particularly interested in their religious education.

I call your attention to the clause: "Upon the request of a parent or guardian." The parent or guardian who is interested in the religious education of his or her child or ward will send that child or ward to the Sunday schools or the churches on Sunday, and this bill will in no way uplift and give religious education to the children of those parents who do not feel it their duty to see to the religious education of their children. (Applause.)

Mr. EUSTIS of Strong: Mr. Speaker, I will take one moment to make my position clear, as a member of the Committee who signed the minority report. In doing so I wish to emphasize the words of the gentleman from Lewiston, Mr. Holmes. In the opinion of the Department of Education, the cities and towns already have the power given them under this act. Because, however, of the ruling of the attorney of the city of Portland, it was felt better to introduce the bill under consideration so that there would be no doubt of the legal right to excuse school children for one hour of religious education a week. This is the entire question involved.

Mr. CUMMINGS of Portland: Mr. Speaker, if it is true that the power already exists, then this is entirely useless and needless legislation. It has been stated that this would not very well apply in country towns on account of existing conditions. Let me call your attention to the utter

absurdity of it in the cities: the children are to be excused to attend the church of the choice of their parents. Now, if you will think for a moment, you will realize that almost in any city the majority of them would have to go a mile or more, and in many cases very much more, to get to the church that they desired to attend. What would happen during this one hour that they are excused from school? Why, this is simply the first step, absolutely nothing else. It is wrong, it is impractical.

Mr. HAMILTON of Caribou: Mr. Speaker, I fail to see any great danger in this measure. For many years of my life I attended the public schools, and during that period I practiced just what this bill suggests. It is not mandatory, it is simply left open for the parents and teachers and superintending school committee to coincide in regard to it, and I find, and did find in my own life, that the ones who took this intermission and attended to their church work, whatever it was, did just as well in their work as those who went out and played baseball or something else, and it is a fact that our people in the past who got their knowledge largely out of the Bible, and could quote it, made as good speakers, and better, than the present-day speakers that we have, and, for one, I believe that this would do no harm and would do a great deal of good if we leave it so that our children can, if they want to, take this religious instruction. It will do them no harm. (Applause.)

Mr. ROBERTS of Bar Harbor: Mr. Speaker, I might add that I have talked with a member of the school board in Bar Harbor, where religious training is in practice, and it has been very successful. Even the Sisters and the Priests in the Church have co-operated, and the member of the school board with whom I talked, said that he was heartily in favor of it and I am sure it has been a great success in that town. (Applause.)

Mr. HOLMES of Lewiston: Mr. Speaker, may I take just a moment for a word of explanation? I fear, Mr. Speaker, that if the reference to Democratic leadership were to pass unnoticed, it might be taken by the House that every time I favor or oppose any measure in this House I would be speaking for the Democratic minority, which would be a great misfortune.

I wish to say, Mr. Speaker, that so far as my recollection goes—and I am positive that I am right—I have not voiced, since the beginning of this session up to the present moment and including the present moment, the wishes or the opinions of the Democratic minority or of any other organization or association whatsoever, and so far as I can see in the future, there will be no occasion for me to speak as the official voice of the Democratic minority or otherwise.

In the matter of religion I will not say a word.

The SPEAKER: The Chair will state the reason for his ruling in calling the gentleman who spoke previously to order. The Speaker is enjoined, under the rules of this House, to restrain the members, while engaged in debate, within the rules of order, and is further enjoined to see that there is observed at all times the rules of order and decorum.

The Chair intends to give a wide interpretation to that rule and rules that the matter of religion is a matter for the dictates of one's own conscience, to be practiced without molestation or interference, and, in the hall of this House, without comment, (Applause.)

Mr. HOLMES: (Continuing) I rejoice, Mr. Speaker, that the Chair has made that ruling. I wish to say that I feel no resentment towards the gentleman from Perham, Mr. Bragdon, for anything that he has said. I have the highest admiration and friendship for the gentleman.

And one word more, I do not think the Democratic minority needs any leadership. We have twenty-nine spokesmen and every one of them is a leader of the party. We realize that we are only the tail to the kite in this Legislature but a tail is a very important part of the kite because it steadies it. (Applause and Laughter.)

Mr. HOLMAN of Bangor: Mr. Speaker, I ask that when the vote is taken, it be taken by rising vote.

The SPEAKER: A division is requested.

Mr. SNOW of Brunswick: Mr. Speaker, if this bill becomes a law, it will be a law without a penalty, and I am very much opposed to any law unless it have a penalty.

The SPEAKER: Is the House ready for the question? The question arises upon an act permitting children to be excused from the public schools to receive religious instruc-

tion, House Document 196, upon which there was a minority report "Ought to Pass" and a majority report "Ought Not to Pass". The motion before the House is that of the gentleman from Bangor, Mr. Holman, that the minority report "Ought to Pass" be accepted. A vote of "yes" is for the acceptance of the minority report and for the passage of the bill. A vote of "no" is against the bill.

A division of the House being had, Sixty-four having voted in the affirmative and 63 in the negative, the motion to accept the minority report "Ought to Pass" prevailed.

Mr. CUMMINGS: Mr. Speaker, that vote being so close, I move a re-consideration of the vote.

The SPEAKER: Will the gentleman state with which side he voted? (Laughter and Applause)

Mr. CUMMINGS: Mr. Speaker, that is absolutely right I voted on the losing side and have no right to make the motion.

Mr. WING of Auburn: Mr. Speaker, I move that the gentleman from Portland (Mr. Cummings) be given permission to change his vote so that he may make the motion.

The SPEAKER: Does the Chair understand that the gentleman voted with the prevailing side? Did the gentleman from Portland (Mr. Cummings) vote with the prevailing side?

Mr. CUMMINGS: I did not, Mr. Speaker.

The SPEAKER: Does the gentleman request permission to change his vote?

Mr. CUMMINGS: For the purpose of making the motion, I do.

The SPEAKER: Does the House accord permission to the gentleman to change his vote?

Thereupon, a viva voce vote being taken, the House voted to accord the gentleman from Portland, Mr. Cummings, permission to change his vote for the purpose of moving a re-consideration of the vote.

Mr. CUMMINGS: Mr. Speaker, I now move for re-consideration of the vote just taken.

The SPEAKER: The gentleman from Portland Mr. Cummings, now moves that the House reconsider its vote just taken, whereby the minority report of the committee on Education "Ought to Pass" was accepted. Is the House ready for the question?

A division of the House being had,

Thirty-seven having voted in the affirmative and 65 in the negative, the motion to reconsider failed of

passage, and, the rules being suspended, the bill received its first two readings; and on motion by Mr. Eustis of Strong, the rules were again suspended and the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair will state that an order has come down from the Senate which might be entertained out of order.

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Monday afternoon, March 30, at 4.30 o'clock.

In the Senate, read and passed.

In the House read and passed in concurrence.

The SPEAKER: The Chair makes a suggestion, on the advice of the Clerk, that if there is further matter for debate it be tabled temporarily until Orders of the Day, so that we can go through the routine business and then turn to debate under orders of the day this morning.

Additional House Reports taken up out of order, under suspension of the rules.

Mr. Hamilton from the Committee on Judiciary reported ought not to pass on bill an Act increasing the jurisdiction of constables in cities of over thirty-five thousand inhabitants. (H. P. No. 767) (H. Doc. No. 183).

Mr. Oakes from same Committee reported same on bill 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. No. 610) (H. Doc. No. 144).

Mr. Nichols from same committee reported same on bill an Act providing for recovery by log drivers of damages caused by storage dams. (H. P. 1044) (H. D. 379).

Mr. Nichols from same committee reported same on bill an Act relating to assistance in marking ballot. (H. P. No. 1057) (H. Doc. No. 286).

Same gentleman from same Committee reported same on bill An Act to amend Section 2 of Chapter 95 of the Revised Statutes, relating

to mortgagees. (H. P. No. 327) (H. Doc. No. 66).

Mr. Wing from same Committee reported same on bill An Act to amend Chapter 38 of the Public Laws of 1921 relating to absentee voters. (H. P. No. 897) (H. Doc. No. 226).

Same gentleman from same Committee reported same on bill 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 69 of the Public Laws of 1923, so far as relates to certain Streets in the city of Hallowell. (H. P. No. 617).

Same gentleman from same Committee reported same on bill An Act authorizing the employment of stenographers by Justices of the Supreme Judicial and Superior Courts. (H. P. No. 411) (H. Doc. No. 115).

Mr. Hale from same Committee reported same on bill An Act relative to the appointment of administrators, guardians, conservators and receivers. (H. P. No. 968) (H. Doc. No. 259).

Mr. Holmes from same Committee reported same on bill An Act relative to the filling of vacancies in the office of United States Senator. (H. P. No. 1129) (H. Doc. No. 375).

Mr. Burnham from the Committee on Public Utilities reported same on Bill "An Act to Incorporate the Winding Ledges Power Company". (H. P. No. 710) (H. Doc. No. 154).

(Tabled by Mr. Hammond of Van Buren and especially assigned for Tuesday, March 31).

Same gentleman from same Committee reported same on bill An Act relating to the equipment of electric cars with head lights. (H. P. No. 1110) (H. Doc. No. 334).

Mr. Wing from same Committee reported same on bill An Act to equalize the cost to takers of the service of public utilities. (H. P. No. 1142) (H. Doc. No. 360).

Mr. Hight from same Committee reported same on bill An Act to prevent discrimination by telephone companies furnishing its instrumentalities to other Telephone Companies. (H. P. No. 1143) (H. Doc. No. 361).

Reports read and accepted and sent up for concurrence.

Mr. Jones from same Committee reported ought to pass on bill An Act to incorporate the Richmond Water District. (H. P. No. 787).

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

Mr. Hale from the Committee on Judiciary on bill An Act to incorporate the Personal Finance Company. (H. P. No. 409) reported same in a new draft (H. P. No. 1252) under same title and that it "Ought to pass".

Mr. Martin from same Committee on bill An Act to amend Section 37 of Chapter 55 of the Revised Statutes, as amended by Chapter 128 of the Public Laws of 1919, relating to authorization of issue of stocks, bonds and notes by public utilities. (H. P. No. 1127) (H. Doc. No. 373) reported same in a new draft (H. P. No. 1251) under same title and that it "Ought to pass".

Mr. McDonald from the Committee on Public Health on bill An Act relating to the analysis of Water used for domestic purposes (H. P. No. 1140) (H. Doc. No. 358) reported same in a new draft (H. P. No. 1250) under same title and that it "Ought to pass".

Mr. Comins from the Committee on Public Utilities on bill An Act to incorporate the Great Pond Railway Company (H. P. No. 728) reported same in a new draft (H. P. No. 1249) under title of "An Act to extend the Charter of the Great Pond Railway Company" and that it ought to pass.

Same gentleman from same committee on bill, An Act to incorporate the Old Town Water District (H. P. No. 633) (H. Doc. No. 148) reported same in a new draft (H. P. No. 1248) under same title and that it ought to pass.

Mr. Sargent from same committee on bill, An Act to incorporate the Union River Railway Company (H. P. No. 727) (H. Doc. No. 173) reported same in a new draft (H. P. No. 1247) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the joint rules.

Majority report of the committee on Banks and Banking on bill, An Act to enlarge the definition of the term "Securities" in Section 126 of Chapter 144 of the Public Laws of 1923, so as to include contracts for the sale of fur-bearing animals (H. P. No. 839) (H. Doc. No. 193) reporting same in a new draft (H. P. No. 1253) under same title and that it ought to pass.

Report was signed by the following members:

Senator FOSTER of Kennebec  
—of the Senate  
Messrs. METCALF of Farmington  
PAGE of Skowhegan  
WARREN of Winslow  
PULLEN of Danforth  
TUPPER of No. Berwick  
—of the House

Minority report of same committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. MINER of Washington  
—of the Senate  
HAYFORD of Mechanic Falls  
—of the House

On motion by Mr. Sargent of Sedgwick, both reports were tabled pending acceptance of either, and especially assigned for Wednesday, April 1.

Majority report of the committee on Judiciary reporting ought to pass on bill, An Act additional to Chapter 356 of the Private and Special Laws of 1883, entitled "An Act to authorize the construction of a bridge over tide waters between Orr's Island and Bailey's Island and to authorize the town of Harpswell to hire money and to construct said bridge under the provisions of Chapter 319 of the Public Laws of 1915 and acts additional thereto and amendatory thereof (H. P. No. 703) (H. Doc. No. 168).

Report was signed by the following members:

Messrs. HINCKLEY of Cumberland  
HUSSEY of Aroostook  
MAHER of Kennebec  
—of the Senate  
MARTIN of Augusta  
WING of Auburn  
HOLMES of Lewiston  
HAMILTON of Caribou  
—of the House

Minority report of same committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. NICHOLS of Portland  
HALE of Portland  
OAKES of Portland  
—of the House

Mr. OAKES of Portland: Mr. Speaker, I move to table this temporarily as it will take but a moment's time to present it to the House.

The motion prevailed.

The SPEAKER: In making assignment for next week, will the members

bear in mind the fact that we will in all probability have afternoon sessions. It would, therefore, be possible to make an assignment for Tuesday, and if the matter could not be reached in the morning, it would be unfinished business for the afternoon. The Chair trusts that the members will not make assignments too far ahead. It is easy to continue a matter if adjournment comes too early on any day next week.

Majority Report of same Committee reporting "Ought not to pass" on Resolve proposing an amendment to the Constitution of the State of Maine changing the date of the State Election from the second Monday of September to the Tuesday after the first Monday of November (H. P. No. 495) (H. Doc. No. 97).

Report was signed by the following members:

Messrs. HINCKLEY of Cumberland  
HUSSEY of Aroostook  
MAHER of Kennebec  
—Of the Senate

WING of Auburn  
HALE of Portland  
HAMILTON of Caribou  
MARTIN of Augusta  
OAKES of Portland  
—Of the House

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Messrs. NICHOLS of Portland  
HOLMES of Lewiston  
—Of the House

On motion by Mr. Lait of Old Town, tabled pending acceptance of either report and especially assigned for Tuesday, March 31.

## First Reading of Printed Bills and

### Resolves

H. P. No. 117: An Act to repeal Chapter 389 of the Private and Special Laws for the year 1905 entitled "An Act to grant certain powers to the town of Eden".

H. P. No. 559: An Act relating to fishing for smelts in Eastern River.

H. P. No. 801: An Act amending an act relating to taking of clams in the town of Machiasport.

H. P. No. 1228: An Act to regulate night hunting and fishing.

Mr. EUSTIS of Strong: Mr. Speaker, I offer House amendment A and move its passage.

Amend new draft of House Paper No. 259, House Document 50, by inserting after the word "eels" in the



third paragraph of the act, the words "smelts" and "cusk".

The SPEAKER: Would the gentleman state very briefly the effect of the amendment?

Mr. EUSTIS: Mr. Speaker, the words smelts and cusk were unintentionally omitted in the new draft. The amendment merely is to correct an error and has the approval of the Department.

Thereupon Amendment A was adopted and the bill was assigned for its third reading on Monday at 4 30 o'clock.

H. P. 1238: An Act to regulate the sale of filled milk.

H. P. No. 387: Resolve in favor of Trustees of Juvenile Institutions.

H. P. No. 389: Resolve in favor of State School for Boys.

H. P. No. 1237: Resolve in favor of State School for Girls.

#### Passed To Be Engrossed

Bill An Act to amend Section 3 of the Public Laws of 1923 relating to retiring and pensioning State Employees (S. P. No. 316) (S. Doc. No. 239).

Bill An Act relating to adjustment of rate of interest on Farm Loans granted by the State (S. P. No. 570) (S. Doc. No. 241).

Bill An Act for the better protection of Smelts in the Passagassawaukeag River (H. P. No. 561) (H. Doc. No. 461).

Mr. FROST of Belfast: Mr. Speaker, in relation to House Paper 561, House Document 461, as printed this would prohibit the catching of smelts from a point two thousand feet below the bridge to the extreme source of the river, and I doubt very much if the proponents desired that. I would like to table that until Tuesday morning, so as to ascertain whether that is really what they wish.

The SPEAKER: by leaving open the time of taking this up, it may be possible that it can be done Monday afternoon at 4.30.

On motion by Mr. Frost of Belfast, tabled pending passage to be engrossed.

H. P. No. 639: An Act to repeal Chapter 27 of the Public Laws of 1923, relating to smelt fishing.

H. P. No. 1117: An Act to regulate the sale of oleomargarine or any other substitute for butter.

H. P. No. 1124: An Act in relation to the Passamaquoddy and Penobscot Indian Tribes.

H. P. No. 1236: An Act prohibiting the catching of smelts in Cathance River except by hook and line.

(Tabled by Mr. Littlefield of Kennebunk pending third reading.)

S. P. No. 571: Resolve in favor of F. W. Cunningham & Sons for contractors fees as per contract with the State dated October 1923 in connection with the State Prison, Thomaston, Maine, together with the disbursements.

H. P. No. 120: Resolve in favor of Abbie A. Norton of Industry for State Pension.

H. P. No. 783: Resolve providing for a State Pension for Alice Fuller, of Lewiston.

H. P. No. 784: Resolve providing for a State Pension for Florence J. Judkins, of Lewiston.

H. P. No. 785: Resolve providing for a State Pension for Betsey A. Trask of Lewiston.

H. P. No. 786: Resolve providing for a State Pension for Nancy J. Brooks, of Lewiston.

H. P. No. 1234: Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance and education thereof.

H. P. No. 1235: Resolve providing for an increase of State Pension for Emma Coffin Norton of Palermo.

#### Passed To Be Enacted

An Act relating to the salary of the Judge of the Kennebunk Municipal Court.

An Act to amend An Act entitled An Act to incorporate the Cusputic Stream Improvement Company.

An Act relating to taking herring in the Sheepscot River.

An Act to incorporate the Caribou Sewer District.

An Act relating to Motor Vehicle Laws.

An Act to authorize the city of Belfast to pay its bonded indebtedness and to issue new bonds for that purpose.

An Act to amend Section 130 of Chapter 16 of the Revised Statutes as amended by Chapter 69 of the Public Laws of 1919, relating to certification of teachers

On Act to amend Section 127 of Chapter 87 of the Revised Statutes, relating to affidavits of plaintiffs being received as prima facie evidence.

An Act relating to land taken for parks, squares, public libraries and playgrounds.

An Act to require the teaching of American history and civil govern-

ment in the public and private schools.

An Act to grant a new charter to the city of Saco.

An Act to incorporate Old Town Herbert Gray School District.

An Act to provide for notice to mortgagees in case mortgaged real estate is sold for taxes; to provide for redemption by a mortgagee if notice is not given; and to provide for redemption in case real estate is sold for taxes when same are assessed against the name of a person not the true owner.

An Act relating to the Rumford and Mexico Water District, authorizing said District to take water from Walker Brook in the towns of Roxbury and Weld.

An Act to extend the powers of Western Maine Power Company, formerly Limerick Water and Electric Company.

### Finally Passed

Resolve in favor of the Directors of the Port of Portland.

Resolve in favor of the Directors of the Port of Portland.

### Orders of the Day

The SPEAKER: Under orders of the day and tabled and assigned for today, the Chair presents bill, An Act relating to the jurisdiction of the Municipal Court of Portland, H. P. 771, H. D. 440, tabled by Mr. Nichols of Portland, March 25, pending third reading.

On motion by Mr. Nichols of Portland, the bill was given its third reading and passed to be engrossed.

The SPEAKER: The Chair presents House Amendment A to bill, An Act to permit the taking of pickerel and smelts through the ice in the Belgrade Chain of Lakes, H. P. 747, H. D. 449, tabled by Mr. Greenleaf of Auburn, March 25, pending adoption of the amendment.

Mr. GREENLEAF of Auburn. I yield to the gentleman from Monson, Mr. Flint.

Mr. FLINT of Monson: Mr. Speaker and members of the House: In supporting the unanimous report of the committee on Inland Fisheries and Game, I will say that we have 12 hatcheries in the State and the most of them are on large lakes or great ponds. This hatchery is in the town of Belgrade, near this Belgrade chain of lakes. The association has raised \$2500 for the last three years, making \$7500 in all for the purpose of stock-

ing those lakes. There are 240 cottages around that lake. I move the indefinite postponement of the amendment.

The SPEAKER: The question before the House appears to be the adoption of Amendment A, offered March 25, by the gentleman from Waterville, Mr. Hall. The Chair recognizes the gentleman from Oakland, Mr. Morse.

Mr. MORSE of Oakland: Mr. Speaker, gentlemen of the House and lady: I am not personally interested in this fishing matter. My constituents in the towns of Oakland, Belgrade and Sidney are vitally interested, and they have asked me to say a few words in regard to this bill. In the town of Oakland, at our annual town meeting in 1924, they had an article inserted in our town warrant to see if the town of Oakland could be allowed to fish through the ice. When this matter came to a vote there were just three votes and a gentleman made a motion to make it unanimous which was doubted by the Moderator. In other words, it was the unanimous vote of the town of Oakland that its residents be allowed to fish through the ice.

In the town of Belgrade, at their last annual town meeting, such an article was inserted in their warrant, and I was told by the chairman of the Board of Selectmen that 75 per cent. voted for and 25 per cent. voted against fishing in the Belgrade Chain of Lakes.

In the town of Sidney, there was a petition circulated and practically every voter in the town who saw the petition signed it.

I have no personal interest in this matter; I never fished through the ice in my life; but the people there are asking for that privilege, as amended here, one day each week—Thursday—in each one of the lakes. I have been told by camp owners and men running public camps that taking the large pickerel from these lakes will be a benefit to the fishing. We will allow that they know. This ice fishing bill is endorsed by the majority of the public camp owners in my section. The citizens of Augusta have the opportunity of ice fishing at Cobbosseecontee Lake or at Webber Pond, the citizens in that region have the right to fish through the ice and the natives around in this section where I live, in Oakland and Belgrade, only ask the privilege of going down and fishing

one day each week, if they care to, through the ice. I trust the motion of the gentleman will not prevail.

The SPEAKER: Just before the gentleman spoke, the Chair stated that the motion was on the question of the adoption of the amendment. Since that time a motion has been made that the amendment be indefinitely postponed, and that is the matter before the House now.

Mr. MORSE of Oakland: Mr. Speaker, if I am in order, I trust that the motion of the gentleman will not prevail, and that the amendment be not postponed.

The SPEAKER: That expresses the desire of the gentleman, not another motion.

Mr. HALL of Waterville: Mr. Speaker and members of the House: This amendment was instituted, I think, by the Fish and Game Association, an association of three or four hundred representative citizens of Waterville and representative citizens of Maine. The lakes in question, as you all know, are not like small ponds. They are in length, I am told, from six to thirteen miles. Three of them being more than ten or eleven miles in length. Our proposition is to fish one day a week through the ice for the purpose of taking pickerel and smelts, and I say to you frankly that the citizens of Waterville and the many signers of petitions from outside in various parts of the State are in favor of such a matter, and they would not ask you to grant this privilege if they thought it would harm the fishing in the lakes, or do any harm to the cottagers on the shores of the lakes. I hope, gentlemen, you will see fit to grant us this privilege.

Mr. FLINT of Monson: Mr. Speaker, I would just like to add that it has never been the policy of the Department of Fish and Game to allow any fishing in any of these lakes where hatcheries were connected with them.

The SPEAKER: The question before the House is on the motion of the gentleman from Monson, Mr. Flint, that the amendment be indefinitely postponed.

Mr. HALE of Portland: Mr. Speaker, may we have the amendment read?

(Amendment A read by the Speaker).

Mr. CYR of Waterville: Mr. Speaker, I am not very familiar with fishing through the ice and

what kind of fish is the best to take out of the ponds; but I have been told by a lot of fisherman that pickerel were eating a lot of the game fish in the ponds and that they would eat trout and other large fish, the same as bass. You cannot catch bass where you catch pickerel. I have been by China Pond a number of times in the summer and I have seen automobile parties from Belgrade who were fishing in China Pond for bass, and that pond was fished during the winter through the ice. I think it would be good for those ponds—those lakes as you might call them—to fish through the ice for pickerel. Cottage owners all around those ponds, practically every one of them, have been signing petitions for the last twenty-eight years to have the privilege to fish through the ice and they were opposed by practically only one owner of a cottage or hotel on those ponds.

The SPEAKER: The question is on the motion of the gentleman from Monson, Mr. Flint, that the amendment be indefinitely postponed.

A viva voce vote being taken, the motion to indefinitely postpone the amendment failed of passage.

The SPEAKER: The question now is on the motion of the gentleman from Waterville, Mr. Hall, that the amendment be adopted.

A viva voce vote being taken, the amendment was adopted and on further motion by the same gentleman, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents bill an act giving certain powers to the Governor and Council with respect to State highways, interstate and international bridges, H. P. 943, H. D. 244, tabled by Mr. Daigle of Madawaska, March 25, pending second reading.

Mr. DAIGLE of Madawaska: Mr. Speaker, I offer House Amendment A and move its adoption.

House Amendment A to House Document 244,

Amend House Document 244 by adding as section five the following words: "Any and all grants and powers herein given shall be limited to a period of ten years from the time this act takes effect."

On motion by Mr. Hammond of Van Buren, a viva voce vote being taken, the bill and amendment were tabled, pending adoption of the amendment.

The SPEAKER: The Chair presents report of the committee on Military Affairs, ought not to pass on bill, an act relating to the Lewiston Armory, H. P. 118, H. D. 27, tabled by the gentleman from Lewiston Mr. Lessard, March 25, pending acceptance of the report.

Mr. LESSARD of Lewiston: Mr. Speaker, for the purpose of offering an amendment in the form of a resolve I wish to take from the table House Paper 118, H. D. 27, and move to substitute the bill for the report.

The SPEAKER: The gentleman moves to substitute the bill for the report, the report being ought not to pass, and states that it is done for the purpose of offering an amendment. Is it the pleasure of the House that the bill be substituted for the report?

Thereupon, the bill was substituted for the report.

On motion by Mr. Lessard of Lewiston the bill then received first two readings, this being done for the purpose of allowing that gentleman to offer his amendment.

The SPEAKER: The gentleman from Lewiston, Mr. Lessard, offers House amendment A and moves its adoption as follows:

"Amend said bill by striking out all of said act and substituting therefor the following:

"Resolve for rental of Lewiston Armory.

"Resolved that there be and is hereby appropriated the sum of five thousand dollars for the fiscal year July 1, 1925 to June 30, 1926 and the same sum for the year July 1, 1926 to June 30, 1927 for rental of the Lewiston Armory".

Mr. LESSARD of Lewiston: Mr. Speaker, in order to better acquaint the members of this Legislature with the facts relative to the Armory in Lewiston, I wish to state that in 1923 the city of Lewiston completed one of the most beautiful armories in the State at a cost of over \$350,000. Also we came here before the committee on Legal Affairs, members of the National Guard appeared and showed whereby the state ought to pay the rental asked for. I think the Legislature will not be making a mistake in granting the city of Lewiston that special resolve, and I move its passage.

Mr. DECKER of Milo: Mr. Speaker, I move that the resolve lie on the table.

A viva voce vote being taken, the motion to table failed of passage.

The SPEAKER: The question is on the adoption of the amendment offered by the gentleman from Lewiston, Mr. Lessard.

Mr. HOLMES: Mr. Speaker, I merely wish to support the motion of my colleague from Lewiston, Mr. Lessard.

The SPEAKER: Is the House ready for the question.

Mr. WING of Auburn: Mr. Speaker, I too wish to rise to support the motion of the gentleman from Lewiston, Mr. Lessard.

Mr. FROST of Belfast: Mr. Speaker, I do not think that we fully understand this amendment. Under the present law any city or town, wherever a military company is organized, is by law compelled to furnish a suitable armory and we are also supposed to receive rent for it. I am speaking only for my own city where we have furnished an armory for several years. The amount of rental we have received has only been a very small percentage of the rent paid, and it hardly seems fair to all the other towns through the State that are very similarly situated as is Belfast that we should make a special appropriation, through this resolve, to reimburse the city of Lewiston to the extent of \$5,000 for the rental of this Armory. I understand that this is used quite largely for municipal purposes, and probably the proposed contribution of the city of Lewiston for the use of the military company would be no greater than in some of the smaller towns which at the present time are furnishing armories and are receiving very little in return in the way of rentals. Personally, it seems to me that a much fairer way would be for us to all come under the same condition and be reimbursed in the way of rental through the military organization. All the other towns are doing that and will continue so to do. I know of one small town in Aroostook county at the present time which has an unpaid rental bill of more than four thousand dollars. No provision is made to reimburse them except through the military organization. Therefore, under those conditions, and with the thought in mind that Lewiston would take exactly the same position as is taken by these other towns, I hope that the motion will not prevail.

Mr. SMITH of Bangor: Mr. Speaker, I heartily endorse what the member from Belfast (Mr. Frost) has said. We have a problem in Bangor

similar to this one. As you know, we are forced to provide suitable quarters for the National Guard. This has been somewhat of a problem for us, but we have tried to meet it in a regular way. We have not asked for special favors. We want to stand on our own feet and get the same fair treatment as other cities and towns with like problems. Let us all meet our own problems through the regular channels and not through special legislation.

The SPEAKER: Is the House ready for the question?

Mr. DECKER of Milo: Mr. Speaker, I would like to say a few words relative to the attitude of the committee when they reported this original bill "Ought not to Pass". I do not know whether or not the members of the House are familiar with the present law. Section 52, chapter 174 of the public laws of 1923, provides that the Armory Commission shall determine a suitable rental for the several towns and cities in the State of Maine wherein are located military organizations. We felt that there should not be any special legislation for any one town. There is a certain amount of money appropriated for this purpose, and the general law is sufficient, and if this Legislature should appropriate sufficient money for that purpose, that the Armory Commission would handle it under the general law, and that no special legislation would be necessary for Lewiston.

The Committee fully appreciates the fact that the city of Lewiston has a wonderful armory, and we believe that they should receive a fair rental for it, far more than they are receiving at the present time, but we do believe that it should be handled under the general law and not under special legislation, and I hope this bill will not pass.

Mr. STURGIS of Auburn: Mr. Speaker, I am from the city of Auburn, and I do not believe in discriminating against Lewiston. In the past we have received a very good rental. I am against this bill.

The SPEAKER: Is the House ready for the question?

Mr. OAKES of Portland: I would like to ask the Speaker to have the resolve read again.

(The resolve was read.)

Mr. HOLMES of Lewiston: Mr. Speaker, I should like to ask a question through the Chair of the gentleman from Lewiston, Mr. Lessard,

and I will first say that my reason for asking the question is that I thought that that amendment was to read, also, that the same sum was to be charged to the appropriation for the Adjutant General's Department, but I see that the words are not in it, and I should like to ask the gentleman from Lewiston, Mr. Lessard, if he can give us any word from the Adjutant General on the subject.

The SPEAKER: The gentleman may reply through the chair.

Mr. LESSARD of Lewiston: Mr. Speaker, I will answer through the Chair that I consulted the Adjutant General yesterday and showed him the amendment, and Mr. Decker was present, and they had me strike out where it would be taken care of through their department, and they assured me that the resolve would meet with their approval.

Mr. DECKER of Milo: Mr. Speaker, I have reason to believe that there may be more funds available during the next two years than in the past, and that this matter can be taken care of under the general law. I do not approve of special legislation for any one town.

Mr. WING of Auburn: Mr. Speaker, may I ask the gentleman from Milo (Mr. Decker) if he can quote me briefly the requirements of the statute. As I recall it, the law is stringent and compels the municipality where there is a military company to furnish an armory. If they furnish a barn, that is one thing. If they furnish an armory, that is another. The city of Lewiston has furnished an armory, and the State pays no rental for it.

The SPEAKER: If the gentleman desires, he may answer.

Mr. DECKER: Mr. Speaker, I will answer through the Chair. I believe the law provides that the town shall provide suitable quarters, and the suitability of the quarters are to be determined by the Armory Commission, and, as I said before, I believe the city of Lewiston should receive a fair rental, much more than they have been receiving.

Mr. LESSARD: Mr. Speaker, the gentleman from Bangor (Mr. Smith) said he had a grievance of his own. Well, admitted. But can the gentleman from Bangor (Mr. Smith) inform me whether they have an armory comparable to ours?

Mr. SMITH: Mr. Speaker, I would say that unfortunately we have not.

We have devoted our money to our schools and therefore have not as much for military purposes as we would like, but we hope to be able to do more in that direction in the future.

The SPEAKER: The question is on the adoption of the amendment as first read.

A division of the House being called for on the adoption of this amendment,

Twenty-two voted in the affirmative and 54 in the negative, so the motion failed of passage.

On motion by Mr. Decker of Milo, the bill was indefinitely postponed.

The SPEAKER: The Chair presents bill, An Act relating to common thieves, S. P. 195 S. D. 80, tabled by Mr. Nichols of Portland March 26, pending enactment.

On motion by Mr. Nichols of Portland, the bill was passed to be enacted.

The SPEAKER: The Chair presents bill, An Act relating to proxies, H. P. 858, H. D. 203, tabled by Mr. Hale of Portland March 26, pending enactment.

On motion by Mr. Hale of Portland, the bill was passed to be enacted.

Mr. DAIGLE of Madawaska: Mr. Speaker, out of order I wish the vote reconsidered whereby we accepted the report of the committee on Judiciary, ought not to pass on bill, An Act relating to assistance in marking ballots.

The motion prevailed.

Mr. DAIGLE of Madawaska: Mr. Speaker, I move to table the matter pending acceptance of the report.

A viva voce vote being taken, the motion to table failed of passage; 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, bill, An Act referring to education, H. P. 381, H. D. 78, tabled by that gentleman March 26, pending Mr. Stitham's motion to substitute new draft for the bill.

Mr. HALE: Mr. Speaker, I now move the adoption of the amendment to said resolve, printed as House Document No. 465.

The SPEAKER: The motion is already before the House—the motion of the gentleman from Pittsfield, Mr.

Stitham, that the new draft be substituted for the bill.

Mr. HALE: I wish to support the motion.

The SPEAKER: Is it the pleasure of the House that the new draft, House Document 465, be substituted for the bill.

A viva voce vote being doubted,

A division of the House was had,

Forty-two voting in the affirmative and 87 in the negative, the motion to substitute the new draft for the bill prevailed.

Mr. HALE: Mr. Speaker, I now move the indefinite postponement of the substituted bill, and will simply say that the bill in its substituted form was also before the judiciary committee, and that all the members of the committee were of the opinion that it should not be passed.

Mr. STITHAM of Pittsfield: Mr. Speaker, I did not know until a short time ago that this was to be taken from the table this morning. You have heard the motion of the gentleman from Portland, Mr. Hale, for indefinitely postponing this resolve. Other measures dealing with an amendment to the Constitution have been given consideration, and have been allowed to take their preliminary course. It seems to me that it is unfair after Mr. Hale made the motion to accept this new draft and supported the motion for him to get up and make a motion to indefinitely postpone it. It seems to me that is using the measures in a somewhat unfair way. Therefore, Mr. Speaker and members of the House, I ask that this measure be given due consideration, and I ask for a division.

Mr. HAMILTON of Caribou: Mr. Speaker, as this matter somewhat involves another that will soon be disposed of, it seems advisable to me, at least, that this matter lie on the table until next Tuesday, and I make that motion.

The SPEAKER: The motion before the House first was that of the gentleman from Portland, Mr. Hale, that the bill be indefinitely postponed. The gentleman now moves that the matter lie on the table.

A viva voce vote being taken, this matter was tabled and especially assigned for Tuesday, March 31.

Mr. STURGIS of Auburn: Mr. Speaker, I move to reconsider the vote of yesterday in regard to Senate Document 234, which was passed to be engrossed.

The SPEAKER: The Chair will state that the matter has gone to the

Senate and is out of the possession of the House.

---

Mr. OAKES of Portland: Mr. Speaker, I ask unanimous consent to present out of order a report of the judiciary committee on the bill which I introduced regarding the amendment of the primary law. The report is "ought not to pass, covered by other legislation." A word of explanation. I do this for the purpose of getting the entire situation before the House and Senate, as other reports have been introduced into the Senate this morning in order to get them printed before convening next week, so that everything may be clear in your minds as to how the matter is progressing. Immediately after this is presented, if I may have the privilege of doing so, I shall move to table it.

Thereupon, the rules were suspend-

ed and the report was received out of order, being by Mr. Oakes of Portland from the committee on judiciary on bill, An Act to amend Chapter 6 of the Revised Statutes relating to nominations, House Paper No. 3, House Document No. 1, reporting that the same ought not to pass as it is covered by other legislation.

On motion by Mr. Oakes of Portland, the matter was tabled pending acceptance of the report.

---

The SPEAKER: The Chair hopes that such committees as have matters to be reported out will see that they are reported as quickly as possible.

---

On motion by Mr. Pendleton of Islesboro,

Adjourned until 4.30 Monday afternoon, March 30.