

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

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1917

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## HOUSE

Thursday, March 22, 1917.

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

Prayer by the Rev. Mr. Smith of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve in favor of N. J. Hanna for services rendered and for money expended while performing his regular duties as a fish warden for the State of Maine.

In the House this resolve had its two several readings and was passed to be engrossed.

In the Senate it was indefinitely postponed.

On motion by Mr. Rounds of Portland, tabled and specially assigned for consideration on March 23.

From the Senate: An Act to amend Paragraph 15, Section 45, Chapter 117, of the Revised Statutes, relating to clerk hire in the office of the register of deeds of Waldo county.

In the House, the bill was substituted for the report of the committee, and given its three several readings and passed to be engrossed.

In the Senate, the report of the committee "ought not to pass" was accepted in non-concurrence.

On motion by Mr. Buzzell of Belfast, the House voted to insist on its former action and asked for a committee of conference.

The Chair appointed as such committee Messrs. Buzzell of Belfast, Stearns of Hiram and Larrabee of Bath.

From the Senate: Resolve in favor of the State School for Girls for furnishing equipment for the new central building for the year 1918.

On March 17, this new draft and one other were reported into the Senate and one new draft in the Senate was

laid on the table for printing. The other one was separated and tabled. One new draft came to the House inside the report and the House acted on it and passed it to be engrossed. Yesterday, in the Senate, the second new draft from same committee was passed to be engrossed and now comes before the House this morning.

The SPEAKER: The pending question would be the suspension of the rules in order that the House may give the resolve its several readings and pass it to be engrossed.

Mr. FARRINGTON of Augusta: Mr. Speaker, I would like to inquire what the difference is between the two drafts, the one which we engrossed and the one which came from the Senate.

The SPEAKER: One is for the boys' school and the other the girls' school and one was lost in transit. This is the one which was lost.

On motion by Mr. Allen of Sanford, the rules were suspended and the resolve given its two several readings and passed to be engrossed in concurrence.

From the Senate: An Act to regulate the payments of appropriation for the care, treatment, support and education of persons in charitable or benevolent institutions not wholly owned or controlled by the State.

In the Senate, Senate Amendment A was adopted.

The bill was then passed to be engrossed as amended by Senate Amendment A.

The SPEAKER: The Chair will read Senate Amendment A:

"Strike out in Section 2 in the sixth, seventh, eighth, ninth and tenth lines the words 'have not received any pauper supplies within one year prior to the receipt of such assistance; that neither they or their responsible relatives as defined by Section 18, Chapter 29, Revised Statutes, 1916, are,' and insert in lieu thereof the words 'were not,' so that said section as amended shall read as follows":

"No such bill shall be allowed by

the State auditor unless it bears a certificate of the State board of charities and corrections or its secretary, showing that satisfactory evidence has been filed in its office by the institution furnishing the service that the persons receiving care were in need of such treatment, support or education; that they were not able to pay for the same, that the rates charged are not greater than those charged to the general public for the same service, and that the rates charged to those who are able to pay are not less than the cost of the service rendered."

On motion by Mr. Rounds of Portland, Senate Amendment A was tabled, pending its adoption.

The SPEAKER: Will the gentleman from Portland, Mr. Rounds, assign a time for its consideration?

Mr. ROUNDS: Next Tuesday would be satisfactory to me.

Mr. NICHOLAS of Eastport: Mr. Speaker, perhaps I might explain to my friend, Mr. Rounds, that does not alter to any appreciable extent the present organic law of the State. It simply clears up some of the technicalities that hamper such a board as considered and Amendment A was put in at my suggestion. I hope this matter will not be delayed.

Mr. ROUNDS: I am willing to withdraw if the gentleman from Eastport, Mr. Nicholas, says it is all right.

The House then voted to give Mr. Rounds of Portland leave to withdraw his motion whereby the amendment was tabled.

On motion by Mr. Rounds of Portland, the House adopted Senate Amendment A in concurrence.

The bill then had its three several readings, under a suspension of the rules, and was passed to be engrossed, as amended by Senate Amendment A.

From the Senate: An Act relating to the term of office of bank commissioner.

In the Senate, the bill was passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Descoteaux of Biddeford, Senate Amendment A was adopted in concurrence.

The rules were suspended and the bill given its three several readings and passed to be engrossed as amended by Senate Amendment A in concurrence.

#### Senate Bills on First Reading

Senate 238. An Act to amend Section 22 of Chapter 52 of the Revised Statutes of 1916, with reference to deposits in savings banks and institutions for savings.

Senate 274. An Act to amend Section 30 of Chapter 16 of the Revised Statutes of 1916, and providing for kindergartens as part of the common school course.

Senate 337. An Act to confirm and make clear certain powers of the Bangor Railway and Electric company.

Senate 346. An Act to establish the Mount Desert Bridge District for the purpose of acquiring, freeing and reconstructing the Mount Desert toll bridge in the town of Trenton, in Hancock county.

The rules were suspended and the bills were given their third readings and passed to be engrossed in concurrence.

Senate 328. Resolve in favor of the General Knox Chapter of the Daughters of the American Revolution of Thomaston, Maine, and the Knox Academy of Art and Science.

The rules were suspended and the resolve was given its second reading.

On motion of Mr. Farrington of Augusta, the resolve was tabled pending its passage to be engrossed.

Senate 349. An Act to require automatic signals and the removal of obstructions at certain grade crossings not protected by gates or flagmen.

Senate 350. An Act to regulate the sale of milk in bottles or jars within the town of Eden, Hancock county.

Senate 262. An Act to amend Chapter 67, Section 26 of Chapter 70, Section 44 of Chapter 68, Sections 9 and 10 of Chapter 72, Section 95 of Chapter 86, and Sections 14, 15, 20 and 21 of Chapter 92; and to repeal Sections 42 and 43 of Chapter 68, and Sections 16 and 21 of

Chapter 92, relating to the notice of appointment of executors, administrators, guardians of adults, and conservators; and to limitation of actions against the estates of deceased persons.

The rules were suspended and the bills were given their third readings and passed to be engrossed in concurrence.

Senate 296. Resolve in favor of the reformatory for women for permanent improvement of the grounds and other purposes for the year 1917.

The rules were suspended and the resolve given its second reading and passed to be engrossed in concurrence.

From the Senate: An Act to punish the giving of checks or drafts on any bank or other depositories wherein the person so giving such check or draft shall not have sufficient funds for payment of same.

Came from the Senate and that body reconsidered the vote whereby it passed the bill to be enacted.

The SPEAKER: The Chair would explain that concurrent action is necessary to reconsider the vote whereby this bill was passed to be enacted in order that some correction be made in the engrossing of the bill and that it might be signed by the presiding officers of the two bodies.

On motion by Mr. Farrington of Augusta, the House voted to reconsider its action whereby it passed to be enacted the above bill.

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

Mr. Coffin of Freeport presented bill, An Act relating to the registration of information concerning aliens, and the bill was given its three readings, under a suspension of the rules, and was passed to be engrossed without reference to any committee.

The SPEAKER: The Chair will read the act introduced by the gentleman from Freeport, Mr. Coffin.

"An Act relating to the registration of information concerning aliens.

"Whereas, in the event of a state of war existing or imminent between the United States of America and any foreign country, full information concerning the activities of aliens who are subjects of said foreign country is necessary for the preservation of the public peace and safety;

"And whereas, such state of war may be imminent before the expiration of 90 days after the adjournment of this Legislature;

"And whereas, unless this act is passed as an emergency act, it cannot take effect until approximately July 1, 1917;

"And whereas, therefore, an emergency exists within the contemplation of the Constitution of the State of Maine, and the public peace and safety will be preserved by the enactment of the following act:

"Now, therefore, be it enacted by the people of the State of Maine as follows:

"Section 1. Whenever, between the United States of America and any foreign country a state of war shall exist or shall be imminent the Governor may by proclamation direct and require every subject or citizen of such foreign country within this State to appear within 24 hours after such proclamation, and from time to time hereafter within 24 hours after his arrival in this State, before such public authorities as the Governor may in such proclamation direct, and then and there such subject or citizen of such foreign country shall personally register his name, residence, business, length of stay and such information as the Governor may from time to time in such proclamation prescribe. The person in control, whether owner, lessee, manager or proprietor of each hotel, inn, boarding house, rooming house, building and private residence, shall, within 24 hours after such proclamation notify such public authorities of the presence therein of every such subject or citizen of such foreign country, and shall each day thereafter notify such public authorities of the arrival, departure and departure therefrom of every such subject or citizen. A failure to comply with all the requirements of any such proclamation, or to do or per-

form any of the acts herein provided, shall be a misdemeanor and shall be punished by a fine not exceeding \$1000 or by imprisonment not exceeding one year, or both.

"Section 2. This act, by reason of the emergency set forth in the preamble thereof, shall take effect when approved."

The SPEAKER: The Chair will state in addition to the remarks of the gentleman who introduced the bill, that this action is in line with action that is being taken in every state in the Union and has the weight and authority of the national government behind it.

Mr. Nicholas of Eastport presented bill, An Act to appropriate moneys for the expenditures of government and for other purposes for the year 1917.

The SPEAKER: The Chair will state to the House that this is from the committee on appropriations and has to do with moneys that are appropriated for carrying on the government in its various branches—a general appropriation bill—and it is very desirable that the same course be taken with this bill that was taken with the preceding bill.

On motion by Mr. Barnes of Houlton the bill was given its three readings under a suspension of the rules and was passed to be engrossed without reference to any committee.

#### Appropriations and Financial Affairs

By Mr. Berry of Waterville: Resolve in favor of the stenographer to the committee on military affairs.

#### Placed on File

By Mr. Babb of Sebago: Remonstrance from E. M. Swift and 75 others of Buxton against the passage of the law making Sunday an open time for hunting.

#### Legal Affairs

By Mr. Garcelon of Auburn: An Act to amend Section 13 of Chapter 7 of the Revised Statutes, relating to the duties of election clerks.

By the same gentleman: An Act relating to qualification of judges, clerks and recorders of municipal and police courts.

By Mr. Packard of Newburg: An Act to amend Section 23 of Chapter 103 of the Revised Statutes of Maine, relating to cigarettes and tobacco.

By the same gentleman: An Act to amend Sections 1 and 2 of Chapter 128 of the Public Laws of 1909, relating to Maine labor and Maine contractors upon all work for State, municipal, charitable and educational institutions, buildings or public works, or any building or institution supported or aided by the State or municipalities.

Unanimous consent being given, Mr. Hart of Holden introduced out of order without reference to any committee, bill, An Act to make legal and valid the annual town meeting of Clifton, in the county of Penobscot, held March 19, 1917.

Under a suspension of the rules, the bill was given its three several readings and passed to be engrossed.

(Mr. Farrington of Augusta in the chair.)

#### Reports of Committees

Mr. Cushman from the committee on interior waters, on Resolve in favor of improvement of the navigation of the Fish River lakes in the county of Aroostook, reported the same in a new draft, under same title, and that it ought to pass.

Mr. Cole from the committee on judiciary, on bill "An Act to prohibit the selling or giving away of air rifles to children under 16 years of age," reported the same in a new draft under title of "An Act to prohibit the selling or giving away of air rifles to children under 14 years of age," and that it ought to pass.

Same gentleman from same committee reported "ought to pass" on bill "An Act to amend Section 10 of Chapter 102 of the Revised Statutes providing for the discharge from imprisonment."

(The rules were suspended and the bill given its two several readings.)

Mr. Gurney from same committee on bill "An Act to amend Chapter 117, Section 5, Revised Statutes, relating to the expenses of the justices of the supreme judicial court," reported the same in a new draft, under same title, and that it ought to pass.

Mr. Anderson from the committee on legal affairs, on bill "An Act to amend Sections 4, 5 and 7 of Chapter 95 of the Revised Statutes of Maine, in relation to mortgages of real estate," reported same in a new draft, under same title, and that it ought to pass.

Mr. Chaplin from same committee on bill "An Act authorizing the Biddeford and Saco Water Company to increase its capital stock and to hold securities in other corporations," reported same in a new draft, under same title, and that it ought to pass.

Mr. Wilson from the committee on mercantile affairs and insurance, on bill "An Act to provide compensation for injuries received by State employes," reported same in a new draft, under title of "An Act to provide compensation for injuries received by State employes," and that it ought to pass.

Mr. Allan from the Portland delegation, on bill "An Act to create a board of harbor commissioners for the harbor of Portland and define their powers," reported same in a new draft, under title of "An Act to create a board of harbor commissioners for the harbor of Portland and define its powers," and that it ought to pass.

Mr. Redman from the committee on public utilities, on bill "An Act to incorporate the Summer Harbor Water Company," reported same in a new draft, under same title, and that it ought to pass.

Mr. Knight from the committee on railroads and expresses, on bill "An Act to prevent injuries to persons and property at grade crossings, reported same in a new draft, under title of "An Act to amend Section 79 of Chapter 57 of the Revised Statutes, relating to railroad crossings," and that it ought to pass.

Mr. Purington from the committee on State lands and forest preservation, on bill "An Act in relation to the sale of timber on reserved lands in all townships or tracts," reported same in a new draft, under same title, and that it ought to pass.

Same gentleman from same committee, on Resolve in favor of the land agent, reported same in a new draft, under title

of "Resolve in favor of the land agent," and that it ought to pass.

Mr. Andrews from the committee on temperance, reported "ought to pass" on bill "An Act to amend Sections 70 and 71 of Chapter 57 of the Revised Statutes authorizing persons in charge of railroad property to arrest offenders and for other purposes."

(The rules were suspended and the bill given its two several readings.)

Mr. Bragdon, from the same committee, reported same on bill, "An Act to amend Chapter 127 of the Revised Statutes to make plain the penalties imposed under certain sections thereof."

(The rules were suspended and the bill given its two several readings.)

Mr. Langley, from the same committee, reported same on bill "An Act to amend Sections 1, 2 and 4 of Chapter 23 of the Revised Statutes relating to nuisances."

(The rules were suspended and the bill given its two several readings.)

Mr. Pattee, from the same committee, reported same on bill, "An Act providing for sentence at the term of conviction and to give the court discretion in the matter of sentence.

(The rules were suspended and the bill given its two several readings.)

Mr. Welch from the same committee, reported same on bill "An Act additional to Chapter 127 of the Revised Statutes relating to the enforcement of the law against the sale of intoxicating liquors.

(The rules were suspended and the bill given its two several readings.)

The reports were accepted and the several bills and resolves ordered printed under the joint rules.

Mr. Flint from the committee on inland fisheries and game, reported "ought not to pass" on bill "An Act making fire wardens game wardens."

Mr. O'Connell from the same committee, on petition of O. F. Gooch and 23 others, residents of Bar Harbor, in favor of the enactment of a law changing the present open season on various game birds, reported that same be placed on file, as the subject matter is covered by another report.

Mr. Chaplin, from the committee on legal affairs, on bill "An Act to amend Section 1, Chapter 141, of the Revised Statutes, relating to appointment of medical examiners," reported that same ought not to pass, as subject matter is covered in another bill.

Same gentleman, from same committee, on bill "An Act to increase the number of medical examiners in the several counties," reported that same ought not to pass, as subject matter is covered in another bill.

Mr. Holt, from the committee on salaries and fees, reported "ought not to pass" on bill "An Act to amend Section 12 of Chapter 117 of the Revised Statutes of 1916, relating to the compensation of the members of the Legislature."

Same gentleman, from same committee, reported same on bill "An Act to amend Chapter 337 of the Public Laws of 1915, relating to the amount to be paid for clerk hire in Knox county.

Same gentleman, from same committee, reported same on bill "An Act to amend Section 27 of Chapter 117 of the Revised Statutes of 1916, relating to wages of employees of the State serving under the superintendent of buildings."

Same gentleman, from same committee, reported same on bill "An Act to amend Chapter 117, Section 33 of the Revised Statutes of 1916, relating to the Industrial accident commission."

Mr. Howard, from same committee, reported same on bill, "An Act to amend Section 1 of Chapter 204 of the Public Laws of 1915, relating to the salaries of registers of probate in Piscataquis county."

On motion by Mr. Ryder of Brownville, the bill was substituted for the report.

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

Same gentleman, from same committee, reported same on bill "An Act to amend Section 38 of Chapter 117 of the Revised Statutes of 1916, regarding the compensation of the judge of probate for Somerset county."

Mr. Jenkins, from same committee, reported same on bill "An Act to amend Section 42 of Chapter 117 of the Revised Statutes, relating to the salary of the county commissioners of Cumberland county."

Same gentleman, from same committee, reported same on bill "An Act to fix the salary of the clerk of courts of the county of Lincoln."

Mr. Leavitt, from the same committee, reported same on bill "An Act to amend Section 21 of Chapter 117 of the Revised Statutes relating to salary of the commissioner of agriculture.

Same gentleman, from same committee, reported same on bill, An Act to amend Section 42 of Chapter 117 of the Revised Statutes of Maine, relating to the salary of sheriffs.

Mr. Langley from same committee reported same on bill, An Act to fix the salaries of the chairman and secretary of the Industrial Accident Commission.

Mr. Rounds, from same committee, on bill "An Act to amend Chapter 117 of the Revised Statutes of 1916 relating to salaries of public officers, reported that the same ought not to pass, as the subject matter is covered in another bill.

Same gentleman, from same committee, reported "ought not to pass" on bill "An Act to amend Paragraph 2 of Section 23 of Chapter 117 of the Revised Statutes relating to the salary of the assistant librarian."

Mr. Welch, from same committee, reported same on bill "An Act to amend Chapter 59, Section 16, of the Revised Statutes of 1916, relating to compensation of steamboat inspectors, fees for inspection and licenses.

Mr. Gannett, from the committee on taxation, reported same on bill "An Act relating to the taxation of savings deposits in national banks."

The reports were accepted.

On motion by Mr. Sawyer of Madison the House voted to reconsider its vote to accept the report "ought not to pass" of the committee on salaries and fees on the salary of the judge of probate for the county of Somerset and on further mo-



tion by the same gentleman, the report was tabled pending acceptance.

On motion by Mr. Grant of Hope, the House voted to reconsider its acceptance of the report "ought not to pass" on bill relating to clerk hire in Knox county and on further motion by the same gentleman, the report was tabled pending acceptance.

#### First Reading of Printed Bills and Resolves

House 625. An Act to enable the town of Mexico in the county of Oxford to free the Mexico toll bridge to public travel.

(Tabled, on motion by Mr. Eaton of Rumford, pending its second reading, and especially assigned for Tuesday, March 27.)

House 627. An Act to authorize the town of Caribou to acquire property of the Caribou Water, Light and Power Co. and to construct and maintain for itself and for persons and corporations a system of water works within said town.

House 639. An Act to amend Chapter 35 of the Revised Statutes of 1916, relative to the live stock sanitary commissioner.

House 626. Resolve to reimburse certain cities and towns for money expended for the support of dependent families of members of the National Guard.

House 641. An Act for better protection against adulterated, misbranded or inferior commercial fertilizers.

House 642. An Act to amend Chapter 4, Section 110, Revised Statutes of 1916, relative to damage done to domestic animals by wild animals or dogs.

Mr. ALBERT of Madawaska: Mr. Speaker, I am opposed to this bill. I do not know whether the members of this body think that this is a good bill to go through at this time. I make the motion that the bill be indefinitely postponed.

Mr. BARNES of Houlton: Mr. Speaker, if the gentlemen of the House would give their attention to House

Bill 642, or if you will listen to me a second you will not need to look it up. It is a bill attempting to amend the statute whereby if an owner of domestic animals losing them by the mutilation by wild animals or dogs, they are reimbursed, and all owners of neat stock, sheep or poultry are familiar with it. Now the attempted amendment is to strike out poultry, and the House should seriously consider it before taking it as a joke, and they should be assured in the first place that it is not any attempt to recover value for hens that might be killed in the road by being run over by automobiles. The only persons this would seriously affect are those people, most always women or women and children, who are raising valuable poultry such as turkeys. The red fox that men love to hunt is protected and breeding four to nine kits at a season. They do not need a great deal of protection. The red fox has increased and multiplied, and no animal is more ready to take advantage of what man leaves undone than the fox, because it is very intelligent. You undoubtedly will have in mind some old ladies, some widow women, some children in Maine, who make quite a little bit of money in a year by the raising of turkeys. The rule is, you know, that a flock of nice turkeys at Thanksgiving time is worth almost as much as a flock of sheep of the same number; and, if these turkeys which on the foot running around are worth 30 cents a pound are killed by foxes, the owner making a claim to the municipal officers of the town is reimbursed just the same as though lambs were killed by dogs or bears. I agree with the gentleman from Madawaska (Mr. Albert) that the people who suffer from the slaughter of their turkeys, or other valuable poultry like geese, are more needy and should be reimbursed rather than the men who are breeding sheep. I hope the motion of the gentleman from Madawaska will prevail. This will leave the law as it has been that a person breeding poultry and having them killed by dogs or wild animals, can recover just the same as the person breeding sheep or neat stock can recover

when they are killed by dogs or wild animals. It does not change the law in any other respect.

A viva voce vote being taken,  
The bill was indefinitely postponed.

House 628. Resolve in favor of Home for Aged Women, Belfast.

House 629. Resolve in favor of Calais Hospital.

House 630. Resolve in favor of Sisters of Charity of Waterville, Maine.

House 631. Resolve in favor of Anson Academy.

(Tabled by Mr. Rounds of Portland pending first reading.)

House 632. Resolve making an appropriation for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States department of agriculture.

House 633. Resolve making appropriation to support the bureau of horticulture for years 1917 and 1918.

House 634. Resolve appropriating money for the protection of trees and shrubs from the ravages of dangerous insects and diseases.

House 635. Resolve making appropriation for support of bureau of weights and measures for years 1917 and 1918.

House 636. Resolve making appropriation for New England Fruit Show to be held in year 1917.

House 637. Resolve in favor of the live stock sanitary commissioner for the control of contagious diseases among domestic animals.

House 638. Resolve making appropriation to assist, encourage and develop the poultry industry in Maine for 1917 and 1918.

House 640. Resolve making appropriation for the Maine Seed Improvement Association for 1917 and 1918.

#### Passed to Be Engrossed

House 620. An Act to appropriate moneys received by the treasurer of State and credited by him to the public administrator's fund.

House 621. An Act to incorporate Maine Fire Insurance Company.

House 616. An Act amending Section 124 of Chapter 87 of the Revised Statutes relating to competency of witnesses in court.

House 614. An Act confirming the official acts of the officers of the Plan-tation of Chapman, acting as officers of the town of Chapman, and of the proceedings of the special town meeting of the inhabitants of the town of Chap-man held December 27, 1915.

House 605. An Act to define certain terms used in Section 58, Chapter 64, Revised Statutes, in relation to licensing children's homes and maternity hos-pitals.

House 607. An Act to amend Section 1 of Chapter 141 of the Private and Special laws of 1887, entitled "An Act to amend An Act creating the Phillips Corporation."

An Act to incorporate the Brassau Stream Dam and Improvement Com-pany.

House 451. An Act to provide for the improvement and certification of seed produced in the State.

House 119. An Act to provide for conducting scientific investigations bearing upon the agriculture of Aroostook county.

House 569. An Act to amend Chapter 213 of the Private and Special Laws of 1915, relative to the granting of li-censes for certain businesses and pur-poses by the municipal officers of the city of Portland.

This bill was given its third reading.

Mr. Gurney of Portland offered House Amendment A and moved its adoption, to amend Section 1 by strik-ing out from the 18th line the words "excepting telephone and telegraph poles" and inserting in place thereof "excepting temporary and permanent structures of public utilities corpora-tions."

The amendment was adopted and the bill as amended by House Amendment A was passed to be engrossed.

House 617. An Act to legalize and con-firm the incorporation and doings of the Congregational parish of Weld, Maine, and to authorize the convey-ance of its real estate.

(Tabled on motion by Mr. Stubbs of Strong, pending its third reading.)

House 622. An Act to amend Section 34 of Chapter 55 of the Revised Statutes relating to public utilities and free transportation of same.

(Tabled on motion by Mr. Wilson of Portland, pending its third reading.)

House 608. Resolve in favor of Otto Nelson.

House 609. Resolve reimbursing the town of Presque Isle on account of a certain pauper.

House 610. 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 in 1913.

House 611. Resolve for laying the county taxes for the year 1918.

House 623. Resolve for the payment of expenses of last sickness and burial of Allan Shenneck, formerly a private, Co. L, Maine Infantry, N. G. S. M.

#### Passed to Be Enacted

An Act to amend Chapter 215 of the Private and Special Laws of 1867, and authorizing the city of Saco to provide, equip and maintain a hospital.

An Act to authorize Blaine S. Viles and Guy P. Gannett to erect dams and develop water storage basins on Bog brook in Dead River plantation for the storage of water for driving logs and manufacturing.

An Act to amend Section 176 of Chapter 16 of the Revised Statutes, relating to the appropriation for teachers' pensions.

An Act to amend Section 19 of Chapter 117 of the Revised Statutes, relating to the banking department.

An Act to amend Chapter 147 of the Revised Statutes, relating to the State Board of Charities and Corrections.

#### Finally Passed

Resolve making an appropriation for the purchase of steel lockers for National Guard armories.

Resolve appropriating money for necessary repairs on the State Armory at Portland.

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 other expenses incident to the administration of the department of inland fisheries and game.

Resolve in favor of the reformatory for women for maintenance and other purposes for the years 1917 and 1918.

Resolve providing for the payment for steel filing equipment in the office of the secretary of the Senate.

Resolve in favor of the University of Maine for the purpose of refunding a certain unnegotiable registered bond of the State of Maine.

Mr. BAXTER of Portland: I move, Mr. Speaker, that we reconsider the vote whereby An Act to authorize Blaine S. Viles and Guy P. Gannett to erect dams and develop water storage basins in Bog brook in Dead River Plantation for the storage of water for driving logs and manufacturing was passed to be engrossed.

Mr. DUTTON of Bingham: Mr. Speaker, before I would be willing to consent to that motion I would like to know the reason for reconsidering the vote.

Mr. BAXTER: I would inform the gentleman from Bingham that I propose to offer an amendment which is agreeable to those interested in the bill. The bill got by me the other day when I was presiding and, consequently, I was not able to table the bill.

The pending question being on the motion of the gentleman from Portland, Mr. Baxter, to reconsider the vote whereby the bill was passed to be enacted,

A viva voce vote being had,

The motion prevailed.

On further motion by Mr. Baxter of Portland, the bill was tabled and assigned for consideration tomorrow morning, March 23rd.

#### Orders of the Day

The SPEAKER pro tem: I will state that the matters which came over from yesterday and which were not taken up are the first in order as unfinished

business. The matters will be taken up in the order in which they come on the calendar.

Mr. RYDER of Brownville: I would like the unanimous consent of the House to introduce a bill out of order. I would state that the bill has some connection with another bill before the committee and it will not take any of the time of the legislature, as the committee is ready to act upon this bill.

The SPEAKER pro tem: The gentleman from Brownville, Mr. Ryder, asks at this time the unanimous consent of the House to present out of order a bill to authorize the county of Piscataquis to reimburse the town of Brownville to the extent of 30 per cent. of its disbursements in the construction of a bridge across Pleasant river. I will state to the House that there is a matter already before the committee which embodies this bill and it is not placing before it any new matter. It is simply at the request of the committee, as I understand it, that this is to go in, as it is a complement or supplement of a resolve already before the committee. Is it the pleasure of the House that under a suspension of the rules we take this bill up at the present time and refer it to the committee on ways and bridges?

On motion by Mr. Ryder of Brownville, the rules were suspended, the bill was presented and, on further motion by the same gentleman, was referred to the committee on ways and bridges.

The SPEAKER pro tem: The Chair lays before the House, House reports of committee on education, Report "A," reporting "ought to pass," and Report "B," reporting "ought not to pass" on House Document 321, An Act to provide for the distribution of State school funds available for the support of common schools, the pending question being the acceptance of either report.

Mr. BREWSTER of Portland: Mr. Speaker, I wish to move that this House adopt Amendment B, "ought not to pass," upon this bill, and in support of that motion I wish to dis-

cuss as briefly as I may the proposition which is presented. We have spent two hours here at various times in discussing the disposition of a four hundred dollar appropriation or thereabouts. We are now concerned with an appropriation affecting over one million and a half dollars and changing the principle by which this fund has been administered for over one hundred years. It seems to me that we may well, then, pause for a moment in the present rush of business and consider this seriously.

There are complaints as to the present system. We must first decide whether those complaints are justified, and, secondly, what will be the result and the effect of the proposed change.

In order to decide about the criticisms of the present system, it seems to me we must consider what is the proposition based upon that we gentlemen have offered to us. They contend first that we have here a school fund and, second, they say its method of distribution is unjust. That is the first premise upon which every argument in this matter must rest. Are we concerned solely with a school fund in this matter? These gentlemen wish you to forget the past—wish to blot that out of your memory—and then, putting this merely in the present without regard to what has gone before, they would say we have here a school fund and it is only with its administration that we are concerned. Many of you heard the discussion before the committee on education, and many others are familiar with this problem in the past, but there are doubtless several here who do not know the history of the development of this so-called school fund, and I want, therefore, to call your attention to what has gone before in order that you may make up your minds to do that which is just and fair toward every section of this State.

Now, first, when did this fund originate? In 1828, eight years after the foundation of this State, they took up the question of helping schools and certain funds which came from the sale of land and certain other franchises were turned into a so-called school fund, and it was distributed on

the basis of school census; that is, they took a census each year of all the schools in every community—and by “scholars” they denominated those children between the ages of five and twenty-one, as they felt that every one of them was entitled to equal advantages—and then they distributed that in that way. That went along, with various increases, to 1872, when the first mill tax was raised. This was a tax of one million, and in 1876 it was increased to one million and a half, and still the school census was the basis of distribution. That continued along for forty years more. Then we come to the time when a change was made—when a vital alteration came about in the character of this fund—and it is that change which the proponents of this bill would wish us to forget.

From 1900 to 1910 you will all of you remember that considerable agitation took place over the taxation of wild lands. Many felt, and probably justly, that they were not bearing their fair share of the burdens of taxation. This came from all sections of our State, and after a long discussion extending over that decade, the legislature in 1909 took up this question of taxation of wild lands and gave it the most careful consideration. There had been various criticisms as to its constitutionality. They, therefore created forest districts and said that all expenses of administering the forest districts should bear solely on wild lands, since the supreme court had declared that so far they might go on wild lands for a special tax. But they said that there could be no other special tax on wild lands—that the only legal, constitutional tax must be laid on all the property of the State alike. The valuation of the wild lands was approximately one-tenth of the valuation of the entire State—in 1909 it was \$45,000,000, and \$450,000,000 approximately, one-tenth. It meant, you see, if they would lay a tax of one mill on all the property of the State, that they would get \$400,000 from the property in the villages and towns and cities; they would get \$4000 from the wild lands, and in order to reach them, they must lay it on all alike. One-tenth of

that fund would then remain there to be distributed back to the villages and towns. The proposition, you see, as it lay in their minds, was simply this: that they would lay the general tax and that \$1.10 would be paid back to every city and town for the dollar they had to pay in. You see how simple it was. They simply got ten cents back for every dollar they put in, and that was to come out of the wild lands. They considered what they would do with this money thus raised. They talked of highways as a method of distribution of it. They couldn't seem to agree on any satisfactory basis. They then considered the matter of schools, and the school authorities at that time viewed with regret, and almost with alarm, the creation of such a tremendous fund for schools and said that it would be unwise and impolitic to do that.

This report which we have here and this bill which we have to consider come from the Committee on Education. Do you know, gentlemen, where this bill was considered in 1909? Not by the Committee on Education—because there was no color of education concerned in its inception. It came solely before the Committee on Taxation, which was one of the most important committees of that session. The chairman of that committee at that time came before this committee, when we had our hearing here some weeks ago, and stated the history of this matter just as I have given it to you. He read in addition from his statement in the Senate submitting that proposition to the Senate and to the House, and I want to read to you, just briefly, from his statement at that time. He had no idea of the future of this measure; he had no conception of what was to come hereafter, but his words could not have been phrased more exactly to state the position which we claim is the only just position to take in this matter.

In his opening speech in the Senate, Mr. Wheeler said: “Mr. President: In order that we may consider this amendment intelligently, it is necessary for us to consider the bill which is before the Senate. This bill has been reported by the Committee on Taxation

for the purpose of imposing an additional tax upon the wild lands of the State. It is intended to satisfy, in part at least, the popular demand that the wild lands should contribute a larger sum to the expenses of the State, and that the wild lands should be taxed at a rate more in proportion with their valuation than is the case under the present law. The bill has no other purpose and it has no other intention. If it had been designed solely to create a larger fund for distribution among the cities and towns of the State for school purposes, I at least would not advocate its passage."

And he came, not from one of our cities, but from a town. It was designed solely to create a larger tax upon the wild lands of this State, and various communities in this State which would be affected adversely by this matter co-operated with the other sections to impose this tax upon the wild lands. The distribution of this fund if it had been solely on this plan, would have been on the basis of valuation. The Grange then came in with the proposal that the proceeds from the wild land tax, which was one-tenth of the whole, should be distributed as a school fund, that is, that one-tenth should be distributed on the old basis of school census. Various other communities, which would suffer by that proposal, nevertheless recognized that we might properly regard the fund received from wild lands as a purely State fund and, without being playunish in the matter, instead of disposing of one-tenth of it in that fashion, they agreed and they voted to distribute one-third of that fund upon a school census basis, the remaining two-thirds to go back to the cities and towns solely on the basis of valuation.

So, when they come here today and say that it is an anomaly and that it is unjust and unscound to distribute a school fund on the basis of valuation, they are entirely misconceiving the entire purpose of the law and they are disregarding every consideration which concurred in its passage.

So the matter went along, and this is no novel proposition that we have here. In 1911, the agitation came to get more of that fund. The grass began to be

made. The legislature accordingly created a committee to study that matter and to give to it the consideration which it deserved. We all know that with the press of business and all that we have had to do in the past ten weeks that we have been here, that little time is given us to study the accurate method of distributing and gathering a fund of a million and a half which has grown up from the development of a century. They accordingly appointed that committee as a recess committee of five men to spend two years in the careful study of that problem and to recommend what if any changes should be made.

I want to call your attention first to the composition of that committee of 1911 of the legislature then assembled. The chairman of that committee, the man who directed its gatherings and picked out who should appear before it, and directed the study of this thing, not only over the State of Maine, but over the entire country, was Carl E. Milliken. The other members of that committee were Charles W. Mullen, a present public utilities commissioner; Edward W. Murphy, who has been a member of the education committee during the last two sessions as a senator from Cumberland; Mr. Wilson of Auburn, and Alton C. Wheeler of Brunswick. That committee represented all classes, all sections and all ideas, and at the end of two years, in 1913, it brought in a unanimous report.

Conditions have not changed since then. They heard everything of which we now hear. They heard superintendents, teachers of the various associations, the Maine State Grange, the National Education Association and educational authorities from all over this country, and they unanimously reported that no change should be made. They reviewed the history of this fund, and they said that it could never be considered as a school fund and they never could forget its inception and origin as a wild land tax, and that it could not be justly considered on any other basis.

You may read in that report, which was printed and is now in the files of

the legislature, their careful and exhaustive discussion of this matter from every angle. They had this present proposal before them; they had various other plans that have been proposed presented from every angle of the question, and they regarded any change as inexpedient and unjust.

Now, gentlemen, I submit that those men, representing all classes, all political parties and all factions, knew what they were talking about, and I submit that their findings are entitled to the greatest weight and consideration by this present legislature.

I want you throughout the discussion of this measure here this morning when any man comes to you and asks you to change this measure and with the premise that this is a school fund asks you if the distribution is just—I want you to put to him just this question: Can you honestly say that this fund was ever or can now be regarded solely as a school fund? That is the fundamental question that goes right to the depth of this entire matter. Keep that question constantly before you in your consideration of the justice of this proposed plan.

Now, gentlemen, forgetting for a moment the past, they say that at present there are complaints as to the present system. We held a hearing which was properly advertised here after the legislature had been in session eight weeks, and three men appeared before us, every one of them state officials of the State Grange. We have had introduced here a voluminous petition from Grangers. The first day that those petitions came in I think there were ten. Out of those ten, five came from towns which would suffer a loss of from \$50 to \$50,000 by the proposed change. That is pretty good, if those people knew what they were petitioning for. Is there any man in this hall that thinks they did?

We asked those representatives of the Grange who were before us whether they had stated this case fairly and squarely to every Granger to whom they sent those petitions as to the effect upon their town and as to the past history of this measure, and they did not answer. They cited

one instance of a town which lost a small amount by this measure and stated they had told the Grange of the fact as they happened to be at the meeting, but they did not say whether the history of this fund as a wild land tax was presented and they did not state what they presented to those Grangers as to facts in regard to this entire matter, or to the other Grangers in this State. And this morning there were handed to me, as I came into the hall, three petitions from Grangers against this measure. They are gradually finding out what the ramifications of the problem are.

But there is something more to it than that. They say there are hundreds of towns in this State that are complaining that the present system is unjust, but there was not a man who appeared before us to complain. We asked them as to that, and they said there was not a general agitation.

Now, what about their proposal? Remember that they are changing the system which has been in effect for nearly a hundred years! Remember that they are proposing a plan which has nowhere else in this country ever had a trial! Why, of the state of New England there is not a state which has over 10 per cent. of its school fund through state sources. We have 75 per cent. And when you come to the method of distribution, there is not a state in the Union which has a system which approximates their proposal. They are embarking upon an unknown sea at a critical time in our history when our finances are greatly disorganized. They know not where they will come out. They say that what they want is simply justice. Considering their proposal, they say, Let's take the aggregate attendance in the common schools. Mark you, they say "common schools." They say, first, it is unjust that any child who is not in school should have any share of the funds, forgetting that there are thousands of children in all these communities in schools which are not reckoned within that common school denomination. You know what "common schools" means. It does not mean "high school." That is a sort of joker in the proposition, because every town in

the State which has a high school or an academy is penalized by that proposition. It costs more to educate a high-school child than it does to educate any other class in the community, and yet they will not allow them a share in this so-called school fund. Is that just? The community from which I come has over 2000 pupils in its high school, and yet, not one of them can be figured in this equitable distribution. We are obliged this year to spend nearly \$1,000,000 on our high school, and yet it is not regarded as the right, apparently, of a child in this State to go to a high school and share under that denomination.

There is another consideration which must be remembered. In 1872 the question of the constitutionality of this matter came up, and it was referred to the Supreme Court justices, and the method was upheld. In 1909 the question was again raised and carefully considered. Meanwhile, all distribution of funds was to be delayed until that question was settled. Now, again you come to a radical innovation, with the consideration of the constitutionality different. Again must you delay while that problem is settled by the highest court in our State.

But, forgetting all those things—forgetting its history—forgetting the question whether there is any widespread complaint against the present system—let's come right down to the effect of the proposed method.

We have got an equalization fund under the present system. That equalization fund was founded largely on the report of the committee which investigated this matter. They said that there is no system which can ever give an exact division, that that has been found in every state in the Union that has tried it, and that the recognition of all educational authorities was that you should have an equalization fund under administration of the State superintendent to help out those communities which did not seem to share as well as the others. That fund of \$50,000 was created, and it has ever since been administered on that matter. That equalization fund, we will admit, and it is certainly true, goes to the towns which suffer most under the

present system. I think it is a fair conclusion that it has satisfied them. It is administered solely by the State superintendent under directions, and yet, we find the strange fact that out of those towns which are now receiving aid from the equalization fund, under this proposed system 75 of those towns lose. That is rather curious, isn't it? Seventy-five per cent. of them lose!

They have attempted to make this an issue of city against country, and the proponents of this measure, when they appeared here, stated on their own figures that 163 towns in this State lose by their proposal. That is rather strange! Of the remaining towns in the State over half make no appreciable gain. They make no gain which will put them in a zone where, with the fluctuation that will inevitably come with a new proposition, they will be sure that year after year they will gain rather than lose; that is, they are in a margin where this year they may be up and next year they may be down, because, while the present system is certain and continues approximately the same from year to year, the proposed system fluctuates most violently because it is affected by all the considerations of weather, epidemics, and length of school year. While they have a certain minimum to cover those possibilities, that minimum is far from sufficient, and it must necessarily be, to cover all of the chances that may arise during the application of the plan.

But now coming right down to a few specific illustrations of the effect of the law—and then I am done—there are towns, in a few of which I want to give you illustrations of how it works—they are not especially large towns either. The committee which reported on this matter four years ago found that there were very few towns which were getting more than they used on common schools, at that time, you understand. But there have been complaints in one or two instances of towns that are getting more than they expend on common schools. What about the proposed plan? For every one of those towns, under the present system, we can show you sixteen



towns under the proposed system that will get more from the State fund than they expend all together on their common schools. Now, what are you going to do with it?

Take, for instance, the town of Kingfield. That is at present raising locally \$500.00 for common schools. Under the proposed plan here, it will get \$543.00. What will you do with the balance? That is not the most glaring instance, but it is an impressive illustration of how the plan works.

On the other hand, take the town of Durham here, which is now putting up \$1200.00 for the purposes of common schools. That is not what you would call, I suppose, a rich town or anything of that sort. They take away from them \$415.00.

Take the town of Shirley, which is now raising \$400.00. They give them \$530.00. There will be \$130.00 that they will have nothing to do with in their common schools; yet, it is common school fund.

On the other hand, the town of Turner, which is now raising \$2200.00 for common schools—they take away from Turner \$618.00.

The town of Eastport is raising \$2600.00 for common schools, and they give to Eastport \$3600.00. Now, what will they do with the thousand?

The town of Montville, on the other hand, is now raising—one of those rich towns—\$1000.00 for common schools, and they take away from the town of Montville \$243.00.

The town of Lubec, which is raising \$3000.00, they give \$4082.00. They will have a thousand dollars in their pocket.

The town of Northport, which is now raising \$900.00 for common schools, they take away \$318.00 from.

Is that equalization?

They say nothing in this bill, gentlemen, about the principle of equalization—what they are going to do with the fund or how the results are going to be improved. We have not seen it on the desks here, but they presented to the committee a printed sheet which had what they called instances of injustice under the present system. I presume that it is safe to say that those are the most glaring

instances, comparing various communities with the amount they receive per pupil. We could not find those statistics in the State School Reports. Besides those statistics, there were I think something like fifteen illustrations that they gave of poor towns that were suffering under the present system, the most glaring instances, and ten out of the fifteen did not gain in any degree whatsoever by their proposed change, and two of them actually lost money, and the only one that profited to a degree that would make it any practically different from the present, was the town of Lubec, which at present pays a State tax of \$4700.00 and receives back \$6700.00, that is, \$2000.00 more than its entire State tax; and there are over half of the towns in the State that are in that position today. The town of Lubec which today gets back \$2000.00 more than it pays into the State Treasury all together, is going to get, instead of \$6700.00 as at present, \$10,700.00, \$4000.00 more, or all together \$6000.00 more than it pays in for its entire State tax.

I do not want to burden you gentlemen any further with illustrations. We could go on through hundreds of towns and show you the same discrepancies under their proposed method.

I do not want to leave this as a sectional matter, or a local matter, or a matter where you are going to consider wholly your own pocket, because under the proposed system, while it may look good for 1916, you do not know, and nobody knows, where we are going to be in 1917 or 1918 under their proposed plan.

Laying that aside, the history of this thing shows it to have been conceived as a wild land tax to be distributed, one-third, on the basis of valuation. They would have us forget that. It seems to me that the community which consented to have that system installed, is entitled to consideration at your hands, and before you embark on a policy at this critical time which is going to radically change the disposition of a million and a half dollars of our State funds and alter the established policy of a hundred years of our State in regard to this matter, you

should give at least the consideration which previous legislatures have given to this problem; and I ask you, therefore, gentlemen, out of consideration for the past and out of regard for the future, to vote upon this report that it ought not to pass. (Applause)

Mr. WASHBURN of Perry: Mr. Speaker, I desire to oppose the motion of the gentleman from Portland, Mr. Brewster, and to state to the House just as briefly as I can the position taken by the proponents of this measure.

I believe it is not necessary for me to go in detail into the history of the State school fund. That has been done very fully and very fairly by the gentleman who has preceded me. I think we can all agree that the State of Maine does more for its common schools through general taxation than does any other State of its size in the Union, and it is not surprising that certain differences of opinion arise as to the most just and equitable method of distributing this very considerable fund.

The method which we are advocating in this bill is the so-called aggregate attendance method. By that method it is meant that the common school fund of the State shall be distributed among the various cities and towns of the State according to the total number of days of actual attendance of all the scholars in the common schools. Certain holidays are provided for in the act and an allowance is made for those towns which are unfortunate in the way of fire or epidemic, and a minimum aggregate attendance of 1,500 days is provided for.

In advocating a change so radical and of such State-wide interest, it is incumbent upon the proponents to show a certain degree of reasonable dissatisfaction with the present arrangement.

For several years complaints have been coming to us from all sections of the State, and particularly from the rural sections, that a method of distribution which gives to one town two, three, or even four times as much money per scholar as is given to another, is not equitable, and for at least five years the State Grange has advocated

the passage of the act which is now before us.

I believe that even the most ardent opponent of this measure will agree with me that there are some conditions existing in the rural towns of the State of Maine today that are not as they should be and that we have in our midst a vital farm problem. And that problem is not the increase of fertility of the soil or the conserving of the food supply or the natural resources. The most serious condition existing there is the silent but startling migration of the better element of the rural population towards the cities. The problem of keeping the young men and young women on the farm and conducting them toward the country, rather than away from it, is one of State-wide importance, and that problem can only be solved through the improvement of the rural schools. The various foundations and other associations for rural uplift have done much, but the course of their investigations will lead them all in the final hour to the door of the country school house, where there will be found conditions which only those of you who are familiar with them can understand. There they will find no improved appliances for heating, lighting or ventilation, no special courses, no libraries nor laboratories, but sanitary conditions which are unfit and a teaching force which is ill-fitted for its duties, and general results which are unsatisfactory.

The strong country school of a generation ago is gone, and in its place we have a primary school, weak in numbers and unsatisfactory in its results. The greatest need of the country schools of today is a better fitted, better prepared teaching force, and that need cannot be supplied within the present financial means of the smaller towns.

As a member of the committee on education, it has been my great privilege to visit several of the normal schools of the state. I cannot say too much in praise of the work which has been done there. I am proud to call myself a citizen of a state which supports such institutions. I am told that they graduate annually some three hundred teachers who go to schools of

the state requiring only experienced teachers, and out of a thousand schools I want to ask you the question, who gets the three hundred experienced teachers trained at the expense of the entire state, and who gets the seven hundred that are young, inexperienced, and often inefficient.

Now a vast amount of statistics has been prepared by both the opponents and proponents of this measure, and it is not my purpose to go into that at any length, but I would simply state that under the provisions of the act which we have proposed, 167 towns would lose and 355 would gain according to the returns of 1916; that in these 355 towns that gain will be found practically two-thirds of all the scholars in the common schools of the state. The tax rate in the 167 towns that are scheduled to lose averages 21 mills, while in the 355 towns that are scheduled to gain it averages 25 mills, but the tax rate for educational purposes alone bears the proportion of two and one-tenth mills to three and two-tenths mills. That is to say, those towns which are scheduled to gain under our proposed act, are today paying a 50 per cent higher local rate of taxation for school purposes than are the towns which are scheduled to lose.

I have certainly no desire to go into a detailed list of those towns and representative classes which would gain or lose; I should much prefer to see every member of this House decide the question as a matter of principle rather than as a question of the loss of a few dollars and cents, but I do want to analyze briefly the list of towns which would be adversely affected, which list has been extensively circulated in the presses of the state. And in this connection let me say that immediately after the appearance of this list of towns adversely affected in at least three of the great daily papers of the state, I wrote to the editors of those papers and asked them if in the interests of fairness and justice they would print also a list of the towns favorably affected. Only one of those periodicals extended to me the courtesy of a reply. One

paper promised to print the figures. We supplied that paper with copy two weeks ago, and so far as I know, it has utterly failed to keep its promise.

To my mind this list of losing towns resolves itself into four general classes; first, the large cities; secondly, the rich summer resorts; third, the wild land townships, and finally, those towns which have allowed themselves to maintain a very low average attendance for a short school year.

Of course the greatest losers are the three large cities, Portland, Lewiston and Biddeford. Let's see what each has done through local taxation for its common schools.

In 1916 the city of Lewiston raised by local taxation \$10,256.00, received from the state \$68,007.00, expended for common schools \$65,588.00, leaving an unexpended balance of \$12,675.00. If that balance is to go on piling up, how long will it be before the city of Lewiston will come to this legislature asking for permission to expend that balance in some other manner than as provided by law.

The city of Portland taxes itself at a rate exactly equal to one-tenth of the average school rate throughout the state.

Biddeford raised by local taxation not a dollar, received from the state \$37,275.00 and spent it all.

Certain specific instances of injustice are quoted in this publication which appeared which I want to speak of briefly.

Mayfield Plantation! A startling example of the injustice of the act! No mention is made of the fact that the average attendance in Mayfield during 1916 was less than six scholars, and it would be absolutely provided for in the 1500 days clause in the act.

North Kennebunkport! Maine's baby town! A horrible example! North Kennebunkport was created by the last legislature and only had one short term of school during the municipal year from which these returns were taken.

Jackman Plantation! Another horrible example scheduled to lose considerable. Jackman Plantation has an unexpended balance today of school

money of nearly \$3000.00 and has already asked the department for permission to spend it in some other way.

I want to reply very briefly to some of the arguments that have been presented by the able gentlemen who opened the case for the opponents (Mr. Brewster of Portland). We have heard the argument many times before that this third mill which we consider the vicious feature of the present law, and which is distributed upon the valuation basis, was in no sense an educational fund, but that it was some sort of a makeshift taxation method to get rid of certain money coming to the state from the tax on wild lands.

I have asked myself the question, Is this a valid objection to our plan? Is there here some deep legal obstacle which my mind, that of a layman, is incapable of comprehending? And I have asked the opinion of some of the ablest attorneys connected with this legislature, and they have told me what I already believed to be the fact, that however much of a makeshift measure of expediency that may have been in 1909, it is today, after eight years active operation as school resources, to all intents and purposes a part of the common school fund of the state and capable of distribution under any plan which the legislature may direct.

It is also asserted that while the proposed act would relieve certain inequalities, it would create others, and that certain towns would receive more money than they know what to do with. A person making such an assertion, in view of the fundamental principle of it, that the money shall be distributed according to the number of children that are being educated by it. How can there be any surplus? But, supposing or allowing for the sake of argument that certain towns will receive more money than they have been accustomed to, will that be any worse than for the great cities to go on piling up thousands and thousands of dollars unneeded, unused and unexpended?

They tell you that some of the poor towns we are seeking to protect will suffer, and it is so on the face of the re-

turns, but look farther into those returns and in absolutely every instance you will find that they are towns which have allowed themselves to maintain either a very low average attendance or a short school year. Just so soon as any town allows its average attendance to drop to a point around the 60 per cent mark, just so sure does that town begin to lose under the aggregate attendance method, and I submit to you whether a town which allows such a condition as that to occur ought not to lose. From a careful observation of the figures at hand, I am led to believe that no poor, small town will suffer under the provisions of this act provided it has no large non-resident property ownership and provided its children are in school where they ought to be.

This brings us to one of the strongest arguments in favor of the bill. It provides a direct financial reward for those towns whose children are in the schools and not in the workshops or in the potato fields. It will lend a new interest to education in those towns which now are maintaining a low average or a short school year, and it will provide in itself some incentive toward the enforcement of our much evaded truancy law.

We may be asked to cite examples and precedents for such legislation. It was pointed out at the hearing that very few states have as yet attempted a distribution on the basis of aggregate attendance. It is also true that one other state in the Union still clings to a method of distribution based upon valuation, and no less than eight states in the Union distribute their school fund wholly or in part according to the number of teachers, a proposition eminently more favorable to the rural districts than anything we have ever proposed. Prominent educational writers are agreed practically that we are all tending toward a system of distribution based upon attendance.

I want to ask your indulgence while I read briefly from a book written by the professor of education of Leland Stanford University, a man of eminent authority. This is a work of very recent date, and in it he says:

"A still further step in the evolution of a broader conception of the need and

purpose of a system of public education is taken when the people of a whole state agree to pool their efforts in the maintenance of what the people of the whole state have come to recognize as for the common good of all, the wealthier counties and cities helping the poorer ones to carry the burden of maintaining the better quality of schools now required of all and for the common good of all.

"The great equalizing effect of a substantial general State tax, or appropriation from corporate revenue, and especially if coupled with a system of distribution which places an emphasis on units of cost and effort and need, will be evident if the reader considers the conditions in his own State. Nowhere is wealth even approximately evenly distributed, yet everywhere future citizens of the State are in need of training and guidance. The best schools of today are in the cities, and partly because the cities can do with ease what rural communities cannot even attempt. Rural taxpayers probably pay more than an average rate for education today, as the burden of support is much greater when six or eight taxpayers maintain a \$300 school than when 40 or 60 taxpayers support a \$1000 school.

"After adequate taxation has been provided for, a wise system for its distribution needs next to be devised. To apportion money to school districts on the basis of the number of children reported as between certain ages (school census), and without regard to local needs or educational efforts made, is almost the poorest plan that could be devised. The real unit of cost in the maintenance of a school, whether it have 10, 20 or 50 children, is the teacher needed to teach the children, and the chief items which should interest the State in the apportionment of its funds, after the unit of cost for the teacher has been set aside, are length of term and daily attendance."

As has been pointed out by the gentleman who preceded me, the 75th Legislature did appoint a commission to inquire into a report upon the expediency of a change of method of distribution, and that commission was composed of five of the most eminent citizens of the

State, but when we consider the makeup of the commission and the various interests which they represented, it is not surprising if they could not agree upon any particular change. But they were agreed upon certain general propositions, and those propositions appear in their report over their signatures as the unanimous opinion of the commission. Here are some of them.

"Regarding the State school fund as an educational fund, the valuation basis is indefensible. Of the proposed methods, the school census plan would be least likely to remove existing difficulties." Both of the present methods of distribution condemned.

I am not seriously concerned over the threat which comes from certain sections that they will place their parochial school scholars under the general registration. If they desire to do so, it is clearly within their rights. It does not affect the justice of our proposition in the slightest.

Let's not lose sight of the main issue. The objectionable feature in the present method of distribution is the valuation feature, and when that valuation feature shall have been removed, we shall have a more equitable distribution of the school funds of the State among all the schools of the State, no matter where they are or who they are.

Let me call your attention to the fact that in no other department of our State do such inequalities exist as in the educational department. If we take the highway department—and right here let me say I believe in the distribution of the highway funds and the State has been entirely fair and generous to the poorer sections—we ought to bear in mind when we enact highway legislation we are only providing for our comfort, profit and convenience, and when we touch upon the educational system we are dealing with the future moral and mental welfare of a generation. In all of our highway legislation passed and pending, the state recognizes the inability of the little fellow to keep up with the procession, and it grants him all sorts of favors, but when we approach this educational fund and ask for an even

distribution, the proposition is heralded in certain sections of the State as closely akin to robbery.

A whisper flashed to my ears across the corridors of the State House only day before yesterday from the lips of one of those genial gentlemen who are here from Portland lobbying in opposition to this measure, that country towns are nothing but State paupers. If that is true, the gentleman will admit it is up to the State to take care of us. (Applause)

Let me disclaim, as I believe all other friends of this project will, any desire to injure those whom fortune has gathered together in the beautiful cities. They are as necessary to us as we are to them. For one, I sincerely wish that the changes we desire might be brought about without any injury to them or any curtailment of their beautiful and efficient school system, even that they might be added to and still further improved, but the time has come when some further encouragement should be granted to those poorer communities where high tax rates of forty to forty-five mills are the rule and where the educational advantages are so poor that the farmer of today in Maine with a family of children must either deny them such advantages or move to the city or large town. Either alternative is detrimental to the best welfare of the State.

The schools of the State are clearly established and maintained for all the people of the State. Ignorance or inefficiency in a single community reflects upon the entire commonwealth. It is not just that one district should tax itself two, four and even ten times as much as another in order to carry on a burden which primarily belongs to the State.

The country child has just as good a right to thorough preparation for intelligent citizenship as has his more fortunate cousin in the city, and the State, if it is wise, will no longer discriminate in favor of one and against the other, but will so adjust its bounties as to equitably meet the needs of both.

I shall violate no confidences when I tell you that this principle of aggregate attendance has grown in favor more rapidly than even its most ardent sup-

porters believed possible, when only four years ago it was denied a vote or even a discussion in either House of the legislature. I acknowledge that we have carried or the present campaign under some difficulties and have been entirely lacking in that faithful and efficient system of lobbying which even in this enlightened hour sometimes seems necessary to the passage or defeat of any great measure. We have been opposed by a hostile press which has not always confined itself strictly to the truth. But we have endeavored to fight a square fight. We hold a whip over no man's head, and whether we win or lose, the principle of aggregate attendance will continue to occupy the attention of the people of the State, and other and abler advocates will champion the cause as we have done, because it is a just cause—because it provides some encouragement for those towns that are trying to do something for themselves—because it provides that all the educational resources of the state shall be used to educate all the children of the State—because it provides a square deal for the boys and girls in the country towns of Maine. (Applause)

Mr. BOMAN of Vinalhaven: Mr. Speaker and Gentlemen of the House, I will not attempt to take the time of the House at any length, but I will only read these figures taken from the School Report of 1915, and while I read these figures I request the gentlemen of the House to observe what they mean. The gentleman from Portland, Mr. Brewster, has said that there will be inequalities providing the bill passes as introduced and reported by the committee. I will say that I am one of the committee and I am in favor of the bill. I have looked the report over carefully, but I fail to discover where any small towns receive from the State six or seven times more than they raise. Of course, no system can be adopted which is entirely satisfactory, but I believe the proposed measure is far more equitable, and I am in favor of its passage.

Education should not be measured by dollars, but should be granted to every child alike, whether he lives in the city or in the small town.

These figures, gentlemen, are taken from a report which I presume is correct. I have no doubt that they are correct.

The city of Lewiston, referred to by the gentleman from Perry, raised in 1915 the sum of \$5000 and received from the State \$65,082, or 13 times as much as was raised by the city. The tax per scholar in that city that year was 48c.

The city of Auburn raised the sum of \$5000 and received from the State \$34,000. The rate per scholar was \$1.08.

The city of Bath raised \$6052 and received from the State \$20,000, or three times as much as they raised by local taxation.

Calais raised \$1650 and received from the State \$13,000 or eight times as much as they raised in that city. The tax rate in that town per scholar was 74 cents.

Eastport raised \$2000 and received \$10,621, or almost five times as much as they raised by local taxation.

Biddeford—what did Biddeford raise? Nothing. It received from the State \$40,000, and the report shows an unexpended balance of \$8573 that they didn't use.

Portland raised \$41,000 and received \$159,000.

Brunswick raised nothing and received \$14,243.

Westbrook raised \$3176 and received \$19,465.

Eden raised \$8000 and received \$13,000.

Winslow raised nothing and received \$8053.

Now, gentlemen, I will bring it nearer to my own town. The city of Rockland raised \$2952 and received from the State \$15,239, the tax rate per scholar being \$1.58.

Vinalhaven raised \$2000 and received \$4165, the tax rate per scholar being \$2.78.

These figures are taken from the report of the superintendent of schools and I have reason to believe that they are correct. Now, is there any man in this House who would say that these conditions are equal? I think not. I hope that the bill will pass.

Mr. HARMAN of Stonington: Mr. Speaker, I am impressed with the fact that when we consider this bill we should

take into most careful consideration the welfare of all the pupils of the whole State of Maine,—not the small group of towns or one city or group of cities. There is taxable property in the State of Maine on which the tax appropriated for benefit of schools at three mills gives \$1,843,241.57, from which is deducted \$318,500, leaving the sum available for the pupils of the common schools a little over \$1,500,000. Now this money is collected by the State of Maine and goes into the State treasury. Is it fair, Mr. Speaker, that this money should be distributed to the different towns throughout the State in such way that some towns only receive \$6.00 per scholar while other towns or cities receive as high as \$26.00 per scholar? This present bill distributes the money according to the aggregate attendance and this is the only fair way. It serves every pupil in the whole State the same. According to the aggregate attendance, if a scholar attends the common schools 30 weeks, the town will receive about \$13.40, while if the scholar attends the common schools 35 weeks, the town or city will collect for that scholar \$16.10. I claim that this is a very fair and just way of distributing the money for the common schools. Under this bill the poorest scholar in the poorest town in the State will draw from that town the same amount of money as the richest scholar in the richest town of the richest parents will draw. It seems to me that this is very fair and very equitable. The cities claim that it is unjust for them to pay more than their share for the poorer towns in the State. A bachelor might claim that he had no right to pay any part of educating the scholars because he had no children. I have been strongly impressed with the fact that in and through the halls of this State House there have been many paid lobbyists working against this bill. One has to steer pretty straight to run clear of them. Now if this bill was not very fair, there would be no call for these gentlemen to come here and fight this bill. The towns that receive the most benefit from this bill would be those that are struggling along and paying a very high local tax rate and

hiring the cheapest teachers. These are the towns which receive the greatest benefit from this bill. Under this bill even, if it is passed, the large cities will have a decided advantage for their schools over the smaller towns. Large groups of scholars can be educated and better teachers furnished, and have better schools, than the smaller towns, even under this bill. I believe the time has come when the school fund of right ought to be made in practice as well as name a fund to equalize the school privileges of the State. Mr. Speaker, I trust that the motion of the gentleman from Portland that Report B should be accepted will not prevail.

Mr. CATES of Vassalboro: Mr. Speaker, as a member of the committee on education, since I have been down here I have been deeply interested in this question. It has been brought out by the gentleman from Perry, Mr. Washburn, that the injustice of the present method of distribution lies in the distribution of the third mill of the school funds on the basis of valuation. I do not want to be fooled by any talk about getting money away from cities or even that my town is going to be benefited. Gentlemen, if we have three dollars to use for schools, and we turn over two to the State and allow them to distribute it under the best method that they can devise, and then they want us to let them have the use of the third dollar in order to get an added tax from the wild lands, and we are willing to do it if you will return it to us on the valuation basis, is it unfair, when we are only asking you to return money that belongs to us? Justice works both ways. The city may have met almost any reasonable proposition half way, and while I admit that you have a right to some of my money, if you are not willing to allow me my own say as to the limit which shall be imposed, then I shall not merely protest, but I shall fight to keep what belongs to me; and I hope the cities will do the same.

It has been brought out in the remarks of the gentleman from Portland, and I shall try to be brief in my remarks, that this is a taxation measure pure and simple. In talking with one of the lawyers, I am told that any

revenue measure is a taxation measure. I do not argue this point. Let us grant that any measure is a taxation measure. We are not concerned with that. What concerns us is the purpose back of any taxation measure, and we find that the purpose back of this measure was not to get more money for schools, but merely to get an added tax from the wild lands.

This last mill being returned on a valuation basis would not have been so returned unless it had been considered a municipal fund and nothing else. If you will look up your school laws, you will find under Section 16 the statement that every town shall raise annually eighty cents per capita for the support of common schools. Section 164, which deals with the distribution of the common school fund, says that this eighty cents per capita shall be deemed as raised by such city, town or plantation within the meaning of Section 16 of this chapter. You cannot get back of that, gentlemen, and having this as absolute proof that this is a municipal fund, have we any right to distribute it as a State fund to the State as a unit?

There has been established an equalization fund of \$50,000, and in addition to that there is approximately \$75,000 more which is distributed to the towns and from which the cities receive no benefit. Finally, gentlemen, let us consider this new theory of aggregate attendance! Under this theory the bill proposes to pay a definite sum for each day of attendance of each pupil in the common schools. In other words, a town receives pay each day for the child when in school and loses that pay when the child is absent. Why pay for a child's education when he is not present to receive it? There may be some justice in the why, but unfortunately we must pay for a child's education whether he is able to be present every day or not. We must provide schools for pupils of school age resident in our towns, and I submit, gentlemen, should we receive back from the State a fair share of our expense which remains practically stationary so long as the schools are running or an unfair share because the pupils are not able to be present every day?



Mr. BUZZELL of Belfast: Mr. Speaker, I would like to say just a word on this proposition. I feel that my position at this time on this question is like that of a great many others in this House. I feel that this is one of the greatest propositions that we shall have to consider during this session of the 78th Legislature. Now just what is our true position, and our true condition as individuals, here at this time? This matter was heard before the committee on education. I am not a member of that committee. There are only ten, as I understand it, from both branches who are members. A very few people interested for and against this proposition appeared before that committee. It might be said that it was threshed out behind closed doors so far as the most of us are concerned, though it was an open hearing and no one opposed our presence. How many of us have an absolute knowledge of this proposition? I recognize the grand work done by the Grange; I recognize their interest in this proposition and I have the pleasure of saying that I am a member of that organization. Of the ten on that committee, five report one way, as I understand it, and five the other. They are supposed to know something about this question and I respect the judgment of every one of them. Now which five's judgment shall I respect? If somebody can tell me for a certainty what I should do, I would like to do it. We have had one of the most able speeches in the House this morning that I ever listened to by my colleague from Perry (Mr. Washburn), a grand effort. He attempted to tell me what they did there, some of them. I am not exactly satisfied with that proposition. I am not going into details; I am not going to take the town of Vinalhaven for it, or Eagle Pass, or Eel River, or Musquash Road or East Benton; but I would like to have somebody tell me, if they know, just what one hundred and fifty of us ought to do on this proposition. I do not know, and I do not believe any of the rest of you know. What other states are there in the Union that have a similar law for distributing their school money like that which we are

about to enact here? What precedent have you for this proposition? While I am a member of the Grange, while I have attended Grange meetings, and while I have heard some tremendously strong arguments there, they have not at all times satisfied me perfectly. I am not going to say how this particular law affects my city of Belfast other than to say that it is against me; and whatever is against Belfast is against me. I am going farther than that and say that it affects my county about three thousand dollars. I have looked those figures over in the last few hours. As I said before, I did not have the opportunity of hearing this matter threshed out in committee; but since I have had an opportunity to look those figures over, I have availed myself of it. I have even gone so far as to figure up those columns to see what counties in the State of Maine are going to benefit by it and what counties are going to lose by it. I have not carefully prepared any speech on this proposition; I have not gone into the details of it as well as I wish I had. How many of you have? How many of you, gentlemen of this House, are prepared to say just what you ought to do for the best interests of the whole State of Maine? If you are not fully satisfied as to just what you ought to do, is there but one course for you to pursue, namely, to let well enough alone? I submit that that is a fair proposition. While my county loses \$3000, I see the equity of the gentleman's argument from Perry (Mr. Washburn), arguing for the poor towns in the State of Maine; and this takes me to the condition that will exist in Aroostook that they will make \$30,000. Poor Aroostook! If they need to have the hat passed around up there, I move that we start in as soon as possible.

The argument that there will be more children in the rural districts,—how much is there to that? Now just what shall we do? Are we going to let well enough alone or are we, as a conservative body, going to take more time to think this thing over? My colleague from Perry (Mr. Washburn) says that their strength as an organization is increasing daily. It is

not a long time to wait; two years is not far away; and if that strength grows, if the proposition is right, as fast as it ought to grow, they will come here in two years from now, and in the meantime every one of us will be satisfied of the equity of this proposition, and those of you who do come back can all vote for it and we will lend our moral support at home. I thank you. (Applause.)

Mr. REDMAN of Ellsworth: Mr. Speaker and Gentlemen: I am a tax payer of Ellsworth, and I think Ellsworth would only be affected to the extent of about \$100 by the passage of this law; so that while we do not throw \$100 bills away down there, we are not materially affected. The county of Hancock would not be materially affected by the passage of this law in dollars and cents; but I represent several small towns up in the northern part of Hancock county, and I told them last September when I came over here I would fight for it, and I am going to tell you how the enactment of this law will affect those poor towns up in the northern part of Hancock county along Union river. If this proposed law is enacted it will cause the town of Aurora to increase her tax rate one mill because of the money it would take away from it. If this law is enacted, it would cause Great Pond Plantation, a small town to be sure, to increase its tax rate one-half a mill because of the money you take away from it. It would cause Waltham for the same reason to increase its tax rate three-eighths of a mill. It would cause Mariaville to increase its tax rate one and one-half mills, and it would cost the town of Otis to increase its tax rate three and one-half mills.

Now I supposed when I heard this law had been proposed here that this was a law which would calculate to help out the poor, small towns of the State and perhaps lessen their burdens a little, and at the same time make the larger centers, which could afford to pay a little more, share a heavier burden; but in spite of the fact that it hurts these small towns up there that I represent, I find from

an examination of figures that a town or a city like South Portland, for instance, will gain about \$6000 if this law goes into effect. I find from these figures which have been presented, and which I do not guarantee, but which I believe to be correct, that the city of Bath, if this law goes into effect, would gain something like \$3500; that the city of Gardiner would gain \$2400; that Hallowell would gain \$2100; that Brewer would gain \$3700; that Orono would gain \$2700; that Dover would gain, that Foxcroft would gain, that Calais would gain, Eastport, Machias, Kittery and Lisbon would gain. So this is not in effect a law which is going to help out the poor little country town and put the burden on the more prosperous community, is it, gentlemen? Is it? Let's go into the figures a little further! I find that Aroostook county, as a county, will gain between \$50,000 and \$60,000. Am I right? Why, gentlemen, they had their automobile show in New York and Boston, they came down to Houlton, and if current reports are correct, they sold half a million dollars' worth of automobiles up there in Aroostook county in one week. I do not mean that I envy my brothers of Aroostook,—I congratulate them; I admire them. I think Aroostook county is one of the finest counties in the land and there is no one who doffs his hat any more to the gentlemen of Aroostook, to their initiative, to their business enterprise, than I do; but I do not believe that they need school funds up there any more than we need them right in the northern part of Hancock county. Why gentlemen, we cannot raise potatoes down there, the soil is too rocky. We cannot even raise turnips. (Laughter.) Our lumber was cut off years ago, and about all that we can cut now is hoop poles. Why, gentlemen, you know they came over here and tried to get some money for Chick Hill, to cut it down—you have all heard of Chick Hill—and the committee on ways and bridges could not give it to us. I know, of course, why they could not, I understand it perfectly; but I have got to go back there and break the news to them about

Chick Hill, and if, at the same time I have to tell them that their school fund money is going to be taken away from them, honestly I had rather go to my own funeral. (Laughter.)

I will tell you, gentlemen, this is not a bill which is going to help out the poor town and place the burden on the rich; at least that is not the way it looks to us down there. However, we are good losers, we are good sports. We believe in the State of Maine and in the children of the State of Maine, and if the enactment of this law will react for the benefit of the school children from one end of this State to the other, every one of us hope it will receive a passage. But I ask you, gentlemen, when you vote on this question to hold that issue before your minds, hold the issue before you,—will this bill if enacted into law help the children of the State of Maine from one end to the other, and cast aside the question what will be the financial loss or the financial gain to your own individual town. I thank you. (Applause.)

Mr. SNOW of Mars Hill: Mr. Speaker, I would like to say just a word on this measure. Poor old Aroostook! It was reported that the register of deeds in Aroostook county canceled 1000 mortgages this winter. What do you suppose we had those mortgages on those books for,—for fun? Did we put them there because we simply wanted a record and wanted to pay interest on those mortgages? Not by any means. We placed them there because we had to do it. You know that two years ago we sold our crop for less than it cost to produce it; and if, in the history of Aroostook county, we are getting an unheard of price, and because of that we can wipe those mortgages off, it seems to me that the gentlemen need not be greatly exercised over it.

A child of the town or the city is not the child of the town or city alone, but is the child of the State. They come to the larger towns and cities because of the opportunity that is held out to them. They make your physicians, clergymen and lawyers and business men. They

come there and build up industries. I see no reason why the boy in the country town should not receive the same consideration with regard to the school fund as the boy of the larger town where there is a great aggregation of wealth. A gentleman said upon this floor once this winter, "Let us alone," he was a gentleman from the city. The same might be said of the wealthy man in your city when you come to tax him for school purposes. He might say "I have no children in the schools; I have no interests there." He could say equally with your city man "Let me alone." The farmer on the farm who has no children to send to school could equally as well say "Let me alone, I have no children to send to school, I have no interest there." The wild land owner might also say when you come to tax him for schools or anything else, "Let me alone, I want no school-houses and have no interest in them." Much has been said about statistics that one town will lose and another town will lose; but it is evident under the present distribution that some cities and towns do not have to raise any more money than they raise under the present law which comes into the State Treasury. My own town had to raise this last Monday a sum equal to seven mills on the dollar to meet the demands of the State in reference to its schools, because the State has said, "You must have a certain number of weeks of school or you cannot get the State stipend," and it takes seven mills on the dollar in that town to meet that demand to pay for our schools. That coupled with the three mills of State tax, means 10 mills raised by that town for school purposes.

Mr. Speaker and Gentlemen, I hope the motion of the gentleman from Portland (Mr. Brewster) that Report B be accepted will not prevail.

Mr. BARNES of Houlton: Mr. Speaker and Gentlemen of the House: Strange, is it not, that in all of this discussion the welfare of the children of Maine has not appeared above the surface! Now I want to speak just a minute for the children of Maine, the best crop Maine produces and the crop that can be set up and com-

pared with the crop of any one of the 48 states of the Union, as has been its record for 100 years. Now this morning you will grant that Barnes must be disingenuous because, forsooth, his town rose \$2200, following out the figuring that these gentlemen have given. I am proud to represent Houlton. You are all coming up to see us next winter when the State Board of Trade meets there. You will find we have no cloven hoofs, and you will find we have not the Midas touch. Everything we touch does not turn into gold. If it did, when we held out the glad hand to you, some one or two might come back home of better metal than they left. We want to see you up there and we want you to see us. This town, numbering 500 and odd voters, met last Monday as 500 towns of Maine have met and are meeting on the Mondays of March to raise the revenues for their town business; and, while the business was at its height and all were there, a gentleman actuated by just the motives of all these my brethren who have my sincere sympathy, arose and made the motion that the town vote on how they would instruct their representative to vote on the question of distribution of the school fund, and he made an elegant speech. Now Barnes has not yet had a single letter from a voter in Houlton, neither has he had a single request from a voter in Houlton as to how he should vote on any subject that was coming up here. At that town meeting, a gentleman of mature years and sound discretion, a gentleman whom we all look up to, simply said: "During the old days, when we were poor and needed assistance to educate our children, the wealth of the State of Maine aided us. Now that we are in a position where we can educate our own children, we will not reverse the rule," and they did not even vote on the proposition.

Now I want to address myself to just one or two propositions that have been industriously circulated through Augusta for now these three months. One of them is the famous bugaboo, labeled and entitled "Money for school purposes is the result of a tax". Heavens! Was there ever a legislature before whose mem-

bers to one hundred per cent. did not know that any money that gets into the Treasury of the State of Maine gets there through a tax? Some young fellow discovered that, that the money that gets into the Treasury of Maine is the result of a tax. Then another young man discovered that one-half of this fund which they had dubbed something, to wit, a mill and a half, was raised for one purpose and another mill and a half was raised for another purpose; and that gives you a chance to get in. You trust a lawyer for finding a crevice through which he can get in, and the statutes are plain to everybody. We have not the 1916 version of the statutes yet, but probably every man in this room has received the school law. A tax of one and a half mills can be assessed and collected and paid into the State Treasury and designated as the School Mill Fund. It shall be expended for the support of common schools. That is the old statute. One of the young gentlemen says it is over one hundred years old. If he would spend a few minutes looking it up, he will find it is not so old as that, but is all very recent language. Many a man here remembers when it was first enacted. There is no sanctity or antiquity about it. It is not a venerable antique. One is for the support of the common schools and the other one enacted in 1909—and quite a few of us were here then, and that was not so long ago. I notice here in the hall the astute and wise gentleman who enacted that statute. He had a definite mission in life and I am going to say that he has come nearer to fulfilling that mission than the most of us can hope to do. He aimed at getting even with a certain part of the wealth of Maine which did not bear its proportionate share of the tax, to wit, the wild land owners. The wild land owners had grown fat at the expense of Maine and he assumed to have had in his hand the goad and he applied it and it kicked mightily. You could hear the roar through the State House in 1909 when the goad was applied and he was commanded to bow his head to the yoke and get to work. Remember that one is for the support of common schools and this one is for the support

of THE common schools. That is all the difference. That is the statute. Put your microscope on and split that hair a little further. The antiquity has gone out of it and now the sanctity has gone. The money is raised for the support of common schools or of THE common schools.

You will choose between them, and for what purpose, For Town A and City B. Was there ever such an argument advanced before? It would appear that the city after expending what they choose of it for common schools can expend the rest for police, lighting, streets or buildings. No, no! All of the State fund not distributed or expended during the financial year shall at the close be added to the permanent school fund. I doubt much whether the voters of the cities of Maine would agree to that. The Treasurer of Maine must obey the law when his attention is called to it and this surplus which they get, \$10,000, \$12,000, \$15,000, cannot be expended for ways and bridges nor for the support of the poor, nor for the keeping up of the police department, nor for the fire department, but must go back to the Treasury of Maine and be added to the permanent school fund.

The theory of this law is this, that the wealth of the State shall contribute to the education of her youth. Oh, we had so much and we gave it away! We had such a patrimony and we squandered it! We had such an heritage and we swapped it for a mess of pottage! Had we been wise in our day and generation, this State would not have been taxing its property for the support of schools any more than the western states of this Union which set apart even as high as one-eighth of their entire land for the support and the education of their youth, and these little petty questions would not come up. Why in every town meeting in Maine these Mondays the question of the moneys you shall raise for ways and bridges, the support of the poor and the education of the youth are the three burning questions. The city boys know nothing about this, because unfortunately they never had the opportunity of attending a Maine town meeting. In every town meeting in Maine there is the man who rises to

move to pass over the article when the matter of appropriation for schools comes up. He is the same old fellow who goes home and makes his wife drink skimmed milk in her tea. He is the same old codger who refuses to give his daughter a five-cent car fare to go to school when her head is aching fit to split in the morning. He is the same old recreant who refuses to contribute one cent to the expenses of the church and the upkeep of all that sort of thing, and over whose grave when he dies that poor wife, who saved a little something out of the butter that she ought to have drank in her tea, expends fifteen dollars for a wreath to lay on the casket of the old wretch. (Laughter and applause.)

Now if we dispose of the idea that you cannot expend the money that is in the Treasury of the State of Maine because it was raised as a tax, if we have got that out of our heads, let us go a step further. Over on the banks of the Volga in Russia today there is a soldier pacing back and forth, a beat of sixty paces. He and his predecessors, since the days of Alexander I, have paced that beat back and forth in reliefs for twenty-four hours a day, year in and year out, summer and winter. Why? Because it is the law. Investigation disclosed that at the time of Alexander I his wife one day noticed a tulip growing at that spot on the banks of the Volga, and because she expressed such pleasure at seeing it, a guard was placed to pace back and forth there lest anybody destroy the tulip, and it became the law in Russia; and law, according to these young gentlemen, cannot be changed despite the fact that we are the general court and make such laws as we see fit. So all through the years, summer and winter, that soldier, in full panoply of war, has paced back and forth beside the frozen Volga because, forsooth, somebody somewhere enacted a statute, passed a law. Why, according to the argument of all these people, we should still be contributing a portion of our earnings in order that fagots and a hempen rope might be ready to burn witches as was done in Salem a few years ago. Time moves on. Men

know more than their fathers did—some know more. Men progress and move along and today we grant more to the children that God has given us than our ancestors did. Oh, they say, this law was perfect in its enactment! Anybody who was here knows better than that. The most of us were not here and the most of us have not eared to look at it. Minerva, the Goddess of Wisdom, was the only thing I ever heard of that ever sprang to life perfect. Something cracked old Zeus' head and she sprang forth perfect. You might say that heads that are cracked now do not turn out Minervas. The cracked heads that we see now-a-days give forth nothing but hot air. But here this law was not a perfect educational law. The money was for the education of youth—just for that thing alone. The ox being goaded would not submit unless they put up some pleasing and specious argument for making them come down with the tax, and it was decided that it should be expended for the education of youth. As I say, this was eight years ago. That is not such a long time ago, and some of us were as much as forty years old then. We had to go a little bit further. The wealth of the State outside of the wild lands was represented here at that time, and they said "We will not vote for your measure, we will stay with the land owners unless we get some of the plunder." So some fine figuring again was done by that master mind with the pen or tongue, and he figured out how he could throw a sop to the hungry gentlemen from wealthy centers and still get what he advocated from the wild lands of Maine. So, he said, "We will distribute some of it according to the valuation." Now gentlemen who have to do with figures will bear in mind that figures do not arrange themselves involuntarily, that figures are always arranged, and gentlemen here who have been reading figures have said "This town wins," or "This town loses." My town loses \$2200 per annum according to their figures. Is it not too bad that when we are trying to interest you in the policy of the education of the boys and girls of Maine that every man thinks of his pocket and figures on

how much he can hang on to of what he has got down there? Why, we are talking about giving the future men of Maine an outfit by which they can get their living and take their stand among people. We asked in the legislature for a distribution according to the attendance and the enrollment in schools. You think of the proposition that all the people in your towns and cities, whether married or single, between 5 and 21 years of age, shall be counted and on that basis the city or town shall get its share from the State. What reason is there why my town should get money for the support of the common schools for those boys and girls who have gone through the common schools and high school and gone off to college? Why in the world should my town get money according to the number of polls of those who are married and set up housekeeping and never go near school? Why, gentlemen, should you ask the man who takes the census in my town to take the name of every person in the town up to 21 years of age and include every one whether they belonged in that town or not? Why is it that we have had this cry of padded census rolls, and why was it that there was one town in this State that was forced to acknowledge her wrong in that regard? Let us do away with this incentive to evil. Let us take away from these good fellows from the city that opportunity to take \$10,000 in any one city away from the education of our boys and girls and expend it for any other city purpose. Let's fix it so that a million and a half shall be expended for the education of our children in our common schools.

Now they forget the equalization feature entirely. No one can say what will come to the plantations in Northern Hancock by this bill for this reason: The equalization system is put in there so that if there is a school anywhere with less than ten pupils maintained that town shall receive for the education of those pupils, because it costs just as much to educate eight in a country school as 28—that that town shall receive just as much as though there were ten in that school continu-

ously. The equalization feature is its strong feature. Now if there is a section of Maine that will get more money according to the per capita of the grown people in that section of Maine under this new bill, it will be because there are more children there going to the common schools, and if there be a town that will lose money, it will be because there are less children there of common school age going to school. Now some of us have served as members of school committees and as teachers and some have children ourselves. Let me tell you where my town loses. It is because only forty-three per cent. of her school population is in her schools. Let her get where she ought to be, bring her attendance up to 62 per cent., which would be about right, and she won't lose a penny. Another thing! What is the danger to the State of Maine today? Is it in the boys in your family and mine who are being kept in school and taught the principles of American citizenship and patriotism? No! The danger to Maine today is in these little urchins who are racing around the streets, who are staying out of school, with nobody to put them into school. This law will require the truant officer—truant in more senses than one—to force those children into school until they can read, write and cipher, and why? Because the voters of the cities and towns care anything about the education of the children? My, my! When you compare 2,000 children in the town of Houlton against the possible loss of \$2,000, the old story of Shylock, the Jew, comes to mind ("My ducats, O, my daughter!" which has been an enigma ever since Shakespeare wrote it. You understand the allusion and you understand the application. The point is that the boys and girls who go to school and learn to read and write and cipher in the country schools shall stand on a footing of equality with the towns which let them go or let them run. My town with only 43 per cent in school is radically wrong; it should be righted. We want to bring it about so that the town or city which struggles the hardest to carry out its civic duties shall receive the greatest aid. Now you think of the confession that is made here that certain cities and towns do not raise a cent! The law here provides that every

city or town shall raise eighty cents per capita unless that amount is made up by this money coming back by the State. That was done in 1909 and that little bit of legislation was drafted in a room where I happened to be sitting. There are towns and plantations today that have to tax themselves for large sums for common school purposes and there are cities that do not vote a cent. Now here is another feature that is of interest to my mind. In my town there are two institutions which are not common schools but which will give common school education. If I wish to place one of my sons or my daughter in the preparatory department of Ricker Classical Institute for instance, I would be obliged to pay tuition. If I wanted to send my little girl, as I quite likely may, down to St. Mary's, where in addition to teaching the rudiments, they teach music and some of the arts—as some of my best friends of Houlton have done—that is a parochial school and I will pay the tuition. Now is there any rightful reason why, if I had to settle the bill, that Houlton should call on the State of Maine to reimburse Houlton for it? What a confusion of terms it is! Reimburse Houlton where she has not lost a cent! If I say that the public schools are not for my children and I send them elsewhere, where is the harm in my paying the bill and why should my town or city participate in this money that comes here? Now remember the equalization feature of it! Think of what it will do for the little boys of the country schools that you are not interested in, that you do not care anything about, but from whose doors come the men that go into your cities and build them up and make the men of your cities; for, if you take the roll of the men of the city of Portland, you will find ninety out of one hundred of them come from the country districts of the State of Maine. No man will stand here and deny it for it is true. We may assist in the education of the children by giving an incentive to the towns and cities to force those whose parents won't look after them to go to school until they can read, write and cipher. All this million and a half will be divided and distributed according to the children and their attendance in the schools—aggregate attendance of

children—with the equalization I have added and there won't be any surplus to dispose of.

Let me tell you another thing! The city that has school 36, 38 or 40 weeks will get more than its share compared with the country town that maintains school for 28 or 30 weeks and that will be fair and right. Why? Because it is raised for the support of common schools and it cannot be expended for anything but the support of common schools; if she gets all the children at school and maintains them for that length of time, she is entitled to more money than the smaller places with shorter terms. If the gentlemen from the city will give us a chance to try it as they tried it in New York, New Jersey and Vermont, if they will give those of us who have thought this thing over for years and years a little time to build up the public schools of the State of Maine, if they will give us a chance to try it, they will not suffer. Let me tell you what the country people will gain in addition thereto and the cities as well. Think of Maine starting with every child in the public school and every child that can go to college, say at Orono,—and there is nobody here who will say anything against Orono. It used to be the fashion for certain gentlemen to come here and decry Orono. We have moved along. We are not facing the banks of the Volga two centuries ago. Think of the boys going to the common schools of the State of Maine who never would get money enough together to go away and pay their board and buy their books. Give this law a trial. There won't be 10 of you come back and complain of it two years hence. It is no experiment and no new thing. Give it a trial and where there is one high school today, 20 years from now there will be five and more and every boy born on Maine soil can go from the primary school to the University of Maine without ever having to pay tuition or leave his home to attend school except in certain of the back woods sections of the State which we are taking care of now under the Equalization Fund. So far as I am able to study this question and so far as my experience as a school man goes—which experience ended in 1911 officially—I am

able to speak as the father of boys in my own family—I know and am firmly convinced that this is the best method that the brightest minds have discovered. The only objection which can be raised to it here is by the avaricious, miserly person, who, seeing a dollar, holds it too near the eye and can see nothing that God has painted out beyond it. (Applause.)

Mr. FARRINGTON of Augusta: Mr. Speaker, as the hour is getting late I will not take but a moment of time. In matters of importance which are elementally important, and in others which may not at the time seem so important, it is a pretty good rule of conduct to make no changes unless the advantage gained is perfectly clear and well defined. Now the argument of my brother from Houlton is that if this bill were passed it would certainly, and beyond question, mean that all the towns and cities of the State would be benefited by it. Now I do not come from the section which has been characterized as the miserly section—I regret the word. I come from Augusta, which has been shown to me by the proponents of the measure as gaining under this so called Grange law. Other figures show that it loses a little. The difference is very slight and I am not approaching this in what few remarks I make. The sanctity or the antiquity of the present method of distribution has nothing to do with it. Neither can it be claimed that the law cannot be changed. It is simply a question. Gentlemen of the House, whether it ought to be changed and whether it is a wise thing to change it. Now when I was told that Augusta won on the Grange bill rather than lost, I did not propose to take the figures that were submitted to me, but I looked it up myself—not in relation to Augusta but taking blocks of towns in 10 and 15 and over other years and I found to my surprise, gentlemen, that some of the towns that gained in one year lost in another, and on the whole it was impossible for me to say where the proposition landed. Now there is nobody who would yield to the sentiments of the gentleman from Houlton (Mr. Barnes) in his desire to see the youth of this State pro-



tected more quickly than I. It is simply a question—and we do not want to forget it when we vote—as to whether or not it has been clearly established to us that this is a wise course to pursue. There is nothing of sanctity, nothing of antiquity, nothing of unchangeability. The only question is the wisdom and propriety of making the change.

Mr. SISSON of Island Falls: Mr. Speaker, I want to talk for one hour, but I won't.

The SPEAKER: The Chair would state to the gentleman from Island Falls that he can do that with the unanimous consent of the House. (Laughter.)

Mr. SISSON: Mr. Speaker, I wanted to hold forth to the great delight of the House in agreement with the gentleman from Perry, Mr. Washburn; but I will deny the House the great privilege of listening to me and at this time move the previous question. (Applause.)

A division being had, the previous question was ordered.

The SPEAKER: The question before the House is shall the main question be put? As many as are in favor will say aye.

Mr. BREWSTER of Portland: Mr. Speaker, I would ask that the vote be taken by the yeas and nays, and I want to have everyone clearly understand, and I want to be sure that I understand, that a vote of yes on this question means to leave things as they now are.

The SPEAKER: The motion of the gentleman from Portland, Mr. Brewster, was that report B be adopted. A vote of yes means that the conditions will remain as they are as far as distribution of the money is concerned. The Chair will state the question to make it plain. The question is on the motion of the gentleman from Portland, Mr. Brewster, that Report B, "ought not to pass," be accepted. Those who vote yes vote to keep the law as it is in this State. Those who vote no vote in favor of the bill.

Mr. COLE of Eliot: Mr. Speaker, has it been determined that this matter shall be decided by roll-call, abso-

lutely? I do not believe there is any member here who doubts that every member will vote as he sees fit. On account of the lateness of the hour, it seems to me that a division of the House would settle this matter just as well, and that everybody would be just as well satisfied. If it is simply the intention of the gentlemen on either side to put men on record, I have no objection to that but it seems to me that a man can vote by a rising vote just as well as by roll-call. We are all tired and we are going to have a late session and it seems to me unwise and useless to sit here and take the time in this way.

Mr. WASHBURN of Perry: Mr. Speaker, I should like to have the yeas and nays.

A sufficient number having arisen, the yeas and nays were ordered.

The SPEAKER: The clerk will call the roll and those in favor when their names are called will answer yes and those opposed will answer no.

YEA—Albert, Allan of Portland, Allen of Sanford, Anderson, Baxter, Berry, Bolduc, Boynton, Brackett, Bragdon, Brewster, Brown, Buzzell, Cates, Chaplin of South Portland, Clement, Cole of Eliot, Cushman, Daigle of New Canada Pl., Dearth, Descoteaux, Dow, Driscoll, Eaton, Ellis of Gardiner, Ellis of York, Emerson, Farrington, Fleming, Fletcher, Gannett, Garcelon, Goldthwait, Grant, Gurney, Harris, Hartwell, Holbrook, Holt of Skowhegan, Hunt, Jordan of Baileyville, Jordan of Cumberland, Langley, Largay, Larrabee, Levesque, Lewis, Merrill, Morin, Morison, Murphy, Murray, Newcomb, Neilon, Packard of Newburg, Packard of Rockland, Picher, Redman, Reed, Richards, Rounds, Russell, Sawyer of Eden, Sawyer of Madison, Snow of Bluehill, Speirs, Stubbs, Tate, Williams, Wilson—70.

NAY—Alden, Ames, Andrews of Norway, Andrews of Warren, Averill, Babb, Barnes, Besse, Billings, Boman of Vinalhaven, Bowman of Detroit, Burbank, Bussabarger, Chaplin of Bridgton, Charles, Clark of Harrison, Clarke of Randolph, Clason, Clifford, Coffin, Cole of Etna, Conary, Corliss, Crediford, Cummings, Daigle of Wallagree, Day, Drisko, Flint, Frost, Greenlaw, Hall, Hammond, Harmon, Hart, Hill, Holley, Holt of Gouldsboro, Hooper, Howard, Hutchins, Jenkins, Jennings, King, Kneeland, Knight, Leavitt, Lenfest, Libby, Longley, Lyford, McNally, Meserve, Messer, Nicholas, Pattee, Pendexter, Phillips, Powers, Purington, Ramney, Rowe, Ryder, Sisson, Snow of Mars Hill, Stearns, Stanley, Turner, Tuttle, Wagg, Washburn, Watson, Watts, Welch, Webb—75.

ABSENT—Dutton, Hanson, Mutty—3.

PAIRED—O'Connell (no) and Lawrence (yes).

Seventy having voted in the affirmative and 75 in the negative, the motion of the gentleman from Portland, Mr. Brewster, was lost.

On motion by Mr. Washburn of Perry, Report A was accepted.

The bill was given its three several readings, under suspension of the rules and was passed to be engrossed

On motion by Mr. Farrington of Augusta, the rules were suspended and it was

Ordered, that when the House adjourns, it adjourn to meet Friday March 23, at 9 o'clock A. M.

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On motion by Mr. Farrington of Augusta,

Adjourned until 9 o'clock tomorrow morning.