

# 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

## SENATE

Thursday, March 26, 1925.

Senate called to order by the President.

Prayer by Rev. H. O. Megert of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act relating to fees for the registration of vehicles used for the transportation of school children. (H. D. 74)

In Senate, March 18, passed to be engrossed in concurrence.

In the House: That branch reconsidered its action whereby the bill was passed to be engrossed, adopted House Amendment A, and then passed the bill to be engrossed as amended by House Amendment A.

In the Senate: On request of Mr. Hinckley of Cumberland, the Secretary read House Amendment A.

On motion by Mr. Hinckley, the Senate reconsidered its action whereby it passed this bill to be engrossed, and on further motion by the same Senator, adopted House Amendment A.

On further motion by the same Senator, the bill, as amended by House Amendment A was passed to be engrossed.

From the House: Resolve, Appropriating Money to Rebuild one Pier of the Gardiner and Randolph Drawbridge. (H. D. 267)

In Senate, March 12, passed to be engrossed in concurrence.

In the House: recommitted to the Committee on Ways and Bridges.

In the Senate: On motion by Mr. Foster of Kennebec, the Senate voted to concur with the House in recommitment of the resolve to the committee on ways and bridges.

From the House: An Act relating to the notice given by the Assessors of taxes before assessment. (H. D. 278)

In Senate, March 23, report "ought not to pass" of Committee on Judiciary accepted on this bill.

In the House: recalled from the files, and recommitted to the Committee on Judiciary.

In the Senate: On motion by Mr.

Hinckley of Cumberland, the Senate voted to concur with the House in recommitting this bill to the committee on Judiciary.

From the House: The Committee on Legal Affairs, on An Act amending the charter of the Belfast Municipal Court (H. P. 619), reported the same in a new draft, under the same title (H. D. 402) and that it ought to pass.

In the House: recommitted to the Committee on Legal Affairs.

In the Senate: On motion by Mr. Morrison of Franklin, the Senate voted to concur with the House in recommitting this bill to the committee on legal affairs.

From the House: The majority of the Committee on Inland Fisheries and Game, on An Act providing for a yearly limit of one deer in all counties in the State (H. D. 51), with petitions relating to the same, reported that the same ought to pass.

(Signed)

CRAFTS  
LORD  
KINSMAN  
BUKER  
FLINT  
STONE  
BUMP

The minority of the same Committee, on the same subject matter, reported ought not to pass.

(Signed)

WILSON  
FROST  
HALLETT

In the Senate:

Mr. HOLLEY of Somerset: Mr. President. I move that the reports, with the accompanying papers, lie upon the table.

Mr. HINCKLEY of Cumberland: Mr. President, I would like to ask the gentleman from Somerset if he would assign an early date, so that we can clean matters up.

Mr. HOLLEY: Mr. President, through the Chair, I will reply that I am tabling this matter at the request of the Senator from Piscataquis, Senator Crafts, who was called home last night and assumes that he will be here tomorrow, although he is not sure, and if he is not, if there is no objection, would like to make no definite assignment.

Mr. HINCKLEY: Mr. President, I would not press the matter under those circumstances:

The motion to table the matter was agreed to.

From the House:

The majority of the Committee on Judiciary, on "Resolve amending the Constitution of the State of Maine so as to prohibit appropriations for denominational, sectarian, parochial or religious institutions and purposes after December 31, 1926" (H. P. 293) (H. D. 59), reported that the same ought not to pass.

(Signed) HINCKLEY  
HUSSEY  
HAMILTON  
HOLMES  
HALE  
OAKES  
MARTIN  
MAHER

The minority of the same Committee, on the same subject matter, reported ought to pass.

(Signed) WINN  
NICHOLS

In the Senate:

On motion by Mr. Hinckley of Cumberland, the Senate voted to accept the majority report.

#### House Bills in First Reading

Resolve, granting authority to the Maine Agricultural Experiment Station for the purchase of land (H. D. 443).

(On motions by Mr. Wilson of Aroostook, under suspension of the rules, the resolve was given its second reading and passed to be engrossed.

An Act to change the grades of the apple packing law. (H. D. 442).

(On motions by Mr. Hussey of Aroostook, under suspension of the rules, the bill was given its second reading and passed to be engrossed).

Resolve in favor of the Directors of the Port of Portland. (H. D. 423).

(On motions by Mr. Speirs of Cumberland, under suspension of the rules, the resolve was given its second reading and passed to be engrossed)

Resolve relating to an appropriation for the repair and improvement of fish hatchery at Lake Megunticook, in Camden, county of Knox (H. D. 445).

(On motion by Mr. Wadsworth of Kennebec, the resolve was tabled, pending acceptance of the report).

An Act to regulate fishing in East Stream, so-called, in the county of Washington. (H. D. 444).

(On motions by Mr. Case of Washington, under suspension of the rules, the bill was given its second

reading and passed to be engrossed).

An Act relating to ice fishing in Watchic Pond, in the town of Standish, in the county of Cumberland (H. D. 450).

(On motions by Mr. Anthoine of Cumberland, under suspension of the rules, the bill was given its second reading and passed to be engrossed).

An Act relating to the issuance of permits to propagate game birds, game and fur-bearing animals (H. D. 447).

(On motions by Mr. Wilson of Aroostook, under suspension of the rules, the bill was given its second reading and passed to be engrossed).

An Act relating to the desecration of flags (H. D. 284).

(On motions by Mr. Anthoine of Cumberland, under suspension of the rules, the bill was given its second reading and passed to be engrossed.

An Act to amend Section 72 of Chapter 56 of the Revised Statutes, as amended by Chapter 16 of the Public Laws of 1921, relating to the ringing of the engine bell or sounding of the whistle at grade crossings. (H. D. 446).

(On motions by Mr. Carter of Androscoggin, under suspension of the rules, the bill was given its second reading and passed to be engrossed).

Resolve in favor of Central Maine Sanatorium (H. D. 420).

(On motion by Mr. Wilson of Aroostook, tabled, pending acceptance of the report).

The following resolve and remonstrances were received, and on recommendation by the committee on the reference of bills, were referred to the following committees:

#### Appropriations and Financial Affairs

By Mr. Case of Washington, Resolve, in favor of Ellis F. Baker for services as Clerk of the Committee on Sea and Shore Fisheries. (S. P. 582).

#### Judiciary

By Mr. Walker of Knox, remonstrance of M. C. Hall and 2 others of Rockland (S. P. 583); remonstrance of Lizzie B. Grover and 12 others of Otter Creek (S. P. 584); remonstrance of Mrs. Katherine Wade and 47 others of Waterville (S. P. 585) against any change in the present Direct Primary Law.

#### Bills in First Reading

An Act to provide for building a bridge across the Kennebec river be-

tween the city of Bath and the town of Woolwich (S. D. 242).

Resolve amending Article IX of the Constitution authorizing the issuing of bonds to be used for the purposes of building a bridge across the Kennebec river between the city of Bath and the town of Woolwich (S. D. 243).

### Reports of Committees

Mr. Wadsworth from the committee on Appropriations and Financial Affairs, on resolve in favor of the University of Maine for heating plant (S. P. 50) reported that the same ought not to pass.

Mr. Powers from the committee on Legal Affairs, on An Act to regulate the occupation of hairdressers, cosmeticians and cosmetologists, to create a State Board of Examiners for the licensing of persons to carry on and teach such practices, etc. (S. D. 109) reported that the same ought not to pass.

The same senator, from the same committee, on An Act to make uniform the law of transfer of shares of stock in corporations (S. D. 216) reported that the same ought not to pass.

Mr. Perkins from the committee on State School for Boys, State School for Girls and State Reformatories, on resolve in favor of the State Reformatory for Men for the erection of an industrial building (S. P. 262) reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

The same senator from the same committee on resolve in favor of the State Reformatory for Men for new equipment (S. P. 260) reported that the same ought not to pass.

On motion by Mr. Perkins of Penobscot, tabled pending acceptance of the report.

Mr. HINCKLEY of Cumberland: Mr. President, may I ask the gentleman if he will assign it for a certain date.

Mr. PERKINS: Tomorrow morning.

Mr. Holley from the committee on Appropriations and Financial Affairs on resolve in relation to the celebration of the Sesquicentennial Anniversary of the Declaration of Independence (S. P. 107) reported that the same ought to pass.

The report was accepted and the

resolve tabled for printing under the joint rules

Mr. Miner from the committee on Indian Affairs, on An Act to amend Section 2 of Chapter 113 of the Public Laws of 1919, relating to Indians voting (S. D. 101) reported that the same ought to pass.

The report was accepted and the bill was given its first reading.

Mr. Lane from the same committee, on An Act to amend Chapter 76 of the Public Laws of 1921 to regulate certain internal affairs of the Passamaquoddy Tribe of Indians (S. D. 111) reported that the same ought to pass.

The report was accepted and the bill was given its first reading.

Mr. Perkins from the committee on Indian Affairs on An Act to amend Section 47 of Chapter 14 of the Revised Statutes, relating to schools of the Passamaquoddy Tribe of Indians (S. D. 105) reported that the same ought to pass.

The report was accepted and the bill was given its first reading.

On motion by Mr. Maher of Kennebec, tabled pending second reading.

Mr. Morrison from the committee on Legal Affairs, on An Act relating to the purposes for which cities and towns may raise money (S. D. 193) reported that the same ought to pass.

The report was accepted and the bill was given its first reading.

Mr. Perkins from the committee on Pensions on resolve providing for a State pension for Frank H. Taylor of Whitefield (S. P. 281) reported that the same ought to pass.

The report was accepted and the resolve was tabled for printing under the joint rules.

Mr. Perkins from the committee on State School for Boys, State School for Girls and State Reformatories, on An Act relating to the payment of the costs in transporting persons to the State School for Girls, the Maine School for Feeble Minded, the Reformatory for Women and the Reformatory for Men (S. D. 178) reported that the same ought to pass.

On motion by Mr. Smith of Somerset, tabled pending acceptance of the report.

Mr. HINCKLEY of Cumberland: Mr President, may I ask through the Chair that it may be assigned for tomorrow morning?

The PRESIDENT: Does the senator from Somerset hear the question of the senator from Cumberland, asking if it may be assigned for tomorrow morning?

Mr. SMITH: Tomorrow morning is satisfactory.

The same Senator, from the same committee, on Resolve in favor of the State Reformatory for Men for the erection of a building (S. P. 259) reported the same in a new draft, under the same title (S. P. 586) and that it ought to pass.

On motion by Mr. Perkins of Penobscot, tabled pending acceptance of the report.

Mr. HINCKLEY of Cumberland: Mr. President, endeavoring to expedite matters, may I ask that this may be assigned for tomorrow morning?

Mr. PERKINS: Certainly.

The same Senator, from the same committee, on Resolve in favor of the Reformatory for Women for new construction and permanent improvement (S. P. 85) reported that the same ought to pass.

On motion by Mr. Perkins of Penobscot, tabled pending acceptance of the report, and specially assigned for tomorrow morning.

The same Senator, from the same committee, on Resolve in favor of the Reformatory for Women for maintenance and other purposes (S. P. 84) reported that the same ought to pass.

On motion by Mr. Perkins of Penobscot, tabled pending acceptance of the report, and specially assigned for tomorrow morning.

The same Senator, from the same committee, on Resolve in favor of the State Reformatory for maintenance, personal services, repairs and equipment (S. P. 261) reported the same in a new draft, under the title of Resolve, in favor of the State Reformatory for Men for maintenance, personal services, repairs and equipment (S. P. 587) and that it ought to pass.

On motion by Mr. Perkins of Penobscot tabled pending acceptance

of the report, and specially assigned for tomorrow morning.

#### Final Report

Mr. Perkins, from the committee on State School for Boys, State School for Girls and State Reformatories, submitted its final report, having acted upon all matters referred to them.

The report was accepted.

#### Passed to Be Engrossed

An Act relating to penalty for reckless driving of motor vehicles (S. D. 29).

#### Passed to Be Enacted

The PRESIDENT: These are bills on their passage to be enacted and we want every member of the Senate to be sure that he hears at least the title of every act that we are now finally passing.

An Act to amend Chapter 216 of the Private and Special Laws of 1903, relating to the School Board of the City of Brewer (H. D. 75).

An Act to authorize the State Board of Registration and Examination in Optometry to Issue a Certificate of Registration to David M. House (H. D. 414).

An Act relating to Admission to the Bar (H. D. 242).

An Act to prohibit Ice Fishing in Alewife Pond, in the town of Kennebunk (H. D. 396).

An Act relating to the Revocation of Licenses and Certificates Issued by the Department of Inland Fisheries and Game (H. D. 269).

An Act to establish the Fort Fairfield Municipal Court (S. D. 8).

(On motion by Mr. Hinckley of Cumberland, tabled and specially assigned for tomorrow morning.)

An Act to amend Section 4 of Chapter 93 of the Private and Special Laws of 1878, as amended by Chapter 40 of the Private and Special Laws of 1919, relating to the Time of Holding the Civil Terms of the Municipal Court of the town of Farmington (S. D. 191).

An Act to amend Section 2 of Chapter 95 of the Public Laws of 1917 as amended by Section 2 of Chapter 7 of the Public Laws of 1923, relating to the Giving of Checks and Drafts on Banks Where the Maker Has Not Sufficient Funds (S. D. 41).

(On motion by Mr. Hinckley of Cumberland, tabled and specially assigned for tomorrow morning.)

An Act to amend the Charter and Change the Name of People's Realty

Association to People's Mutual Loan Association (S. D. 225).

An Act to amend Section 31 of Chapter 7 of the Revised Statutes of 1916, relating to Elections and Permitting the Use of Ballot Boxes with Devices for Registering and Endorsing Ballots Deposited Therein. (S. D. 48).

An Act relating to Industrial Banks (S. D. 64).

An Act to incorporate the Presque Isle Sewer District (S. D. 95).

An Act to incorporate the Central Heating Company of Portland (S. D. 189).

An Act to authorize the First Church and Parish of Falmouth to sell and convey certain lands and buildings (S. D. 223).

An Act to correct a clerical error in Section 13 of Chapter 98 of the Private and Special Laws of 1923 (relating to Winthrop Water District) (S. D. 224).

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 the approval of stocks, bonds and notes (S. D. 113).

An Act to change the personnel of the Budget Committee (S. D. 166).

(On motion by Mr. Hinckley of Cumberland, tabled for the correction of a clerical error, and specially assigned for tomorrow morning.)

An Act to regulate fishing for trout and landlocked salmon in the brooks and streams of the State (S. D. 218).

An Act to fix a uniform date for the filing of annual reports of hunters and trappers, camp proprietors and other licensees of the department of inland fisheries and game and to amend Section 3 of Chapter 173 of the Public Laws of 1919, as amended by Chapter 121 of the Public Laws of 1923. (S. D. 221.)

An Act to amend Chapter 20 of the Revised Statutes, relating to apothecaries and the sale of poisons. (S. D. 227.)

An Act relating to the salary of the judge of the municipal court of Portland. (H. D. 80.)

An Act to make legal the sale of cider which has been so treated as to prevent fermentation and which does not contain one-half of one per cent. of alcohol by volume. (H. D. 45.)

An Act relating to fishing in Upper Taylor Brook and tributaries and in the East Branch and West Branch of Passadumkeag Stream and Brown

Brook in Penobscot and Hancock counties (H. D. 412.)

An Act to incorporate the Dixfield Water District. (H. D. 393.)

An Act relating to the Caribou municipal court. (H. D. 106.)

An Act to regulate ice fishing in Long Pond, in the towns of Somerville and Jefferson, in the county of Lincoln, and in the town of Windsor, in the county of Kennebec. (H. D. 249.)

An Act relating to the fees of clerks of cities and town. (H. D. 119.)

(On motion by Mr. Hussey of Aroostook, tabled for the correction of a clerical error, and specially assigned for tomorrow morning.)

An Act relating to organization of corporations for literary, charitable, educational and other purposes. (H. D. 131.)

An Act to authorize the city of Calais to issue bonds to refund its bonds maturing in 1926. (H. D. 407.)

An Act to amend and extend an Act, entitled an Act to incorporate the Odd Fellows' Home of Maine. (H. D. 403.)

An Act to legalize and make valid the proceedings of the annual plantation meeting in Cary Plantation, held in March, 1913. (H. D. 391.)

An Act relating to the protection of game birds. (H. D. 404.)

An Act to repeal acts incorporating Pittsfield Village Corporation. (H. D. 389.)

An Act to amend Chapter 18 of the Private and Special Laws of 1919, entitled An Act to incorporate the Wesserunsett Stream Dam and Improvement Company. (H. D. 390.)

An Act to provide for clerk hire in the office of sheriff of Androscoggin county. (H. D. 333.)

An Act to regulate the hunting of rabbits or wild hares. (H. D. 387.)

An Act relating to the trapping of fur-bearing animals. (H. D. 386.)

An Act Relating to the Taking of Fish from Birch Harbor Pond, in Winter Harbor, Hancock County. (H. D. 385.)

An Act Relating to Provident Loan Company. (H. D. 400.)

An Act Relating to the Payment of Interest on Matured Shares in Loan and Building Associations. (H. D. 399.)

An Act to Regulate Fishing in Howard Pond, in Hanover, in the County of Oxford (H. D. 395).

An Act Providing for the Propounding and Prosecution of a Claim by and in the Name of the State of Maine Against the Federal Government for the Recovery of Taxes

Heretofore Illegally Assessed in the Years 1866, 1867 and 1868 Against Citizens and Residents of the State of Maine and Paid by Them. (H. D. 394).

#### Finally Passed

Resolve, in Favor of Emily F. Grotton of Washington, for State Pension. (H. D. 333).

Resolve, in Favor of Arthur H. King of Turner, for State Pension. (H. D. 411).

Resolve, Providing for a State Pension for Katherine H. Mara of Lewiston. (H. D. 410).

Resolve, Providing for a State Pension for Luke Woodard of Cornville. (H. D. 409).

Resolve, in Favor of Robert F. Parlin of Fayette for State Pension. (H. D. 408).

Resolve, in Favor of Mary Louise Rowe of Exeter for State Pension. (H. D. 384).

Resolve, in Favor of the Aroostook Test Laboratory, for Salaries and Maintenance for Years Ending June 30th, 1926 and June 30th, 1927. (H. D. 401).

Resolve, in Favor of the Designation of a Certain Day in February of Each Year as "Potato Day". (H. D. 41).

Resolve, for State Pension in Favor of Rena Cooley. (H. D. 405).

#### (Emergency Measure)

An Act to Authorize the County of Washington to Issue its Bonds to the Amount of \$475,000 for the Purpose of Refunding its Bonds now Outstanding and Maturing in the Year 1928. (H. D. 156).

This bill, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its passage to be enacted.

Twenty-seven Senators voting in the affirmative and none opposed, the bill was passed to be enacted.

#### (Emergency Measure)

An Act to Incorporate the South Portland Sewerage District. (H. D. 392).

This bill, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its passage to be enacted.

Twenty-seven senators voting in the affirmative and none opposed, the bill was passed to be enacted.

#### (Emergency Measure)

Resolve, to Appropriate Moneys for the Payment of Certain Claims and Departmental Overdrafts for

Which no Legislative Appropriation Has Been Made and to Provide for Carrying on the Activities of Departments and Institutions for the Remaining Months of the Fiscal Year Ending June 30th, 1925, and for Other Purposes. (S. P. 527) (S. D. 219).

This bill, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its passage to be enacted.

Twenty-six senators voting in the affirmative and none opposed, the bill was passed to be enacted.

#### Orders of the Day

The PRESIDENT: The Chair will state that we have today a long calendar of matters that we did not finish yesterday, and the Chair will state that if there is no objection it might be well if we took these matters from the table in the order in which they stand on the calendar. These matters would have come off of the table automatically yesterday, but on account of other business we were unable to reach them, and we might proceed to take them from the table at this time in the order in which they appear on the calendar.

The Chair lays before the Senate S. D. 156, bill, An Act to amend section 18 of chapter 118 of the Revised Statutes, relating to fees payable to registers of deeds, tabled pending its second reading, and recognizes the Senator from Aroostook, Senator Hussey.

On motion by Mr. Hussey the vote was reconsidered whereby this bill received its first reading.

Mr. Hussey then offered Senate amendment A, and moved its adoption.

Senate amendment A was then read by the Secretary, as follows:

"The second paragraph of said bill is hereby amended by striking out the words 'one dollar' in the third line of said second paragraph, and inserting in place thereof the words 'seventy-five cents'".

The question being on the adoption of Senate amendment A,

The amendment was adopted.

The bill was then tabled for printing under the joint rules.

The PRESIDENT: The Chair lays before the Senate S. D. 65, Senate report from the committee on banks and banking, reporting "ought to pass" on bill, An Act requiring more efficient supervision of brokers selling securities on marginal account,



tabled pending the acceptance of the report, and recognizes the Senator from Kennebec, Senator Foster.

On motion by Mr. Foster the report of the committee was accepted.

Mr. Foster then offered Senate amendment A, and moved its adoption.

The Secretary then read Senate amendment A, as follows.

"Amend said bill by inserting after the word 'exchanges' in the second line of section two the following, to wit, 'or of some recognized stock exchange having a constitution and by-laws similar to those of the New York Stock Exchange'".

The pending question being the adoption of Senate amendment A,

The amendment was adopted.

The bill was then tabled for printing under the joint rules.

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The PRESIDENT: The Chair lays before the Senate H. D 127, bill, An Act providing for the protection of moose, tabled pending its passage to be enacted, and recognizes the Senator from Piscataquis, Senator Crafts,

Mr. HOLLEY of Somerset: Mr. President, in the absence of the Senator from Piscataquis and at his request, I now move that this bill be again laid upon the table.

The motion was agreed to.

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The PRESIDENT: The Chair lays before the Senate S. D. 180, resolve in favor of the Maine School for Feeble Minded for additions and improvements, tabled pending its second reading, and recognizes the senator from Somerset, Senator Holley.

Mr. HOLLEY: Mr. President, until we have arrived at some definite policy in regard to construction relative to these matters, I move that this matter be tabled.

The motion was agreed to.

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The PRESIDENT: The Chair lays before the Senate S. D. 201, bill, An Act relating to appropriations of the State department of health, tabled pending its second reading, and recognizes the senator from Kennebec, Senator Wadsworth.

Mr. Wadsworth then yielded to the senator from Hancock, Senator Phillips.

Mr. PHILLIPS: Mr. President, in the interest of economy I now move that this bill be indefinitely postponed.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 31, Senate report from the committee on judiciary, majority reporting "ought to pass" and minority reporting "ought not to pass," on resolve proposing an amendment to the Constitution prohibiting the use of public funds for other than public institutions and public purposes, tabled pending the acceptance of either report, and recognizes the senator from Kennebec, Senator Maher.

On motion by Mr. Maher the majority report of the committee was accepted.

Mr. Maher then moved that under a suspension of the rules the resolve be given its first reading.

Mr. CARTER of Androscoggin: Mr. President, I rise to inquire through the Chair if it is the understanding of the senator from Kennebec, Senator Maher, that this bill will go through to its enactment and rest there until some special day?

The PRESIDENT: The Senator from Kennebec, Senator Maher, hears the inquiry of the senator from Androscoggin, Senator Carter.

Mr. MAHER: Answering through the Chair, if I understand the purport of the inquiry of the senator from Androscoggin, Senator Carter, it is to the effect as to whether or not objection will be made to an amendment to the measure when it reaches its stage of final passage.

Mr. CARTER: I might state through the Chair again that my idea was this, that we had a bill before the Legislature of similar import that under a rather tacit agreement on the part of the Senate went through and was tabled for a day certain when it had reached the stage of final enactment, and I was asking the senator from Kennebec, Senator Maher, through the Chair, if it was his idea to place this bill in the same situation.

Mr. MAHER: Answering the senator from Androscoggin, Senator Carter, through the Chair, I will say that if I understand it is his desire later to amend this particular measure no advantage will be taken of the proposition that it has been passed through to its final stages, and I myself will move for the various reconsiderations and unanimous consent to allow the offering of amendments for the purpose of discussion, and I should be perfectly willing to have the matter assigned at any time that is agreeable to the Senator from Androscoggin.

Mr. CARTER: That it may be tabled until final enactment?

Mr. MAHER: Answering the Senator from Androscoggin, Senator Carter, through the Chair, I will say that I do not understand just the purport of his question.

Mr. CARTER: Answering through the Chair, I will say that if my recollection is correct, the bill of similar nature was tabled after having been passed to be engrossed and pending its enactment, and was then assigned for some special time; and I wish to ask the Senator from Kennebec, Senator Maher through the Chair, if it were his intent to table and assign his bill for some special time after having received the vote that it be passed to be engrossed. If such is the fact I have no objection in any way to the bill taking its preliminary stages, to be arrested at that point by the Senator from Kennebec, Senator Maher.

Mr. MAHER: Answering the Senator from Androscoggin, Senator Carter, through the Chair, I will say that I do not understand that that was the situation with reference to the analogous measure which the Senator has in mind; and if the Senator had it in mind to table the measure here in this body after it has been passed to be engrossed, I will say that that was not in my mind. My intention was that it would have the same routine that was had with reference to the so-called Barwise resolve in the interest of expediting matters in this legislature, namely, that it would have its several readings now and be passed to be engrossed, be sent to the other branch and there take its several readings, and then on its final passage if it were desired to amend the same, to permit unanimous consent in order to offer the amendments by the Senator from Androscoggin, Senator Carter, or by any other Senator, and at that time accept them or reject them and allow the matter to go along.

Mr. CARTER: I will say in answer, through the Chair that the answer by the Senator from Kennebec, Senator Maher, has made the matter very clear.

Mr. HINCKLEY of Cumberland: Mr. President, having signed the minority report of the committee on judiciary on this resolve and being opposed to all resolves coming from this same family tree, I will state that I have no objection to this resolve having its preliminary readings

and arriving at the parliamentary situation where it may come up for enactment the same as another resolve, late of this legislature and now demised, received at the hands of this legislature, at which time I shall endeavor to have this measure reach the same result as that resolve reached yesterday.

Mr. MAHER: Mr. President, if it is perfectly now understood, I will at this time move that the rules be suspended that the resolve receive its first reading.

The motion was agreed to.

On further motions by the same Senator the rules were suspended and the resolve received its second reading and was passed to be engrossed.

Mr. MAHER: And now, Mr. President, in order to additionally facilitate matters to the end that we all have in view, I now move that the resolve be sent forthwith to the committee on engrossed bills.

The motion was agreed to.

Subsequently on motion by Mr. Maher the vote was reconsidered whereby it was voted that the resolve be sent forthwith to the committee on engrossed bills, and on further motion by the same Senator the resolve was sent forthwith to the House.

The PRESIDENT: The Chair lays before the Senate, S. P. 183, Senate report from the committee on State sanatoriums, reporting "ought to pass" on resolve in favor of the Northern Maine Sanatorium, tabled pending the acceptance of the report, and recognizes the Senator from Aroostook, Senator Wilson.

On motion by Mr. Wilson the report of the committee was accepted.

The resolve was then tabled for printing under the joint rules.

The PRESIDENT: The Chair lays before the Senate S. P. 101, Senate report from the committee on State sanatoriums, reporting "ought to pass" on resolve in favor of Western Maine Sanatorium for maintenance, personal services, repairs and equipment, tabled pending the acceptance of the report, and recognizes the Senator from Aroostook, Senator Wilson.

On motion by Mr. Wilson the report was retabled for the purpose of offering an amendment.

The PRESIDENT: The Chair lays before the Senate S. D. 83, Senate report from the committee on legal affairs, reporting "ought not to pass" on bill, An Act relating to absentee voting, tabled pending the acceptance of the report, and recognizes the Senator from Cumberland, Senator Cram.

Mr. CRAM: Mr. President, if it is agreeable to the Senate, I would like to let this matter rest for a few moments until the return of Senator Powers, the chairman of the committee, to act upon this matter. I will state that Senator Powers has just stepped out of the Senate Chamber, and for that reason I will move that this matter be retabled temporarily.

The motion was agreed to.

Subsequently on motion by Mr. Cram the vote was reconsidered whereby this matter was tabled temporarily.

Mr. POWERS of Aroostook: Mr. President, I just stepped out for a moment with the understanding that the Senator from Cumberland, Senator Cram, was going to take this matter from the table, and it is perfectly agreeable to me.

The PRESIDENT: It is now taken from the table.

Mr. CRAM: Mr. President, I now move that the bill be substituted for the report of the committee, and upon that motion I would like to speak very briefly. I wish in the first place, to call the attention of the Senate to the matter under consideration, which is Senate Document No. 83, which is a bill to amend the absentee voting law, and the principal change asked for is that any voter who by reason of physical infirmity or disability may be unable to attend the voting place on the day of the primary or general election shall on any of the three secular days next preceding the day of election procure from a duly registered physician, a resident of the State of Maine, a certificate which shall set forth in detail the nature of such infirmity or disability, and also that in the judgment of such physician such voter shall thereby be unable to attend the polling place on the day of election, and that no such certificate shall be valid or have any force or effect if issued prior to three days previous to the day of election, nor used on the day of election.

This provision is designed to provide an opportunity for those who are invalids, cripples, those who are unable to get from their homes to the voting place, or who may be by some temporary serious illness unable to attend and vote as they may desire. Our absentee ballot law now provides that a travelling man, for instance, or anyone who is obliged to be absent from his own town or his own city on the day of election, may upon making proper application for an absentee ballot, so-called, deposit the same with the city clerk and have his vote counted, although he has been absent on the day of election. The provision in this proposed Act is to enable those who are unable to travel even to the voting places, to deposit their ballot.

It seems to me, Mr. President, that the provisions of the law as it now stands is unfair to the person who is sick or disabled. This person may be a taxpayer and may have a desire to take part in the election, but is unable to do so by physical reasons. We all know that only about fifty percent of the registered voters now take part in elections on election day; and it certainly does seem unfair that a person who does desire to vote and participate in the election and who by reason of his inability to get to the voting place, should not be able to do so.

Mr. President, you yourself or any member of this Senate may have an invalid brother or sister, or an aged parent who has always taken part in municipal affairs and who does actively follow the proceedings of the elections in our state, and who desire to do their part at the time of election, but are unable to do so on account of their incapacity. Let us take this matter home to ourselves; let us think of the bed-ridden person who has nothing else to take up their time and attention except reading, the one consolation that is left to them, and following along with the news of the day, and in many cases being better informed on the subject of the day than we are ourselves; let us give them a right to exercise their franchise.

The other two small matters appearing in this bill relate to slight changes in the form of the application which is made by the would-be absentee voter to the city or town clerk. There has been a little difficulty heretofore, when a person lives in a city and moves from one ward to another, in locating just where he is, as his voting place will be

where he was on April first. This bill provides that the application shall not only show where he is now living at the time of the application, for instance, in December, but also where he was on April first, in order to enable the board of registration to more quickly locate that individual and see that he is a duly registered voter.

Another slight change is by striking out of the application the word "otherwise" and inserting in place thereof the words "by mail". The application now reads that a person desiring to exercise his franchise by an absentee ballot shall make application "in person or otherwise." That word "otherwise" has a very broad meaning, but it is understood to be the application of the individual himself. The individual makes a statement that he hereby applies for an absentee ballot and that he resides in such and such a place; and the instructions for the voter that are sent out under this law state that it is not required that the voter apply in person for the necessary blanks to permit him or her to come under the provisions of the law:—it may be done by mail. However, no person is permitted to make application to be used by any other voter, and it is the purpose of the proposed change to strike out the words "or otherwise" and inserting in place thereof the words "in person," so that it shall read that the individual shall apply "by mail or in person." That is done because some of the city clerks have received applications from neighbors or relatives of the applicant, and that is not in accordance with the design of the law, and it is simply for the purpose of clearing up a little misunderstanding that this change is desired.

Mr. President and Members of the Senate, I believe that these suggested changes are desired and necessary, and as I said in the beginning of my remarks, it is in order that the person who is ill may have the same privileges as the person who is going out of town, even to the next town, to be absent on election day.

Mr. HINCKLEY of Cumberland: Mr. President and Gentlemen, this matter was considered very carefully after being properly advertised by the committee on legal affairs, a committee composed of ten lawyers all of whom have had more or less experience in election matters, and I am informed that the only person who appeared as a proponent for the bill was my colleague, the senator from Cum-

berland, Senator Cram, who has just spoken. Many appeared in opposition to it, or some at least appeared in opposition to it. A similar matter came before the judiciary committee, and after a full hearing the committee on judiciary reported unanimously that it "ought to pass," which report was accepted.

I feel as keenly as the senator from Cumberland, Senator Cram, the situation of those who are afflicted, those to whom he has referred; and I also feel very keenly the situation that not "might" arise, but that certainly "will" arise if this proposed measure should become a law, when under the direction of some unscrupulous politician and some unscrupulous physician—because we have such in this State, as well as unscrupulous lawyers—certificates can easily be obtained, and those parties could colonize under these certificates and vote hundreds, not only in the city of Portland but in every large community in the State of Maine illegally.

If under the present law a situation could exist, as was found in one ward in the city of Portland, where they went into the booths and voted on the names of people who were dead, and many others who were not there, what a situation might arise to perpetrate fraud upon the electorate of the State of Maine if by making an affidavit that the person making the application were ill could obtain a ballot, and then he or she or somebody else mark that ballot and send it in to the city clerk and have it recorded as a vote? That is the exact situation here. We have the Australian ballot, the Australian system of voting, and some of the advantage of that is done away with under the provisions of this measure. Any person can be present when the party votes under the provisions of this measure, if they say they are too ill to come to the voting place and can get some physician to back them up in it.

Mr. President, I say it is one of the most dangerous propositions that has been put up to this Legislature. We have gone far enough now with the absentee vote, and I sincerely hope we will close the door and permit only those who are authorized now under the law to vote.

Mr. CRAM: Mr. President, I will say that the senator from Cumberland, Senator Hinkley, I believe, was not at the hearing on this matter before the committee on legal affairs. There was no so-called opposition. The chair-

man of the board of registration of the city of Portland was there, and it is my recollection that on this particular subject he had no comment to make and only said they could handle it. The changes as suggested in this bill, relative to changing the words "or otherwise" to "by mail," and the change in regard to inserting the residence of the individual on April first as well as on the day when he files the application were both suggested by the city clerk of Portland, a man who has had much experience along these lines.

The Senator from Cumberland, Senator Hinckley, referred to the use of the Australian ballot and that any one would know how this disabled person voted. I will say in reply to that that the same rules and restrictions covering the absentee ballot would apply in the case of the invalid as in the case of the travelling man or other person who was obliged to be out of the city or town or state. It is provided that the magistrate who takes the oath of the voter shall state that he does not know how the voter votes, and the voter states under oath that he has not shown his ballot after marking it to the magistrate, and these same provisions will apply and there is no necessity for the information being given out as to how the absentee voter has voted.

The Senator from Cumberland, Senator Hinckley, has referred to the conditions in a certain ward in the city of Portland, a condition which we all deplore, and in regard to which I have been very glad to do my part at this session of the Legislature in making provision that such will not occur again. Certainly, the arrangements under this proposed measure of allowing the person to vote do not broaden the conditions at all, and I do not fear that there will be any increase in illegal voting on that account. I believe that an Act which has been enacted this morning will have a great deal to do with bettering the condition in regard to the misuse of the ballot box; and Mr. President and members of the Senate, I ask that you give this matter your very careful consideration. I believe that this is advanced legislation and that this measure should receive a passage.

Mr. HINCKLEY: Mr. President, just one word. If every person who operated under this proposed law

obeyed the law it would be harmless. If every person in the State of Maine obeyed the law there would be no trouble. Twenty lawyers have studied this matter at this session carefully, and those twenty lawyers have decided unanimously that it should not pass, after hearing the evidence, and it seems to me that is something which deserves your careful consideration.

Mr. POWERS of Aroostook: Mr. President I wish to reply through the Chair to the Senator from Cumberland, Senator Cram, that any misinformation that the Senator from Cumberland, Senator Hinckley, may have given in regard to the hearing came from me. I presided at the hearing, and my impression was that there was some opposition, and that the Senator from Cumberland, Senator Cram, was practically the only proponent. If there was no opposition there I apologize, because opposition to the bill developed subsequently in the committee as is evident by this unanimous report. The committee on legal affairs gave this matter most serious consideration. There are many bills coming before both the legal committees which are very meretorious when viewed from the point of view of the proponents and the specific instances to which they are supposed to apply, or the specific abuse they are aimed to correct. But Mr. President these are all general statutes, and therefore the committee in considering these bills has to perhaps take an unsympathetic attitude towards the specific abuse and see what the possibilities of the bill may be; because the test of a law is not the good it may do in this case or in that case; it is the evil that it is possible to have done under it. The Senator from Cumberland, Senator Cram, has mentioned the instances where this law would do good. The members of the committee did not consider seriously whether they themselves would be disabled, or whether relatives or friends would be unable to attend; we simply looked at the matter in its general application, and it was our opinion unanimously that this law would not be an improvement on the present law.

The PRESIDENT: Is the Senate ready for the question?

Mr. CLARKE of Hancock: Mr.

President, I would inquire if an amendment has been offered.

The PRESIDENT: The Chair will state that none has been offered to his knowledge.

Mr. CRAM: No amendment was offered to this bill.

Mr. WILSON of Aroostook: Mr. President, I remember my first session of the legislature back in 1919 when the absentee voters law was before the House. At that time my distinguished friend, the Senator from Kennebec, Senator Maher, introduced the bill, and at that time he and I had a little difference over this same thing, and as I recollect it I trimmed him. I was rather raw then, but I believe he will admit that I put a point over on him. The question arose as to the advisability of this thing, in regard to the expense placed on the towns by going out into the country districts perhaps five or six or seven or eight miles to take the oath of these voters, and as to who was to bear the expense, and on that question was where the whole thing hinged. I believe the same conditions would exist today in regard to this law. I know that in my home town, which is one of the double townships, in one direction we are obliged to travel nine miles from the polling place to get to the voters, and in another direction we are obliged to travel eight miles, and I know because I happen to live on that road, and I cover seven of those miles when I go home, and then in another direction we travel seven miles. Now the question arises, if there were many of those persons who are disabled or physically incapacitated and if they had to be attended to by a justice of the peace or an officer to acknowledge their oath, and if the town had to bear the burden of that expense it would certainly be considerable. I want you to take that into consideration when you are voting on this matter.

The PRESIDENT: Is the Senate ready for the question?

Mr. CRAM: Mr. President, may I say just a word in answer to the remarks which have been made. I desire to say that as far as the expense is concerned, as I understand the absent voting law, it is wholly up to the voter; if the voter desires to vote he must make application and have it duly sworn to and get his vote back to the city or town clerk all at his own expense. I don't see how the

town is put to any expense in the matter.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the acceptance of the report of the committee on legal affairs, reporting "ought not to pass." The Senator from Cumberland, Senator Cram, moves that the bill be substituted for the report of the committee.

A viva voce vote being taken,  
The motion was lost.

On motion by Mr. Hinckley of Cumberland the report of the committee, reporting "ought not to pass," was then accepted.

The PRESIDENT: The Chair lays before the Senate S. P. 549, Senate report from the committee on State sanatoriums "ought to pass" on resolve in favor of Western Maine Sanatorium, for additional facilities, tabled pending acceptance of report, and recognizes the Senator from Aroostook, Senator Wilson.

Mr. WILSON: Mr. President, I will ask the indulgence of the Senate to have this tabled, that I may prepare and offer an amendment, and I so move.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. P. 548, Senate report from the committee on State sanatoriums "ought to pass" on resolve in favor of Northern Maine Sanatorium for new construction, tabled pending acceptance of report, and recognizes the Senator from Aroostook, Senator Wilson.

Mr. WILSON: Mr. President, I evidently have made a mistake here, but we will finish this one first. I move the acceptance of this report.

The motion was agreed to, and the matter was tabled for printing under the joint rules.

Mr. WILSON: Mr. President, in S. P. 183, did not I move that that report be accepted also?

The PRESIDENT: The report has been accepted.

Mr. WILSON: Mr. President, I move that we reconsider our action whereby we accepted the report of the committee in S. P. 183 of "ought to pass."

The motion was agreed to.

Mr. WILSON: Mr. President, I now move that that be tabled so that I may prepare an amendment for it.

The motion was agreed to and the matter was tabled, pending acceptance of the report.

The PRESIDENT: The Chair lays before the Senate S. P. 228, Senate report from the committee on judiciary "ought not to pass" on an Act providing for clerk hire for justices of supreme judicial court, tabled pending acceptance of report, and recognizes the Senator from Kennebec, Senator Wadsworth.

Mr. WADSWORTH: Mr. President, there is an amendment being considered, and I would like very much to have this lie on the table, and I so move, that it be retabled, pending acceptance of report.

Mr. HINCKLEY of Cumberland: Mr. President, may I ask through the Chair whether or not it may be assigned for tomorrow morning.

The PRESIDENT: The Senator from Kennebec hears the question of the Senator from Cumberland. He may answer through the Chair.

Mr. WADSWORTH: Mr. President, I would not like to assign it for tomorrow morning because I might have to ask to have it retabled, but I will attend to the matter as soon as possible to expedite the business.

The motion was agreed to and the matter was retabled.

The PRESIDENT: The Chair lays before the Senate S. D. 165, An Act providing for and fixing the salaries of the probation officer and assistant probation officer for the county of Cumberland, tabled pending passage to be enacted, and recognizes the Senator from Franklin, Senator Morrison.

On motion by Mr. Morrison the bill was passed to be enacted.

The PRESIDENT: The Chair lays before the Senate H. D. 290, An Act relating to the county commissioner of Waldo County, tabled pending passage to be enacted, and recognizes the Senator from Franklin, Senator Morrison.

Mr. MORRISON: I will state, Mr. President, that these several matters where they were tabled by me, the pending question being passage to be enacted, that these might all be taken from the table, and one motion made for their passage to be enacted, if it would expedite matters somewhat.

The PRESIDENT: The Chair lays

before the Senate H. D. 290, An Act relating to the county commissioner of Waldo County, H. D. 297, An Act relating to the salary of the clerk of courts in Washington County, H. D. 298, An Act relating to the salary of the recorder of the Kennebunk municipal court, H. D. 273, An Act to increase the salaries of the judge and recorder of the Millinocket municipal court, H. D. 293, An Act relating to the salary of the sheriff of Sagadahoc county, H. D. 291, An Act relating to the salary of the judge of probate of Waldo county.

Mr. MORRISON: Mr. President, excepting H. D. 273, An Act to increase the salaries of the judge and recorder of the Millinocket municipal court—in the case of all the others that have just been taken from the table, I move their passage to be enacted.

The motion was agreed to and the bills passed to be enacted.

The PRESIDENT: What do you care to do with H. D. 273

Mr. MORRISON: I yield to the senator from Penobscot, Senator Chalmers.

On motion by Mr. Chalmers, H. D. 273, An Act to increase the salaries of the judge and recorder of the Millinocket municipal court, was passed to be enacted.

The PRESIDENT: The Chair lays before the Senate S. D. 157, Resolve in favor of the Maine School for Feeble Minded for maintenance for the fiscal years 1926 and 1927, tabled pending final passage, and recognizes the Senator from Kennebec, Senator Wadsworth.

Mr. WADSWORTH: Mr. President, I yield to the senator from Cumberland, Senator Speirs.

Mr. SPEIRS: Mr. President, I move that this be retabled, and I will take it off as soon as the committee on appropriations agree in regard to those matters.

The motion was agreed to, and the resolve was tabled, pending final passage.

The PRESIDENT: The Chair lays before the Senate S. D. 160, Resolve in favor of the Bangor State Hospital for maintenance and other purposes, tabled pending final passage, and recognizes the senator from Kennebec, Senator Wadsworth.

Mr. WADSWORTH: Mr. President,

I offer Senate Amendment A and move its passage.

The Secretary read Senate Amendment A to S. D. 387, entitled Resolve in favor of the Bangor State Hospital for maintenance and other purposes:

Amend said resolve by striking out the last paragraph and substituting in place thereof the following: Provided that the governor and council may by order, upon recommendation of the trustees of the said institution, transfer any unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for said institution.

Mr. HINCKLEY of Cumberland: Mr. President, I move that the matter be tabled.

Mr. WADSWORTH: I will say, Mr. President, if you will allow me, that this is just an amendment allowing the council to transfer from one thing like salaries to maintenance, or from maintenance to salaries, if there is a surplus in one account and a deficit in the other, that they may transfer money from one account to the other.

Mr. HINCKLEY: Mr. President, I didn't get perhaps the full purport of the matter. My only reason is that I do not want the governor and council to legislate. I will take it off tomorrow morning. I just want to study it for that purpose and make certain that they are not the Legislature.

The PRESIDENT: The pending question before the Senate is on the motion of the senator from Cumberland, Senator Hinckley, to table this matter pending the adoption of the amendment as offered. Is this the pleasure of the Senate?

The motion was agreed to, and the matter was tabled, pending adoption of the amendment.

Mr. WADSWORTH of Kennebec: Mr. president, I am not speaking to any motion and not for the record. I just want to say that it is desired to attach this same amendment to all the appropriation bills. It is to have the different departments, and the different institutions, if they have a shortage perhaps in maintenance and a surplus in salaries, this enables them, by consent of the governor and council, to use the money appropriated for one thing for the other, but does not increase or diminish the total.

Mr. HINCKLEY of Cumberland: Mr. President, if I may reply through the

Chair, there have been many matters before the committees this year which indicated that it was the purpose of some to desire to take away from the Legislature its rights. Now we can well disagree on policies as members of this Senate and as members of the House of Representatives; but it seems to me we must all agree that the Legislature should function in accordance with the Constitution, and the Executive branch the same. I am not suggesting that this comes from the Executive branch, because the matters have been presented by members of the Legislature perhaps not realizing in some instances the full purport.

I am not sure of just the full significance of this amendment. I want to make certain. In connection with this I might say that I probably will disagree with some members of the Senate in regard to appropriations. I have a notion, Mr. President and gentlemen, that it may be good politics to go out before the people and say "we kept the tax rate down." But I have a notion that when the people of the State of Maine come to the conclusion that for many years past Legislatures have been keeping the tax rate down at the expense of the health and the lives of its citizens who have no political power, then the people will say something.

I am going to say now, regardless of any policy adopted by the committee on appropriations, or any other committee, or by the Governor and Council, that I shall stand in favor of raising sufficient money to save the lives of hundreds of boys and girls and men and women who are today dying in the State of Maine, and whose blood is upon our hands, who are dying with tuberculosis, because, playing politics in the Legislature of the State of Maine and by Governor and Council they have been able to go onto the platforms of halls and churches and say "we kept the taxes right down." I am opposed, Mr. President, to any policy that will permit the intolerable condition to continue down at the State School for Girls in Hallowell, where more than fifty per cent of those girls are suffering from infectious diseases and cannot be cured because we will not give them an infirmary.

I am opposed, Mr. President, to a niggardly policy for the purpose of playing politics, which says to those



poor unfortunates up in the insane asylum in Bangor, that you will be compelled to live under those unsanitary conditions because you have no vote and no chance to express yourselves, and no political influence.

Now I want to make myself plain on it. The committees can do as they wish; the Legislature can vote as it wishes; but if I stand alone I am going to be square and honest and stand and vote for the people who cannot vote to protect themselves, and the others can continue to play politics as they have for the past twelve years. (Applause).

Mr. WADSWORTH: I do not know that I am in order—

The PRESIDENT: You are as much in order as others have been for the last few minutes.

Mr. BARWISE of Penobscot: (Rising) I just—

The PRESIDENT: Will the Senator from Kennebec yield?

Mr. WADSWORTH: I just have a few words in regard to this matter. I am not taking issue with the Senator—

The PRESIDENT: There isn't any. Senator Wadsworth.

Mr. WADSWORTH: I would like to say, as far as this matter which brought this up is concerned, that there is no politics in it and there is no blood in it either. It is just a matter of allowing the institution, on recommendation of the trustees, with the consent of the Governor and Council, to transfer money from one section of the appropriation to another. Now if you have got more money for maintenance than is necessary, and you let that go and you cannot transfer it, it goes into this contingent fund. Perhaps they may be short for salaries or repairs, and this is simply to enable them to function properly with the amount of money they have. This has nothing to do with anything anywhere else—it is one institution at Bangor, and it is aimed to try to aid them.

The PRESIDENT: Does the Senator from Aroostook desire to speak?

Mr. POWERS: Mr. President, through the Chair, I should like to ask the consent of the Senator from Cumberland that the words immediately following the reference to playing politics in the Legislature, that the words that refer to the Executive department, immediately following in his remarks, be omitted from the record. They were out of order.

Mr. BARWISE: Mr. President, as

there was no question before the Senate, and as the Senator from Kennebec asked that his remarks be not put on the record, I move that this whole matter, including this stump speech that we have heard, be stricken from the record.

Mr. HINCKLEY: Mr. President, if the Senate is afraid to have the public read those words, take that action, because I shall make it on the platform of many cities and towns in Maine if you do.

The PRESIDENT: The Chair will state at this time that he ought not to have allowed any of you to enter this free-for-all, but I supposed it was only for a minute. Of course there is no one in the State of Maine who thinks that any of us want to play politics, and I suggest that the Senator from Cumberland confer with the Senator from Kennebec, and in the interests of harmony iron this out during the interim. Will the Senator from Penobscot kindly withdraw that motion?

Mr. BARWISE: Why, if the Chair wishes it, but I think this is all tommyrot and ought to be cut out.

The PRESIDENT: Well, the Chair is not going to suggest what action you shall take.

Mr. BARWISE: I insist on my motion.

The PRESIDENT: I am going to rule the gentleman from Penobscot out of order and that there is no motion before the Senate.

Mr. BARWISE: I made one, Mr. President.

The PRESIDENT: You made a motion but there was no issue before the House.

Mr. BARWISE: I made a motion that a certain matter taken down by those stenographers be stricken from the record, and that is a question—that is a motion.

Mr. ALLEN: Mr. President, that is a perfectly proper motion, no question about that. If the Chair rules against it, I shall appeal from the ruling of the Chair.

The PRESIDENT: The Chair will put the motion. All those in favor of the motion of the Senator from Penobscot that the last remarks of the several Senators since there was an issue before this body be stricken from the records—all those in favor of that will say aye. Those opposed, no.

A viva voce vote being had, the Chair was in doubt, and a rising vote was taken, and the motion was lost.

The PRESIDENT: The Chair lays before the Senate S. D. 161, resolve in favor of the Augusta State Hospital for maintenance for the fiscal years 1926 and 1927, tabled pending its passage to be engrossed, and recognizes the Senator from Kennebec, Senator Wadsworth.

Mr. WADSWORTH: Mr. President, as there is an amendment to be prepared affecting this resolve, I move that it be laid upon the table.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 139, bill, An Act to permit ice fishing in Bauneg Beg Pond, so-called in Sanford and in North Berwick, in the county of York, tabled pending its passage to be enacted, and recognizes the Senator from York, Senator Allen.

On motion by Mr. Allen the bill was then passed to be enacted.

The PRESIDENT: The Chair lays before the Senate S. D. 231, bill, An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes, tabled pending its passage to be engrossed, and recognizes the Senator from Penobscot, Senator Chalmers.

Mr. CHALMERS: Mr. President, I will say that there is some further information regarding this matter that I expected this morning, but which has not arrived, and for that reason I would move that the matter be again tabled.

Mr. CASE of Washington: I would like to ask the Senator from Penobscot, Senator Chalmers, what date he would assign for consideration of the matter.

Mr. CHALMERS: Mr. President, I will say in reply that if I get the required information tomorrow I would be glad to have it assigned for tomorrow, but otherwise I should not care to have it positively assigned for tomorrow.

The PRESIDENT: The question before the Senate is on the motion that this matter be tabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 142, bill, An Act relating to purposes for which corporations may be organized, tabled pending its passage to be engrossed, and recognizes the Senator from Cumberland, Senator Anthoine.

Mr. Anthoine then yielded to the Senator from Cumberland, Senator Cram.

Mr. CRAM: Mr. President, this bill and the one next but one following it, S. D. 143, I should like to have retabled and specially assigned for tomorrow morning. I will say in explanation that I have conferred with the Bank Commissioner and it seems desirable to offer an amendment as to these measures, but due to the pressure of business yesterday we did not have time to prepare the amendments, and for that reason I move that both this matter and S. D. 143 be retabled, and specially assigned for consideration tomorrow.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 185, bill, An Act establishing a state contingent fund and a surplus revenue account and regulating the same, tabled pending its second reading, and recognizes the Senator from Kennebec, Senator Maher.

On motion by Mr. Maher the bill received its second reading, and on further motion by the same Senator the bill was tabled pending its passage to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 236, bill, An Act to enlarge the powers of the State highway police and to authorize the Governor and Council to appoint said police and direct them in the performance of their duties, tabled pending its second reading, and recognizes the Senator from Aroostook, Senator Powers.

Mr. POWERS: Mr. President, I would like to inquire through the Chair of the senior Senator from Kennebec, Senator Wadsworth, whether or not he has an amendment to offer to this bill.

The PRESIDENT: The Senator from Kennebec, Senator Wadsworth, hears the inquiry.

Mr. WADSWORTH: I will reply through the Chair that I have.

Mr. POWERS: And may I inquire through the Chair if that amendment is ready to be offered now.

Mr. WADSWORTH: I will reply through the Chair yes.

Mr. POWERS: Then I will yield to the Senator from Kennebec, Senator Wadsworth.

Mr. WADSWORTH: Mr. President, I will offer Senate amendment A and move its adoption; and perhaps I might explain that in draft-

ing this bill there was one section omitted, section seven, that has to do with the appointment of these officers, and this amendment is for the purpose of adding that section.

The Secretary then read Senate amendment A, as follows:

"Amend Senate Document 236 by inserting at the end of section six and before section eight the following section; to wit:

"Section 7. Payment of the expense of maintenance of the State highway police shall be made as heretofore provided by chapter 211 of the Public Laws of 1921, for the maintenance of State highway police but shall not exceed \$125,000 for each year."

The question being on the adoption of the amendment.

The amendment was adopted.

On motion by Mr. Powers the bill was then tabled pending printing and specially assigned for Tuesday of next week.

The PRESIDENT: The Chair lays before the Senate H. D. 419, Resolve in favor of the Central Maine sanatorium for maintenance, personal services and repairs and equipment, tabled pending its second reading, and recognizes the Senator from Kennebec, Senator Foster.

Mr. Foster then yielded to the Senator from Aroostook, Senator Wilson.

Mr. WILSON: Mr. President, I ask the indulgence of the Senate that I may retable this measure as there is an amendment to be prepared and offered, and I will say that all those matters in regard to which I have asked the privilege of tabling this morning will be taken from the table on Tuesday of next week.

The motion was agreed to and the resolve was retabled.

The PRESIDENT: The Chair lays before the Senate S. P. 340, bill, An Act relating to the salary of the county attorney of Somerset county, and recognizes the Senator from Somerset, Senator Smith.

On motion by Mr. Smith the bill was again tabled until tomorrow morning for the purpose of offering an amendment.

The PRESIDENT: The Chair lays before the Senate H. D. 229, bill, An

Act relating to the salary of the County Attorney for York County, and recognizes the Senator, from York, Senator Allen.

Mr. ALLEN: Mr. President, I desire to have this bill again tabled until tomorrow morning for the purpose of offering an amendment, and I will say that I really intended to have the amendment prepared and offered this morning, but I really forgot it, and if the Senate will bear with me and allow me to table it until tomorrow morning I will offer the amendment at that time.

The motion was agreed to and the bill was retabled until tomorrow morning.

The PRESIDENT: The Chair lays before the Senate H. D. 255, bill, An Act to relieve the State of the necessity of alleging and proving the non-existence of a federal permit in proceedings for the punishment for unlawful transportation of liquor and for forfeiture of vehicles, boats, etc., tabled pending its passage to be engrossed, and recognizes the Senator from Aroostook, Senator Wilson.

On motion by Mr. Wilson the bill was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate H. D. 308, bill, An Act relating to conveyances not effectual against others unless recorded, tabled pending its passage to be engrossed, and recognizes the Senator from Aroostook, Senator Powers.

Mr. POWERS: Mr. President, as there are so many matters specially assigned for tomorrow morning, I should like to move that this matter be retabled and specially assigned for consideration on Tuesday of next week.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate Order for legal affairs committee to investigate the the matter of false affidavits, tabled pending its passage, and recognizes the Senator from Androscoggin, Senator Lane.

Mr. ALLEN of York: Mr. President, Senator Lane of Androscoggin is absent, and before leaving he asked me if I would not have this matter retabled until tomorrow morning as he was unable to be present this morning, and I therefore move that it be retabled.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 296, bill, An Act relating to primary elections, tabled pending its passage to be enacted, and recognizes the Senator from Aroostook, Senator Powers.

Mr. Powers then yielded to the Senator from Cumberland, Senator Hinckley.

Mr. HINCKLEY: Mr. President, this is a matter which was introduced by Representative Hamilton of Caribou. It was considered in connection with several other bills pertaining to the same subject matter and thoroughly worked out by the committee as they believed, in connection with the general registration and election law. It requires a general registration of voters in towns as well as in cities, and the committee after hearing the matter reported "ought to pass," and I now move that the bill be passed to be enacted.

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

The PRESIDENT: The Chair lays before the Senate S. P. 201, An Act relating to the registration of voters and providing method of registration by a person who is physically infirm or disabled, tabled pending first reading, and recognizes the Senator from Cumberland, Senator Cram.

Mr. CRAM: Mr. President, I did not recognize the number at first. I think that is S. D. 77. I desire to make the motion that this have its first reading, and will speak briefly on the subject matter.

I call the attention of the Senators to amendment A to S. D. 77, which is Senate No 238 as filed in the Senate documents.

This is a provision, Mr. President, for the registration of those who by reason of disease, physical infirmity or disability, are unable to attend at the place provided for the registration of voters. The law provides that in the registration in cities the board of registration shall provide a place for registration, and that the voters shall register there. I understand that in some of the smaller towns, where the restrictions are not so great, that they have even sometimes registered voters by telephone. But there are these restrictions in the cities, that the individual must appear before the registration board.

This proposed act is to provide for those who are disabled by reason of

disease or physical infirmity or disability, to have the board of registration attend at the place where they may be confined, the hospital, or home, or otherwise, and provides that a certificate from a duly registered physician, resident within the State of Maine, shall set forth in detail the nature of the disease, etc., and also embodies in it a statement that in the judgment of the physician the person is unable to attend at the place for registration, and provided further that the disease or infirmity is not contagious. It also provides that this application shall be made to the board of registration during a period of three days prior to the time that the board of registration shall be open for the specific purpose of registering this class of people. It further provides that the board of registration shall hold a session six days prior to the opening of their regular session, at which time they can register the class of people described, and that the proposed registrant who desires to register shall pay the expense of the transportation of the board to the place where the person who desires to register is. It is to give an opportunity for the class of persons named to take part in civic affairs and be enabled to prepare to cast their ballot.

I think that every possible precaution is thrown around this provision. And certainly if we cannot trust our doctors who have received a certificate from the board of registration, and also our justices of the peace who have been nominated by the governor after careful investigation as to their qualifications, I fear that we are going to be in a rather precarious condition.

I believe, as I stated concerning the absentee ballot proposal this morning, that this is a good law and that it ought to go through. And I further will state that this matter was discussed quite thoroughly with the board of registration of the city of Portland, and they said that they could handle the matter without difficulty so far as their particular board was concerned. The chairman appeared at the hearing and so expressed himself.

Mr. President, I leave the matter in the hands of the Senate.

Mr. POWERS of Aroostook: Mr. President, the calendar says that this was tabled by Senator Cram on March 24. On March 19 the report of the committee on legal affairs, the unanimous report "ought not to pass" was

on this table. On March 20th, which the Senate will recall was the day on which the Legislature was invited to Bath in order to view the site of the future Kennebec bridge, I think the senator from Cumberland must not have noticed my absence, because at the very end of 'proceedings under Orders of the Day, this one act was taken up, the bill was substituted for the report and an amendment offered, but there is no other action concerning the bill that day. Furthermore, this bill was omitted from the calendar on March 20th, so that the time for reconsideration of any action had passed before this appeared on the calendar. I did make some inquiries about where it was but was just told that it was omitted from the calendar, and I knew nothing about this action until eventually the Record was printed and came to us.

So the committee on legal affairs finds itself in a rather different position from what is expected. Instead of supporting its report, it is now obliged to oppose the motion of the Senator from Cumberland.

We gave this very careful consideration, and it is a very similar bill, as the Senator from Cumberland says, to the absentee voting law which we postponed this morning. Furthermore, this morning we have enacted H. D. 296, which is designed to increase the safeguards of registration, and this act loosens them up again. It seems to be an act that would be a convenience to a few ill people, or people in ill health in some communities, but it is a general act under which the boards of registration would be obliged to travel around during three days and be here and there and everywhere, or their deputies, and it seems to me it would be a bill absolutely parallel with the absentee voting act, and I think that it should be considered as a part of the same.

I therefore hope that the motion of the Senator from Cumberland will not prevail.

Mr. CRAM: I would like to inquire through the Chair, if the bill just enacted, to which Senator Powers refers, is 296, relating to primary elections?

Mr. POWERS: Through the Chair I would say yes, I refer to that bill.

Mr. CRAM: Replying briefly through the Chair, to the Senator from Aroostook, I would state that the bill to which he refers, 296, has to do with elections, and the one which we are discussing relates to

the matter of registrations, and I think they are entirely different matters. And I will say further, that my recollection of the occurrences concerning this matter are the same as Senator Powers' that this matter was acted upon on March 20 and tabled,—at which time an amendment was offered and then the matter was tabled. I did not at that time notice the absence of the Senator from Aroostook. I assumed that he was present. The purpose at that time was to offer the amendment and have it printed over the week end so that it could come up for consideration at a later period.

Mr. POWERS: Mr. President, I know of course that the Senate is perfectly familiar with all bills before it. From my reading of H. D. 296, it seems to me to deal very largely with registration for primary elections, and in fact that is what the bill is, an act relating to the registration of primary elections.

Mr. CLARKE of Hancock: Mr. President, When the subject matter of the absentee voting was before the Senate, I got the idea from some source that there was an amendment. Is there an amendment to the bill now under discussion?

The PRESIDENT: There is, and that is where it went, it was being printed.

Mr. CLARKE: The parliamentary situation is that the amendment has been offered and the bill substituted for the report?

The PRESIDENT: The parliamentary situation is on the reading of this present form as amended.

Mr. MORRISON of Franklin, Mr. President, it seems to me that this is a matter that goes hand in hand with S 83, that the Senate has just passed upon, and I will state that both of these matters were given very careful consideration by the committee on legal affairs.

This bill we are considering now is in regard to the registration of voters, and the bill provides for a board of registration on wheels going around to every one who may be sick or disabled, or who perhaps if the law was abused might take advantage of it, and there would be more injustice done in my mind to have such a law passed than to have the law remain as it is now. And it is the mind of the committee on legal affairs, who unanimously reported out both of these matters "ought not to pass" that if this change was made it would be a very

dangerous thing, and a law that would be very likely to be abused.

I hope that the motion of the Senator from Cumberland, Senator Cram, may not avail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Cram, that this bill be given its first reading.

A viva voce vote being taken, the motion was lost.

The PRESIDENT: What will the Senate do with the question?

Mr. MORRISON: Mr. President, I move that the matter be now indefinitely postponed.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 430, bill, An Act relating to kindergarten as a part of the comr on schools, tabled pending its passage to be engrossed, and recognizes the Senator from Aroostook, Senator Wilson.

Mr. WILSON: Mr. President and gentlemen of the Senate, we have here something which may apply only to some of the larger towns, but it is a matter where by petition of thirty parents living within the territory served by a common school on or before thirty days before the town meeting may present a petition for a kindergarten school for children from four to six years of age. I don't personally believe in it, and I don't believe any of you believe in it, and I think we have plenty of school laws at the present time, and I therefore move that this bill be indefinitely postponed.

Mr. ALLEN of York: Mr. President, I hope that the motion to indefinitely postpone this bill will not prevail at this particular time, as I would like to have the matter retabled and have an opportunity to look it over. It passed through our committee and seemed to be perfectly satisfactory, and perhaps after looking it over I may be satisfied with it, although I realize that the motion to indefinitely postpone takes precedence over the motion to table.

The PRESIDENT: Does the Senator care to make a motion?

Mr. WILSON: Mr. President, I will withdraw my motion and allow the matter to be tabled.

Mr. ALLEN: I will agree to take it from the table tomorrow.

The question being on the motion to retable the bill and specially assign it for tomorrow morning.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 32, reports from the committee on state prison, majority reporting "ought not to pass" and minority reporting "ought to pass" on bill, An Act relative to the powers of prison commissioners, tabled pending the acceptance of either report, and recognizes the Senator from Franklin, Senator Morrison.

Mr. MORRISON: Mr. President, I will say that this matter was only tabled yesterday, and it was my intention at that time to have a date assigned for the bill to be taken from the table; and if it is agreeable to the Senate I would now move that the matter lie upon the table and be specially assigned for consideration on Tuesday of next week.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. P. 121, Senate reports from the committee on labor, majority reporting "ought not to pass" and minority reporting "ought to pass" on resolve ratifying proposed amendment to the constitution of the United States, relating to child labor, tabled pending the acceptance of either report, and recognizes the Senator from Kennebec, Senator Wadsworth.

Mr. Wadsworth then yielded to the Senator from Somerset, Senator Smith.

On motion by Mr. Smith the reports were retabled and specially assigned for consideration tomorrow morning.

The PRESIDENT: The Chair lays before the Senate S. P. 125, Senate reports from the committee on labor, majority reporting "ought to pass" and minority reporting "ought not to pass" on resolve rejecting the proposed amendment to the constitution of the United States, relating to child labor, tabled pending the acceptance of either report, and recognizes the Senator from Kennebec, Senator Wadsworth.

Mr. Wadsworth then yielded to the Senator from Somerset, Senator Smith.

On motion by Mr. Smith the reports were retabled and specially as-

signed for consideration tomorrow morning.

The PRESIDENT: The Chair lays before the Senat H. D. 437, House report from the committee on judiciary, reporting "ought to pass" on bill, An Act relating to the taking of additional land by railroad corporations and proceedings before public utilities commission, tabled pending the acceptance of the report, and recognizes the Senator from Andros-coggin, Senator Carter.

Mr. CARTER: Mr. President, for the purpose of offering an amendment I first will move that the report of the committee be accepted.

The motion was agreed to.

Mr. Carter then offered Senate amendment A and moved its adoption.

Mr. CARTER: Mr. President, I will say that the purpose of this amendment is simply to correct a typographical error, on page two of the second paragraph of this bill in line nine there is a comma which appears after the word "section houses," and there is no comma appearing after the words "section dwelling house." This amendment removes the comma between the word "section houses" and the conjunction "and" and adds a comma after the word "section dwelling houses." I was asked to make this amendment by the attorneys who originally proposed it after a conference with the public utilities commission, and I therefore move its adoption.

The question being on the adoption of Senate Amendment A,

The amendment was adopted.

The bill was then tabled for printing under the joint rules.

On motion by Mr. Smith of Somerset, the rules were suspended and that senator was permitted to introduce out of order bill, An Act to ratify the plantation meeting of The Forks Plantation.

Mr. Smith then moved that the bill be tabled for printing without reference to a committee.

Mr. HINCKLEY of Cumberland: Mr. President, in order that there may be no misunderstanding I will say that I have looked over this matter and it is for the purpose of correcting a record for a certain plantation, if I remember correctly, and it seems to me this is in line with what legislatures in the past have done, after adopting what orders we did, because we are here to look after the business of the State and its sub-divisions, and it seems to me this is quite important, and I think there should be no objection to it.

Mr. BUZZELL of Oxford: Mr. President, in view of the request which has been made by the senator from Somerset, Senator Smith, and the explanation made by the senator from Cumberland, Senator Hinckley, I will state that I would like, if possible, to be allowed the same privilege later. I may not want to take advantage of the opportunity, but if the privilege is to be allowed in one instance it may be permitted in others.

Mr. HINCKLEY: I certainly feel, Mr. President, that the Senate of this legislature should not refuse to receive a measure which seeks merely to legalize some error that has been made in some town meeting, or something of that nature; that would be carrying the matter altogether too far. We are here and we should do what is for the best interest of our State.

The motion was agreed to, and the bill was received under a suspension of the rules out of order.

On motion by Mr. Maher of Kennebec, the vote was reconsidered whereby Senate amendment A to House Document No. 437 was adopted.

On further motion by the same Senator the bill and amendment were tabled until tomorrow morning.

On motion by Mr. Case of Washington, Adjourned until tomorrow morning at ten o'clock.