

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

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE.

Friday, April 2, 1915.

Senate called to order by the President.

Prayer by Rev. Fred. V. Stanley of Hallowell.

Journal of previous session read and approved.

The President laid before the Senate the order for the investigation of railroads by special joint committee of the Legislature.

The PRESIDENT: This order went to the committee on judiciary and that committee made two reports, A and B. Report A, reported same under a new draft and under the same title with accompanying resolve and that it ought to pass. This report was signed by Messrs. Cole, Waterhouse, Campbell and Durgin.

"Order, for investigation of railroads by special joint committee of the Legislature.

Ordered, the Senate concurring, that a special joint committee of two on the part of the Senate and three on the part of the House, be appointed to inquire into tariff rates, rules and regulations of Maine Central Railroad Company; to investigate the capitalization of said company and ascertain when, to whom, and for what purposes its stocks and bonds have been issued and what properties or other values it has received for the same; ascertain the cause of the depreciation of the value of its capital stock; what, if any, of its properties are unprofitable and whether or not the same should be disposed of; whether there has been any violation of law in the acquisition of its properties, and if so what persons or corporations, if any, are under legal liability to make restitution; to investigate the management of said company and its subsidiary companies and outside properties, including the amounts paid since January 1st, 1900, as salaries to its officers, attorney fees, and for the purpose of influencing legislation; also investigate its past and present relations and financial transactions with the Boston & Maine Railroad

Company and its dealings with bankers and brokers in the flotation of its stock and securities; that said committee shall report the evidence together with its findings of fact and recommendations.

For the purposes aforesaid said committee is authorized to employ counsel and such experts as they may deem necessary, and a stenographer, and to compel the attendance of witnesses, at the expense of the State, to appear before them and give evidence and produce books, papers, and other documents pertinent to the subject matter of their inquiry. Said committee is empowered to sit in vacation of the Legislature, and shall begin its investigation within thirty days after the adjournment of the Legislature, and conclude the same as soon as reasonably practicable.

Said committee shall file its report with the Governor and Council as soon as may be, and the Governor and Council shall forthwith cause to be printed two thousand copies thereof for use of the State.

The members of said committee shall receive five dollars a day for each day devoted to this investigation and preparation of their report, and actual expenses.

This investigation shall not include the physical valuation of the property of said company."

The same committee on the same matter reported (Report B) ought not to pass. Signed, Messrs. Pierce, Conners, Butler and McCarty.

In the House, Report A, ought to pass in a new draft was accepted, and on its passage to be engrossed was amended by House Amendment A.

HOUSE AMENDMENT "A."

House of Representatives,

April 1, 1915.

"Ordered, The Senate concurring, that the following amendment be substituted for the original order covering the same general subject matter, and that it is now

Ordered, the Senate concurring, that the Public Utilities Commission is directed and hereby expressly empowered to enquire into tariff rates, rules and regulations of Maine Central Rail-

road Company to investigate the capitalization of said company and ascertain when, to whom, and for what purposes its stocks and bonds have been issued and what properties or other values it has received for the same; ascertain the cause of the depreciation of the value of its capital stock; what, if any, of its properties are unprofitable and whether or not the same should be disposed of; whether there has been any violation of law in the acquisition of its properties, and, if so, what persons or corporations, if any, are under legal liability to make restitution; to investigate the management of said company and its subsidiary companies and outside properties, including the amounts paid since January 1, 1900, as salaries to its officers, attorney fees and for the purpose of influencing legislation; also investigate its past and present relations and financial transactions with the Boston & Maine Railroad Company and its dealings with bankers and brokers in the flotation of its stock and securities; that said commission shall report the evidence together with the findings of fact and recommendations.

For the purposes aforesaid, said commission is authorized to employ counsel at an expense not to exceed \$1500, and such experts as they may deem necessary and a stenographer, and to compel the attendance of witnesses at the expense of the State to appear before them and give evidence and produce books, papers and other documents pertinent to the subject matter of their inquiry.

Said commission shall file its report with the Governor and Council as soon as may be, and the Governor and Council shall forthwith cause to be printed 2000 copies thereof for use of the State.

This investigation shall not include the physical valuation of the property of said company. All expenses of such investigation shall be paid out of the contingent fund, or out of any moneys not otherwise appropriated."

The pending question being the adoption of either report.

On motion by Mr. Cole of York, Report A, ought to pass, was accepted in concurrence.

The order was then given its first and second readings by motion of the same Senator.

House Amendment A was then adopted in concurrence.

Mr. Cole then offered Senate Amendment A to House Amendment A and moved its adoption.

Amend House Amendment A by striking out the words, "an expense not to exceed \$1500," in the 25th line, and by inserting in lieu thereof the words 'a reasonable fee.'

Mr. BUTLER of Knox: Mr. President, the public utilities commission has among its members two very distinguished lawyers of the Maine bar. It seems to me a very strange performance to employ counsel for any investigation. I do not understand the necessity of it or the reason for it. It seems to me they are abundantly competent to act as counsel for themselves.

Mr. COLE of York: Mr. President, The Public Utilities Commission is a commission supposed to be impartial in every manner. Every investigation held before the Public Utilities Commission is like a case tried before any member of the Supreme Court. Every member of the Supreme Court is a lawyer, but it is customary for people who have cases before the Supreme Court to employ counsel to present their matters; and in this matter, if an investigation is to be worked out, or any hearing to be had upon a subject, the Public Utilities Commission are simply sitting as a commission to hear impartially the evidence before it, and to make its report upon the evidence.

I don't understand that even though that Commission is made up of lawyers, that they themselves go into matters except in the directing of how matters shall be investigated, and keeping within certain lines of limitation.

There are, however, two officers of the State who may be called upon at any time by the Public Utilities Commission, and in this matter might be well called on. We have an Attorney-General who is at the service of the State, and at the service of all

commissions, who could be directed by the Public Utilities Commission to assist them in the investigation of all matters, when ordered by the State to investigate. The assistant attorney-general is also subject to the call of the various departments of the State.

The amendment which I have offered here is an amendment to correct what seems to me a very unwise limitation. Whether an investigation will be had or not perhaps depends upon the action of this Legislature and the action of the Governor, but should the Legislature and the Governor deem it wise to have an investigation following the lines of this here, it is absolutely necessary, as all of us must recognize, that some attorney who is competent should direct that investigation in behalf of the Public Utilities Commission, and we realize that no attorney, for fifteen hundred dollars, who is worth anything at all, could afford to give his time to such a broad investigation, covering such a long period of time as would be required in this matter.

For that reason it seems to me fair, in behalf of those who believe in the investigation, fair to the railroad which is to be investigated, fair to the Public Utilities Commission, which represents the State, that legal counsel of sufficient experience be employed, and paid a reasonable fee for such service, and not to require the Public Utilities Commission to employ a man who is incompetent, and not to employ a man, who, though he may be competent, will not and cannot afford to do his work thoroughly, and thereby lose the benefit of what he does because of his unthoroughness.

When this matter came before the Judiciary Committee, and when it was before the Legislature, I think it was generally regarded as a joke. The Judiciary Committee did not take it seriously when the matter was referred to them, but the matter was given State-wide advertising which a matter of this kind requires, and at the hearing a very respectable contingent of people of the State, or their representatives, appeared before the committee. They were made up of repre-

sentatives, citizens, business men, attorneys, shippers, men representing large organizations, and they asked us to report something to this Legislature. It wasn't a farce but was a hearing conducted by an attorney in Gardiner, who stands high among the counselors of the State, with all the spirit that any hearing has been conducted before that Committee.

The Attorney-General appeared before the committee; the counsel for the Maine Central Railroad appeared before the committee. The counsel for the Maine Central Railroad did not object to such an investigation, although he did not see the usefulness of it to anyone, but he said that the Maine Central Railroad, if the State ordered it, had no objection.

Now it doesn't seem to me to be a great expense for the State, if the State and the Maine Central Railroad work harmoniously. It is a matter largely for accountants to get from the records, if those records are produced in the offices of the Maine Central Railroad, and such extracts made from the records as may come within the lines of this order. It needs a competent attorney to direct these accountants what to take and what to omit.

The Public Utilities Commission is engaged all over the State in hearings on various matters, which are heard before them on petition or on their initiative, and it would be utterly impossible for the members of that commission to be present at such preliminary investigation; it is only when the final hearing comes before them, in which both sides are properly represented, that they will be able to determine and give to the State an impartial and fair report. That, I think, is as far as the scope of the order goes. It is as far as the intention of those who appeared before us required.

I don't believe in any muck-raking process. That day has long since passed. We are aware, of course, that the railroads have suffered from mismanagement; we are honest enough to believe that they have learned their lesson, and are attempting to get back to honest business and thereby, while

this investigation might not have any material benefit on the railroad, it might solve some of the problems which are troubling the people of Maine today regarding rates. To investigate the rates of the Maine Central Railroad concerning which there are complaints would require from the shippers who might make an application to the Public Utilities Commission for a re-adjustment of rates too much expense. No one man could afford to hire counsel on his own behalf to go into that, and as it affects the whole people and not a few, as there is some difference in some rates or some schedules which appears to be unfair in the local traffic rates, it seems to me it would be unwise, after the House of Representatives has acted upon this matter, for this Senate to turn it down and say that the people of Maine are wrong, and that no investigation is needed.

I don't want to stand here and criticize the Maine Central Railroad. I don't criticize it. I wouldn't raise one finger to injure that road or its business. I believe this Legislature ought to help it, but if this investigation will do anything to make a better harmony, a better feeling, more harmonious relations between the shipper and the traveler and the railroad, which I believe it will do, then it will be well worth the price it may cost.

Further and beyond that, we have a Public Utilities Commission in this State to which we may apply for relief. It is a new institution and a new organization. It came into being with a great prejudice, carried on with great fervor by its opponents. Up to date that Public Utilities Commission has made good in the small matters in which it has been engaged. A change in sentiment is going on over the State regarding the efficiency of that commission and the members making it up. I believe this investigation will bring to that commission the material which they need in the transaction of matter which come before them, which ultimately they must have, because there are always matters arising in which they will need it; it is the duty of that commission to collect that material, and it isn't ma-

terial, it doesn't make very much difference whether it is done piecemeal or all at once, except that if it is done all at once it has the records in its office to which it can refer at any time, and perhaps save a good deal of future expense. If this ended the matter and there were no future, I doubt if it were worth the price, but if any shippers over the Maine Central are dissatisfied with the rates and the schedules, and make application to the Public Utilities Commission for a new rate between Bangor and Augusta, or Bangor and Waterville, or Augusta and Portland, then those rates are decided upon a reasonable return upon the capital invested, and if you ask for a hearing upon some small rate, it is based on the same principle as though you investigated all the rates all over the railroad, and in order to get a fair report, and a fair return from the hearing, it would be necessary for the Public Utilities Commission to go into the whole standing of the Maine Central, just as it would be in a thorough investigation, and have the material which is needed.

In the House there were presented petitions representing 21,614 members of the Maine Grange, from 148 different Granges. That seems to me to be worthy of our consideration. I don't believe that every member of a Grange who votes for these things gives them serious, thorough consideration. We all know that people will vote for these things; but we do know that there must be some general discontent when there will not be someone come in and oppose it from the great general public, and there was no opposition at the hearing from any individual; there was never read before the judiciary any letters, petitions or telegrams against it, or anything else. The only opposition—if it might be called opposition—came from the counsel of the Maine Central Railroad, and he was not opposed, but simply doubted the advisability of the matter, and whether anything would come of it, but he said the books were wide open if the State saw fit to investigate.

We are supposed to do business for all of the people of the State of Maine.

The Maine Central Railroad and its subsidiaries are used by a majority at least of the people of the State of Maine. When you get east of the County of York, and south of the County of Aroostook, the rest of the State of Maine is affected wholly by the Maine Central Railroad, and even the products of Aroostook must pass over the Maine Central and is thereby directly affected, so that in the transportation of the products and in traveling through the State we are all interested in the affairs of the Maine Central Railroad. The public service corporations today, as we understand them, are not private corporations. They are not conducted for the benefit of the few, but they are to be conducted for the benefit of the great public at large, giving for that benefit a fair return to the stockholders of the corporation for the capital invested.

Now if the Maine Central Railroad is getting a fair return on the capital invested, and that capital has been honestly invested in things for the benefit of the State, then no harm can come from this investigation; if the Maine Central Railroad has not been true to its trust, if it has invested its money in things which are not for the benefit of the people, but for the benefit of a few, and if there is an opportunity to make the people who have benefited by those transactions pay the money back into the treasury of the Maine Central Railroad, and thereby the people of the State of Maine be benefited, then it is our duty to aid the people of the State of Maine. It is not punishment that we are attempting to administer to the Maine Central Railroad if we pass this order. It is perhaps a great material help to it. It certainly will help to dispel the general discontent.

The question being on the adoption of Senate Amendment A to House Amendment A, a rising vote was taken and seventeen Senators voting in favor and none opposed, the amendment was adopted.

The question recurring on the passage of the order as amended, Mr. Boynton of Lincoln moved a division which was agreed to. A rising vote

being taken, and 17 Senators voting in favor, and nine opposed, the order was finally passed and sent down for concurrence.

The committee of conference on the disagreeing action of the two branches, on An Act to amend Section four and five of Chapter 35 of the Public Laws of 1909, relating to the duties of the commissioner of agriculture in relation to the manufacture, transportation and sale of dairy products and their imitations, reported that they were unable to agree.

The report was accepted.

Resolve appropriating money for restacking and rearranging the Maine Room of the Maine State Library.

This bill passed to be engrossed in both branches.

In the House on its final passage it was indefinitely postponed.

On motion by Mr. Weld of Penobscot the Senate concurred with the House in the indefinite postponement of the resolve.

The committee of conference on the disagreeing action of the two branches, on Resolve for the construction of two brick dormitories for the inmates of the school for feeble minded at Pownal, reported that they were unable to agree.

The report was accepted.

Mr. BOYNTON of Lincoln: Mr. President, I ask unanimous consent to introduce out of order at this time, a resolve, under suspension of the rules. A resolve authorizing the Governor and Council to use any unexpended balance in the treasury for the construction of one or more buildings for the care and maintenance of the school for feeble-minded at Pownal.

This resolve, as you will see, appropriating no money, amounts to nothing unless at sometime during the next two years of the present administration they should unexpectedly find themselves with money on their hands that they could use.

There is a present need, and perhaps in no other place in the State is it needed as badly as it is needed at

Pownal. It is a resolve exactly like this, emanating from the same source, that made the renovation of the wing at Augusta possible, and it was accomplished. As this can possibly, and may do a great deal of good, I should hope it might have a passage.

The rules were suspended and the resolve was given its several readings and passed to be engrossed and sent down for concurrence.

On motion by Mr. Emery of York, the rules were suspended and that Senator presented out of order Resolve on the payroll of the Senate, and on further motion of the same Senator under suspension of the rules, the resolve was given its several readings, was passed to be engrossed and sent down for concurrence.

On motion by Mr. Colby of Somerset it was,

Ordered, that the House concurring, that 500 copies of Senate Bill 99, An Act for the preservation, perpetuation and increase of the forests of the State of Maine, be printed for the use of the joint special committee appointed to inquire into the subject matter contained in said bill, and that said copies be sent to the chairman of said committee.

On motion of Mr. Durgin of Piscataquis, a recess was taken until 11.30.

After Recess.

Resolve in favor of Fred R. Smith of Pittsfield for expenses incurred as a member of the hospital trustees in investigating conditions at the Augusta State Hospital.

On its passage to be engrossed in the House this resolve was indefinitely postponed.

On motion by Mr. Moulton of Cumberland, the Senate concurred with the House in the indefinite postponement of the resolve.

From the House: Report of the committee on appropriations and financial affairs on Resolve in favor of the Maine State Sanitorium Association at Hebron.

In the House the report of the com-

mittee, ought to pass in a new draft, was accepted and under suspension of the rules the resolve was passed to be engrossed.

In the Senate the report of the committee was accepted in concurrence, and under suspension of the rules the resolve was passed to be engrossed.

Papers from the House disposed of in concurrence.

Under suspension of the rules Mr. Emery from the committee on appropriations and financial affairs reported ought to pass on Resolve appropriating money for indexing the papers left by this Legislature and for proofreading and indexing the Senate Journal.

The report was accepted under suspension of the rules, the bill was given its several readings and passed to be engrossed, and sent down for concurrence.

From the House: The order for investigation of railroads by special joint committees of the Legislature, passed in the Senate in the House was indefinitely postponed.

Mr. FLAHERTY of Cumberland: Mr. President, I move that we concur with the House.

Mr. BURLEIGH of Aroostook: Mr. President, I would move that we adhere to our former action.

The PRESIDENT: The motion to concur takes precedence.

Mr. BURLEIGH: Mr. President, I call for a division.

A rising vote was had, and 16 Senators voting in favor of indefinite postponement, in concurrence, and 8 opposed, the motion prevailed and the order was indefinitely postponed in concurrence.

On motion by Mr. Walker of Somerset, a recess was taken until 3 o'clock this afternoon.

Afternoon Session

Senate called to order by the President, at 3 o'clock.

The following Communication was received from the Executive:

April 2, 1915.

To the Honorable Senate:

Senate Document No. 412 entitled

An Act for the Protection of Life and Property Against Loss or Damage From Steam Boilers, or Steam Machinery Operated by Incompetent Persons in Cities of Over Thirty-five Thousand Inhabitants, is returned herewith unsigned.

A close examination of this bill leads me to believe it to be too radical. By referring to section 7, as an example, it will be found that one person, appointed by a city of over thirty-five thousand inhabitants may pronounce any one in charge of a steam plant incompetent for any cause whatever and has the power to remove him and place another man in his place.

This alone should be sufficient reason for vetoing the bill.

(Signed) OAKLEY C. CURTIS,
Governor.

The PRESIDENT: The question is will the Senate on reconsideration agree to pass the resolve the objections of the Governor to the contrary notwithstanding.

Mr. FLAHERTY of Cumberland: Mr. President, as I introduced this bill at the suggestion of the steam boiler fireman, and engineers of Portland, I suppose I ought to make a little explanation in regard to it.

I see that his Excellency has referred to Section 7 that one man can go into a plant and if he finds a man in charge who is incompetent he can take him out. Surely if the man in charge is incompetent or intemperate he should have the privilege of taking him out.

I will read Section 7:

"When the examiner shall find any person in charge of a steam plant is incompetent for the discharge of such duties, or by reason of negligence, intemperance or any other cause, ought not to remain in charge of such steam plant, it shall be the duty of said examiner to immediately suspend temporarily the authority of such person to act in such capacity until an investigation can be made, and shall cause a person qualified as provided in this act to be placed in charge of said steam plant. And said examiner shall, as soon thereafter as possible, with the assistance of a trial board

consisting of four engineers selected by the board of mayor and aldermen, cause an investigation to be made, and inquire into the habits and qualifications of the person; and if such person is for any reason found to be incompetent or unsuitable to remain longer in charge of said steam plant, said examiner shall immediately cause certificate granted under the provisions of this act to be revoked and notice of such revocation to be filed with the city clerk; and thereupon said examiner shall give the person or corporation having control of such plant, notice of these findings. And if such person or corporation having control of such steam plant shall, after receipt of such finding, neglect or refuse to cause said steam plant to be placed in charge of some person qualified under the provisions of this act, such person or corporation shall be subject to the penalties provided in section eight of this act."

It seems to me if there are incompetent persons in charge of steam plants in any place, and this inspector, who must be under the authority, if he finds the man incompetent and intemperate he ought to have some control over removing him, and then they must have someone after he has been removed in order to carry on the plant.

I shall vote to sustain the veto.

Mr. MURPHY of Cumberland: Mr. President, I am also from the city that this bill hits. It seems to me if there is an incompetent person in the employ of any individual that that individual himself ought to be interested enough in the people under his charge, if any, to remove him.

The objections, as I understand it—it is up to this man to go in and if he finds a man intoxicated or incompetent and thereby removes him, he then places somebody else in his place, without consulting the owner of the plant.

It seems to me that perhaps there is something behind this bill. It is worked up by individuals who are interested not so much in the people as in some organization.

I shall vote to sustain the Governor's veto.

The yeas and nays were ordered and

the secretary called the roll, those in favor of passing the bill the objections of the Governor notwithstanding, voting yes, and those in favor of sustaining the veto, voting no.

Those voting yes were: Messrs. Allen, Ames, Bartlett, Burleigh, Cole, Conant, Durgin, Emery, Flaherty, Fulton, Jillson, Moulton, Peacock, Swift,—14. Those voting no were Messrs. Boynton, Butler, Chatto, Colby, Duntun, Garcelon, Herrick, Leary, Murphy, Price, Scammon, Thurston, Walker, Weld—14. Absentees, Messrs. Clark, Hastings.—2.

Fourteen voting yes and fourteen voting no, the Governor's veto was sustained.

The Secretary was instructed to send the message to the House.

The following communication was received from the Executive:

"To the Honorable Senate:

Senate Bill No. 214, Resolve in favor of an appropriation for Fifty-five Thousand Dollars for the Maine Industrial School for Girls, is returned herewith unsigned, for the reason that there appears to be no probability of income sufficient to warrant the expenditure.

Information at hand leads me to believe that this expenditure is one of the least urgent of the many demands, although it of course, has its merits.

(Signed) Oakley C. Curtis,
Governor.

The PRESIDENT: The question is will the Senate on reconsideration agree to pass the resolve the objections of the Governor to the contrary notwithstanding.

Mr. ALLEN of Kennebec: Mr. President, I move that we pass this bill notwithstanding the veto of the Governor.

I am very sorry to be obliged to stand here and advocate passing a bill over his Excellency, the highest authority in Maine, yet I believe one is justified in taking that position when we consider that this bill has taken its passage through the various courses necessary in this department and the other department of the Leg-

islature. Also when we consider that this was a measure which has been especially considered, investigated, by a special committee for that purpose.

I need not go into the details of the appointment of this investigating committee two years ago. You all well know the circumstances and conditions surrounding the same. However, I will go back and suggest this, that the committee on industrial school for girls and state school for boys, two years ago found this building, which this resolve was to build was needed then. I think it was the unanimous feeling of the legislative committee two years ago that such a building was essential, actually needed. The finances being in such condition at that time, or in other words, there being so many demands that seemingly were ahead of this demand, that we hesitated to introduce the resolve. This committee was appointed to look into the matter during the recess. And I think the committee have worked earnestly and diligently and looked over the whole situation there, from A to Z.

It was the unanimous report of this special committee that such a building should be erected there.

Now, gentlemen, I am not going to make a talk here in favor of this measure against the Governor, but wish to say a few things, and I want to go on record on my position in the matter. I wonder how many of us are really aware what this institution was started for. About 1875, at the time the institution was taken over as a state institution and recognized by the state, I find that in the dedicatory address, Governor Perham, delivered it, and I will quote from this address two or three things that the Governor said in regard to this institution, to show you what the intention was at its inception. "It is not a place of punishment to which the inmates are sent as criminals by a criminal process, but a home for the friendless, neglected and vagrant children of the state, where under genial influences, kind treatment and physical and moral training, they may be won back to virtue and respect and fitted for the peaceful and honorable self-sup-

port and lives of usefulness. They come to a home of parental love, real love; they find no longer hearts of stone, but hearts of flesh. Here they find a home and kind hearts and hands to teach them the better way to the road to usefulness and happiness."

Those are some of the remarks by the ex-governor in his address at the time this was instituted. And I wonder how many of us are aware that that institution was established for such purposes. I wonder how many of us are aware, that in order that the State of Maine should be what it ought to be, that we must begin on the ground floor. And by the way, from some of the actions here this winter, we are not aware of that. Some of us want to begin on the upper floor. It is like building the upper story of a building first, and then building down.

It is my belief, if we want to raise the moral standard in the State of Maine, which there is a crying need for today, we should begin at the nucleus, with the child. And it is my wish that the institution should be not only twice as large as it is, but thrice as large. Had this been today an institution twice or three times as large you would not have the need for the extra wings for this institution across the river, and the extra buildings down at Pownal. Why? Science teaches us that in order to be right we must begin right. Every one of us senators have a mother, or have had; every mother sometime was a child. Fortunately for us our mothers had homes, respectable, and surrounded by comfort and happiness, or we should have not have been here. If we had a place where all of our children today in the State of Maine who have not respectable homes, who have not mothers or the mother's attention that they need, or who have not the father's influence that they need; if we had a home for those children at Hallowell how much better it would be for the State of Maine.

There are those children brought in there, pretty small and young, but there are physical ailments, and from our investigations we have found those

physical ailments begin very young in our State. It is just as true in other states.

Now in order that those girls may become the right kind of women that they should, the first necessary treatment is physical. When we get our new building, which we should have down there, we can have that.

Science teaches us that the physical must come first. The mental and moral will naturally follow. Now then, when we have a place where we can gather all these girls that are unfortunate and have come from conditions which I have spoken of, and where they can be properly cared for by the State under such influences as Governor Perham mentioned when he gave the dedicatory address, then, gentlemen, we will have girls that come up clean, honest, virtuous, respectable. Those girls will make our young men good wives, they will make good mothers; they will make a better future generation in Maine than we have today. Then is when your hospital wards can be reduced, your State prison can be reduced, because morality will enter into it.

I am surprised when His Excellency says "the least urgent," although these things never should surprise us. When we consider that an institution that is as important as this one is, and the enlargement of it is as necessary as this is, and it is called "the least urgent." I want to say, in God's name, what is urgent in the State of Maine?

We pass appropriations for roads, which is very well, and for our institutions here. See how generous we have been all over the State of Maine, with these academies and smaller institutions. We are doing that to help the girl that can help herself. She has parents behind her that can help her, and it is the same with the boys; but this institution is taking care of these girls, who are just as nice girls as mine, just as nice as any of yours, senators, if they had the same influences brought to bear upon them. I don't think that is "the least urgent." I am surprised that such a statement should come from our Executive department.

The time perhaps has not come now, but the time will come, gentlemen, when the good people of the State of Maine will open their eyes to the fact that in order to have these things we must begin at the bottom. If you want a good tree, you begin when it is young and prune and trim it. You have got to do just the same with children. How any man who has got children can himself vote against an appropriation which is going to care for children the same as this one does down here, I can't conceive, and I am glad and thankful for one thing, that when we vote on a thing like this, the Constitution requires the yeas and nays.

There is a great deal more that could be said on this matter, but I know how urgent you are to get through with all of these bills and get home tomorrow night, and I am going to rely on the good judgment of this Senate, regardless of the veto of the Governor, that they will vote for that which we are so sorely in need of in Hallowell.

Mr. MURPHY of Cumberland: Mr. President, as a member of the special committee appointed by the last Legislature to investigate the Woman's Reformatory, Industrial School for Girls, and State School for Boys I want to explain my position. I, with Senator Allen, did make an investigation of this particular institution. We did find things as we described them.

I also had the privilege of making a state-wide investigation in institutions maintained by the State in the shape of Normal schools, Indian and many other institutions. We did find them all sadly lacking in the necessities of life, in order to properly accommodate the boys and girls that attended these institutions. Something had to go, I am sorry to say, but some things did go by, and I want to state that one of the things that did get by was a Normal School dormitory at Gorham. We must take care of the girls that attend the Normal schools. It is better to have them under supervision, at night as well as by day—more so, perhaps. We must not allow girls to grow up under circumstances so that they will be sent

to the Reformatory or the Industrial School. Take Farmington for instance—we had to take care of that institution; we had to take care of Machias where they had a building almost finished—it needed \$25,000 to \$35,000 to take care of that.

I want to say right here, as a member of the Committee on Education, that when we went to the Governor and presented our case, that he gave it courteous consideration. As a matter of fact everything that we stood for has gone by. In relation to the school at Hallowell, they have four buildings there at least—first-class buildings. They will compare with the buildings that are connected with the Normal schools. They have one large assembly building there, and so far as I know it is occupied by the Superintendent who is a lady, and her servants, who are inmates of the institution.

Now as far as accommodations for the girls are concerned, as compared with some others, I consider them fairly well taken care of, notwithstanding the fact that the school-rooms, so-called, are situated in the various buildings.

The appropriation calls, if I remember correctly, for \$55,000. This is for an assembly hall. The school-rooms now located in the different buildings, will be abandoned. This assembly hall will have the school-rooms connected with it. Now when this is all completed, it will be the most up-to-date institution in the State of Maine. Taking into consideration all the Normal school plants, and the academies, if you will, it will be ahead of the whole of them. I am perfectly willing to vote for it to be ahead of all of them. But we have other things to consider here, and they cannot all go by. Some of them are still in the hands of the Governor, some still waiting. We don't know whether they will become a law or not. Therefore the passing of this over the Governor's veto isn't going to avail us anything. It isn't going to get by the other House. If it did it would mean that something else would have to be cut out. Take the Jackman road, if you will. Take some of the other various propositions before us. Which one is going to be cut out? Some of them will certainly.

So far as I am concerned, I would like

to stay with my friend the Senator from Kennebec, would be delighted to, but I do believe that the appropriation bill that the Governor has signed for the other institutions are deserving and ought to be passed, and are passed. For instance, take the University of Maine. The demand there is several thousands in excess of what it was last year--\$25,000 if I am not mistaken, for maintenance, for the next year--and we have given the academies twice the appropriation of last year, distributed from one end of the State to the other. Some of them were sadly in need of it, more so than the Industrial School by far. Therefore credit should be given.

Mr. ALLEN: I am sorry to differ from my friend the Senator from Cumberland. I realize the position the Senator is in. At the same time I cannot conceive why he should change his attitude. If he is in a position where he cannot support a measure over the Governor's veto, that is very well, but I don't like to see him change his attitude in this matter, when it has been unanimous all the way through, and now he says how we can get along without the institution. I get along without my dinner sometimes, when I am obliged to, but I eat enough at supper to make up for it, so there is no gain.

I want to call the Senator's attention to the fact that two years ago we, by urgent requests of the committee of which he was a member, the educational committee--our committee for these State institutions stood back then and let them fix up these dormitories so that they could have a better chance for the scholars in those Normal schools than the most of us have in our hotels; and I want to call your attention to the fact that it was a tacit understanding that if we shouldn't put in a resolve for that building last year, it would have the hearty support this year of the committee, of which it was deserving. But these schools, which are caring for the better classes, the wealthy classes of girls, are for families well able to care for themselves, but this school down here has not a rich man behind it, for the very reason that the inmates come from the classes I have spoken of.

Now it has got to have the good men of Maine behind it to make it a success.

Talk about conditions down there--the Senator knows what they are as well as I do. We have been there many times. It is crowded, unhealthy, and in such condition that they have had to refuse to take girls, and it has been understood all over the State that they couldn't take more, and that the officers couldn't commit children, because they couldn't accommodate them.

When he speaks of the assembly building, he knows that they haven't one. There is an administration building, but there isn't a building down there on these grounds where the children in that institution can gather, to hear a lecture from the attorney general or anybody else. Just think of it. A State institution where they cannot assemble for pleasure, they cannot assemble for instruction of any kind, moral, physical or spiritual! It isn't there.

I want to ask the gentleman, what price do you put on one of your girls? Just ask yourself that question, and then imagine some little misdemeanor, that you died and your wife had to take in washings and this girl was sent down there. How would you feel?

Let us have some consideration for that class, gentlemen. I believe that is what we are here for, to do good to the State of Maine, and for that class that are not able to support themselves.

Mr. MURPHY: Mr. President, I want to state that the Industrial School has 103 pupils to four buildings. I want to state again that one of the Normal schools in the State--I refer to the school at Presque Isle--has rooms inferior to this. They are sadly in need of a building, more so, perhaps than the school referred to.

I haven't changed my attitude. I believe the school should be attended to as soon as possible. They ought to have the appropriation, but it will cost \$55,000.

Mr. WELD of Penobscot: Mr. President, I wish to call attention to what seems to me the most important thing we have to consider in this State, and that is the present record upon insanity just issued this month.

"The number of insane persons confined in institutions per 100,000 of the general population in the United States had increased during the past four

decades from 86.5 to 232.0, and today the number varies much in the different States, from 67.0 in Oklahoma to 413.4 in Massachusetts.

"The lunatic at large is quickly captured and taken to an asylum, but, added to the some quarter million in asylums in the United States there are reckoned about 300,000 mentally defective; then, if the epileptics, feeble-minded, and border-land cases are included, there are about a million persons harmful to themselves and others in the States, and not one-fourth of these know the slightest restriction concerning their power to reproduce their species.

"That insanity is increasing is certain; some reports say at the rate of 2 to 4 per cent every thousand of increased population."

(From "Progress of Medicine during the year 1914.")

To me the care of the insane, the defective, is the most important subject we have. And fellow-senators, if you economically constructed your hospitals, if you didn't have them cost double what they ought to, every ward of the State today would be cared for in a proper manner. And the same thing applies in the construction of rooms. Everything for the State seems to cost double what it ought to. They call for a tiled-floor for a laboratory, when we all know that a mill construction is sufficient.

It is true that we have got but one crop we are interested in, and I defy any Senator here to feel any more interest than I do in the boyhood and the manhood of the State. We have a crop that is growing up, and that is our children. I believe in that crop; I believe in the University of Maine and every college in the State that is improving the boyhood of this State, and I may vote this measure, but I don't want anyone to say that I am not interested in the boyhood of the State or the childhood. I believe in first taking care of our own safety. I believe the two buildings on the other side of the river could be placed in a proper condition for the \$85,000, but we have no proper restriction on construction.

I will vote for good roads, I will vote for anything here that will improve and enlarge and help the growing manhood of this State or the institutions of the State, if they can be economically constructed.

The question being whether the Senate, on re-consideration, would agree to pass the resolve, the objections of the Governor to the contrary notwithstanding, the yeas and nays were ordered, and the secretary called the roll.

Those voting yea were Messrs. Allen, Ames, Bartlett, Burleigh, Chatto, Clark, Cole, Conant, Durgin, Emery, Fulton, Peacock, Scammon, Swift, Walker—15.

Those voting nay were Messrs. Boynton, Butler, Dunton, Flaherty, Garcelon, Herrick, Jillson, Leary, Moulton, Murphy, Price, Thurston, Weld—13.

Absentees: Messrs. Colby, Hastings.

Fifteen senators having voted yes, and 13 having voted no, the required two-thirds were not obtained, the Senate failed to re-consider and the veto was sustained.

By unanimous consent Mr. Emery of York presented out of order, An Act providing for the payment of the salaries and mileages of the members and officers and for other expenditures incident to the 77th Legislature.

On further motion by the same Senator, the rules were suspended and the bill was given its several readings and passed to be engrossed.

Sent down for concurrence.

From the House: Resolve on the payroll of the House for the 77th Legislature.

In the House the resolve was read and passed to be engrossed under suspension of the rules.

In the Senate under suspension of the rules the resolve was read and passed to be engrossed in concurrence.

From the House: Resolve in favor of the stenographer for the secretary of the committee on workman's compensation committee.

In the House under suspension of

the rules, read and passed to be engrossed.

In the Senate under suspension of the rules, read and passed to be engrossed and sent down for concurrence.

The committee of conference on the disagreeing action of the two branches on Resolve authorizing John G. Fleming to bring a suit at law or equity against the State of Maine for a balance claimed to be due him on a highway contract, reported that they were unable to agree.

The report was accepted.

Passed to Be Enacted.

An Act defining 'An Act to establish a minimum wage for State House employes.'

An Act to equalize the salaries of the clerks of the judicial courts.

An Act to determine the amounts to be paid for clerk hire in the several counties.

An Act to incorporate the Bath Water District.

An Act for the better protection and preservation of the lobster fisheries, authorizing the appointment of a commission.

An Act to amend Section 1 of Chapter 85 of the Revised Statutes, relating to trial justices.

An Act to amend Section 40 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the closed season on fur bearing animals.

An Act to incorporate the Mutual Loan Society of Lewiston.

An Act to amend Section Seventeen of Chapter Eighty of the Revised Statutes, relating to the authority of the County Commissioners of Cumberland County to raise money by temporary loans.

An Act to define County lines in the waters of the State.

An Act additional to Section One of Chapter Fifty-five of the Revised Statutes, as amended by Section Twenty-seven of Chapter One Hundred

Twenty-nine of the Public Laws of Nineteen Hundred Thirteen, relating to Corporations for the Operation of Telegraphs or Telephones and other public Utilities. (Tabled temporarily by Senator Dunton; subsequently taken from the table and passed to be enacted.)

An Act to incorporate the Hartland Water District.

An Act to create the Anson Water District.

An Act to amend Section One of Chapter Ninety-three of the Revised Statutes, as amended by Chapter One Hundred Sixty-nine, Public Laws of Nineteen Hundred Thirteen, relating to the Registration of Chattel Mortgages.

An Act for the better protection of children, and to amend Chapter Sixty-one of the Revised Statutes of Nineteen Hundred Three, and Chapter One Hundred Twenty-three of the Public Laws of Nineteen Hundred Five, as amended by Chapter Forty-three of the Public Laws of Nineteen Hundred Seven, and Chapter One Hundred Nine of the Public Laws of Nineteen Hundred Nine.

An Act in relation to certain rights and liabilities of Husband and Wife.

An Act to provide for State and County Aid in the construction of Highway Bridges.

An Act to amend Section Twenty-nine of Chapter Ninety-three of the Revised Statutes, relating to Mechanic's Liens on Buildings.

An Act to enlarge the duties of Medical Examiners.

An Act to amend Chapter Forty-two of the Public Laws of Nineteen Hundred Eleven, relating to the appointment of Guardians by Consent.

An Act to consolidate and revise the laws relating to State Printing and binding.

An Act amending Chapter One Hundred Forty-seven of the Public Laws of Nineteen Hundred, relating to the abolishment of Grade Crossings of Railroads.

An Act relative to the employment of minors.

An Act to amend Chapter One of the Public Laws of Nineteen Hundred Seven providing for notice to Registers of Probate of the names of Corporate Surety Companies qualified to do business in the State, and also to amend Section One Hundred and twenty-one of the Revised Statutes.

Finally Passed

Resolve providing a State Pension for Mary J. D. Arkett.

Resolve appropriating money to improve a certain road through the property of the Maine School for Feeble Minded.

Resolve in favor of Gardner K. Heath for services performed as assistant to Fortunat Belleau while he was acting Clerk Pro Tempore.

Resolve in favor of Edward S. Austin, Document clerk for preparing weekly index. (Clerical error corrected by the Secretary under direction of the Chair.)

An Act to appropriate money for the expenditure of government for the year 1915. (This bill carrying an emergency clause required a two-thirds vote of the members of the Senate on its passage to be enacted. Twenty-six Senators voting in favor and none opposed, the bill was passed to be enacted.)

At this point a recess was taken subject to the call of the President.

After Recess.

An order was received from the House asking the Senate to request His Excellency the Governor to return to the Senate, Senate No. 204, Resolve for the purpose of operating the fish hatcheries and feeding stations for fish, and for the protection of fish, game and birds, and for printing the report of the commissioners of inland fisheries and game.

The order was given a passage, and the Secretary conveyed the message to the Governor. Subsequently the Secretary reported that he had delivered the message with which he was charged and that the Governor had returned the bill.

By unanimous consent the resolve was sent to the House.

Passed to Be Enacted.

An Act to amend Chapter Two Hun-

dred and Fifteen of the Private and Special Laws of Nineteen Hundred and Thirteen, Relating to Municipal Elections in the Town of Eden.

An Act relating to the Use of Automobiles in the Town of Mount Desert in Hancock County.

An Act Additional to Chapter Eighty-four of the Revised Statutes, Relating to the Pleadings in Actions at Law on Insurance Policies.

An Act to amend Section Eighty-two of Chapter Seventy-nine of the Revised Statutes and Sections Eight and Fourteen of Chapter One Hundred and Eight of the Revised Statutes, Relating to Venires for Grand Jurors.

An Act Additional to Chapter Four Hundred Eight of the Private and Special Laws of Eighteen Hundred Fifty-five, as amended, Relating to the Charter of the City of Biddeford.

An Act to amend Sections Fifty-four and Fifty-five of Chapter Eight of the Revised Statutes as amended by Chapter Forty-nine of the Public Laws of Nineteen Hundred Nine, Relative to the Taxation of Mortgages on Real Estate in Savings Banks and Trust and Banking Companies.

An Act to Authorize the Town of Eden to Own, Maintain and Operate an Electric Plant.

An Act to amend Chapter Seven of the Private and Special Laws of Nineteen Hundred Three, Relating to the Bar Harbor Municipal Court.

An Act to Incorporate the Wells Beach Lighting District.

An Act to amend the Charter of the City of Augusta.

An Act to Authorize the Maine Water Company to take Water from Certain Lakes in Washington County.

On motion of Mr. Murphy of Cumberland it was

Ordered, That the Governor be requested to return to the Senate for its further consideration, An Act defining An Act to establish a minimum wage for State House employees.

The PRESIDENT: The Chair will state that his attention has been called to the fact that this act, which was

passed and went to the Governor and has been signed and would become law in 90 days after the adjournment of the Legislature—this act, which this message requests to be returned is an act saying that employees should have their pay from April 1st of this year.

The attorney-general is clearly of the opinion that the law does not go into effect until 90 days after we adjourn, and that this act does not accomplish anything, and should be recalled and indefinitely postponed.

By unanimous consent the Secretary conveyed the message to His Excellency the Governor, and subsequently reported that he had delivered the message with which he was charged and that the Governor returned herewith the bill in question.

The Senate then reconsidered its action whereby this bill was passed to be enacted, and the bill was then indefinitely postponed and sent down for concurrence.

On motion by Mr. Boynton of Lincoln, a recess was taken until 7 o'clock this evening.

Evening Session

Senate called to order by the President.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds; and for printing the report of the commissioners of inland fisheries and game.

The PRESIDENT: The Senate will remember that on request of the House the Senate recalled this resolve from the Governor and sent it to the House. That branch has returned it to the Senate a motion to reconsider its passage having been lost. Is it the pleasure of the Senate that the resolve be returned to the Governor?

Mr. BOYNTON of Lincoln: Mr. President, it is rather a unique situation that is presented here. My understanding is that the Governor does not propose to sign this bill carrying

the appropriation it does, but is willing to sign it if \$25,000 is taken from the bill by an amendment, for one year.

Now this bill went to the House and that branch has refused to do this and the resolve is now back here in our possession and it is a Senate bill. It seems to me it would be in order for us to reconsider our action, amend the bill and return it to the House.

Whether or not that meets with the approval of this Senate I do not know. I do not know what action the Governor would take if the resolve reached him. But to return it and if he vetoed it, then a new bill would be drawn and put through here very quickly, if that was thought best and met the approval of the majority of the Senate.

I do not know as the Governor intends to veto it. It seems to me that we could amend it and return it to the House and this matter could be very easily got over in that way, if the Senate saw fit to do it.

Mr. ALLEN of Kennebec: Mr. President, I am sorry that it falls to me to discuss these matters of vetoes, but I don't propose to shrink from what I consider my duty.

The PRESIDENT: We are not discussing a veto. The only question is what to do with the matter on hand.

Mr. ALLEN: Considerable of the discussion of the Senator preceding me was on the question of veto, and I thought I would not be far out of order if I said "veto."

I don't know how it happened to be so, but there was a rumor going here in the afternoon that in addition to the \$100,000 a year that we appropriated to the Fish and Game Commission, that there are some other funds that gather for their use, but whoever started that rumor has done it under a misapprehension, for I don't understand that to be the fact. I don't understand there is a single dollar available for the Fish and Game Commission outside of these appropriations, and that is, all told, \$100,000 for this year and \$100,000 for next year.

Of course we appropriated \$25,000 at first, leaving \$75,000 for the present resolve.

I want to say this, gentlemen, and I am not afraid to have it go on the record. Two years ago I was Chairman of this same Committee, and I was informed by Mr. Wilson, who was Chairman of the Commission, that for two years previous to that they only appropriated \$75,000, "but," he says, "it is no use to talk, Mr. Allen, it is not enough for this Commission." He says, "They tried to practice economy, but we have simply got to make up for it now. The Fish and Game Department had to suffer on account of that." Those are practically the words of Mr. Wilson and he strongly recommended, two years ago, \$100,000 for each year.

Our fish and game department is growing. The duties and expenses are necessarily growing, and how we can reduce this \$25,000 a year and have it kept up to the standard that it ought to be kept up to, is more than I can understand. I believe the people of the State of Maine, or I believe the members of this Legislature are justified in making reasonable appropriations, and we are justified, if a five mill tax won't cover it, in making it five and a half. I believe we will go home to the people feeling better, and give satisfaction to the voters of this State, more than we would to try to skimp and cut down every appropriation so that it cannot be carried out with any degree of satisfaction to the members of the Commission or anybody else.

It is evident that some of the members of this Legislature don't understand that while we are appropriating \$100,000 a year for the running of this department, they pay back into the State treasury, or into other hands, about fifty per cent of it. For the last few years it has averaged, I think, \$50,000 that goes back into the State treasury, from funds collected in various ways, leaving only about \$50,000 that it really costs the State. So if

we should cut out \$25,000 it would only make \$25,000 that we are really appropriating for the department. There was a new hatchery two years ago—I think down in Tunk Pond somewhere, I forget now where it was, it was before our Committee—calling for more funds for maintenance in the department, and it don't seem to me that we are in a position now where we can reduce an appropriation and have the Commission prosperous, and we know it is one of the most important in the State of Maine.

I hope that we will concur with the House.

Mr. BOYNTON: Mr. President, I first want to say that I heartily agree with so much of Senator Allen's remarks as relate to taking care of our State institutions, as they ought to be taken care of, and fix a tax rate that will do it. Those are my sentiments every day in the week.

The question that confronts us is just how to get cut, and gentlemen of the majority will have to decide, but to bring it before the House I move that we reconsider the vote whereby we finally passed this resolve.

Mr. ALLEN: Mr. President, I call for the yeas and nays on this vote.

A sufficient number arising the yeas and nays were ordered and the Secretary called the roll.

Those voting yea were: Messrs. Bartlett, Boynton, Butler, Chatto, Dunton, Flaherty, Garcelon, Herrick, Jilson, Leary, Murphy, Thurston, Weld—13. Those voting no were Messrs. Allen, Ames, Burleigh, Colby, Cole, Conant, Durgin, Emery, Fulton, Peacock, Scammon, Swift, Walker.—13. Absentees Messrs. Clark, Hastings, Moulton, Price—4.

Thirteen voting yea and thirteen voting no the Secretary called the Chair whereupon he voted no.

Thirteen having voted yes and fourteen voting no the Senate did not reconsider its action.

Thereupon the Secretary was instructed to return the resolve to the Governor.

The PRESIDENT: Senator Burleigh, who has been a student of conservation wishes to address the Senate on that subject, and by unanimous consent he will be allowed to speak at this time.

Mr. BURLEIGH: Mr. President and fellow Senators, I do not expect to make much of a speech, but there is something I wish to say to you, that I would be glad to have you take home and consult about with your friends and see what they think of the proposition I shall propose for the development of the State of Maine.

I believe that the State of Maine, with all of her natural resources, is destined to be one of the greatest manufacturing states in New England, if we are only true to ourselves. "Self-preservation is the first law of Nature."

When the District of Maine became a state, the wild lands of the District were divided, Massachusetts taking one half and the State of Maine one half. Those lands have been squandered, given away, practically. Lands that today you cannot buy for ten dollars per acre were sold for 12½ cents. Of course many acres were sold at a higher price. Today, if you should go to some of the present owners to purchase, you would have to pay ten dollars and upward for those lands. If the State of Maine owned these lands today, all of our institutions could be taken care of, and we would be one of the most prosperous states in the Union. The income from them would have paid all of our taxes. It was very unfortunate for us that our forefathers did not take care of what was given to them.

The reason Aroostook County was settled was that the border townships were given to educational institutions in Maine and Massachusetts. The town in which I live was granted to Salem Academy, and one of the considerations was that they should settle a certain number of families upon the lands within a given time. Those who settled Houlton came from Massachusetts, and it was at first called New Salem. The trustees of Salem Academy sent these men down there to secure the title to this land. You will find that the border towns were near-

ly all granted to Academies upon the condition that they were to be settled, and this fact brought about the settlement of Aroostook County. At that time the timber was not worth anything, as there was no way of getting it to mills or market. These lands have become more valuable, until today many of them are worth 50 times as much as the State received.

I believe that the water powers of Maine belong to the citizens of Maine, and that we should take care of them. Although my friends say there is a question of law as to whether the State of Maine could prevent the power from going out of the State, I believe we should keep that power at home and develop our own State. I believe that the development of Maine should be commenced at once.

As the Senator from York (Mr. Cole) said in his speech the other day, capital would not come to Maine and develop this water power unless it could transmit that power out of the State. When this is done the State of Maine will become a power house for Massachusetts.

We want that power developed here, and we should have the benefit of it. I believe it is the duty of the State of Maine, if we are satisfied that capital will not come here and develop this power, to do so ourselves, and it can be done without crippling the State at all.

I will give you one instance of development in this State, and that is in my own county, Aroostook. I was born in that county, and I am proud of what she has done for herself and for the State. I am also proud of the grand old State of Maine, and of the fact that I was born on her soil. I believe in this State. She has sent out some of the grandest men the United States has ever produced. She has sent them all through the West and they have developed that part of the country. Wherever you go in the West you find that Maine men stand at the head. Maine leads wherever she goes, and there is no reason why she should not lead in manufacturing. Maine, when developed, will become one of the best states in New England.

Now what did we do to develop my

county? Aroostook aided the building of the Bangor & Aroostook Railroad to the extent of over \$780,000. When the county of Aroostook voted that, they didn't expect to get it back. What was the development resulting from the building of that road? Aroostook in 1890, just before the building of the Bangor & Aroostook, had a population of 49,589, with two Senators and ten representatives, and a valuation of \$15,437,158. In 1900 we had a population of 60,744, with two Senators and twelve representatives. And in 1910 we had a population of 74,654, with three Senators and fifteen Representatives, and today our valuation is \$41,510,807. This is an increase in population in twenty years of 25,075, and in valuation of \$26,073,649. That gain has resulted almost entirely from the building of the Bangor & Aroostook Railroad.

Even if the County of Aroostook had never received back one cent, it was one of the best investments it could have made. The county has received back over \$500,000, and this present year the rest of her bonds will be paid.

Now I advocate this: That the State of Maine develop her waterpowers. Commence with the immense waterpower just below Moosehead Lake on the Kennebec River. We could purchase this power from the owners, build dams, put up power houses, and extend our power lines from there to the sea. Develop all of the different water powers along the river from the head to tidewater, connecting them together, taking the most important ones first. Build a reservoir dam at Moosehead Lake, so that storage can be had that would give us a continuous flow of water the year round. This alone would nearly double the value of the powers already developed below Moosehead Lake.

Water power is valued by the lowest flow of water in the year, and by building dams you can control that water so that the flow will be continuous the year round, and get the benefit of the whole water. Commence and run our power lines from the head of the river down the valley to the sea, where you can get cheap transportation all over the

world. Then, as you come down, you can send that power to any town that wants it, branching off from the main line and developing the whole region from the source to the sea.

Several years ago I went down the Allegash river. I had a charter granted me by the Legislature to build a railroad into that region. I made arrangements with banks in Boston to furnish money with which to build it. I notified the directors of the Bangor and Aroostook Railroad, of which I was at that time president, that I had made contracts and agreements with a good firm in Massachusetts to finance the road from Patten into the Allegash country.

I went through myself and saw those waterpowers. I was surprised. I found that on the Allegash line, along that river to the St. John, there was over 50,000 horsepower running to waste in the wilderness, that today, with your electric power lines, could be transported down here to us. That is only one small river. There is power enough in the State of Maine to run every factory in Massachusetts if you could have it carried there.

Now, my idea would be this: A five-mill tax on the State of Maine—which would be only one year's tax—would give \$5,000,000. With this amount with which to start to develop the waterpowers of Maine, and bring them down to anyone that will come here and erect factories, to build up this State—with that capital to start with, we can sell the power as we produce it, and use that capital over and over, and extend the development until every waterpower in the State has been developed.

After we once get fairly started on that, the State of Maine will double in valuation, and we would soon have double the population we have today. I honestly believe the greatest thing we could do for the State of Maine is for the people to develop their own waterpowers and resources and get the benefit of them.

This is no new scheme. In Ontario today the counties are doing the same thing. The government of Ontario is developing their waterpowers, and they are bringing those powers down

into the cities, and selling power at less than one-half of what the local companies were charging. We could bring the waterpowers from up in our wilderness down to Augusta and sell it to the shoe factories here for one-half of what they have to pay the local company, and then make money. In Ontario they have done the same thing, and they have reduced the charges for electric power nearly one-half. We can develop power here at a price much less than the same now costs in Massachusetts, where coal is used.

Now I want the senators to go home and think this over, and if you believe in the future of the State of Maine, I have no doubt you will favor this method of the development of our glorious State.

I thank you for your attention. (Applause.)

Mr. WALKER of Somerset: Mr. President, I move that a rising vote of thanks of the Senate be extended to the senator from Aroostook, Senator Burleigh, for his admirable address.

The motion was agreed to and a rising vote of thanks was extended to the senator.

Finally Passed

Resolve in favor of Donald C. Gates for services as Messenger to the Committee on Towns.

Resolve in favor of William C. Hanson, for services as Clerk and stenographer to the Committee on Salaries and Fees.

Resolve in favor of Arthur C. Smith, Secretary of Committee on State School for Boys and Industrial School for Girls.

Resolve appropriating money to pay Josephine I. Cony, Stenographer to the President of the Senate and for Assistance Rendered in the Senate Officer During the Present Session of the Legislature.

Resolve in favor of Niles L. Perkins, Secretary to the Committee on Insane Hospitals.

Resolve in favor of Louis Garcelon for Services Rendered as Clerk of Committee on Agriculture.

Resolve in favor of William C. Hanson, Clerk to the Committee on Labor.

Resolve in favor of Kennebec County Issuing Bonds.

Resolve in favor of Neil S. Gray for Services as Clerk and Stenographer to the Committee on Towns.

Resolve in favor of M. H. Hodgdon, for services as Clerk and Stenographer to the Committee on Inland Fisheries and Game.

Resolve in favor of H. P. Hawes and Constance A. Gage, Clerk and Stenographer, respectively to the Committee on Ways and Bridges.

Resolve in favor of Charles R. Kingsbury, for Services as Clerk, Messenger and Stenographer to the Committee on Interior Waters.

Resolve in favor of George T. Hinchliffe, for Services as Clerk, Stenographer and Typewriter of the Committee on Sea and Shore Fisheries.

Resolve in favor of the Clerk and Messenger to the Committee on Railroads and Expresses.

Resolve in favor of Charles R. Kingsbury for Services as Clerk, Messenger and Stenographer to the Committee on Indian Affairs.

Resolve appropriating money to pay Winifred M. Bearce Stenographer and Typist to the Secretary of the Senate.

Resolve in favor of Reuel B. Soule for Services as Clerk and Stenographer to the Committee on Banks and Banking.

Resolve in favor of the Shorthand Reporter to the Committee on Railroads and Expresses.

Resolve in favor of Claude W. Townsend, Jr., for Services as Messenger to the Committee on Inland Fisheries and Game.

Resolve in favor of Ina E. Chadbourne.

Resolve in favor of Neil L. Violette for services as clerk of the committee on State lands and forest preservation.

Resolve in favor of H. P. Hawes for services as clerk to the committee on insane hospitals.

Resolve in favor of the clerk, stenographer and messenger to the committee on appropriations and financial affairs.

On motion by Mr. Herrick of Franklin, a recess was taken until 9 o'clock.

After Recess.

Senate called to order by the President.

The following communication was received from the Executive:

April 2, 1915.

To the Honorable Senate:

Senate bill No. 204, a Resolve for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds; and for printing the report of the commissioners of inland fisheries and game—is returned herewith unsigned, for the reason that you have passed a tax act of 10 mills, which, together with other incomes, will raise approximately ten million dollars, and have passed resolves, together with appropriations by law aggregating considerably in excess of this amount. It is, therefore, necessary that appropriations be reduced to conform to the income as already fixed by you. Other departments and institutions have voluntarily reduced their demands, and I consider that this department can accommodate itself to the same condition even more easily than some of the others, to the extent of at least \$25,000.

I regret the necessity of vetoing a department resolve in total, as the law commands; but of course it will be incumbent on you to adjust the matter so that the interests of the department will not suffer.

If this is allowed to stand at the amount named in the bill, it may be necessary to offer some other veto message for your consideration, unless you can raise more revenue. I shall be very glad to sign a resolve for \$150,000 for this department, which, together with the \$25,000 already passed, will make \$175,000 for maintenance, outside of about \$20,000 in other appropriations for the same department."

(Signed) OAKLEY C. CURTIS,
Governor.

The PRESIDENT: The question is whether the Senate after reconsideration would agree to pass the resolve the objections of the Governor to the contrary notwithstanding. On this the yeas and nays are ordered. Those who

favor passing the bill notwithstanding the objection of the Governor, will answer yes, and those who want to sustain the Governor's veto will answer no.

The secretary called the roll. Those voting yes were: Messrs. Allen, Ames, Bartlett, Cole, Conant, Durgin, Emery, Fulton, Peacock, Swift, Walker—11. Those voting no were: Messrs. Boynton, Burleigh, Butler, Chatto, Colby, Dunton, Flaherty, Garcelon, Herrick, Jillson, Leary, Murphy, Scammon, Thurston, Weld—15. Absentees, Messrs. Clark, Hastings, Moulton, Price—4.

Eleven voting yes and 15 voting no the veto of the Governor was sustained and the secretary notified the House.

Mr. HERRICK of Franklin: Mr. President, I ask unanimous consent of the Senate to present a resolve for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds; and for printing the report of the commissioners of inland fisheries and game, and I move that it takes its several readings under suspension of the rules and be passed to be engrossed without reference to a committee.

Mr. COLE of York: Mr. President, I move that the resolve lie on the table.

The motion was agreed to.

The President declared a recess until 10.45.

After Recess

Senate called to order by the President.

Mr. Cole of York: Mr. President, I move to take from the table, Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds; and for the printing and for printing the report of the commissioners of inland fisheries and game.

The motion was agreed to and on further motion by the same Senator, under suspension of the rules, the resolve was given its several readings,

passed to be engrossed and sent down for concurrence.

Passed to Be Enacted

An Act amendatory of and additional to Chapter One Hundred and Twenty-nine of the Public Laws of Nineteen Hundred Thirteen entitled 'An Act to create a Public Utilities Commission and prescribing the duties and powers thereof and to amend certain provisions of the Revised Statutes and of the Public Laws of the State of Maine, relating to Public Utilities.

(Tabled by Mr. Dunton of Penobscot.)

An Act to amend Sections Four, Seven and Eight of Chapter Sixty-five of the Public Laws of Nineteen Hundred Eleven, relating to the Department of Labor and Industry and to further amend said Chapter by Aiding Section Twelve thereto.

An Act to amend The Charter of the Portland Water District.

An Act relative to the granting of Licenses for certain businesses and purposes by the Municipal Officers of the City of Portland.

An Act fixing the pay of the Night Watchmen of the State House.

An Act to provide for the Temporary Licensing of Automobiles and Motor Vehicles.

An Act for the Assessment of a State Tax for the Year Nineteen Hundred Sixteen.

An Act to amend Section Forty-seven of Chapter Thirty-two of the Revised Statutes, as amended by Chapter Two Hundred and Six of the Public Laws of Nineteen Hundred and Thirteen, relating to the use of motor boats in Hunting Sea Birds, Duck and Water Fowl.

An Act to equalize the salaries of County Commissioners.

Mr. DUNTON of Penobscot: Mr. President, I move to take from the table the resolve just tabled by me in regard to the Public Utilities Commission.

The motion was agreed to.

The same senator then offered Senate Amendment A to An Act amendatory of and additional to Chapter 129 of the Public Laws of 1913, entitled "An Act creat-

ing a public utilities commission, describing its duties and powers thereof and to amend certain provisions of the Revised Statutes and Public Laws of the State relating to public utilities.

On further motion by the same senator the Senate reconsidered the action whereby this bill was passed to be engrossed.

Senate Amendment A: Amend by striking out in the 17th line of Section 3 the words "editors and regular reporters of newspapers."

Mr. COLE of York: Mr. President, I don't know what reason the senator from Penobscot has for making the amendment. That matter was carefully considered in the committee. It was put in under a separate bill, with other matters pertaining to the Public Utilities Commission, and incorporated in a general bill covering practically all of the various matters pertaining to Chapter 129 of the Public Laws of 1913.

Up to the passage of the law creating the Public Utilities Commission—or perhaps up to the time of the anti-pass law, four years ago—it had been the custom of railroads to issue free passes to newspapers for the benefit of the editors and the reporters, regularly accredited reporters, on duty all the time, and the newspapers in return published in their columns a time-table, and that time-table was of great service to the traveling public, and to local people who had those papers.

At the time this amendment came into this bill, quite a number of people came to the judiciary committee asking that something of that kind should be done; there were numerous complaints made from time to time to the newspapers, asking why those matters had not been published. Now to publish those at regular advertising rates would mean a great deal of expense to the railroads, for which the public must pay, and the railroads felt they couldn't afford to do that. Consequently the time-tables were cut out of the newspapers.

The committee felt no great injustice would be done in allowing this to go through, and that the benefits accruing would more than offset anything so far as the railroads were concerned, or any loss. For that reason the amendment to the public utilities law was passed.

Now the matter has gone through this Legislature and been considered, and it has come to the last night of the session, and I don't believe it is wise at this time to send that bill back to be engrossed. It is a long bill, involves a large number of amendments, and it seems to me no great damage can be done.

I have no personal interest in the matter at all, and I can see how the great public would be benefitted by allowing this matter to go as it is.

Mr. DUNTON: Mr. President, The principle embodied in that is one that this State has spent a great deal of time to overcome, in past Legislatures. They have worked upon this matter of giving free passes on the railroads for years and years, and every other kind of business or anything else is prohibited. The Public Utilities Commission is prohibited from allowing free passes.

The newspapers and the newspaper reporters mould public opinion, and we don't want an exception brought upon that. They will probably publish their time-tables as it is. It is for their interest more than it is for the public's. I can't see why they should be picked out as a special class for free transportation.

The gentleman speaks about its being a long bill, but that bill has never been printed and been before this House in printed form. No matter what they did in the committee, we didn't know it, and it will be considered it was put in there as a kind of a "nigger in the wood-pile". It is one of the things that both parties have demanded should not be given away. I ask you to vote for the amendment.

The question being on the adoption of Senate Amendment A, a rising vote was taken, and four Senators voting yes, and thirteen voting no, the amendment was rejected. The bill was then passed to be engrossed, and passed to be enacted.

Finally Passed

Resolve in favor of Louis Garcelon for Services Rendered as Clerk of the Committee on School for the Feeble Minded.

Resolve in favor of Charles F. Barnes for Services as Messenger to the Committee on Revision of the Statutes.

Resolve in favor of Brooks Newbert

for services as Clerk, Stenographer and Messenger to the Committee on Taxation.

Resolve reimbursing the Town of Pittsfield for Supplies Furnished to Certain State Paupers.

Resolve in favor of Cassie K. Turner.

Resolve in favor of the clerk, stenographer and messenger of legal affairs committee.

Resolve in favor of the clerk, stenographer and the messenger to the judiciary committee for services rendered.

Resolve in favor of C. R. Tupper for services formulating bills for the committee on salaries and fees.

Resolve providing a State pension for James B. Smith.

Resolve in favor of Ina E. Chadbourne.

Resolve in favor of Orin B. Frost for services as clerk to the House committee on bills in third reading.

Resolve in favor of Fred S. Rand.

Resolve in favor of P. H. Fitzgerald.

Resolve in favor of Gardiner K. Heath for services in preparing schedule of all Acts and Resolves carrying an appropriation or expenditure of money.

Resolve appropriating money for the construction of certain buildings at the University of Maine.

Resolve in favor of stenographer for secretary of workman's compensation committee.

Resolve in favor of Raymond C. Frank for services as clerk to the committee on library.

An Act to authorize the town of Lisbon to supply gas and electricity.

Resolve to provide for the payment of telephone service for members during the recent session of the Legislature.

Resolve in favor of the commission on the revision of the forms and rules of procedure and practice in use in probate courts.

Resolve appropriating money to pay Irene D. Chase, stenographer and typist to the clerk of the House.

Resolve in favor of the official reporter of the Senate.

Resolve appropriating money for the purchase of filing cases for the offices

of the secretary and President of the Senate.

Message From the House

A message was received from the House informing the Senate that An Act to amend Section 1 of Chapter 85 of the Revised Statutes, relating to trial justices, had been returned to the House by the Governor; that none voted in favor of the passage of the bill and 120 voted against its passage.

On motion by Mr. Boynton of Lincoln a recess was taken until 11 o'clock.

After Recess

Senate called to order by the President.

Finally Passed

Resolve in favor of P. H. Fitzgerald for services as mail carrier to the House of Representatives.

Resolve in favor of Edward S. Austin for services as document clerk to the House of Representatives.

Resolve appropriating money for the purpose of providing and operating patrol boats to be used in enforcing the laws relating to sea and shore fisheries.

Resolve in favor of Miss Jennie M. Lyons, stenographer to the Committee on Labor.

Resolve appropriating money to pay for Proof reading and indexing the House Journal.

Resolve in favor of Fortunat O. Michaud, Secretary of the Committee on Public Health.

Resolve appropriating money to pay Lena R. Pierce for services as sten-

ographer and typist to the Speaker of the House.

Resolve in favor of Ina E. Chadbourne.

Resolve in favor of T. W. Prince for services rendered as Clerk of the Senate Committee on bills in the second reading.

Resolve in favor of the Maine State Sanatorium Association, Hebron.

Resolve authorizing the Governor and Council to use any unexpended balance in the Treasury for the construction of one or more buildings for the care of inmates at the school for Feeble Minded as Pownal.

Resolve in favor of the Augusta State Hospital for renovating the second male wing of the Stone building.

Resolve appropriating money to construct a bridge across the Fore river between the cities of Portland and South Portland.

Resolve appropriating money to pay for indexing the papers left by this Legislature and for the proof reading and indexing of the Senate Journal.

Resolve in favor of Physician at the Maine State Prison.

Passed to Be Enacted

An Act to provide for the payment of salaries and mileage of members and officers and for other expenditures incident to the Seventy-seventh Legislature.

On motion by Mr. Emery of York, adjourned until tomorrow morning at 9 o'clock.