

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
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HOUSE

Tuesday, April 3, 1917.

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

Prayer by the Rev. Mr. Bussabarger of Lubec.

Journal of previous session read and approved.

The SPEAKER: By request of the Governor I shall ask the House to recess until 9.30. The Governor is to ask for a joint convention of the Senate and House, at which time he has a message to deliver; and immediately following that will be some little legislation in regard to the national preparedness. The Governor is anxious that no business be transacted in either house until this joint convention shall have been held this morning. The Senate having adjourned until 9.30, it is necessary that we comply with the request of the Governor that the House recess until 9.30. It is the earnest wish of the Speaker that at that time each member shall be in his seat so that when the Senate shall arise the members will not be dragging in one by one during the joint convention.

On motion by Mr. Farrington of Augusta the House recessed until 9.30.

After Recess

A communication was received from the Senate through its secretary proposing a joint convention of both branches of the Legislature forthwith in the hall of the House for the purpose of hearing a communication from the Governor.

Mr. Cole of Eliot moved that the House concur in the proposition for a joint convention of the two changes of the Legislature, and that the clerk of the House be charged with the duty of conveying to the Senate the concurrence of the House in the proposition for a joint convention.

The motion was agreed to and the clerk of the House was charged with the duty of informing the Senate the House concurred in the proposition for a joint convention forthwith in the hall of the House.

Subsequently the clerk reported he had performed the duty assigned him.

At this point the Senate came in and a joint convention was formed.

In Convention

The President of the Senate in the chair.

On motion by Senator Davies of Cumberland it was voted to appoint a committee to await upon the Governor and inform him that the Legislature is in convention assembled ready to receive any communication he may be pleased to make.

The chairman thereupon appointed as members of such committee Senators Davies of Cumberland, Baxter of Sagadahoc and Messrs. Cushman of Auburn, Conary of Bucksport and Murray of Bangor.

Subsequently Senator Davies from the committee reported that the committee had performed the duty with which it was charged and that the Governor will immediately present himself before the convention.

The report was accepted.

The Governor and Council then entered the hall of the House of Representatives and the Governor addressed the joint convention.

GOVERNOR'S ADDRESS.

Gentlemen of the Legislature:

Since you first assembled three months ago world events have moved swiftly to a fateful climax. I have summoned you in joint convention at the very opening of your session this morning because the moment has come for the State of Maine, acting through her chosen representatives, to begin playing her proper part in world affairs.

For more than 30 months Americans have watched with growing horror and amazement the appalling world catastrophe across the sea. We are a peaceful people committed by ancient tradition to a policy of aloofness from European alliances. This policy we have struggled to maintain. Through all these weary months we have taken no part except that of messenger of succor and relief to the distressed.

But continued isolation from the struggle has become increasingly impossible. Neither the broad expanse of the Atlantic nor the faith of treaties, nor the instincts common to humanity have sufficed to protect our peaceful and law abiding citizens from the assassin. With unbelievable patience and self-restraint we have seen our flag insulted, our rights insolently invaded, our citizens, even women and children, foully murdered upon the high seas. Our self-respect and honor as a nation forbid further endurance of these intolerable aggressions.

But we are to enter the war at last not only because of the threat against the integrity of our own nation and this hemisphere for which we have some measure of responsibility. This is to be no mere defensive war on our part. We are to strike and strike with all the energy and power at our command because we are at last convinced that the very fate of civilization is at stake.

A ruthless military frenzy is running amuck in the world, armed, not with the bludgeon and spear suited to such a survival of savagery, but with the most frightful engines of destruction that modern science can devise. Our warfare is not against the German people but against the brutal despotism which assumes to govern them,—a belated survival of mankind's age-old enemy, the cruel and arrogant spirit of autocracy, which soon, please God, is utterly to vanish from the earth.

More is concerned in this titanic struggle than the honor or the life of any nation. It has become a world conflict for that freedom of self-governing democracies of which our flag is the supreme token among mankind. The Allies are fighting for civilization against despotism. With the battle finally joined upon this issue our flag would droop in the breeze if withheld ingloriously from the conflict.

Last night before a joint convention of Congress, the President asked that a state of war be declared to exist and that our government at once enter upon the conflict upon the side of the Allies with all the energy and power at our command. You have read his calm and patriotic utterance.

Congress will meet again this noon to put into full effect his recommendations. Before that time, let us, by appropriate action, assure the President and Congress of our full and loyal support in this solemn hour of national crisis. No words need be added to his noble statement of the case. The eloquence of deeds can best be ours.

I urge that you provide immediate authority for the issuance of bonds to the amount of one million dollars and give the Governor and Council full authority to spend such portion of this amount as may be necessary for military purposes.

You will also enact such defense measures as may seem to you fitting, giving the constituted authorities powers appropriate for them to use in time of war.

You should also make suitable provision for adequate care of the families and dependents of soldiers. This can best be done in my judgment by granting some discretion to the Governor and Council without attempting to make a fixed rule applicable to all cases.

So much of our duty we may now foresee. Whatever more our country asks of us will be given with cheerful and unswerving loyalty. You will remain in session for the next few days, even into next week if necessary in order to be ready to take instant action upon matters within the jurisdiction of the State as fast as events shall point the way.

Our little State has a role in the coming conflict far out of proportion to her size. Our rocky shores look out upon the broad Atlantic, once the highway of peaceful commerce, now the possible path of the ruthless invader. When today the leaders of our nation meet in solemn conference, let it be known that Maine is true to her glorious traditions of other days,—that now as always in the past her sons are willing to offer freely the last full measure of devotion when their country calls.

The Governor and Council then retired amid great applause.

The purposes for which the convention was assembled having been ac-

complished, the convention was dissolved, and the Senate retired to the Senate chamber.

In the House

The Speaker in the Chair.

Mr. BARNES of Houlton: Mr. Speaker and Gentlemen of the House; I rise to present to the House at this time out of order under suspension of the rules the revenue-raising measure to which the Chief Executive of the State has just referred, and with your permission, Mr. Speaker, I will read:

"An Act authorizing the issue of bonds and notes to the amount of one million dollars to defray expenses incurred to suppress insurrection, repel invasion or other purposes of war and making appropriations therefor.

Whereas, in order to prepare for the exigencies which may arise in and to the State of Maine, in the crisis now impending in the foreign relations of the United States, the appropriation of money therefor and the incurring of debt or debts, liability or liabilities, in behalf of the State in excess of the ordinary debt limit of the State are necessary and are emergency measures immediately necessary for the preservation of the public peace, health and safety, now therefore,

Be it enacted by the people of the State of Maine, as follows:

Section 1. The Governor and Council are hereby directed to render to the government of the United States in the present crisis any and all assistance within the power of the State and for the purpose of suppressing insurrection, repelling invasion or for purposes of war, the Governor with the advice and consent of the Council may draw his warrant upon any money in the treasury available and not otherwise appropriated, and the treasurer of State may, under the direction of the Governor and Council, borrow upon the credit of the State such sums, not exceeding one million dollars, as may be necessary to carry out the provisions of this act, and for that purpose may issue bonds and or notes in the name and on behalf of the State, at such rates of interest, in such sums and of such denominations and on such time or times, and to mature at a definite

time or serially as the Governor and Council may determine. Such bonds and or notes shall be signed by the treasurer of State, countersigned by the Governor, and attested by the State auditor with the seal of the State affixed, and shall be deemed to be and shall be a pledge of the faith and credit of the State and shall be tax exempt. The coupons attached to any coupon bonds so issued shall bear the fac-simile of the signature of the treasurer of State, instead of his original signature. The State auditor shall keep an account of such bonds and or notes, showing the number and amount of each, the date of countersigning, the date when payable, and the date of delivery thereof to the treasurer of State, who shall keep an account of such bonds and or notes, showing the number thereof, the names of the persons to whom sold, the amount received for the same, the date of sale and the date when payable. The treasurer of State may negotiate the sale of such bonds and or notes shall be held by the treasurer of State, and paid by him upon warrants drawn by the Governor and Council for the purposes of this act, until otherwise ordered by the Legislature.

Section 2. The sum of one million dollars is hereby appropriated to be paid out of the treasury of State from any money in the treasury not otherwise appropriated and from the proceeds of any bonds or notes issued under the provisions of this act to be expended under the direction of the Governor with the advice and consent of the council in defraying the expenses incurred in carrying out the purposes of this act.

Section 3. Interest due or accruing upon any bonds or notes issued under the provisions of this act shall be paid by the treasurer of State from any money in the State treasury not otherwise appropriated, or from the State contingent fund upon warrants drawn by the Governor and council therefor.

Section 4. In view of the emergency cited in the preamble hereof this act shall take effect when approved."

Mr. BARNES: Mr. Speaker and gentlemen of the House: The occasion demands more than the mere making of a

motion to enact into law the appropriate legislation. To the minds of some of the older in the House recurs today the thought of that April 60 years ago when the shot was fired that placed North and South in the clash of contending arms. To all of us comes the thought of that April so many years ago when the galloping footbeats of the steed of the gallant Revere through the Middlesex village and farm brought to the people the stern realities of the war existing and that they were combatants. Today conditions have changed. The notice that war was declared was not the pulsating beat of the galloping horse, but, through the mysterious waves of ether all over this broad land, the wireless telegraph was bringing to the ears of the expert or the schoolboy the news that in Congress assembled the President of the United States had taken the fateful step that reduced us at a blow from a peace-loving people, following the pursuits of business, to the plane of those whose principal business is war. I must be brief. Many things have changed; this remains true. We read the other day that one of our rear admirals suggested that the chances were at least even that if the German fleet should make a dash from the mouth of the Kiel canal, it in part would pass unharmed. If that fleet ravages the seas, it is after munitions and metal and money. It can find those three prime requisites to the conduct of a war nowhere so well as along the unprotected coast of this great land of ours, where guns obsolete, armaments useless, ammunition in amount to serve for four hours of the first day perhaps, stand between the ravager and his prey. One thing remains unchanged should invasion threaten, and that is one thing that is the same today as in the 60's and back in the days of '76. The boys of Maine must march out to repel the invader, and we now can see the spectacle of men in the Empire State of this Union, the wealthiest State perhaps in the world, drilling with wooden guns.

We in Maine, the people of Maine, are asking you to place in the hands of the Governor, to be expended under his discretion and with the advice and consent of the council, a sum which we

think all sufficient so that if the boys of Maine are marched out into the trenches to face the foe, they may go, so far as we are concerned, as well equipped as is possible. Gentlemen, to you all the occasion is serious. I move, Mr. Speaker, that without reference to a committee, the bill be at this time given its several readings.

Mr. STANLEY of Dixfield: Mr. Speaker, I am the only veteran in the House. I was old enough to go into the Civil War—only fifteen years old—and I am young enough to go again if necessary. (Great applause.)

On motion by Mr. Barnes of Houlton, the rules were suspended and bill, An Act authorizing the issue of bonds and notes to the amount of one million dollars to defray expenses incurred to suppress insurrection, repel invasion or for the purposes of war, and making appropriations therefor, was given its three several readings without reference to a committee and was passed to be engrossed.

Mr. Rounds of Portland asked unanimous consent to present out of order the following order:

Ordered, that a committee of three be appointed to see why the Legislative Record is not kept up to date or in our State paper.

Mr. ROUNDS: Today, Mr. Speaker, we are expecting to have the largest debate of this session. When I came here eight years ago, I was told to look in the Kennebec Journal, which was our State paper at that time, and that I would find what went on in the House the day before. This year it has been different. No member could tell what went on. All through this State people have taken it as a State paper, and when you came here three months ago you were asked to furnish a State paper, and that State paper was supposed to give a regular account of everything that went on in this House and Senate. Today we are not getting it. The paper says look at the Legislative Record. It is time that we should know, or our friends or enemies should know, what we have to say on different subjects; and today being one of the largest days

that we will have in the House this session is my reason for presenting this order and I hope it will have a passage. (Applause.)

Mr. BUSSAGARGER of Lubec: Mr. Speaker and gentlemen of the House: I heartily second the motion and the remarks of the gentleman from Portland, Mr. Rounds. Some time ago we had the first great debate in this House concerning the most vital matters affecting the State from the great city of Portland to the far-off hamlets of Aroostook county, and I fully expected to find the debate fully recorded in the State paper, because I was told in a letter before I came to this honorable body to take the Kennebec Journal, the only daily paper in the State that published a complete stenographic record of the proceedings and debate of the Legislature. Imagine my surprise on running down to the door the next morning after this memorable debate to open my paper and find where I had expected to discover the debate a footnote "For debate see Legislative Record." I turned to the Legislative Record and it was many days and even weeks before I could find that debate printed even in the Legislative Record. I heartily concur therefore in the sentiments of the gentleman from Portland, (Mr. Rounds) that our State paper publish a full and complete account of the debates in this House.

The order of Mr. Rounds received a passage.

The SPEAKER: The Chair will appoint as the committee Messrs. Rounds of Portland, Cole of Eliot and Bussagarger of Lubec.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act to establish a superior court in the county of Androscoggin. In the House this bill was passed to be engrossed. In the Senate read twice, Senate Amendment A adopted. Bill passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Farrington of Augusta, the House reconsidered its ac-

tion whereby House Bill 664 was passed to be engrossed.

The SPEAKER: The Chair will read Senate Amendment A.

Amendment A to House Document 664. Amend by striking out the word "state" in Section 13 in the 10th line, and inserting in lieu thereof the word "county"; so that the said line shall read "from the Treasury of the County."

On motion by Mr. Barnes of Houlton, Senate Amendment A was adopted in concurrence with the Senate.

Mr. GARCELON of Auburn: Mr. Speaker, I now offer House Amendment A and move its adoption.

The SPEAKER: The Chair will read House Amendment A.

House Amendment A to House Document 664, entitled "An Act to establish a superior court in the county of Androscoggin.

Section 11 is hereby amended by striking out the word "eighteen" in the ninth line thereof on page five of the printed bill, and substituting the word "fifteen."

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

On motion by Mr. Barnes of Houlton It was voted that the rules be suspended and the House consider out of order bill, An Act authorizing the issue of bonds and notes to the amount of one million dollars, on its passage to be enacted.

The SPEAKER: The Chair will state that this is an emergency measure and requires one hundred and one votes. This bill having had its two several readings in the Senate, having had its three several readings in the House, being reported from the committee on engrossed bills as being truly and strictly engrossed, is it the pleasure of the House that it be now passed to be enacted? Those in favor of the passage of the act will rise and stand until counted.

A division of the House being had, One hundred and eighteen voting in the affirmative and none in the negative, the bill was passed to be enacted.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Thursday, April fifth, at 9.30 o'clock in the forenoon.

The order received a passage in concurrence.

On motion by Mr. Farrington of Augusta unanimous consent was given that gentleman to introduce out of order a resolution as follows:

Resolved, that the House extend its heartfelt sympathy to its doorkeeper, Charles H. Ashford, in the death of his wife, and that the clerk of the House send a copy of this resolution to Mr. Ashford.

The order received a passage.

From the Senate: An Act relative to the operation of traction engines, motor and other vehicles upon highways and bridges.

In the House this bill was read three several times without reference to any committee, passed to be engrossed and sent up for concurrence.

In the Senate the bill was read two several times; Senate Amendment A was adopted and the bill passed to be engrossed as amended by Senate Amendment A.

Mr. REDMAN of Ellsworth: Mr. Speaker, I move we reconsider our former vote whereby this bill was passed to be engrossed and that we concur with the Senate in the adoption of Senate Amendment A, and that the bill have its three several readings at this time as amended.

The SPEAKER: The gentleman from Ellsworth, Mr. Redman, moves that the House reconsider its vote whereby the bill was passed to be engrossed.

The motion prevailed.

The SPEAKER: Senate Amendment A reads as follows:

"Amend Section I by striking out all after the enacting clause and substituting the following:

'Section 1. Between May 1 and November 1, no traction engine, trailer, motor or other vehicle in excess of the total

weight of eight tons, including load and vehicle, or the width of the load on which is in excess of eight feet, and between November 1 and May 1 no traction engine, trailer, motor or other power-driven vehicle in excess of a total weight of three tons, including load and vehicle, or the width of the load on which is in excess of eight feet, shall be operated upon or over any highway in this State outside of the thickly settled portions where the buildings are situated at distances averaging less than two hundred feet apart in any one-quarter mile, without first obtaining a permit from the authorities having charge of the repair and maintenance of such highways.'"

Mr. ROUNDS of Portland: Mr. Speaker, I am not opposed to that; I want to say that, but I would like to have it lay on the table 24 hours until Thursday. Some of my people are very much interested in these bills and I would like to hear from them.

On motion by Mr. Rounds of Portland, the amendment was tabled pending adoption.

Mr. BARNES of Houlton: Mr. Speaker, in the rush of the last two days it is necessary some times perhaps to call attention to a matter as it is passing along. Now if I understood the amendment correctly, having heard it read, this bill will be very repugnant to the section of Maine that has to move freight and produce. A traction engine, trailer or power-driven vehicle weighing three tons would not carry any load at all. Furthermore it is probable that if this is passed, it takes away from the towns the right to determine a point for the repair and maintenance. I hope this bill will be studied by members of the House during the interval.

From the Senate: Resolve in favor of improvement of navigation of the Fish River lakes in the county of Aroostook. In the House this resolve was passed to be engrossed. In the Senate the resolve was read twice. Senate Amendment A adopted. Resolve passed to be engrossed as amended by Senate Amendment A

On motion by Mr. Farrington of Augusta, the House voted to reconsider its action whereby it passed House Document 647 to be engrossed.

The SPEAKER: The Chair will read Senate Amendment A.

Strike out in the seventh line the words "State steamboat inspector" and insert "Governor and Council."

On motion by Mr. Farrington of Augusta, the House voted to concur with the Senate in the adoption of Senate Amendment A. The resolve having had its several readings, it was passed to be engrossed as amended by Senate Amendment A in concurrence.

Mr. BAXTER of Portland: Mr. Speaker, we have several matters especially assigned for today and it occurred to me that it might be better to take those up at the present time and finish them this morning, and that perhaps these various matters which come from the Senate, all of which require a good deal of time, might be put over until afternoon; otherwise, our discussion would be interrupted by the adjournment for dinner. Therefore I make the motion that we suspend the rules at the present time and take up these matters that were especially assigned out of order, unless the Chair sees some reason to the contrary.

The SPEAKER: The Chair would state that the engrossing clerk is waiting for all this concurrent stuff, and it would delay the Legislature if the matter could not be put ahead for printing. Of course it is a matter entirely for the House.

Mr. BAXTER: I withdraw my motion.

From the Senate: An Act authorizing the Fort Kent Electric Co. to erect and maintain a dam across Wallgrass stream. In the House this bill was passed to be engrossed as amended by House Amendment B. In the Senate, House Amendment B. was indefinitely postponed. The bill was then passed to be engrossed.

On motion by Mr. Baxter of Portland, the bill was tabled on the ground that

it is a matter similar to those which are to be discussed later in the day.

From the Senate: An Act to amend Section 11 of Chapter 117 of the Revised Statutes, relating to the salaries of the stenographers of the superior courts. This bill was passed to be enacted in the House March 23; passed to be engrossed in the House Feb. 22. In the Senate read two several times and Senate Amendment B adopted. Bill passed to be engrossed as amended by Senate Amendment B.

On motion by Mr. Farrington of Augusta, the House voted to reconsider its action whereby this bill was passed to be enacted and on further motion by the same gentleman, the House voted to reconsider its action whereby the bill was passed to be engrossed.

On further motion by the same gentleman, the House concurred in the adoption of Senate Amendment B which is as follows:

Senate Amendment B to House Document 352.

House Document No. 352 is hereby amended by striking out all after the enacting clause and inserting in lieu thereof the following

"The salaries of the stenographers of the superior courts, to be paid quarterly from the treasuries of their counties, in full for all services formerly chargeable to the counties, are as follows: Cumberland, \$1300 a year; Kennebec, \$1300 a year. They shall also receive from the county in which the court is held, their expenses when in attendance upon court away from their places of residence, but not otherwise; a detailed statement of such expense actually and reasonably incurred shall be approved by the presiding justice.

The bill having had its three several readings, it was passed to be engrossed as amended by Senate Amendment B in concurrence.

From the Senate: Report of the committee on salaries and fees reporting "ought not to pass" on An Act relative to clerk hire in the office of clerk of courts for York county. In the House the bill was substituted for the report, given its three several readings and

passed to be engrossed. In the Senate, the report "ought not to pass" was read and accepted in non-concurrence with the action of the House.

On motion by Mr. Cole of Eliot, the House voted to insist on its former action and ask for a committee of conference.

The Chair appointed as such committee Messrs. Cole of Eliot, Frost of Berwick and Jordan of Cumberland.

From the Senate: Majority and minority reports from committee on inland fisheries and game. Majority report of committee on inland fisheries and game on bill, An Act entitled "An Act to create the office of commissioner of inland fisheries and game and to abolish the office of commissioners of inland fisheries and game," reporting "ought to pass," signed Stanley, Chick, Flint, McNally, Merrill, Babb, O'Connell. Minority report of same committee on same subject matter, reporting "ought not to pass" signed Hastings, Berry, Webb.

In the House the minority report "ought not to pass" was read and accepted. In the Senate the majority report "ought to pass" was read and accepted in non-concurrence and the bill given its two several readings and passed to be engrossed in non-concurrence with the action of the House.

Mr. FLINT of Monson: Mr. Speaker, I move that we recede and concur with the Senate.

Mr. BERRY of Waterville: Mr. Speaker, this matter was brought up here the other day and I explained to the members of this House as well as I could the purport of the bill and the action of the committee. I recall with pleasure my boyhood days on the farm, when I used to attend Sells Brothers circus and watch the clown in his comic and acrobatic acts turning somersaults. Recognizing, as I do, the hands in which this bill rests, I shall of course submit and submit gracefully. I shall be pleased to see this acrobatic performance repeated in these late days of the session.

Mr. PACKARD of Rockland: Mr. Speaker, it seems to me that if we in-

tend to get out of here this spring or summer that we ought to stand by the bills that we pass instead of receding; and I hope the motion of the gentleman from Monson (Mr. Flint) will not prevail and that the House will insist on its former action.

The SPEAKER: The pending question being on the motion of the gentleman from Monson, Mr. Flint, that the House recede, as many as are in favor of this motion will say aye and those opposed no.

A viva voce vote being doubted,

Mr. Murray of Bangor called for the yeas and nays.

Less than one-fifth arising at the call of the Chair, the yeas and nays were not ordered.

A division of the House being had, Fifty-six voting in the affirmative and 30 in the negative, the motion of the gentleman from Monson adopting the majority report in concurrence prevailed.

The bill then had its three several readings under a suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Majority and minority reports from committee on salaries and fees. Majority report. The majority of the committee on salaries and fees on bill, An Act relating to compensation of judges of probate, have had the same under consideration and ask leave to report the same ought not to pass, signed Grant, Howard, Welch, Jenkins, Holt, Leavitt, Conant. Minority report of same committee on same subject matter reporting same in a new draft under same title and that it ought to pass, signed, Rounds. Came from the Senate, majority report "ought not to pass" accepted.

Mr. ROUNDS of Portland: Mr. Speaker, I move that we insist and ask for a committee of conference. As I understand, the minority report in the House was accepted last Friday, and this is a matter that involves only from three hundred to five hundred dollars a year. As I said last Friday, it is a matter that has to do with the differ-

ent counties and the delegations from the counties recommended it or some of the counties recommended it. I want to say that we give judges of the supreme court \$2500 a year when they reach the age of seventy. Now this will only affect three judges in the whole State of Maine and probably never any more. The salary will be from three to five hundred dollars a year—half the salary they obtained when they were judges of probate. As you all know, once in thirty years all the property in the State of Maine has to be probated by these judges of probate. Why not allow them after seventy years of age and looking after our property for twenty years the paltry sum of from three hundred and fifty to five hundred dollars? I move that we insist and ask for a committee of conference.

Mr. BUZZELL of Belfast: I second the motion.

The motion was agreed to.

The SPEAKER: The Chair will name on that committee of conference, Messrs. Bragdon of Westbrook, Buzzell and Lawrence of Fairfield.

From the Senate: Majority and minority reports from committee on salaries and fees. Majority report. A majority of the committee on salaries and fees, to which was referred An Act to amend Chapter 357 of the Public Laws of 1915, relating to clerk hire in the office of the register of deeds in York county, have had the same under consideration and ask leave to report that the same ought not to pass. Signed, Grant, Conant, Holt, Welch, Jenkins, Leavitt. Minority report of same committee on same subject matter reporting "ought to pass." Signed, Rounds, Howard.

In the House the minority report is accepted, bill read three times under suspension of the rules and passed to be engrossed. This comes from the Senate, the majority report "ought not to pass" accepted in non-concurrence with the action of the House.

Mr. ROUNDS of Portland: Mr. Speaker, I signed the minority report, and I suppose it devolves on me to ask

that the minority report be accepted. I will yield to the gentleman from Eliot, Mr. Cole.

Mr. COLE of Eliot: Mr. Speaker, my mind was taken up with another matter; was that the judge of probate of York county?

The SPEAKER: It is clerk hire in the register of deeds office.

On motion by Mr. Cole of Eliot, the reports were tabled pending concurrence with the Senate.

Senate Bills in First Reading

Senate 303. An Act to amend Section 143 of Chapter 16 of the Revised Statutes, relating to the admission of students to State normal schools.

Senate 320. An Act to designate truant officers as attendance officers.

Senate 418. An Act to amend Section 29 of Chapter 136 of the Revised Statutes, relating to the copy of proceedings in murder cases.

Senate 324. An Act to amend Section 38 of Chapter 72 of the Revised Statutes, relating to the legal effect of the adoption of child.

Senate 415. An Act authorizing the selectmen of the town of Brooksville to grant a private way over tide waters.

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

From the Senate: Majority report of committee on legal affairs, to which was referred bill, An Act to amend Section 16, Chapter 84 of the Revised Statutes of 1916, relating to the tenure of office of county attorneys, have had the same under consideration and ask leave to report that the same ought to pass, signed Merrill, Wood, Marshall, Conary, Garcelon, Brewster and Anderson from the committee. Minority report from the same committee on same subject matter, reporting "ought not to pass" signed, Murray. In the Senate, majority report was accepted.

Mr. MURRAY of Bangor: Mr. Speaker, I move that the minority report be adopted in non-concurrence.

Mr. FARRINGTON of Augusta: Mr. Speaker, I trust the motion of the gentleman from Bangor, Mr. Murray, will not prevail. As I understand, the Senate accepted the majority report "ought to pass" and the bill comes to us engrossed. I trust the motion will not prevail to accept the minority report.

Mr. MURRAY: Mr. Speaker, I dislike very much to go all through this same speech—practically the same speech that I went through with reference to the removal of sheriffs; although of course this is not the same sort of a measure. That measure was defended by those Republicans who did defend it on the ground that the responsibility, if any there was, came from the people; that that matter was submitted by us to the people. That of course was true. Now this matter should we pass it, and should it be legal after we passed it, would give the Governor and Council the authority of removal at the time it became a law; so that would leave the responsibility on us rather than on the people.

As I say, I want to be brief, but I want to attack this measure on another ground and I am addressing my remarks now to the lawyers. I am sorry to say that I have once seen the lawyers of this House pass a measure which was, in my opinion, so plainly unconstitutional that it was shameless to pass it. I refer to the Lewiston Police Bill. Here is another matter which is just as plain. Our Constitution provides for the removal of all officers—I do not want to go into details by reading it—but it provides that every civil officer must be removed either by impeachment or by address of both Houses, that being the constitutional remedy and prohibiting all other methods of removal. As I say I will not tire the laymen with my remarks along that line and I am referring now to the lawyers. If they want to assume the responsibility of passing this measure, that being as plain as it is, let them go ahead.

Mr. ALLAN of Portland: Mr. Speaker, I do not want the members of this House, especially the lawyers, to forget that this act is not new to the

statutes of Maine. I think if you will go back to the Acts and Resolves of our State of about 1880, you will find where this law was enacted, and it also remained on the statutes of Maine until 1903 when it was repealed. Some time, I do not remember the date, Governor Burleigh, I think, or the Legislature, I do not know which and have not had time to look it up, attempted to refer this entire matter to the supreme court of the State of Maine to get, if possible, a decision of the court as to whether this act was unconstitutional; but as I remember now the court turned it back on the ground that the question was not momentous enough for the court to consider; that the court did not consider it advisable or momentous enough to consider. I cannot see why it would be more damaging to the State of Maine now than it was at the time when it was upon the statutes of the State. I hope that the bill may be allowed to pass.

Mr. BARNES of Houlton: Mr. Speaker, just a word further. This act is an act that has been seriously considered by the Legislature to assist in the enforcement of the criminal law. The Governor of the State is the Chief Executive. He is charged with the duty to see that the law is enforced. Now the law is enforced in this way: An executive officer be he the Governor or the sheriff, secures the arrest of an alleged criminal. He is then brought into court, his case is in charge of the county attorney and it is tried before a judge. Now there have been in times past men occupying either one of the three positions of judge, county attorney or sheriff who were not above suspicion. If a sheriff wishes certain infractions of the law to be winked at, if the county attorney wishes certain infractions of the law to be winked at, when the respondent is brought before the court, if there are two of a kind right there, the alleged respondent has a pretty good chance; if he should happen to be brought before a judge of the kind I have mentioned, why there are three of a kind and it beats any combination that ordinarily comes up in the enforcement of the law. If sheriffs are crimi-

nals in refraining from doing their duty, we consider that under the law already passed, they may be retired from office. This bill provides that if the county attorneys are criminal in failing to do their duty, they may be retired in order that the laws of the State providing punishment for criminal offences shall be dignified by obedience on the part of every one in order that the Chief Executive of the State, the Governor, may have some more power than the mere suggestion or the writing of a note or the polite request that officials shall do their duty; and when in his opinion, the opinion of the Governor and Council, after notice, the reading of evidence and proof, have come to the conclusion that the county attorney fails to do his duty, to enforce the law which he was elected to enforce, he may be retired.

One more word. There is no question in my mind nor do I believe that the people ever elect a man to fail to do his duty. I believe the electors when they elect a man, elect him to do his duty. This provides a court to determine whether or not he has done his duty, and if in the judgment of that court he has not done his duty, another man shall be put in his place who will do his duty. It seems to me that especially in these times we should have this authority granted to the Chief Executive of the State.

Mr. BUSSABARGER of Lubec: Mr. Speaker, it is a pleasure for me to rise to support the position taken by my brother, the gentleman from Bangor, Mr. Murray; because I believe the principle which he opposes, and which has been adopted in a recent measure passed to the people, is a most insidious and dangerous foe to a Republican or Democratic form of government; and I wish to reply to an argument made by the distinguished gentleman from Belfast, Mr. Buzzell. He said that this was not granting power to one man; it was no such thing as one man power; but when an officer derelict in his duty, a sheriff or a county attorney, should be brought before the Governor, there would be eight good men and true to weigh and hear the evidence and give their verdict.

Gentlemen, those are not all the facts in the case. When you are tried for murder, for theft or for any felony or crime, you are supposed to be tried before a jury of your peers, and I insist and will continue to insist that a partisan jury of eight men, good men and true however they may be, whether all Republicans or all Democrats, appointed to try a political case, is not an unbiased jury, and I can cite you evidence of that fact. In my own State of Kentucky, we had a political convulsion—almost a revolution—about the year 1900. Two contending parties were after the governorship. One of the leaders of that party was shot down as he walked up the steps toward the State House along the pathway. The shot came from the office of the secretary of State under the ill-starred Governor, Caleb Powers. He was arrested for complicity in this crime, and I think for three successive times he was tried before a jury of his peers, presumably, and each time convicted of murder. Why did that come about? Because every one of those twelve men on the jury were Democrats and the accused man a Republican; but just as soon as another bloodless revolution overthrew the Democratic power and put a Republican in the State House at Frankfort, Kentucky, the very first act he did was to issue a pardon to the convicted man that these twelve men good and true had sentenced to the penitentiary for murder, and today that condemned man who was branded a murderer by twelve men good and true—I do not doubt their goodness—it is their fairness, their balance as judges to weigh the evidence that I contend against—today that man is a representative from his district in the highland regions of Kentucky in the Capitol of these United States. There, friends, is abundant evidence to you that no partisan jury selected like these men of the Council for their political services, their age long service of twenty years perhaps to their party, would be an unbiased jury to try my friend, Mr. Murray, if he were county attorney or sheriff of Penobscot county and were brought before that jury; and I contend, friends, that this is an insidious attempt to de-

throne democracy in this grand old State of Maine. Why, in Russia today the Czar has been overthrown and that little clique that stood about him and crushed out the lives of those exiles who were sent to Siberia, and today a great republic stands there. That was referred to by our President in his message yesterday as one of the most heartening instances in this gigantic struggle. Shall we in the State of Maine, in this National Democracy if you please, this great republic dedicated to government of the people, for the people and by the people, revert to the old wornout autocracy of the Czar of Russia and his court? I say no and I vote no. I thank you. (Applause.)

Mr. MURRAY of Bangor: Mr. Speaker, I am glad that my friend Barnes did not stand up here and say that this law would be constitutional, if passed. He is too good a lawyer to do that. I admire him for that. He would have no such record against him. I also want to say to my friend Allan that not only he did not find that law which he cites, but that it will be impossible for him to find it, because it is not there. I want to say here and now, and here and now I want to defy every lawyer in the State of Maine to say that that law, if passed, would be constitutional. They know it is not, and they are disgracing our profession if they, for the purpose of furthering political ends of either party, descend to this level. Gentlemen, it is things like this that bring upon our profession some of the merited disgrace to which it is subjected.

I am going to read the part of the constitution which pertains to this, and I am going to ask if it is not so plain that even a layman can understand it. "Every person holding any civil office under this State, may be removed by impeachment for misdemeanor in office; and every person holding any office, may be removed by the Governor, with the advice of the Council, on the address of both branches of the legislature. But before such address shall pass either house, the causes of removal shall be

stated, and entered on the journal of the house in which it originated, and a copy thereof served on the person in office, that he may be admitted to a hearing in his defence." Thus, gentlemen, does our constitution safeguard an officer whom we have elected to office.

I also want to take issue in conjunction with my brother Bussabarger's remarks with the issue which my brother Buzzell raised the other day. He says that this is not a one man power. I say it is. If a county attorney is dishonest, and you should pass this law and want to remove him, should the Governor be dishonest—and I am not referring now to the present Governor for I say here and now that he is honest—but I say that we may have one, and should he say "no," what can the Council do?

Fortunately, there are upon our statute books laws, or a law, which can take care of a matter of this kind. If there is a dishonest county attorney, the Governor can send the attorney-general before the grand jury of any county, have that county attorney indicted, through the attorney-general, and prosecuted. If he is found guilty, he gets one year in jail and \$1000 fine, unless I am mistaken in the penalty. In addition to that you are giving that man all the right that you have, and that is this: The right first to be indicted by a grand jury; next to face your accuser in court before twelve of your fellow men, have all of your legal rights protected, and, if you are innocent, you are not being tried to further somebody's political ends, but you are being tried by your peers. Is it not fair that the county attorney should have what you have? That is all he should have, and I say here and now that, if he is guilty, he should go to jail and the punishment is not severe enough. That is not the idea at all. What I resent is this, and I resent it as my brother Dearth would say from my heart, is the idea of making it possible to abuse the law.

Mr. HARMAN of Stonington: Mr. Speaker and gentlemen of the House: In this free country of ours, I believe it is a very unwise thing to put

through this kind of legislation. It is unwise to take away the elective power of the people of this State. The people of this State elect their county attorneys and they wish them to stay "on the job." We fought in 1776 to get this power, this elective power of the people; and I believe we do not want it taken away from us. I believe it is unwise to give the Governor and Council this power because they, by reason of some trivial act of some county attorney, call him before the Governor and Council and have him removed. I believe this would work out so that the wishes of the people would be aborted. A few years ago a county attorney came before this legislature for impeachment. When it came to a vote to impeach him, it was carried almost wholly on party lines. I believe if a Democratic county attorney were brought before the Governor and Council, which would be wholly Republican in the present case, his chances would be very fair for being removed from office. Then, again, a county attorney, if removed for some small offence, would lose his reputation. It would be a terrible thing for a county attorney to lose his reputation before the bar of the State. I trust that this bill will not pass.

Mr. WILSON of Portland: Mr. Speaker, I have been very much entertained by the silver-tongued oratory which we have heard here; but none of it, to my mind, has touched the point at issue, which is, whether we shall have some quicker method for the removal of inefficient county attorneys. I hope the bill will pass.

The SPEAKER: The matter before the House is a divided report from the committee on legal affairs on Senate Bill No. 416. The pending question is the motion of the gentleman from Bangor, Mr. Murray, that the House non-concur with the Senate, the Senate having adopted the majority report, "ought to pass."

Mr. MURRAY: I move, Mr. Speaker, that the vote be taken by the yeas and nays.

The SPEAKER: Those in favor of

ordering the yeas and nays will rise and stand until counted.

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

The SPEAKER: The Chair will state the question again. The pending question is the motion of the gentleman from Bangor, Mr. Murray, that the House non-concur with the Senate in the adoption of the majority report, the majority report being "ought to pass." The only question is on non-concurrence. Of course, if the motion is carried, it is equivalent to the adoption of the minority report. The clerk will call the roll, and those who are in favor of the motion of the gentleman from Bangor will say aye; those opposed, no.

(Mr. Baxter in the chair.)

YEA—Andrews of Warren, Berry, Billings, Bolduc, Boman of Vinalhaven, Boynton, Bussabarger, Corliss, Descoteaux, Dow, Emerson, Fleming, Grant, Harmon, Hartwell, Holt of Skowhegan, Hooper, Hunt, Kneeland, Langley, Larrabee, Larabee, Levesque, Meserve, Messer, Morin, Murray, Neilon, Packard of Newburg, Packard of Rockland, Picher, Reed, Richards, Sawyer of Madison, Snow of Bluehill, Tate, Turner, Watson, Welch, Webb—40.

NAY—Albert, Alden, Allan of Portland, Allen of Sanford, Ames, Anderson, Andrews of Norway, Averill, Babb, Barnes, Baxter, Besse, Bowman of Detroit, Brackett, Bragdon, Brewster, Brown, Burbank, Buzzell, Cates, Chaplin of Bridgton, Chaplain of South Portland, Charles, Clark of Harrison, Clarke of Randolph, Clason, Clement, Clifford, Coffin, Cole of Eliot, Cole of Etna, Conary, Crediford, Cummings, Cushman, Daigle of New Canada Pl., Daigle of Wallagrass, Day, Dutton, Eaton, Ellis of Gardiner, Ellis of York, Farrington, Fletcher, Flint, Frost, Gannett, Garcelon, Gurney, Hanson, Hall, Hammond, Harris, Hart, Hill, Holley, Hooper, Hutchins, Jenkins, Jennings, Jordan of Baileyville, Jordan of Cumberland, Knight, Lawrence, Leavitt, Lewis, Libby, Longley, Lyford, McNally, Merrill, Morison, Newcomp, O'Connell, Pendexter, Phillips, Powers, Purington, Ranney, Redman, Rounds, Rowe, Russell, Ryder, Snow of Mars Hill, Speirs, Stearns, Stanley, Stubbs, Tuttle, Wagg, Washburn, Watts, Williams, Wilson—95.

ABSENT—Dearth, Driscoll, Drisko, Goldthwait, Greenlaw, Holbrook, Holt of Gouldsboro, King, Lenfest, Murphy, Mutty, Nicholas, Pattee, Sawyer of Eden, Sisson—15.

When the name of Mr. Flint of Mon-

son was reached in the roll call, that gentleman said as follows: Mr. Speaker: I was not here when the question was put, and I would like to know what we are voting on.

The SPEAKER pro tem: The Chair would inform the gentleman that we are voting on the motion of the gentleman from Bangor, Mr. Murray, that the minority report of the committee on legal affairs relating to the tenure of office of county attorneys be accepted. Those who vote yes are voting in favor of the motion of the gentleman from Bangor to accept the minority report.

Mr. FLINT: I vote no, Mr. Speaker.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I wish to change my vote from no to yes.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to vote on this matter, having been absent when my name was called. I vote no. (Applause.)

Forty having voted in the affirmative and ninety-five in the negative, the motion of the gentleman from Bangor, Mr. Murray, was lost.

Mr. ALLAN of Portland: Mr. Speaker, I would like to make an explanation at this time in reply to the gentleman from Bangor (Mr. Murray) in reference to the statute to which I referred. I wish to call the attention of the members of this body to the Revised Statutes of 1883, which says: "Whenever the Governor is, after investigation and hearing on his part, satisfied that any county attorney has wilfully refused and neglected to discharge his duties imposed upon him by this section"—referring to the section having to do with intoxicating liquors—"he shall remove him from office and fill his place by appointment."

The act which we have reported makes it more guarded than this; it makes it the Governor and Council, while the act to which I referred refers it to the Governor alone. That was continued on the statutes until 1903, when it disappeared.

On motion by Mr. Merrill of Gray, the House voted to concur with the Senate in accepting the majority report, "ought to pass."

On motion by the same gentleman, the rules were suspended, the bill received its three several readings, and was passed to be engrossed in concurrence with the Senate.

Senate, 342. An Act to revise the military law.

On motion by Mr. Barnes of Houlton, the rules were suspended, the bill received its three several readings and was passed to be engrossed in concurrence.

Senate 367. Resolve proposing an amendment to article 7 of the Constitution relating to military.

On motion by Mr. Barnes of Houlton, the rules were suspended, the resolve had its two several readings and was passed to be engrossed in concurrence.

(Speaker Bonney resumes the Chair.)

From the Senate: Final reports of the committee on State school for boys, State school for girls and women's reformatory, the committee on temperance, and the committee on education.

The reports were accepted in concurrence.

Reports of Committees

Mr. Hutchins, from the committee on judiciary, on bill "An Act for the protection of life and property in cities of over 40,000 population, against loss or damage from steam boilers or steam machinery operated by incompetent persons," reported same in a new draft under title of "An Act authorizing municipal officers to appoint examiners of steam engineers and firemen," and that it ought to pass.

(On motion by Mr. Hutchins of Mexico, the rules were suspended and the bill in new draft was given its three several readings and passed to be engrossed.)

Mr. Brewster, from the committee on legal affairs reported "ought to pass"

on bill "An Act to amend Section 36 of Chapter 117 of the Revised Statutes relating to manner of payment of salaries."

(On motion by Mr. Brewster of Portland, the rules were suspended and the bill was given its three several readings and passed to be engrossed.)

Majority report of the committee on legal affairs, reporting "ought not to pass" on bill "An Act to license and regulate the business of making loans in sums of \$300, or less, at a greater rate of interest than 12 per cent. per annum, and regulating the assignment of wages or salaries given as security therefor."

(Signed) Messrs. Marshall, Conary, Buzzell, Anderson, Murray, Chaplin, Brewster.

Minority report of the same committee on same subject matter, reporting "ought to pass."

(Signed) Messrs. Merrill, Wood, Garcelon.

(On motion by Mr. Garcelon of Auburn, both reports tabled pending acceptance of either.)

Passed to Be Enacted

An Act to provide for the establishment of polling districts in towns.

An Act to increase the salary of the judge of the municipal court of Dexter.

An Act to amend Chapter 76 of the Revised Statutes, relating to sales of real estate by license of court.

An Act to amend Section 51 of Chapter 82 of the Revised Statutes, relating to trial list of supreme judicial court for Aroostook county.

An Act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making and repairing same.

An Act to amend Section 83 of Chapter 53 of the Revised Statutes, relating to term of office of insurance commissioner.

An Act to amend Section 100 of Chapter 52 of the Revised Statutes, and increasing the authorized amount of accumulated capital of loan and building associations.

An Act to prohibit the carrying of

dangerous or deadly weapons without a license.

An Act to amend Section 33 of Chapter 9 of the Revised Statutes, increasing the taxation of owners of parlor cars.

An Act to amend Section 10 of Chapter 137 of the Revised Statutes, relating to the appointment of probation officers.

An Act to amend Section 1 of Chapter 34 of the Revised Statutes, relating to the term of office of the commissioner of Agriculture.

An Act to amend Section 10 of Chapter 117 of the Revised Statutes relating to stenographers of the supreme judicial court.

An Act authorizing the treasurer of State to negotiate a temporary loan.

An Act to ratify, confirm and make valid the acts of incorporation and proceedings of Abou Ben Adhem lodge, No. 23, Independent Order of Odd Fellows.

An Act to amend Section 9 of Chapter 29 of the Revised Statutes, prohibiting the treatment of army and navy veterans as paupers.

An Act to authorize the American Thread Company to erect a bridge across Sebec river in the town of Milo.

An Act to amend Section 13 of Chapter 132 of the Revised Statutes, providing for an increase in the number of licensed detectives.

An Act relating to the trustees of the Windham ministerial fund.

An Act to amend Paragraph 3 of Section 1 of Chapter 281 of the Private and Special Laws of 1909, increasing the salary of recorder of the municipal court of the city of Westbrook.

An Act to repeal Chapter 134 of the Special Laws of 1831 entitled, "An Act establishing a fire department in the town of Portland"; Sections 1, 3 and 4 of Chapter 167 of the Private and Special Laws of 1853 entitled "An Act relating to the city of Portland."

An Act to amend Section 17 of Chapter 117 of the Revised Statutes, increasing the salary of the State auditor.

Finally Passed

Resolve providing an epidemic or emergency fund.

Resolve to enable the town of Millinocket to raise money for the main-

tenance and support of Sourdnhunk road, between the town of Millinocket and Millinocket lake.

Resolve for investigating and clearing the title of the settlers on Township 17, Range 5, in Aroostook county.

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.

Resolve in favor of Mrs Mabel G. Sauborn of Augusta for money expended in support of Kate C. Robbins, a State pensioner now deceased.

Resolve making appropriation for support of bureau of weights and measures.

Resolve in favor of Joseph H. Underwood.

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

Resolve to reimburse certain cities and towns for money expended for the support of dependent families of members of the national guard.

Resolve continuing unexpended balance of appropriation provided by Chapter 321 of the Resolves of 1913, entitled "Resolve in favor of aid in the construction of a highway bridge across the St. John river between Fort Kent, Maine, and St. Francis, New Brunswick."

(On motion by Mr. Washburn of Perry, tabled pending passage to be enacted.)

Resolve continuing unexpended balance of appropriation provided by Chapter 310 of the Resolves of 1915, entitled "Resolve appropriating money to aid in the construction of sub-structure of a highway bridge across the St. John river between the town of Madawaska, Maine, and the city of Edmundston, New Brunswick."

Resolve making an appropriation for the control of contagious diseases among domestic animals.

Resolve making appropriation to assist, encourage and develop the poultry industry in Maine.

Resolve directing the highway commission to make surveys, plans and estimates for an interstate bridge between Kittery, Maine, and Portsmouth, New Hampshire.

Resolve in favor of the co-operative

survey of the boundary line between the State of Maine and the state of New Hampshire.

Resolve in favor of Home for Aged Women, Belfast.

An Act to appropriate moneys for the expenditures of government and for other purposes for the year 1917.

This act, carrying the emergency clause, required a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had, One hundred and thirteen having voted in the affirmative and none in the negative, the bill was passed to be enacted.

An Act to make valid the doings of the annual town meeting of the town of Jackman.

This act, carrying the emergency clause, required a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had, One hundred and ten having voted in the affirmative and none having voted in the negative, the bill was passed to be enacted.

An Act to create a board of prison commissioners.

This act, carrying the emergency clause, required a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had, One hundred and eleven having voted in the affirmative and none having voted in the negative, the bill was passed to be enacted.

Mr. HUTCHINS of Mexico: Mr. Speaker, merely to clear up a legislative tangle that appears in the Legislative Record, I wish to call up House Document 646, "An Act to prohibit the selling or giving away of air rites to children under 14 years of age."

The SPEAKER: Is the document on the table?

Mr. HUTCHINS: No, Mr. Speaker, there was a committee of conference appointed, and I move that the rules be suspended and that the House reconsider its action whereby on March 30

we voted to insist on our action on House Bill 646 and call for a committee of conference on this bill.

The SPEAKER: What day was final action had on that?

Mr. HUTCHINS: March 30.

The SPEAKER: The gentleman from Mexico, Mr. Hutchins, moves that the rules be suspended and that House Document No. 646 be recalled from the files and that the House reconsider the vote whereby on March 30 we voted to insist on our action on this bill and call for a committee of conference. Is it the pleasure of the House that the motion prevail?

The motion prevailed.

Mr. HUTCHINS: Mr. Speaker, I move that the House reconsider the vote of March 29 on the same bill whereby the House voted to recede from its position taken March 24 on said bill, at which time the House voted to pass the bill to be engrossed as amended by House Amendment "A."

The SPEAKER: The Chair will have to ask the gentleman to send those motions up in writing. Of course, the House understands that the time for reconsideration on this question has passed and that the gentleman from Mexico, Mr. Hutchins, asks for a reconsideration and nobody objects, so we assume that the suspension is granted.

Mr. NEWCOMB of Scarborough: Mr. Speaker, I would like to know what the final disposition of that bill was Friday afternoon?

The SPEAKER: The House insisted on its action and asked for a committee of conference, which was appointed. Now the gentleman from Mexico (Mr. Hutchins) is asking for a reconsideration.

Mr. HUTCHINS: Mr. Speaker, if the Chair will put that motion, I have a third motion which will clear the matter up and put it on its way.

The SPEAKER: The gentleman from Mexico, Mr. Hutchins, moves that the House reconsider its vote whereby it voted to recede from its position

taken March 24 on said bill, at which time the House voted to pass the bill to be engrossed as amended by House Amendment "A."

The motion prevailed.

Mr. HUTCHINS: Mr. Speaker, now I move that the House insist and ask for a committee of conference.

The SPEAKER: The gentleman from Mexico, Mr. Hutchins, further moves that the House insist and that a committee of conference be appointed on House Bill No. 646.

The motion prevailed.

The SPEAKER: The Chair will appoint as a committee of conference on the part of the House, Messrs. Hutchins of Mexico, Cushman of Auburn and Flint of Monson.

On motion by Mr. Farrington of Augusta,

A recess was taken until 2 o'clock in the afternoon.

After Recess

The SPEAKER: The Chair lays before the House that part of the calendar marked "unfinished business." Is it the pleasure of the House that we follow the order of the calendar and clean up the unfinished business which properly comes now under the rules, or shall the rules be suspended and that section on the calendar taken up marked "tabled and assigned?"

On motion by Mr. Farrington of Augusta the rules were suspended and the House voted to pass over the section marked "unfinished business" and consider the matters tabled and assigned for today.

The SPEAKER: The Chair lays before the House Senate Document No. 218, An Act to enlarge the powers of the Western Maine Power Company. In the House it was passed to be engrossed as amended by House Amendment A. The bill was sent to the Senate, and the Senate concurred in the adoption of House Amendment A and then adopted Senate Amendment A. The Chair will read the title of the amendment to make it plain.

"Section 3 of said act is hereby amended by striking out all of said section after the word 'Maine' in the nineteenth line of the bill as printed so that said section as amended shall read as follows"—and as amended it is the original bill before House Amendment A was added to it.

Mr. BAXTER of Portland: Mr. Speaker, I move we adhere to our former action.

The SPEAKER: The gentleman from Portland, Mr. Baxter.

Mr. BAXTER: Mr. Speaker and Gentlemen of the House: This bill comes to us from the Senate with the amendment taken from it, and I will explain to you very briefly just the present situation of the bill. This bill grants certain additional powers to the Western Maine Power Company. We amended it by putting on that clause that you have heard about which says that the Western Maine Power Company shall not sell any electricity outside the State of Maine or shall not consolidate, combine or in any way become associated with any company that has the right to take electricity out of the State of Maine.

Now, what will be the situation of this bill if this House adheres to its former action? The bill then goes back to the Senate. If the Senate adheres to its former action, the bill of course is killed between the two houses. I do not know of anybody who wants that to happen. I want this bill to pass; I want the Western Maine Power Company to be given all the powers that it has asked for, but I simply want to limit those powers so that they cannot take electricity out of the State of Maine. Now in my opinion, if this House stands right up to its former action, when the bill goes back to the Senate, I believe that the Senate, wishing to grant these privileges to this company, will recede from its action and that the bill will go through. That is my opinion and that is my hope.

Now, about two weeks ago we took a vote on a similar matter, and the House voted 55 to 58 to attach this amendment to that particular charter.

If this measure is killed, as I hope it will not be, it will be the Senate that takes the responsibility for doing it. The Senate in this matter has already passed several measures with this amendment attached to them, and some of them have been signed by the Governor. In other words, the House can remain perfectly consistent in this matter, but if the Senate defeats the bill, its action will not be consistent throughout this legislative session.

I do not know just how this amendment was first passed by the Senate. At that time, perhaps, the gentlemen who are interested in these several power companies did not quite realize the force of this amendment, but since then they have become very much awake and alive to the situation and, as we all know, have been carrying on a very active campaign. I do not criticize them in any way for doing this; their private interests are involved and it is perfectly proper for them to resort to every reasonable method, of course, to carry their point.

Now the question as discussed in the other branch turned largely upon whether or not the law of 1909 is constitutional. In my opinion it does not make any difference whether that law is constitutional or not; for, if we believe that electricity should not be taken out of the State of Maine, there is only one sure way to prevent it—there is only one way that we can make it absolutely sure that this will not be done—and that way is by the adoption of this amendment.

For the benefit of some of the members who perhaps are not quite as familiar with the law of 1909 as I am, because I happen to have been in that legislature, I want to read two or three lines to show what it is. This is now Section 1 of Chapter 60 in the 1916 Statutes. This law says: "No corporation, unless expressly authorized so to do by special act of the legislature, shall transmit or convey beyond the confines of the State", and so forth, "any electric current generated directly or indirectly by any water power in the State."

Now that is the first part, and if it ended there, the situation would be

very much simpler than it is. The act, however, begins shortly after to make a good many exceptions. The first one is this—it says: "Nothing in this section, however, shall prevent any railroad corporation doing business in this State from transmitting electric current, however generated, beyond the confines of the State for the purpose of operating its roads between some point in this State and any point or points beyond its confines."

Then it makes another exception: "Nor shall this section apply to any corporation engaged on the third day of July, 1909, in conveying or transmitting electric current beyond the confines of the State."

Then it makes another exception, which to my mind is the most important one of them all. It says, in excepting these various corporations, "or chartered or empowered so to do", meaning that any company that is chartered or empowered to take electric current out of the State of Maine shall be excepted from the provisions of this act.

Now to show you how much this last exception covers, I want to read you another section from the Revised Statutes, Section 52 of Chapter 51, which says: "Any corporation of this State may conduct business in other states, territories or possessions of the United States, or in foreign countries, and may have one or more officers out of the State", and so forth. In other words, this act of 1909 said, on the one hand, no corporation shall take electricity out of the State, and then, on the other hand, began to make exceptions which in my opinion allow every corporation in this State, if it so desires, to take electric current out of this State, because every corporation in the State under Chapter 51, Section 52, has the right to do business in any other State in this country.

Now, it does not make any difference what you think about the constitutionality of this act, what the Senate thinks about it, or even what the Maine supreme court thinks about it, because there is one court, and one court only, that will finally settle this question, and that is the United States supreme court. No matter how this

comes before us, when it is finally settled it will be settled by the highest court in this land, because the provision comes under the Inter-State Commerce clause of the United States Constitution.

The Portland Press in an editorial the other day said that in the opinion of the best legal minds of Maine this law was perfectly constitutional; but we might argue here from now until the end of the session, and we should be arguing in a circle, right around and around. The fact is, if we want to keep the electric current in the State of Maine, we must adopt this House Amendment A about which there has been so much discussion.

Some of the members in talking about this have seemed to think perhaps it was unfair to put this amendment on the charters that have come before this legislature. Some who are very conscientious in such matters have said to me—Why don't you put this amendment on every electric power company charter that has ever been granted by the State of Maine? That is impossible to do, gentlemen. It would necessitate attaching this amendment to perhaps one or two hundred charters—I do not know how many. We would have to go down to the State library and dig out these charters and prepare amendments. If you want to be fair about it, you cannot expect us to do that. It would not be fair to the men who own those charters. They are not coming here seeking any additional rights. I refer to these one hundred or one hundred and fifty charters that are not before us. All we can do is to face the situation as it is today as much as we can; and these charters that come before us for amendment at this session are, in my opinion, the only ones that we can properly handle.

I think I can explain to you later this situation and show you that it is very fortunate that certain of the companies doing business in Maine have come here at this session, because if in its wisdom this legislature sees fit to attach this amendment to these charters, I think we shall have built up certain barriers which will for all

time, until the legislature reverses its decision in the years to come, at least, prevent the transmission of electric current beyond the limits of the State of Maine.

Some members have asked me this question—Is it proper? Is it legal for the legislature to attach this amendment to a charter? What is the relationship existing between these corporations and the State legislature? I think that question is easily answered. It is a contractual relation. When a company comes here and gets a charter it really forms a contract with the State of Maine to do certain specific things, and it cannot do a single thing—it cannot perform a single act—over and above those specified in its charter.

Way back in the year 1831—that is a long time ago—if you will look at the Revised Statutes of Maine, you will see a clause which says that “hereafter any charter granted by the State of Maine shall at all times be subject to amendments proposed by the legislature.” About that time corporations first began to be organized and it was realized that if the State granted a charter to a corporation and did not make this reservation, for all time that corporation could remain in existence, could under its charter, and the State of Maine would never have any control over it.

In order that this may be impressed upon your minds, I will read you this act, Chapter 47, Section 2, in the present statutes. “Acts of incorporation passed since March 17, 1831, may be amended, altered or repealed by the legislature as if express provision therefor were made in them, unless they contain an express limitation.”

I do not believe that since 1831 a charter has ever been granted by the State of Maine where this right of amendment, alteration or repeal has not been reserved in it. It would not be a safe thing to do, gentlemen, to put it beyond the power of the legislature, for the legislature of today cannot bind and should not bind the legislature of the future. Each must come into existence with full legislative powers, and it is not right for one legislature to try to hamper or tie the hands of those that come hereafter.

The only way, then, that we can carry out the intention of the people of Maine, as expressed in the laws of 1909, is by attaching this House Amendment A to every charter.

Some of those who are opposed to this measure go so far as to say, not only that the law of 1909 is unconstitutional, but that attaching this amendment is unconstitutional, and such an able man as the president of the Central Maine Power Company, Mr. Eaton, told me that himself. He said to me, “Mr. Baxter, when we get ready to take electric current out of the State of Maine, if we have it, we are going to take it out. The legislature cannot prevent us; your amendment cannot prevent us, and the law of 1909 cannot prevent us.” He said, “That is a matter that can only be settled under the United States Constitution, and the United States Constitution allows us and allows everybody to engage in inter-state commerce.”

But I think almost everybody else, and I think every lawyer in this House will say that we can certainly amend the charter of any corporation. The stream cannot rise any higher than its source, and the charter certainly cannot rise above the authority that granted it. Every charter is the creature of the legislature, and in creating it the legislature has certainly not tied its hands and prevented its future control of it. In my opinion then—and we shall probably have a good many opinions this afternoon on this question of constitutionality—in my opinion the law of 1909 is as full of holes as a skimmer is and all that it has amounted to during the last eight years is that it has had merely the effect of and it has been the expression of the opinion of the legislature, or, perhaps we might say, it has been the expression of the wish of the legislature that electric current should not be taken out of the State of Maine.

The other day, in discussing a similar measure, the gentleman from Eliot, Mr. Cole, criticised this amendment and said that it was my policy—that it never had been, never could be, the policy of the State of Maine. This is not my policy. I am simply doing what I can to put teeth into the 1909 law. The gentleman from

Eliot even said that the State could never establish a policy by legislative act. That was rather a broad statement for him to make. He went so far as to say that the only policy the State of Maine could establish would be a policy established by its Constitution because statutory acts might be amended by the legislature. I think, however, that nine out of ten of the policies of the State of Maine have been established by legislative act. Our school policy, our policy of taxation, our policy in regard to the roads of the State—they are all made by legislative act; and even if we establish a policy today and it is repealed two years from now, for the time being it certainly is the policy of the State of Maine, and it is the only way that the State of Maine can establish a policy except by its Constitution.

The mere fact that we can change the policy of the State of Maine—that one legislature can override the will of the previous legislature—does not in any way interfere with the establishment of a policy, because the Constitution can be changed. You all know we are going to vote on five or six proposed changes of the Constitution in the coming September. The only difference between a statutory policy and a constitutional policy is that one is a little harder to amend and it takes a little longer to get at it.

Now, the bill before us is An Act to enlarge the powers of the Western Maine Power Company. This company is to be a consolidation of companies, and it has what we might call a roving charter. I do not say that in any way to discredit it, because I want to vote for the bill, but it has a charter which allows it to go into any of three counties—into York county, Oxford county and Cumberland county. It has very particular provisions in the charter. I speak of these because I want to show what in my opinion is the plan of the Western Maine Power Company and what it proposes to do under this charter.

This is Senate Bill No. 218, if anybody cares to follow it. This charter would give the Western Maine Power Company the right to go up and down the New Hampshire border. If you will keep in mind the map of the State of Maine, you

will remember that the counties of York and Oxford constitute the western border of Maine, and that is the danger point in my opinion when it comes to the question of transmitting power beyond the State of Maine.

Now what this company proposed to do, if I am correctly informed—and I believe I am and I can furnish the evidence if necessary—was this: It proposed to do business in those two counties and to buy up one or two old charters which now have the right to transmit electric current out of the State, and through those charters it proposed to take the current out of the State of Maine. All they need, gentlemen, is one hole—one door—through which all the power in the State of Maine can be taken out of Maine, if those who generate and manufacture this power want to do so and one pair of wires and one line of poles will do the trick. Now that is what this Western Maine Power Company wanted to do.

A gentleman who was interested in this and who was a member of the other body told me at first that this amendment perhaps was not objectionable. He told me, however, that he would not be able to sell the bonds of that company. As a matter of fact—I know it for a fact—this amendment will interfere with the sale of the bonds of the Western Maine Power Company because those bonds were offered to investors on the basis that the Western Maine Power Company was going to operate in York and Oxford counties and was going to take advantage of a charter which now gave a small company the right to take power out of the State of Maine. That was one of the inducements which was offered to the prospective purchasers of those bonds. Consequently, if we attach this amendment to the charter, it will naturally reduce the possibilities of profit to this company and it will affect the sale of their bonds.

If you will again keep in mind the map of Maine, you will see that next to York county eastward is Cumberland county. We have in Cumberland county a large company which is the consolidation of many smaller companies. It is called the Cumberland

County Light and Power Company. Then follow along eastward from the Cumberland County Light and Power Company and you come right to the door of the Central Maine Power Company, which operates over a district from two or two hundred twenty-five miles north and south to one hundred and fifty or perhaps one hundred and seventy-five miles east and west. If we grant this charter to the Western Maine Power Company without this provision to safeguard the State of Maine, you can easily see that from central Maine, up and down the line, across into Cumberland county, across through York, then up into Oxford county, you can get right out through the State of Maine with the greatest ease. And that, gentlemen, is the plan. That is the plan of the great power companies of the State of Maine.

I do not say this to be sensational or to make a statement here to get your votes, but I do want to say, no matter what happens to this bill, that the great plan of the great companies who are now doing business in the State of Maine, is to make up that chain—is to forge those links—from the central and northern central part of the State and running down through those counties out into New Hampshire; and if they once get that line of poles and those two wires running into the state of New Hampshire, if it is only a rod across the border, we can never get that power back. There is no action that this legislature could ever take or that the people of the State of Maine could ever take to get that power back, no matter how much we wanted to use it, unless those power companies of their own accord were willing to bring it back.

In support of the statement which I have just made and to corroborate what I have just said in regard to the plan of the Central Maine Power Company, I want to call your attention to two bills which were introduced here early in the session—February first. One is Senate Bill No. 69 and the other is Senate Bill No. 68.

Senate Bill No. 69 is a bill which would allow any power company—or, to use the exact language of the bill, every corporation for the transmission

of heat, light and power in the State of Maine may connect its line or lines with those of any other like corporation, and may sell or lease its lines and property, in whole or in part, to any other like corporation, and may purchase or lease the line, or lines, and property, and so forth. In other words, that bill, No. 69, allowed every corporation in the State of Maine in the power business to unite with every other corporation, and it was put in in my opinion as a foundation for the consolidation of every power company in the State of Maine. That bill was reported "ought not to pass" by the committee on judiciary.

The other bill which was put in at the same time is an act relating to eminent domain rights. This gave these power companies—every corporation for the transmission of heat, light and power, and so forth—it gave them the right of eminent domain, that is, the right to take any property in the State of Maine that they wanted for the construction of their pole lines or for the operation of their business.

This right of eminent domain is one which has been pretty carefully guarded by the Maine Legislature, and power companies have not been given this right except by special provision in their charters. You can see, gentlemen, just what has been in the air. I do not want to prejudice you against these companies. I want every one of these bills to pass. Do keep that in mind. Every one of them I want to pass without any restriction whatsoever except we want to keep the power right in the State of Maine. These two bills gave all the power companies in the State of Maine the right to unite; they also gave them the right to take any property they wanted in this whole State, and it does not require a very far-sighted man to see how long it would have taken them, if they had been given these bills, to have made up this consolidation and to have taken the power out as I have suggested. Both these bills were reported by the judiciary committee "ought not to pass."

I have talked with some of the members, and they have said that it was

unfair to the Central Maine Power Company to attach this amendment to its charter. And in this list of charters we are considering this afternoon is one of the Central Maine Power Company, and I intended to say at the start that I hope the discussion will be settled, when it is settled, by the vote on the first charter, and then all the others will go along with it. In view of that, if I speak of the Central Maine Power Company, it is merely so that everything can be brought into one discussion and one vote taken on the issue. They said it is unfair to attach this to the Central Maine Power Company. Now this is a big company. It has authorized \$6,400,000 of bonds, \$3,740,000 preferred stock and \$2,500,000 common stock, making \$12,640,000 of securities. I do not see why it is unfair to attach it to that charter any more than to the charter of the Western Maine. Every one of these companies is a creature of this legislature, and we want every one of them to do business and to do business on a fair profit, but only in the State of Maine.

The inter-state commerce clause of the United States Constitution, and I have referred to it before, allows any company of this sort, if it once gets its lines across the State border, to continue operating between the states; and it is well settled—it has been settled by many cases such as those in regard to natural gas and oil—that once across the border of a state, no power within the state can take it back. That is settled, not by the Maine courts, but by the federal courts.

One gentleman of the House who wants to be very loyal to his county, and that is very commendable, came to me and said he was very sorry he could not support this amendment because he wanted to be loyal to his county. I say to that gentleman there is something higher than loyalty to one's county or loyalty to one's business friends and associates in the county. I say that loyalty to the State of Maine, loyalty to the future of the State of Maine and to those who are to live in the State of Maine after we are all gone, is a much higher form of loyalty than that to one's own county; and I

hope that when the vote comes this gentleman may be able to see it in this broader view and may be able to put loyalty to the State of Maine above loyalty to the selfish interests of some of his friends and associates in his county.

The best argument that I know of for this amendment is the fact that there has been so much opposition to it. Certainly, gentlemen, if this amendment were as useless as some of the senators said the other day, we would not have had the pleasure of seeing so many members of the lobby working against it. When I say lobby, I do not say it with any tinge of disrespect or with any slur, because I realize that we have to rely upon the members of the lobby, who are citizens of Maine just as we are, for much of the information that we get through the session of the legislature. But their opposition has in my mind strengthened the real argument in favor of this bill. It was rather ridiculed the other day in the Senate and they had quite a little fun over it. That is all right, but it is a very serious question that confronts us here in the House.

(At this point the Speaker called Mr. Baxter to order.)

Mr. BAXTER: Was I out of order, Mr. Speaker? I did not intend to be.

The SPEAKER: The Chair will call attention to a reference the Chair made a short while ago. The Chair will read what Mr. Reed says about the matter. "It is not permissible to allude to the action of the other house of the legislature or to refer to a debate there. So, also, the action of the other body should not be referred to to influence the body the member is addressing."

Mr. BAXTER: I understand, Mr. Speaker. Now the discussion of this bill is so intimately related to the discussion of a bill introduced by the gentleman from Eliot, Mr. Cole, which permits the transmission of electricity beyond the State of Maine that it is almost impossible to know where to

draw the line. That bill is to be before us later this afternoon and will probably be argued on both sides. I think, Mr. Speaker and gentlemen of the House, that I will not say anything more at the present time in regard to this House Amendment A but will reserve some other arguments which I have for discussion when the later bill is presented to us.

Mr. MURRAY of Bangor: Mr. Speaker, it seems to me strange that after having been together three months, I, of all this large body, should be the first to say or do something which should cause embarrassment to the Speaker, for I fear, Mr. Speaker, that what I am about to say will embarrass you. It seems stranger still that when I have finished neither you, Mr. Speaker, nor the members, nor will I regret it, because we realize, Mr. Speaker, that sometimes we are placed in the most embarrassing positions by our friends. I see, Mr. Speaker, you are beginning to suspect that I am acting as spokesman for my colleagues, and to prevent your becoming uneasy, I will admit it. And now that you are sure of that and after gazing into our happy faces, you can realize the rest. It is true, Mr. Speaker, I have been asked by the boys to hand "Bill" something and tell him what we think of him.

Do you realize, Mr. Speaker, that since you have been presiding there has not been a single tiff between yourself and the members on the floor? On the other hand, when we were about to get into trouble between ourselves, one look at your smiling face cast our anger to the winds. You have been patient and considerate in unravelling our parliamentary tangles. Your rulings have been fair and just. I have been requested by the minority, of which I am a member, to say that in recognitions and rulings, party lines were forgotten, and I assure you, Mr. Speaker, this comes from the heart.

But what is the use of my extolling your virtues? I could stand here for a half hour, but I see you are like a child on Christmas morning waiting to see what Santa has brought. (Laughter.) And the boys are just waiting to see

what "Bill" will do when he gets it. Well, here it is—a watch—a slight token. We thought perhaps, as you gazed at its face in future years, you would try to remember curs. From the boys on the floor to our pal in the Chair, Bill Bonney, the Speaker.

(At this point, the House arose and heartily applauded.)

The SPEAKER: (On receiving the watch) Well, this being a watch, it can certainly be a reminder of the fact that I have been able to call the session to order on time every morning. I have been able to call the boys to order on time, although I have not always been able to dismiss the House just as soon as I have wanted to, for that was up to you. You have been so very nice to me—you have been so good in every way—you have made my work so pleasant—it is a little bit hard to wait until the last week and have you do something for me that makes it hard for me to try to operate. (Laughter.)

I have tried to be fair. I have tried to exercise the duties of this office according to the principles of the square deal—I have tried to do that. I have tried to be fair to the members of the minority party, and I could not help it anyway because there are so many very good fellows in the bunch. I have always had a belief that if you tried to perform your duties according to the dictates of the square deal, there was something in the heart of every man that would come back in exactly like measure, and I have found that thing proven right here this winter. As I say, I have tried to perform my duty according to the principles of the square deal, and you have all come back at me in exactly the same way, in every single case. Every member on the floor has had the most kindly regard for me, and you have always tried to do the right thing. I do not make any exceptions, and I want to take this occasion to correct a misunderstanding as long as we are on that subject.

There was a slight newspaper reference a week ago Sunday to some things in the House, and one man was singled out, and it was mentioned that that man sometimes liked to make the Speaker look like the proverbial "thirty

cents." I want to say that that is not true. I want to say that the candidate for Speaker whom I had the honor to defeat, has always been fair and courteous, fine and gentlemanly, and I refer to Mr. Baxter of Portland. (Applause.) I am glad to pay that tribute to him right here and now.

Now you give me this watch, made out of gold, which is the standard of purity and of which our money is made and typical, I think, of the friendship which will always exist between the members of this House and myself. I see "XII" on it, and I suppose that is typical of the 12 weeks in which we would have finished our business if we had not had the war scare and had not been cluttered up with the Budget a little and things of that sort. The two hands, when I look at them, indicate to me that there are 150 of you members and I multiply them by two and then by two again and again until the two hands represent the hands of every individual member of this House.

I wish that I were capable of standing here and thanking you and expressing my appreciation as I should be, but I can only say that I thank you. I have said all along that I would rather be Speaker of the House than be Governor. I never expect to be Governor, nor do I expect ever to be Speaker again. But this is the first thing that I ever got in my life that I did not deserve so far as I know. (Applause.)

The SPEAKER: It is a little hard now to bring ourselves back to the prosaic order of business. The question before the House is the motion of the gentleman from Portland, Mr. Baxter, that the House adhere to its position in the adoption of House Amendment A.

Mr. CHAPLIN of Bridgton: Mr. Speaker, I appreciate that at this moment time is of the essence of the contract, and I think it is so considering the incident just passed, so I do not wish to take up the time of this House in any measure in discussing the main question which is involved in the item of our calendar under which we are at work and also in the ten following measures.

I feel that I may say at the start that every member of this House is in favor of conservation of our water powers. I feel that I may say safely that our first thought and our first purpose is to save those powers and to save all that can be saved from them for the first-hand benefit of the citizens of Maine.

While in every instance this amendment will save the transmitting of current out of the State when it ought not to go out of the State, it will work an injustice to the people in the State. This Senate Document No. 218, as it especially affects my community, brings to my mind the question whether or not this amendment applied, I might say, indiscriminately, or applied flatly to all the charters of the companies appearing here, may not in that application, as conditions differ, work differently and work in many instances an injustice.

Now the Western Maine Power Company seeks, as has been said by the gentleman from Portland, for large territorial operations, and the territory spoken of in the enabling act will include the towns in the counties of York, Oxford and Cumberland. I want to briefly bring to the attention of the members of the House how that law works out and how it may possibly work an injustice in the future even to the patrons of this company in my town as I now see it.

We have there a company at the present time serving us as well as it can with its limited power. We are on what you call a partial schedule. We have a light service until twelve o'clock and then a cessation of service, commencing again at four o'clock. The company in order to give us even that service, is burning coal at the present prices to do it. The Western Maine Power Company, were this charter granted to them, seek to come into our town and have the local companies adjust their business conditions to the advent of the Western Maine, and to give us a service continuous and possibly at a better rate. Certainly the continuous service would be welcome and the increased service would be welcome, because there are patrons there who have not at the present time the

power they would have if they had some company to furnish them.

On the other hand, it is my information that the Western Maine Power has concurrent jurisdiction with three other companies at home, we will call it, in York County and that at the present time there is competition among those three companies for patrons. The other companies are not here seeking any amendment to their charters. All three of the companies are prohibited at the present time from transmitting any current out of the State. If the Western Maine Power Company has this amendment placed upon its charter, it becomes a part of its charter, and it is tied up by its amended charter so that it cannot receive any benefit. Should the 1909 law be found unconstitutional or should it in any way be remedied so as to enlarge the rights prohibited by it to the other two companies, its competitors would have the benefit of those enlarged privileges. Hence, they might, by virtue of increased rights and enlarged privileges, so compete with the Western Maine Power that they might drive it out of business or affect its business—I mean at home—to the extent that its stability after it comes to serve us might be affected.

It seems to me that this amendment in each case and its effect first-handed upon our own people, should be considered. I am discussing the effect of applying this amendment indiscriminately as though it was a number seven boot ready to be applied to fit all feet that come through the door. It should be applied to every company here whose purpose might be to take from the State of Maine and get what we don't want them to have, but in working that out let's see, as in this instance I believe it would, whether or not it affects our own people in doing honest business which it wants to do in our own State. In this instance it would bring to us direct damage. It seems to me we would not wish to so curtail them that in the future we might find them harnessed nor to work an injustice upon this company as against other companies which it is competing with in our own State. I just speak of the application of the amendments to the various companies

and to this company, because it does not seem to me to be a fair application in this case.

Mr. BAXTER: Mr. Speaker, I should like to ask the gentleman from Bridgton a question. I should like to ask him if he believes that any company should be given the right at this session of the legislature to transmit electric current beyond the limits of the State of Maine.

Mr. CHAPLIN: Mr. Speaker, in answer to the gentleman, I do not. I want to do all in my power to prevent the transmitting of that indiscriminately. I do believe conservation without use is abuse and that this legislature in any action which it may take should allow the disposition of its power outside the State, but let that go only which we can spare from our utilities here or our water powers. Let's save all we can first-handed to the State of Maine.

Mr. BAXTER: Mr. Speaker, I would like to ask another question. If the gentleman from Bridgton, Mr. Chaplin, believed the Western Maine Power Company was contemplating taking electricity out of the State of Maine, would he attach this amendment to their charter?

Mr. CHAPLIN: Mr. Speaker, he would not. It is not my information that they contemplate taking it out of the State of Maine, and I confined my remarks to this service which it brings to us entirely within the State of Maine and the injustice that amendment might do it while they are seeking to do business within the State of Maine entirely.

Mr. CLARKE of Randolph: Mr. Speaker and Gentlemen of the House: I spoke a word or two here the other day, and I was rather in hopes that after that effort I should be able hereafter to keep my seat, but the spirit moves me and I would like to say just a word or two more.

Since speaking the other day I have been interviewed by several citizens from each one of the four towns which I represent. Each one of those gentlemen have assured me that they think I was right

and took the right stand in this matter. While I have been on the streets of the city of Gardiner during the past week, three of the best business men of the city of Gardiner and members of the Board of Trade of that city stopped me on the street, shook my hand and assured me that they thought we were on the right side in this matter and that we should have their backing. Not a single person, gentlemen, from any one of the counties or any city has approached me in any way or shape to tell me they thought we were on the wrong side of the question. Now, can I see which way the wind is blowing? If the farmers and the laboring people of the State of Maine think we are on the right side of this question and if the best business men of the cities think that we are on the right side of this question, for Heaven's sake, I want to ask you where the men are who think we are on the wrong side of this question.

Gentlemen, I will tell you where they are. They are right out here in the corridors of the State House. They have been there for six solid weeks. Now, until I can hear a better argument than I have yet heard in the corridors of this State House and until I can hear an argument with a different motive behind it than I have yet heard in the corridors of this State House, I am going to stand right here and fight for what I think is right and is for the interests of the largest number of people of this State of Maine. I thank you, gentlemen.

Mr. FARRINGTON of Augusta: Mr. Speaker, I want to state the reasons why I shall vote against the so-called Baxter amendment. I hold no brief for any of the companies which are interested here. My sole reason for not supporting the amendment is this: If the law which now is on the Statute books is constitutional—and I haven't the slightest doubt it is constitutional and will be declared so whenever it shall be declared on—I say if it is constitutional, that law will take care of the situation and we do not need this amendment. If it is unconstitutional, we cannot add any strength to it as a provision in these charters. As the gentleman from Portland has stated, the

stream cannot rise any higher than the source. Neither can an amendment placed upon these bills gather unto itself any more force as a law than the general law which is worded in the same way and holds in the same way. I have, as I say, no interests in any of these companies at all in my keeping, and I am voting just as my judgment dictates, and those are the reasons why I cannot support the Baxter amendment.

Mr. ROUNDS of Portland: Mr. Speaker, I do not see how any man can fail to support this amendment of the gentleman from Portland, Mr. Baxter, when you look and see what has been built up in Maine, and especially at Rumford Falls. The gentleman from Mexico (Mr. Hutchins) has told us what large industries have been put up there by the water powers of Maine and what industries have been built up in Millinocket. I do not see why any man should want to vote to let two wires take our water powers out of Maine to Massachusetts, Connecticut and perhaps to New York. Seventeen or eighteen years ago they could not carry electricity more than twenty miles at the outside because the loss was so great. It is now in its infancy, and with all that they can carry it miles and miles. It is only going to be a few years before they will electrify all the roads in New England. You see in the paper that soft coal or steam coal is \$11 a ton, but if we have the water powers of Maine here to look after our industries, we have not got to have our railroads run by coal. We have the power right here in our own State. We have the water pouring over the falls only waiting for a dam to be built to harness that water power and run our railroads, which you know charged two cents a mile a few years ago, but now charge two and a fourth cents; and if they keep going up and you let them take your water powers out of the State, you will pay more on the railroad.

I want to just read what was in the Telegram of Portland last Sunday.

"It is only three years ago that the Chicago, Milwaukee and St. Paul Railway Company decided to adopt electric traction for 440 miles of its mid-con-

tinental run, being that part of the line between Avery and Harlowton. The electricity is obtained from the Montana Power Company which delivers current at seven points to the transmission system between the towns named. The electric locomotive does the work of four ordinary steam engines, and is capable of handling its full tonnage on a heavy grade at from 15 to 16 miles an hour as against the eight to ten miles an hour possible with four steam locomotives. Since the electric traction system has been in operation so great has been the reduction in the expense for motive power and the saving of time that the electrification of the line is to be extended through the Cascade Mountains, thus bringing the electrified part of the road in touch with the Pacific coast."

That shows what they are doing in the west. They are conserving the water power of the west, while the money power of New York and Massachusetts is trying to drive this out of Maine so that they can get it. Therefore, I say that I do not think that any gentleman in this House should vote to let them take it out of Maine and I want the gentleman from Portland (Mr. Baxter) sustained on his amendments.

Mr. FARRINGTON: Mr. Speaker, I want to make it perfectly clear to the House that I am not in favor of transmitting power out of the State under any bill in this legislature or any that I have seen, but I do not think that this amendment is necessary simply because I believe we have a general law that no company would dare to combat. I do not believe that there is a company doing business in the State of Maine that would ever try to take electricity out of the State under the law without that amendment on the books. I shall vote against the Cole Bill when it comes up this afternoon.

Mr. BARNES of Houlton: Mr. Speaker, there seems to be confusion in the minds of many. A great many seem to have decided that a vote against the Baxter amendment is a vote against the interests of the people of the State. If that is not so—if that is not a proper position and for a moment we can shake

that notion out of our heads, then we can understand the position that my friend from Augusta (Mr. Farrington) takes, and you can understand the position that the representative from Houlton takes.

It may be, of course, that some who have sat here during these fourteen weeks, have come to the conclusion that the action of the legislature of the State is in a way a sort of joke or boy's play, but the serious men of business of the United States realize that the legislature of any state is one of the three great co-ordinate branches of the sovereign state and that the acts of the legislature are equal in rank and dignity to the acts of the Executive or the acts of the judicial department.

Now, a cloud of dust has been thrown into the eyes of us all by the continued assertion and insinuation that the act of the legislature of 1909 was of no effect. Some of us who have been called upon to discuss the matter in a few words at different times, have said this, that certain good lawyers of Maine say that the act is unconstitutional. No one of us perhaps would arrogate to himself to step into the ranks of the good lawyers of Maine, but for himself each must settle the question from what knowledge he has as to whether there is any danger that the act of 1909 will be overthrown, in other words, that it is not unconstitutional.

It will not change your opinion as to how you are going to vote if I say to you that I believe the act is constitutional or that I believe the act is not constitutional, but I do say that all through this session at every opportunity those in favor of the policy expressed by the Baxter amendment have prefaced their remarks and premised there arguments by the suggestion that we are unprotected and that there is no law that will keep electricity within the State.

It is too bad that the gentleman from Augusta did not amplify what he said. It is too bad he did not go further. Lawyers have a tendency to express in a few words what convinces them and to drop it there. Had he gone on and told you that the first corporation that started shipping its electricity outside

of the State would thereby forfeit its charter, you would understand what the teeth of the statute are, as long as it stands. It is too bad the gentleman from Portland (Mr. Baxter) has given us to infer this afternoon that the court of Maine would have nothing to say as to whether the section of the constitution is law or not. Now, the gentleman from Portland is better informed than that. He knows better than that. Any lawyer who has read at all, knows that the constitutionality of a section of a statute of Maine is first raised in our own court sitting in the separate counties at nisi prius and that the judge rules there pro forma that it is constitutional, and the matter goes up to our supreme court, as so many questions have gone, and it will then be decided first by the supreme court of Maine.

Now, there must be reasons why men say that this statute will be declared unconstitutional or that the statute will be declared constitutional. Does it affect your opinion of how you are going to vote here today for a man to come up and say it will or will not be declared constitutional? I say no; you decide matters, when you stop and think them over, upon the principles of business and law as they have been given to you, and I agree that very few of us would assume to determine a question of this importance.

But there are some facts and some fundamental principles that we do know of—and why are they not discussed? Now, I hold here that the shipping of electricity will not be held by either the court of Maine or the supreme court of the United States, to come under the interstate commerce clause describing the method and manner and means and ways and places to which you can ship a commodity, because electricity is not a commodity.

You remember the story of the fellow who came up here to the court for naturalization. It was at the superior court here or the court in Augusta. He was a fellow from up the river. He spoke a foreign language. He had been schooled a night or two as to the questions that the judge would ask him. When he arose and asked him as to whether he was qualified to be a citizen,

the judge asked him if he had read the constitution or had heard it read. He could not read very well, and he said, "No, I have not read the constitution, but I have heard it read." The judge said, "Did you understand it?" "Yes," says he. "Well," said the judge with a wink of the eye, "you are to be congratulated for very many times it raised serious questions in the mind of Daniel Webster." (Laughter.)

It is about as certain here that electricity will be under the interstate commerce clause relative to the transmission of commodities because oil has been so held and because gas has been so held; for these subjects are not analogous and it is not a comparison.

The man does not live, in the first place, who knows what electricity is. The man does not live who knows that electricity is a commodity, and the interstate commerce clause relative to commerce between the states bears upon and has to do wholly and only with commodities. With electricity you agitate a piece of metal here, and miles and miles away metal is agitated on the other end. In the galvanic electricity you have, you do not pour in a commodity, a commodity that runs across the country. We say "a current of electricity" for lack of a better word. There is probably no such thing as a current flowing through the wire. If we say the substance passes through or along the wire, it is a contradiction of terms, for the wire is not apparently worn out or changed, and no substance can be transmitting another commodity without causing wear or change. All the wise men know is that by some process you cause an excitation or stir of the molecules of the metal here, and miles and miles away an agitation or excitation or stir of the molecules of the metal occurs there.

I am speaking of this simply to give you my reason why I tell you that the statute of 1909 will stand until we as the Legislature change it and that the constitution of the United States under the interstate commerce clause will never be successfully invoked to say that the inhabitants of any State in the Union cannot deny to let that condition—for lack of a better word, call it

"substance"—out of the State. Bear in mind all the time electricity is not a substance and it is not a commodity.

I do not admit, further, that the Legislature of the State of Maine cannot withdraw a right conferred on a corporation. I do not admit that the general court of Maine cannot modify a charter already granted. I do not agree that it is fair and right—if there are 150 corporations in the State of Maine authorized now to generate, distribute and sell electricity—I do not agree that it is fair and right that these twelve or nine, whatever it is, that have come in here, should be put on a different footing than all the rest.

There is no man in Maine that will raise a protest quicker or be more ready to give an answer with the faith that is in him against any electrical company today shipping the current outside of Maine than I will. I have an entirely different dream of the future of the State of Maine than that it shall be a power station to furnish motive power to busy manufacturing sections elsewhere. As matters have come up and as the Baxter amendment has been suggested at different times during this session, you have noticed that I have asked for the conditions under which that corporation is now laboring that asks for this and that I have inquired where it is and what it is today. Do not consider for a minute that the people who live in the valley in which I live, have any gas or any electricity to distribute or sell. You have learned from the proceedings here that in the section of the State where I live we are dependent on a foreign nation for electricity we use. I received my bill this morning—50 cents for 31 days' lighting of my office and \$1.66 for 31 days' lighting of a two and one-half story house almost filled from cellar to garret. We are buying electricity and we are buying at a low price.

Now two sections or portions of the inhabitants of the State of Maine are the people that I am interested for today. I have absolutely no interest in the corporations except this, that I am interested that between State and corporation, as between man and man, we be actuated and moved by the principles

of what has been called here this afternoon "the square deal."

All over the State of Maine, and especially in the rural sections, we do want this almost priceless boon of electric motive power. I can take you into sections of our county miles out of the thickly settled sections of towns where electricity is sold, to the busy homesteads and farms where a five or seven horse-power motor is at work busily for husband and wife, in the barn and in the kitchen, at such times as they care to turn the button all through the year. All over this State there are little plants that have been set up—little plants that are doing business under a heavy handicap—plants that have water power a few months in the year and are burning coal for the rest of the year—in the excitement or wild frenzy of developing something with the thought that they will be paid. Any number of them exist that cannot go on and cannot work, but by the natural process of amalgamation, or being put together under one set of managers, they perhaps may be enabled to do business. You had here the other day the Paris Electric Company, the Electric Company down at Mechanic Falls and the little bit of a piece of plant at Hebron Academy. Those three probably can be united and probably can go on to the benefit of the community.

Business has changed in Maine since we were boys tremendously, and the time will come when they will stop chewing up spruce pulp at Rumford Falls and making paper books and postcards and other substances. The time will come when that is gone. The older men are just passing off the stage who remember when they were cutting pine timber and spruce was cut down for dead logs and had no value. Then they came back and went in and cut most of the spruce, and the spruce is almost gone, and today fortunes are being made cutting fir that only a few years ago was of no value. There is absolutely a limit to the production of spruce; we have been continuing the manufacture of spruce pulp, and it is not going to continue forever.

Now, gentlemen, my principle has been foreshadowed here in the remarks

that I have made heretofore. I do not believe in shipping electricity out of the State until everyone within reasonable reach of the general transmission line in the State of Maine has all he can use and there is a surplus. Then, let it go. But that is a long way in the future and that needs legislation, intricate, involved and important, that nobody, of course, can prepare in this length of time; but I do believe that the future of Maine is this, that instead of penetrating the woods to compete with other concerns manufacturing under contract, they will not go back into the woods where we have to employ three crews, a crew working for you today, a crew coming and a crew going, but I believe the industries in the State of Maine will only be, most of them, and shortly, down on our tide waters and on our magnificent harbors. They can cross the State, and I believe the electric companies now doing business and asking the privilege of doing business in the future should be allowed to extend so that the wheels may be set whirling back in the woods and the current taken down to the mill at Machias river, for instance, which was under discussion here the other day, and the current taken down to Eastport where we can manufacture cotton just exactly as well as they can at Fall River, for the freight on cotton brought from northern points, from Searsport or Calais, will not be a cent more than on cotton brought from Fall River.

I wish, however, to be against the Baxter amendment because I cannot make fish of one and flesh of another. I am against shipping electricity out of the State, but I protest against this policy which will suspend the business of the State of Maine, this policy of the dog laying in the manger and keeping away the ox, the productive creature, who wants his food and to go back to work. Remember this, that it is the law of nature that not only does the dog in the manger prevent the ox from getting the hay, but the dog fouls the nest as he stays there.

All these years we have been producing men who have left—the lumbermen. When they got through cutting the pine in Maine, they went out and

cleared off Michigan, for instance; they went up in Minnesota and they went to Washington and up into the Canadian North West. We have all these years furnished men, men in quantities, men of brain and brawn and skill, men who have done the work at hand in Maine, and they have passed on to find work elsewhere. Our future depends on the success we have in keeping those men here and employed. Now this policy of holding Maine right where she is is a mistaken policy. Gentlemen are not vicious about it; gentlemen are not evil about it; I am not wrong because I say as a matter of right and wrong I will not vote for the Baxter amendment, but gentlemen are mistaken. In addition to all this, through the years since 1907, when we first began to save the interests of Maine in the old campaign of "Save the Lakes of Maine," certain newspapers of Maine have been consistently and persistently and perniciously banging at the men who raised their heads and subscribed their money to pay for bonds to develop the business of the State; and there is foisted upon us all the time the literature of the census of the federal government in its reclamation project on the lands of the Union, and there is foisted upon us all the time the literature of the Canadian Province, depending upon a law, which will be discussed probably later this afternoon, radically and absolutely and totally different from ours.

Now, I may be mistaken. I am not a howling success as a business man. I never have had much of any experience, but I have learned this, that if anybody in our section decides he will go into business, he goes to a law office and talks the thing over and he makes repeated visits and talks it over. I have learned this here, that you in your business, if you are a manufacturer, whether it be a domestic difficulty or a commercial difficulty or whatever it may be, finally bring your business to a lawyer to decide, for the men who sit on the supreme bench, not only in Maine, but in the United States, are nothing but lawyers. I have to vote as I see the right; I have some information—you probably have more—but I do say that from the information that I have been

able to get following this thing through now for ten long years, I vote with a clear conscience against tying these amendments to these few corporations to their detriment as compared with all others, for it is an utter absurdity so long as the law stands. You ask me as a lawyer to vote that a corporation shall come up here and solemnly agree with the State of Maine that it will keep the law! What an absurdity! That is all the law is. The law is that it shall not be shipped out. The gentleman would require every corporation that comes up here to get a charter to extend its purposes, to solemnly agree with the State of Maine—we hereby subscribe that we will continue to keep the law. A patent absurdity! Arrant nonsense! Advertising some of us, and that is all!

I hope a good large number of the House will vote against affixing the amendments to the charters.

Mr. BAXTER: Mr. Speaker, I would like to ask the gentleman from Houlton one question. If the 1909 law should be declared unconstitutional, is there anything which would prevent the Western Maine Power Company or any other company from taking electricity outside the State of Maine?

Mr. BARNES: Mr. Speaker, he might ask, if the world should not come to an end, what would happen to that wax cat that went to hell. If the section of the statute which forbids taking electricity out of Maine is abrogated or set aside or annulled—I suppose that is what the gentleman asks—then the only thing that would prevent a man transmitting his electricity outside of the State, I suppose would be the lack of a market.

Mr. BRAGDON of Westbrook: Mr. Speaker and Gentlemen of the House: I have listened with a great deal of interest during this legislative period, to this question which we have discussed so thoroughly this afternoon. I only wish that I could take the gentleman from Portland (Mr. Baxter) with me for only a short time, and then I think I could show him that the feat could be easily explained. I assure you that this question of electricity interests me; I

have grown up with it since 1887, and I have the honor of being the first one to throw the switch that connected the alternating current which gives to us a connection between our stations today and covers nearly the entire State of Maine. This interests me in more than one way. I have labored with the unseen fluid. It is true that no one at the present day has been able to determine what electricity really is. We do know this, that it can be harnessed and that it can be harnessed for the benefit of the State of Maine.

Gentlemen, if this Baxter amendment A is tacked on to this bill, you will be very sorry for it I assure you when you are interested in any small welfare where the current is being furnished by the town and some night you wake up without any light. And what is the reason for it? It is just this, that Baxter amendment A has been tacked on that bill so that that man is not able to ask his neighboring man to furnish the current to tide him over.

Back in 1888, the first question of combining water powers by the use of transmission wires, or current over the wires, was first thought of. We had our experiences I assure you, and when the gentleman from Portland says that it can be transmitted out over two wires across the border of the State of Maine, he is not acquainted with the transmission of electricity. There is no power today of any size whatever that is transmitted with less than three wires. I assure you that it is well for them to become acquainted with these matters before they try to illustrate before me in this Legislature that they are right.

This question is interesting for more than one reason, as I have stated before. What would we do if this amendment were connected to our power plants in years gone by? I assure you, gentlemen, that the lights which have been going here, without any interruption since we have been in this Legislature would have been out more than once.

I trust that the day is coming when we shall see, and I actually believe and have believed for many years that we will see this State of Maine completely covered with a network of wires from one end to the other regardless of

transmitting it outside the State. I believe in the State of Maine as every other man in this Legislature does; I have worked for the interests of the State of Maine; I have dealt with the men of Maine; I have been connected with the corporations of Maine, and I assure you, gentlemen, if you give them a fair show, they will give you one in return. That is my experience.

I wish to cite to you the situation, and I only wish it to be a case of a moving picture since 1888, when this question was first taken up. As I said early in the conversation, we had our experience with one small station. That was before we understood the practise of facing in, as we call it, from one side to the other so that we could get the benefit in case one water power should fail from the other without interruption. We installed second and third stations, and we experimented and found that this connection could be made and that we could get benefit from one station to another in case we were lacking power. That has been carried on until the whole State of Maine today, the large stations especially, are being followed up in this same way by connecting one with the other. I believe, gentlemen, that this is the only practical way, and I assure you that if the Baxter amendment A should be connected with these little privileges that we have mentioned, it would be entirely against them and entirely against the principles of the development of our good old State.

I trust, gentlemen, when this matter comes to a final vote that you will look to your neighbor and look for the best interests of all the factories that are now turning out the product and giving us the labor, and feel that there is something to be thought of besides this one little identical point of this amendment which is to be tacked on and which I assure you will be of no interest but will be of great dissatisfaction to all interested in the State of Maine.

Mr. WILSON of Portland: Mr. Speaker, I move the previous question.

The SPEAKER: Those in favor of moving the previous question will rise. The Chair would only suggest that the

gentleman from Portland, Mr. Baxter, suggested that he would want to close the argument. The Chair, before it puts the motion of the gentleman from Portland, Mr. Wilson, would ask the gentleman from Portland, Mr. Baxter, if he wishes to use the time.

Mr. BAXTER: Mr. Speaker, I have nothing more to say on this bill.

The SPEAKER: The gentleman from Portland, Mr. Wilson, moves the previous question. Those in favor of that please rise. It requires a third. The Chair judges a third have arisen. The question now is, Shall the main question be now put? Five minutes for debate.

Mr. NEWCOMB of Scarboro: Mr. Speaker, I would like to say one word. I do not desire to measure swords with any corporation lawyer; neither do I want to try to argue with a person who is an employee of large electrical plants, but I do want to say to these men that I am here to represent a part of the people of the State of Maine.

I have heard it insinuated, gentlemen, that the gentleman from Portland was not sincere in his amendments. Now gentlemen, I want to say this, that if our general law is sufficient to keep this electricity within our State, why is it that the representatives of these great corporations in trying to place their bonds tell their customers that if, and they think they will be, allowed to transmit their electricity beyond the limits of the State, those bonds will be worth very much more to them than they are now, and I think I am correctly informed that that has been the case.

Now, gentlemen, we of previous Legislatures sitting in this room have given away our wild lands of the State. As keepers of the people's rights, shall we today vote against this Baxter amendment and give away our water powers which is the only thing we have to look to for revenue? Some of these gentlemen here who lobby will tell you that the revenue you get from franchises will be a great help to our taxes. Is it for us, gentlemen of this Legislature, to become the modern Esau and give away our rights for a mess of pottage?

Now, gentlemen, if I am the only one

in this Legislature, I shall stand up and vote for the Baxter amendments because I believe they cannot hurt and they may keep for the people of the State of Maine what belongs to them. (Applause.)

Mr. HUTCHINS of Mexico: Mr. Speaker, I had hoped that this debate would not be closed before all had had a chance to be heard. We have before us the most important question that will come before this Legislature during this session, and I wish in a brief word to consider the two amendments.

The Senate Amendment has in it the condition that any or all rights, privileges, franchises and property of any public utility organized for similar purposes and doing business in the counties of York, Cumberland and Oxford or in any municipality adjacent to the towns named in the act of its incorporation or acts amendatory thereof or additional thereto in the State of Maine with which its wires may be connected may form a fixed system, upon such terms as may be agreed upon by such corporation and such public utilities, and so forth.

Now what does that mean? It means, as has been stated here, that there are small companies on the border and that this amendment will allow the Western Maine Power Company to absorb and to take all their powers over and, they having the right to take out the power, will go beyond the borders with what power they have. What do they have? They started with the Limerick Water and Electric Company in 1907 with five towns. In 1909 they took on four or five more and any towns adjacent to any of the towns named in that list. In 1913, they took on five or six more and any towns adjacent to any of those in that circle. Now they have gotten it into Cumberland and York counties, and the bills that are before this Legislature will connect the Western Maine Company, as I believe, with the Central Maine and with the Androscoggin development and with any other large companies doing business in the State of Maine today. If those companies have the right under their charters to sell electricity to the Western Maine and the Western Maine has a right to buy

it from them, and they have the right to purchase from the smaller company or to sell to the smaller company, if they have to do it, and to carry it out beyond the limits of the State—what does that mean? It means that we will have in the State of Maine, gentlemen, a high cost of power and outside the State you will have your surplus sold at a low cost. And what does that mean? It means that towns that are now flourishing, if a particular business goes now, will be not without power, but they will have a generating plant, gentlemen, and two men will take care of the plant or three men will take care of the plant, and they will send that power outside the State of Maine under these present acts unless the Baxter amendment is adopted.

If they do not intend to take it out, why in Heaven's name will it hurt them? Tell me that! If they do not intend to take it out, why will it hurt them? If they do intend to take it out, it will stop them until we can make a further contract with them.

Now, gentlemen, the law that is now on our statute books is conceded by able attorneys, and I will submit by as able attorneys as there are in this Legislature, to be unconstitutional. If that is true, why not put this amendment on and make it a part of their contract, and when it becomes a part of their contract, gentlemen, if they violate their contract, you can annul their charter. But if the law which is on the books is declared to be unconstitutional, you cannot take away from them their charter because you have not any cause for so doing.

I have a letter here from the Maine State Board of Trade, and that letter I will not stop to read because the time is limited, but I do just want to say a word here to the men who have said that they would not vote to take out the power but they will vote against the Baxter amendment. I say to you that it is their purpose to take it out and take it out under these acts that are before this Legislature, and if it is their purpose to do that, and if it is within their power to do that under these acts by selling to some company perhaps not named in the act, if that is right, we

should stop it and we should block the legislation.

Now, gentlemen, in relation to the Cole bill which has been put in here and is a part of this same subject—

The SPEAKER: The Chair rules by his new watch that the five minutes are up.

Mr. MESERVE of Naples: Mr. Speaker, I have five minutes on this subject and I will give my time to Mr. Hutchins.

Mr. HUTCHINS: Mr. Speaker, under those circumstances I will read part of this letter, dated March 26, 1917, from the Maine State Board of Trade.

"The legislative committee of the State Board of Trade calls attention to the increasing use of electricity for lighting, heating and power in this State, thereby contributing greatly to its growth and holding for it a still greater future, and believing in the importance of keeping this benefit for the good of this and all coming generations in the State of Maine, urges upon our legislators that they resist with jealous care any attempt to transmit or send electric current beyond the borders of the State."

Now, gentlemen, this is not the whim of one man. It is not backed by one man. It is not urged in this Legislature by one man, but by many.

I want to call your attention to the conditions that may exist in this State and do exist in some localities. In the county of Cumberland in what is known as Great Falls a few years ago they had a thriving community. The Cumberland County Power and Light Company went up and bought the plant, and property then worth \$2000 for a little home today could be bought for three or four hundred dollars. Why? No industry—gone to Portland—and two men take care of it.

Do you want the State of Maine to be a generating station to Massachusetts, Rhode Island and Connecticut? If we were located, gentlemen, as Pennsylvania is located, or Ohio, or Connecticut even, we would not have the same trouble, but we must save this power for the State or we are losing more than we lost in our wild lands and we are losing it to all future generations.

What would happen in the city of Waterville if those cotton mills should burn, gentlemen, during a depression and they decided not to rebuild? The Central Maine Power Company could get hold of them and by their connections which they have under these bills with the Western Maine they could carry them on and save large freight rates into the city of Waterville and they could save large freight rates on the manufactured product on its return to the market for those goods. And, gentlemen that is just the object of this legislation.

Now they say the Oxford Electric Company which came up here the other day and has been mentioned today, a little weak corporation, was not making anything, but let me tell you it is a part of the system backed up by millions of dollars; it is part of a connection system that is backed up by millions of dollars and a part of the Chisholm, Cobb, Maynard and Bird, and Macomber interests. They are all either big companies or connected with them, and if you trace out the history of their charters and their incorporators and those who hold the present stock, you will know it.

One more thing, it has been urged in this Legislature that there would be large revenues if you let this go out of the State returned to it. I say to you you would have your generating plants here, but you would have your manufacturing plants in Connecticut and you would have your bond holders and your stock holders in New York and Philadelphia. Where is the State of Maine going to get off?

I hope that the House will stand by the Baxter amendment until we can get something better.

Mr. BRAGDON of Westbrook: Mr. Speaker, I believe it is well to correct some impressions that have just been made by the previous speaker. He refers to a plant which you might suppose was now existing which had driven out a previous manufacturing concern. I am somewhat acquainted with that matter myself and I will say this, that the simple reason that that factory which was then existing does not exist today is because they had to haul their

material which they manufactured from five to ten miles each trip. That factory was doing a good fair business, but the time came when they had to abandon it. Therefore, this proposition of constructing a lighting plant was continued. The people in that vicinity are well pleased with the conditions because they are the people who get the benefit of the electric light and the electric power and the other necessities of life.

Mr. GANNETT of Augusta: Mr. Speaker, I simply want to correct the impression that the gentleman from Mexico, Mr. Hutchins, tried to make upon you people. It is absolutely untrue, and many of his statements show that he knew absolutely nothing about the subject under discussion. Everything he said referred to the Central Maine Power Company.

I will also add that what Mr. Baxter has said about the Central Maine Power Company is also absolutely untrue.

The gentleman from Mexico brought in different names in connection with the great power interests. One of them I know has absolutely no connection at all with this subject under discussion, and he showed by the nature of his remarks that he was simply appealing to the prejudice of our members here and trying to create in their minds something for which no foundation is had.

When these charters came up before the committee on public utilities, it was the unanimous report of that committee that they were perfectly just and proper and should have a passage. No opposition appeared in any case against any of these charters. No one appeared to bring up these amendments, and the companies had nothing whatever to say in regard to them, and they have not said anything. The gentleman here on the floor of this House has seen fit to misrepresent the whole proposition and has so confused the members that they are uncertain in many cases just how they ought to vote.

I want to endorse the remarks of the gentleman from Houlton, Mr. Barnes, and it seems to me that he sized the situation up in a very clear and concise manner. I certainly believe in developing the resources of the State of Maine;

the Central Maine Power Company believes in developing the resources of the State of Maine, and as proof of my belief I am willing to invest a large amount of money and to help out these industries. All that they ask for is a fair deal and that all companies be treated alike.

Mr. NEWCOMB of Scarborough: Mr. Speaker, when this question is taken I hope it will be by yeas and nays.

Mr. HUTCHINS of Mexico: Mr. Speaker—

The SPEAKER: The Chair would inform the gentleman from Mexico, Mr. Hutchins, that the rule says that after the previous question is called no member shall speak but five minutes, and there is no yielding time, as the Chair understands it under that ruling. If the gentleman from Mexico, Mr. Hutchins, is to be granted time, it must be done by unanimous consent unless he wishes to ask a question or correct a mistake.

Mr. HUTCHINS: Mr. Speaker, I simply want to ask a question. I would like to ask Mr. Gannett if the Central Maine Power Company, before the present act, was composed of the consolidation of the Waterville and Fairfield Railway and Light Company, the Union Gas and Electric Company, the Bingham Electric Company, the Clinton Electric Company, the Dexter Electric Company, the Kennebec Light and Heat Company and the Vassalboro Electric Light and Power Company.

Mr. GANNETT: What was the question? You ask if it was made up of those companies?

Mr. HUTCHINS: Yes.

Mr. GANNETT: Certainly it is.

Mr. HUTCHINS: At this Legislature you asked to add to that the Bath and Brunswick Light and Power Company, the Penobscot Bay Electric Light Company, the Waldoboro Electric Light and Power Company, the Hartland Electric Light and Power Company, the Union Light and Power Company, the Newport Light and Power Company and the Piscataqua Electric Light and Power Company? Is that true?

Mr. GANNETT: Absolutely true; and the company already owns all the stock in all those companies and in many of them not only the stock but the bonds. It is already connected with those and furnishes the electricity at very cheap rates. It makes no difference to the Central Maine Power Company whether this bill is passed or not so far as the operation of the companies is concerned. The only difference it makes is, it will enable the company to have one set of books and to have one corporation do the work they have to do with five or six separate books when there are five or six separate corporations. So far as all practical purposes go it is all one company at the present time, regardless of this bill. The purpose of this bill is simply to enable the company to consolidate its bookkeeping into one department and thereby save the additional expense.

The SPEAKER: The Chair is of the opinion that this discussion is beyond the limits of the rule. The gentleman can continue only by unanimous consent.

Mr. ROWE of Yarmouth: Mr. Speaker, we have been standing some tremendous cannonading this afternoon and after these big guns have been exploded, I am somewhat phased and I hardly dare to put in my little pop-gun, but I want to stand for the plain man. The lawyers have been discussing that this afternoon and it seemed to me that I was much more mixed than I was before I came in here to hear the discussion. All those constitutional amendments, franchises and riparian rights and all of that I do not know much about, but I do know this, that I like to judge of things by the opposition there is to them. They tell a story of a little girl who watched her hands very closely to see if they were clean. She asked her brother, "Don't you look at your hands to see whether they are clean or not?" He said, "No; I look at the towel." And it seems to me it behoves us to look at the towel.

There seems to be such a great deal of disagreement among the lawyers upon this question that it puts me all at sea, and when doctors do disagree, who

shall decide and what are we plain men who are the majority of the Legislature going to do about this? How are we going to vote?

It seems to me that it is this way. Some of us went over to the insane asylum a while ago, and we were very much impressed there by one woman who had her hands tied up in blankets so she couldn't scratch herself or anybody else. These Baxter amendments are something like the blankets on that woman's hands. We should keep things tied up until we know whether this is constitutional or not, and they will look after these things for us. Gentlemen, I believe in safety first. (Applause.)

Mr. CONARY of Bucksport: Mr. Speaker, I believe in the conservation of water powers of the State of Maine. Perhaps you all know that I think this is one of the most important pieces of legislation that has come before this House barring, possibly, the war measure which we have just disposed of.

This Baxter amendment, as I understand it, prohibits the shipping of electric current outside of the State of Maine, and I am heartily in favor of that or any other means by which we can attain the same end. I have talked with various members of these giant corporations; I have talked with their smooth and astute counsel and they all assure me that they do not ship electricity out of the State of Maine and do not intend to. If that is so, how does this amendment harm them?

Gentlemen, I will tell you how it harms them. They are not sincere in what they say to you. They do intend to ship it out. If it does not affect them, why has this giant corporation lobby hovered around this State House for the last few weeks? It simply brings home the fact that when you see a flock of buzzards flying around, there is going to be a killing and someone is going to be bled. The people of the State of Maine who send us up here—are we to see their rights here protected? This is not a party measure; vote as your consciences dictate, and I believe you will vote right, and when we go home, as I believe we must do pretty soon I hope, the book of this

Legislature when it is opened will show that we voted to protect the State of Maine and the welfare of the people who sent us up here.

The SPEAKER: The gentleman from Scarborough, Mr. Newcomb, moves that the vote when taken be taken by the yeas and nays. Those in favor of ordering the yeas and nays will rise.

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

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Baxter, that the House adhere to its former position and retain the Baxter amendment. The clerk will call the roll and as their names are called those in favor of the motion will say yes and those opposed will say no.

YEA—Alden, Allan of Portland, Allen of Sanford, Andrews of Norway, Andrews of Warren, Averill, Babb, Baxter, Besse, Billings, Bolduc, Boman of Vinalhaven, Boynton, Brewster, Burbank, Bussabarger, Cates, Chaplin of South Portland, Charles, Clark of Harrison, Clarke of Randolph, Clason, Clement, Clifford, Coffin, Cole of Etna, Conary, Corliss, Crediford, Cummings, Daigle of Wallagrass, Day, Descoteaux, Dow, Frost, Garcelon, Gurney, Hall, Harman, Hart, Hartwell, Hill, Hooper, Hunt, Hutchins, Jenkins, Jennings, Jordan of Baileyville, Jordan of Cumberland, Kneeland, Knight, Leavitt, Lenfest, Lewis, Libby, Longley, Lyford, Merrill, Meserve, Messer, Morin, Newcomb, Pendexter, Phillips, Picher, Purington, Ranney, Reed, Rounds, Rowe, Russell, Ryder, Sawyer of Eden, Snow of Bluehill, Snow of Mars Hill, Speirs, Stanley, Turner, Tuttle, Wagg, Washburn, Watson, Watts, Williams, Wilson—86.

NAY — Albert, Ames, Anderson, Barnes, Berry, Brackett, Bragdon, Brown, Buzzell, Chaplin of Bridgton, Cole of Eliot, Cushman, Daigle of New Canada Plantation, Dutton, Eaton, Ellis of Gardiner, Ellis of York, Emerson, Farrington, Fleming, Fletcher, Flint, Gannett, Hanson, Hammond, Harris, Holbrook, Holley, Holt of Skowhegan, Howard, Langley, Largay, Larrabee, Levesque, McNally, Murray, Neilon, O'Connell, Packard of Newburgh, Powers, Redman, Richards, Stearns, Stubbs—43.

ABSENT—Bowman of Detroit, Dearth, Driscoll Drisko, Goldthwait, Grant, Greenlaw, Holt of Gouldsboro, King, Lawrence, Morison, Murphy, Mutty, Nicholas, Packard of Rockland, Pattee, Sawyer of Madison, Sisson, Tate, Welch, Webb—21.

Eighty-six having voted in the affirmative and 43 having voted in the negative, the motion prevailed.

On motion by Mr. Baxter of Portland, the House voted to non-concur with the Senate in the adoption of Senate amendment A.

The SPEAKER: The Chair lays before the House An Act relating to the Clark Power Company. In the House this bill was passed to be engrossed, with House amendment "A." In the Senate House amendment "A" was indefinitely postponed and the bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House Senate Document No. 159, 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. This was passed to be engrossed by the House, amended by House amendment "A"; sent to the Senate. In the Senate House amendment "A" indefinitely postponed and passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House Senate Document No. 172, An Act to incorporate the St. Croix Water Company. In the House passed to be engrossed. In the Senate amended by Senate amendment "A."

Mr. BAXTER: Mr. Speaker, that is a different matter from the others, and I think should not have been put in with them. Consequently, I move that it be tabled.

The motion was agreed to.

The SPEAKER: The Chair lays before the House, House Document No. 185, An Act relating to the Vassalboro, China and Windsor Light and Power Company. In the House passed to be engrossed as amended by House amendment "A," presented by Mr. Baxter of Portland. In the Senate House amendment "A" was indefinitely postponed and the bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House, House Document No. 254, An Act to amend the charter of the Central Maine Power Company. In the House passed to be engrossed as amended by House amendment "A" and House amendment "B." In the Senate taken from the table and House amendments "A" and "B" indefinitely postponed, and the bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House, House Document No. 290, An Act to authorize Oxford Electric Company to extend its electrical lines to and within the town of Hebron, and to purchase the electrical equipment and franchises of trustees of Hebron Academy. In the House passed to be engrossed as amended by House amendment "A." In the Senate House amendment "A" indefinitely postponed, and the bill passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House, House Document No. 402, An Act to extend the charter of the Washington County Light and Power Company. In the House passed to be engrossed as amended by House amendment "A." In the Senate passed to be engrossed after the amendment was indefinitely postponed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action of March 15, at which time the

House voted to insist on its former action of March 7, at that time the House voting to pass bill to be engrossed as amended by House amendment "A."

The SPEAKER: The Chair lays before the House, House Document No. 457, An Act relating to the Knox Gas and Electric Company. In the House passed to be engrossed as amended by House amendment "A." In the Senate House amendment "A" was indefinitely postponed, and the bill was passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House, House Document No. 580, An Act to incorporate the Grand Isle Light and Power Company.

Mr. BARNES of Houlton: Mr. Speaker, let me inquire through the Chair of the gentleman from Portland (Mr. Baxter) if House Document 580, referring to the Grand Isle Light and Power Company, a corporation not yet organized, is to be insisted on as the subject of an amendment similar to the others.

Mr. BAXTER: Mr. Speaker, in answer to that, I will say that I think the Senate amended House amendment "A," so that it will cover that particular situation. If so, it would not interfere with the Grand Isle Company.

The SPEAKER: House amendment "A" adopted in the House. In the Senate, House amendment "A" indefinitely postponed and the bill passed to be engrossed.

Mr. BARNES: So that the Senate added no amendment, Mr. Speaker?

The SPEAKER: It indefinitely postponed it according to the docket.

Mr. BARNES: I would like to inquire of the gentleman from Portland (Mr. Baxter), through the Chair, whether he would be willing to postpone consideration of this bill until informed of the conditions.

Mr. BAXTER: I should be glad to do so, Mr. Speaker. I was about to make

that suggestion. The conditions here may be somewhat different.

On motion by Mr. Baxter, tabled pending concurrent action with the Senate.

The SPEAKER: The Chair lays before the House, House Document No. 691, An Act to incorporate the Casco Water, Electric Light and Power Company. Passed to be engrossed in the House as amended by House amendment "A" and House amendment "B." In the Senate read the second time, House amendment "A" adopted, and House amendment "B" indefinitely postponed. Bill, as amended by House amendment "A," passed to be engrossed.

On motion by Mr. Baxter of Portland, the House voted to adhere to its former action.

Mr. BAXTER: Mr. Speaker, I would inquire whether or not we have finished with the various charters having House Amendment "A" attached?

The SPEAKER: The Chair understands so.

Mr. BAXTER: If in order, Mr. Speaker, I move that we take from the table the two reports referring to an act to create the Maine Water Power Commission, and I would say that this matter and the resolve introduced by the gentleman from Houlton, Mr. Barnes, cover the same situation, though the way of getting at it is different in each case. As this act to create a commission has been before the legislature something over two months, I thought perhaps the gentleman from Houlton would not object to a discussion of the first one, and then take up his matter afterwards, as the next two items on the calendar.

Mr. BARNES of Houlton: Mr. Speaker, there are before the legislature three different propositions looking to control and compilation of information relative to the one subject. One, introduced by the chairman of the judiciary committee, Senator Davies, is on the table in the Senate. I wish that the matter from the Senate was here upon the table, so that they could all be taken up and disposed of at once, as

we have disposed of eleven just now. I would inquire whether the gentleman from Portland (Mr. Baxter) would agree to such a program?

Mr. BAXTER: Mr. Speaker, it seems to me that we will have to take these matters up some time, and if we take up one now and act upon it and take up another, that will be so much out of the way. The matter which the gentleman from Houlton (Mr. Barnes) refers to as being on the table in the Senate is wholly different from these two matters. That provides for a legislative committee. The bill I introduced provides for a commission and the resolve of the gentleman from Houlton refers the matter to the Public Utilities Commission. I should like to discuss it this afternoon because his matter and mine are very similar.

The SPEAKER: The Chair has no suggestion to offer other than that of course the rules were suspended at the beginning of the session this afternoon and we began with the "Tabled and Assigned" section.

Mr. BARNES: Mr. Speaker, if we are going to discuss these measures this afternoon, although my matter was tabled by the gentleman from Portland, still I wish it might have precedence.

The SPEAKER: The Chair would suggest that the matter be taken up in order although of course, it has no preference in the matter.

Mr. ROUNDS of Portland: Mr. Speaker, of course we are going to Bangor tomorrow, and we are going to try and enlist some people in the interests of the United States; and I want to say now that I would like to take from the table that order which was tabled. It is not on the calendar, although I do not know why, but it was especially assigned for inside of 24 hours. I would like to ask the gentleman from Houlton, Mr. Barnes, through the Chair if that is not the case.

The SPEAKER: The order relative to dependents of soldiers was tabled yesterday at the suggestion of some member pending the introduction of

legislation bearing on the same subject. The request of the gentleman from Portland now is that it be taken up out of order as I understand it.

Mr. ROUNDS: Yes, Mr. Speaker, so that we can know on our Bangor trip what we are going to do.

On motion by Mr. Rounds of Portland, the rules were suspended and the House voted to take up out of order Resolve relating to pay for the National Guard and the Naval Reserve of the State of Maine.

Mr. ROUNDS: Mr. Speaker, I move you that the resolve have a passage under suspension of the rules and that it be given its two several readings.

Mr. BARNES of Houlton: Mr. Speaker, I must simply repeat what I said yesterday that the Committee of Safety—over one hundred men you know—through its sub-committee is now in session at the Blaine mansion and will be until midnight, perhaps, tonight. This is one of the measures which they are to discuss. The proper method of taking care of the dependent families of soldiers and sailors has not been decided upon by that committee as yet. I have no interest nor pride in it, no personal feeling whatever; but I will say that the plan as proposed by the gentleman from Portland is very different from the plan which that committee has in mind relative to the aid of the soldiers and their wives and children out of the million dollar bonds or notes which we have authorized this morning.

Mr. ROUNDS: Mr. Speaker, if I am in order I want to say this: When they went down to Mexico some of these people now on the rolls of the State of Maine became paupers—their families. At the next term of this legislature you probably will be called upon by the committee of claims with reference to many of these so that they can be paid. Now this Committee of One Hundred they say is all right and I think they are doing excellent work; but here is the place to appropriate the money and here is the place for us to make the initiative. I say now is the time, and when the President calls for men, we want to

have our full quota; and if we do not do something we will be remiss in our duty. Therefore I want to know what they are going to have and what they are going to leave behind for their families. I move that this resolve be passed.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Rounds, that the rules be suspended and the resolve be given its two readings.

Mr. BAXTER of Portland: Mr. Speaker, I am sure I do not want to do anything to interfere with the passage of a resolve like this. I know that it comes from the big heart of Mr. Rounds. I do think, however, that in view of the fact that this matter is being considered by the Governor and Council and the committee of public safety, and by the various communities, all of which have committees at the present time, that it might embarrass the administration. That is the only ground on which I should oppose it at the present moment. Between now and Thursday when we return here the situation may have developed so that we will all want to vote for this resolve; but I do hesitate to vote for it in view of the present unsettled state of mind as to what is to be done. Yet I do not want to be put in the unfortunate position of voting against it. I wish that the gentleman from Portland would withdraw his motion for another 24 hours, and then I am quite sure that some plan will have been presented so that everybody can support it. In a crisis like this, we do not want to go on record as opposing a worthy resolve like that, and yet it might make it very embarrassing for everybody.

Mr. ROUNDS: Mr. Speaker, I do not want to talk all the time, but it seems to me now is the time; not wait until the call has come from the President of the United States and then hustle around and try to get in. I believe the time has now arrived and we should act and show some initiative. The Governor and Council will not spend this money if it is not needed and they are the ones to spend it

while we are the ones to provide it. Therefore I say it is for us to act now.

A viva voce vote being had,

The motion of the gentleman from Portland, Mr. Rounds, was agreed to and the resolve had its two readings.

On further motion by Mr. Rounds, the resolve was tabled pending its passage to be engrossed.

Mr. BAXTER of Portland: Mr. Speaker, I move that we take from the table An Act creating the Maine Water Power Commission, majority and minority reports, and that this be given its discussion in precedence of the Resolve relating to the conservation of the water powers of Maine.

The SPEAKER: The House hears the motion of the gentleman from Portland, Mr. Baxter, that the majority and minority reports of the committee on judiciary be taken from the table, the majority reporting "ought not to pass" and the minority reporting "ought to pass" in a new draft on An Act to create the Maine Water Power Commission and that it be taken up out of order.

A viva voce vote being taken,
The motion prevailed.

Mr. BARNES of Houlton: Mr. Speaker, could we expedite matters by assuring the gentleman from Portland that there will be no opposition to his motion, thus avoiding discussion and saving time, and pass it along to the Senate?

Mr. BAXTER: Mr. Speaker, I do not quite understand what the gentleman means.

The SPEAKER: The Chair understood the suggestion to be that the House would present no opposition to whatever motion the gentleman from Portland might make in the adoption of either report, and forward the matter.

Mr. BAXTER: Do I understand, Mr. Speaker, that we did take from the table the bill and that we can now discuss which report to accept?

The SPEAKER: The Chair so understands the vote.

Mr. BAXTER: I hardly feel, Mr. Speaker, that we ought to accept either report without a discussion; and, as I have had this matter under consideration for the greater part of the session, I have something I would like to say upon it if it is in order. I will be as brief as possible.

The SPEAKER: The question is before the House on the gentleman's own motion of taking these up out of order.

Mr. BAXTER: I move the acceptance of the minority report, and I should like to be heard in support of that motion. In discussing the question of the creation of the Maine Water Power Commission I want to say that I will briefly outline its purposes in order to refresh the recollections of the members of the House, some of whom have perhaps read the bill and others have not. This is a matter which can only be acted upon after very careful and deliberate consideration.

Those of you who have followed water power legislation in Maine, will remember that in 1909, the legislature created the Maine Water Storage Commission. That was the first constructive step that our State ever took toward forming a policy as a basis for future legislation. Having been a member of the State Senate at that time, and a member of the judiciary committee which unanimously reported "ought to pass" on the Storage Commission Bill, I have taken an interest in this question ever since. There was strong opposition to this Water Storage Bill on the part of the water power interests. They found that they could not defeat the measure, and when it actually came before the House and Senate it was passed apparently without a contest. The people of Maine should not forget that Gov. Milliken was a member of the State Senate and was on the Committee on Interior Waters at that important session. He stood out against the determined opposition of the very water power interests who have been

so prominent at this session. There was no member of that legislature who did more toward laying the foundations of a policy of conservation than our present governor. The legislature of 1909 should be remembered by all friends of this constructive legislation as the first legislature that had the courage to take a forward step in water power matters, and I assure you that this was done only after a hard contest and against determined opposition. One of the Senators from Cumberland county, Senator John E. Warren of Westbrook was one of the leaders in this movement. Although having charge of one of the biggest mills in this State, controlling the water rights on a great system of lakes and ponds, he was broad enough and public-spirited enough to set aside his personal and selfish interests and to look at this question from the point of view of the public welfare. There was no man more loved in his community; there were never any strikes or labor troubles amongst the people in his mills; and if he was now one of those representing the interests of Cumberland county in the State Senate, the vote taken there last Thursday would have resulted very differently. Cumberland county and the State of Maine could ill afford to lose a man like Senator Warren. The last time I saw him, only a few days before he died, he told me that he hoped sometime to return to Augusta to help this cause in which he took such an active interest. Today, the members of the lobby representing his mills are amongst the most active and bitter opponents of all this legislation.

When the Public Utilities Commission came into existence in 1913, the storage commission was merged with it and its brief career of four years was terminated. It is generally conceded that the Water Power people took an active part in thus quietly eliminating this Water Storage commission whose work in investigating the Water Power question was bringing too much publicity to bear on their private interests. They did not want any information given out about their operations. Since 1909, I have taken an

interest in this question and determined to do something about it, if ever I was returned as a member of either branch.

The proposed act entitled an act to create the Maine Water Power Commission is based upon that of 1909, but goes beyond it in its scope. Although the act contains seven or eight pages, the vital part is contained in the same number of lines. I will read these few lines to you and ask you to keep them in mind throughout this debate. This act says, "The Commission shall make an annual report to the Governor and Council showing the progress made in their investigations, and they shall report to the next legislature, a comprehensive and practical plan for the improvement and creation of such water storage reservoirs and basins as will tend to develop and conserve the water powers of the State, and shall report on what rights remain to the State in the natural storage reservoirs and basins, and in the developed and undeveloped water powers of the State, and the best method of developing them in the interests of the people of the State, and whether the same are in any respect being curtailed or otherwise being adversely affected by any person, firm or corporation."

The discussion in my opinion might well end right here.

Mr. COLE of Elliot: Mr. Speaker, I regret very much that on this measure, the most important that has come before the session, there are so many vacant seats. It seems to me that a measure that is so far reaching as this one ought to have a hearing from every member of this legislature. I believe that we are all intensely interested in the problem which the gentleman from Portland is explaining, and in justice to him it seems to me that there ought to be a full attendance of the House. I do not know what action to take, whether to move an adjournment until tomorrow so that he may have a full hearing as he deserves, because, as I say it is the most important matter that has been taken up and ought to be thor-

oughly understood by everybody. I do not know whether to ask the Speaker to send the pages into the corridors and have the members take their seats. I know everybody is tired, but it seems to me that the gentleman from Portland should not waste his energy on so many vacant seats.

Mr. BAXTER: I do not mind, Mr. Speaker, talking to the vacant seats. I will ask for ten or twelve minutes more, and if the House does not wish to vote on this question, I will table it.

Mr. COLE: I trust, Mr. Speaker, the gentleman will not think me discourteous. I am not opposing the gentleman from Portland, I am trying to assist him.

The SPEAKER: The Chair can entertain a motion to adjourn or raise the question of no quorum.

Mr. BAXTER: I would suggest that perhaps the Speaker might send the pages out into the corridors and let those come in who care to, and if they do not care to come in, we can continue the discussion by ourselves.

As I was saying, the discussion in my opinion, might well end right here. I cannot believe that there is any member of this House who can conscientiously object to such an investigation being made. The State of Maine has some rights in the reservoirs and water powers of this State, and you and I, and the people who sent us here, demand that we know what these rights are. This desire, this demand of the people of this State is the force behind this bill. Whoever stands in its way not only violates the trust imposed upon him by his oath of office, but must also stand trial for his betrayal of it.

The other provisions of the act provide for an unpaid board of commissioners. These men must and will be public-spirited citizens, who are willing to undertake this work for the benefit of their fellow men. There can be no motive of gain or of political preferment in serving on such a board. The withering influence of politics must not touch it. There are many men in Maine who possess the qualifications for such positions. He who

maintains that there are none, must have but little hope for the future of our people.

The remaining sections of the bill provide that the commission shall pass upon the construction of dams and other construction work as well as upon the safety of existing dams. In case of disagreement between the State authorities and the parties erecting these works, a reference to outside engineers is provided for. The board is to collect data relating to our reservoirs and streams and is to submit its report to the legislature. All such details are necessary in such an act, and I have found nobody who objects to these provisions.

The issue before us is this: The people of Maine want information on which to base a policy for the future; the water power people, the great timberland owners, and the paper mill men do not want us to have it. Face to face with this issue, do not allow yourselves to be led astray by plausible argument. It has been, and still is, difficult to get this issue before the citizens of this State. I am informed that we have thirteen (13) daily papers in Maine and regret to say that only two of them, the Portland Argus and the Lewiston Journal are willing to give this water power issue the fair treatment it deserves. To give you an idea of the widespread opposition against our doing anything at this session, let me tell you about one of the large Boston papers. The junior editor of that paper dared to write a brief editorial about "Conservation and Water Powers in Maine." The interests here brought pressure to bear on the editor-in-chief and told him there was no such question pending before the Maine legislature. The junior editor was called in to explain his rashness. To justify his position, he wrote to Augusta, as well as to other cities in Maine, and was given a correct outline of the situation. He presented this to his editor-in-chief who was silenced and so was the paper. Nothing more has been said about Maine water powers or conservation in the Boston Herald.

I have talked with the leading members of the lobby who oppose this bill, many

of whom are personal friends of mine, and without exception the only ground they have cared or dared to advance against it is, that it is unwise and expensive to appoint another commission. These men, whose companies have taken from the State the franchises on which their fortunes are based, now weakly plead that the State cannot afford the small sum necessary to investigate the remnants they have overlooked. But their companies can well afford to maintain the largest lobby of this session, so that they can gather in these remnants before the people of Maine are awakened to the situation.

This Water Power Board must be composed of enthusiasts, men who will give their best thought to this work, fearless and unapproachable, free from corporate influence or association. The work which has been done on the water power question by the Public Utilities Commission, has been clerical only; valuable and necessary it is true, but nevertheless perfunctory. I have no quarrel with that commission and entertain a high opinion of the ability and integrity of its members, but it is already overburdened with work. Look through its report and see the vast field it covers. Re-valuation of public service companies, investigation of accidents, of complaints, of rates. It stands as a buffer between the public and every public service corporation within our borders. Its work has just begun and will increase every year. There is no better way to judge of this than to follow its expense account. Its first year's expenses were \$45,000; it now asks \$66,000 for the year 1917 and the same for 1918. I doubt if any of us really believe that this board, as able as it is, has either the time or the inclination to take over the additional burden of a careful investigation of our water powers and the foundation of a constructive, permanent policy for the conservation of the same. On the other hand, there is no question of more vital importance to our people than the one before us. If ever a question was worthy of special thought and undivided attention it is this one.

Up to this point I have spoken of the history of this legislation in Maine, of

the proposed act, and of the objection, the sole objection, raised against it. To attempt, at this time, to discuss the general water power question would be unwise, in fact it would be impossible. Our National Government is the storm center of this question. Every state in the Union that has any water power is interested in it. Every man, woman and child in this country is interested in it. I cannot think of anything which is so vital to the health, comfort and safety of our people as the proper development and regulation of our water power resources and of the electric current which is developed from them.

I shall confine my remarks to the situation here in Maine. Maine stands third among our States in Water Power development, being exceeded only by New York with 885,000 H. P. and California with 466,000 H. P. We have 1620 lakes and 515 rivers. In 1910, our total developed water horse power was 343,000; Our undeveloped was 1,023,000 horse power, which shows that we were then using about one-quarter of our power. When we figure the possibilities of increase by storage, it will be seen that we have 453,000 additional horse power at our command. Including this it will be seen that we are now using but one-seventh of our total water power resources. Since 1910, we have developed about 45,000 horse power more. These are the only figures I shall give you, for if one begins dealing in figures in so vast a subject as this, we all would soon be bewildered. My object in impressing these few figures upon your minds is to show you that we are utilizing but one-seventh part of our resources and that we need a sound constructive policy for the development of the remaining six-sevenths. Is not this situation worthy of the most careful consideration? Is it not belittling it to treat it merely as a side issue of our Public Utilities Commission?

Did you ever stop to consider that the water powers of this State are of greater value than the coal fields of Pennsylvania, or the oil wells of California? I often hear it regretted that we have no great natural resources, no coal, no iron, no oil; but centuries after all these have disappeared, when

the coal and iron mines have been exhausted and the oil wells pumped dry, Maine should still have her water powers. Water power replaces and restores itself, and its product can be transported hundreds of miles over a wire. It requires no imagination to foresee the day when there will not be a ton of coal used within our State, except perhaps for heating, and even improved methods of producing electricity may make possible economical heating. The study of water power possibilities opens wide the whole field of human activities, and yet we have to fight to get a Bill passed by this Legislature, which will allow and permit the people of this State to find out what they own. Selfish men have been at work in this very State House for weeks, yes for months, trying to head off and defeat this legislation. Every influence and every argument at their command have been used against it. Failing to overcome the strong sentiment in favor of it, they are now seeking to make it an appendage to an already overburdened Public Utilities Commission. These are the men who are eager to save this State a few thousand dollars expense so they may plunder our resources just a few years more.

I shall not forecast the policy which this proposed Commission may outline. You should be informed, however, as to the possibilities. Some of the large corporations have wisely begun to develop storage reservoirs. The sources of supply for all our water powers are the great chain of lakes, the storage reservoirs of Maine. No matter who owns the actual water power sites, the State of Maine still owns the natural reservoirs, except, of course, where it has already given some of its rights away. We shall probably hear a long discussion from the opposition as to who owns the water powers of Maine. They have obtained a long and able opinion from Ex-Chief Justice Emery and have had it printed on our records. You and I know who owns these water powers and we know how they got them. We know that for years these men have come to this Legislature and have been given franchises, flowage rights, dam rights, eminent domain

rights, rights to flow and take public lands and everything else that belonged to the people of this State. We now want to know if anything is left, and how the whole situation can best be handled for the general public interest.

In this State we have three great storage systems that have been developed by private capital for increasing the water supply. The Ripogenus-Chesuncook system on the Penobscot, the Moosehead on the Kennebec, and the Magalloway on the Androscoggin. The operation of these reservoirs is to collect the flood flow in the spring, and to release the stored waters in the fall and winter during the period of low water. You can readily see that this greatly increases the power developments down river, and not one, but every power user on the river below, is benefited by it.

The Ripogenus-Chesuncook Storage System is the largest with 75 billion cubic feet. This gives to the dams now on the river, an increased horse power of 34,400.

The Moosehead Lake System with 23 billion cubic feet gives an increased horse power of 13,900.

The Magalloway System with 9 1-2 billion cubic feet gives an increased horse power of 18,860. This system alone will run all the Lewiston mills for 65 days even if there was no other water in the river.

It is estimated by the General Electric Company that one (1) water horse power will do the work of 13 tons of coal, and though this was questioned at one of our hearings, I have a statement from one of the officials of that company that this figure is correct. On these three storage systems are generated 67,100 additional horse power created solely by the storage dams to do the work of which would require 872,000 tons of coal. Gentlemen: we spend our time here arguing over a mill tax, over a few thousand dollars asked for roads, over the needs of our State institutions, over a hundred other measures important, as they are, and then year after year neglect the greatest, most far-reaching, most vital of them all.

The water power interests around

this State House are opposing this legislation because, they say, it will discourage the investment of private capital and consequently will retard the full development of our water power resources. On the contrary, I believe that wise and fair legislation like this, will clear the atmosphere of the doubts and uncertainties of the present situation. Let us not be blinded by the dust which selfish interests throw into our eyes. It is generally conceded that in years past, these very interests have been actively engaged in forcing issues upon us, in keeping us in a turmoil over other matters, in order to attract our attention away from this, the greatest issue of all.

This water power agitation comes about from a widespread feeling that the rights of our people are being taken from us by private corporations. It is safe to assert that the people of Maine believe that wrongs have been committed, and they not only want to redress these wrongs, but they insist upon a policy that will prevent their recurrence. If this bill is defeated, it will give the water power people a brief two years more of peace, but no matter who comes here two years from now, this conservation movement will gain strength and is bound to win in the end. Its success is inevitable. Would it not be the part of wisdom for these corporations to accept, even to advocate, the passage of such a law which is fair to all, and which, above all, may lead to the establishment of some policy under which they can then act within the law. New capital seeking investment will then know what the State of Maine's policy is. They will then know it can be relied upon, and that we all want to encourage the immediate development of these resources. Radical and hostile legislation will then have but little chance of making headway in the face of a broad, well-defined state policy.

These companies have brought upon themselves the troubles which now face them. Their arbitrary methods, their powerful lobbies, all inflame the public mind. One of these lobbyists asked me contemptuously, "Who is behind this bill?" I replied, "A good

many of the people of the State of Maine are behind it, and I am doing what I can to help them." In speaking of this to one of the leading hydro-electrical engineers of the State, I urged him to help in the passage of this law, since he admitted it was fair and just. I told him of the distrust in which many of the companies were held. He replied, "The people hate us now, and a little more or less doesn't matter." Such a short-sighted policy! Why not meet the people half way and show a spirit of conciliation, instead of increasing the hostile feelings now existing between the corporations and the people.

This same engineer in speaking of the unsettled state of feeling in Maine, and the dread which corporations had of investing in locations where they were likely to be disturbed, told the story of the president of a large industry who was seeking a site for a factory in Maine. This president was being told of the great water power privileges at Moosehead lake which were being offered him. He interrupted the engineer and said "I hire men to find out all about that; all I want to know is, what sort of laws do you have in Maine; will we be let alone," or words to that effect. I should not quote this, had it not become common gossip about the lobbies in this capitol. We have good laws in Maine, and we encourage the legitimate development of private enterprises, and we let people alone as long as they do what is right.

We want to encourage development both large and small; but in doing so we must not let the control and regulation of it pass entirely out of the hands of the State. Each horse power developed from now on, means a saving to our people, and the stopping of needless waste. I urge the passage of this bill as much from the point of view of private capital as from that of the public welfare. Let this commission suggest some constructive plan, let the legislature adopt it, and there will be no lack of capital seeking investment in the water powers of Maine.

In looking over the cost of this proposed commission, you will see that the

bill calls for an appropriation of \$12,500 for 1917, and \$15,000 for 1918. This will be expended as follows:

For 1917, \$5000 for the investigation of water powers; \$2500 for stream measurements and data connected with same and \$5000 for the topographical survey maps, making a total of \$12,500.

This does not increase by a single dollar the appropriations already asked for by the public utilities commission and by the Governor's budget. The utilities commission have asked for \$7,500 for this very work and the governor in his budget has recommended that \$5,000 more be spent on water power investigation, for he has never for a moment lost his interest in this great question.

For 1918, the items will be the same, except for an additional \$2,500 for the topographical maps. These maps, it may be explained, are of great value in determining water power possibilities. The United States Government moreover pays one-half the cost, and for every dollar we appropriate for this work, the Federal Government appropriates another thus doubling the amount available for the work. In speaking of these maps, we should not overlook the fact that as a means of National preparedness, and from a military standpoint alone, they are of incalculable value. As for the expenses of the commissioners, they are nothing. During the four years of the existence of the storage commission, the members practically paid all their own expenses and of all the money handled by them during those years, not over a total of \$200 was paid for their expenses. It will be said that the former storage commission met but twice a year. They did so in the spring when they laid out their work, and in the fall when they met to take account of what had been accomplished. These were the formal meetings. The members of the commission kept in touch with the work and with the chief engineer throughout the year. When Governor Haines was in office, as chairman of the commission, he never called them together, as he was hostile to the work of the commission and was instrumental in abolishing it. The commission was

not at fault for that, and kept right at work in spite of the attitude of the Governor.

The subject of water powers is so vast, so tremendous, that no one man can do it justice. I have not even attempted to touch upon it except as to its relation to the bill before us. We have much work to do during the few days of the session remaining to us. I cannot quite understand the point of view of some of the members of this House. In private conversation they assure me that they believe we should do something to conserve our present and our future rights. They say that they yield to no one in their desire to protect the State of Maine's greatest asset, but when the deadly parallel columns of the yea and nay vote are seen, their names are invariably found on the corporation side.

There is no question which so intimately affects the welfare of this, and succeeding generations as that of our water powers. When you vote on this bill, think of your neighbors who sent you here to represent them, and think of what you are to say to them when you return home after the session. This fight has just begun; whatever this legislature may do is but a step, forward or backward, as the case may be. When the people of Maine see what is before them, when the issues and the questions are made clear, and they will be made so, there will be no doubt in the minds of any of us, what the verdict of the people is to be.

Mr. Speaker, I think I have already moved that the minority report be accepted.

The motion was agreed to and the bill, House Document No. 710, had its three readings under suspension of the rules and was passed to be engrossed.

Mr. BARNES of Houlton: Mr. Speaker, there is on the table a resolve for the erection of an armory in Lewiston and another one for the erection of an armory in Bangor. They are not upon the calendar. With the consent of the House, I would like to take up first the resolve in favor of Lewiston for the purpose of proposing an amendment.

The SPEAKER: Of course the gentleman from Houlton understands that it will be necessary to suspend the rules and take this out of order. This is to further the work of the preparedness committee I suppose.

Mr. BARNES: It is, Mr. Speaker.

The SPEAKER: Does the Chair understand that the gentleman has an amendment to propose?

Mr. BARNES: Yes, Mr. Speaker.

On motion by Mr. Barnes of Houlton, the House voted to suspend the rules to consider out of order Senate Bill No. 28. On further motion by the same gentleman, the House voted to reconsider its action whereby Senate Document No. 28 was passed to be engrossed.

Mr. BARNES: A word merely, Mr. Speaker, of explanation relative to both. It is conceived now that they should be made emergency measures and it seems desirable that they should be placed in such position that the expenditures can be from the fund authorized this morning. With your permission I will read the amendment.

House Amendment "A" to Senate Document No. 28, being a Resolve appropriating money for the erection and equipment of a State armory for the use of the National Guard in the city of Lewiston.

Amend Senate Document No. 28, by striking out all after the title of said resolve and inserting in place thereof the following:

Whereas, the people of Maine find themselves in what is virtually a state of war with a foreign power, and whereas it is the duty of the State of Maine to equip herself to discharge her full obligations as a member of the United States, and

Whereas, armories for the assembling, training and drilling of troops are immediately necessary for the preservation of the public peace, health and safety,

Now therefore, be it resolved:

Sec. 1. That there be and hereby is appropriated and that the Governor and Council are hereby authorized to expend from any funds in the treasury not otherwise appropriated, and in particular and especially from the fund appropriated by

the present legislature for purposes of war, the sum of \$80,000 in the year 1917 in the erection and equipment of an armory building in the city of Lewiston for the use of the National Guard of the state of Maine in said city, provided that the city of Lewiston shall furnish a lot or site for said armory building acceptable to the Governor and the commission to be appointed for the building of such armory, and shall deed the same to the State upon the passage of this resolve, or when required by the commission herein provided for; said sum to be expended for the above purposes by a commission consisting of the adjutant general, two citizens of the city of Lewiston and two citizens of the city of Bangor, to be appointed by the Governor, subject, however, to the supervision and direction of the State Armory Commission to whom said armory shall be turned over for the benefit of the State aforesaid upon its completion and acceptance.

Sec. 2. In view of the emergency expressed in the preamble hereof, this resolve shall take effect when approved.

On motion by Mr. Barnes of Houlton, the amendment was adopted, and the resolve having had its two readings was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Barnes of Houlton, the rules were suspended and the House voted to reconsider its action with reference to House Document No. 102, Resolve for the erection of a State armory for the use of the National Guard of the city of Bangor.

On further motion by the same gentleman, the House voted to reconsider its action whereby House bill No. 102 was passed to be engrossed.

Mr. BARNES: Mr. Speaker, I would suggest an amendment exactly the same as the other one except that the word "Bangor" is used in place of "Lewiston."

The SPEAKER: Is it the pleasure of the House that the amendment as proposed by the gentleman from Houlton, Mr. Barnes, be adopted?

The amendment was adopted and the resolve having had its two several read-

ings was passed to be engrossed as amended by House Amendment A.

The SPEAKER: Unless the Chair is misinformed or mistaken, the next thing on the calendar to come before the House is the majority and minority reports of the committee on judiciary, the majority reporting "ought not to pass" and minority reporting "ought to pass" on An Act to amend Section 1, Chapter 60, Revised Statutes, entitled "Transmission of Electric Power beyond the Limits of the State Prohibited," and the pending question is the acceptance of either report.

On motion by Mr. Barnes of Houlton, the House voted to suspend the rules and take up out of order Senate Document No. 298, An Act to amend Sections 55, 56, 57, 58, 59, 61 and 62 of Chapter 16, Revised Statutes, to provide for the formation of unions for the employment of superintendents of schools.

On motion by Mr. Dutton of Bingham, the bill was passed to be enacted.

Mr. DUTTON of Bingham: Mr. Speaker, I tabled the next two measures in the hope that in one of them I had cornered the Jackman and Rockwood road; but I find that it was not contained in either one of those reports and that this morning, while I was absent from the House, it slid in and the report was accepted in concurrence, "ought not to pass." Consequently, in regard to the next two measures, I move the acceptance of the report of the committee.

On motion by Mr. Dutton of Bingham, the report of the committee on ways and bridges, "ought not to pass" on certain

ills and resolves relating to appropriations for highway repairs and construction in certain cities and towns was accepted.

On motion by Mr. Dutton of Bingham, another report of the same committee, "ought not to pass" on certain bills and resolves relating to appropriations for highway repairs and construction in certain cities and towns was accepted.

Mr. ROUNDS of Portland: With reference to the resolve that I tabled in regard to the soldiers, I have conferred with the Governor and he affixes this amendment to it and he would like for it to go through. If in order, I would like to take it up at this time.

On motion by the gentleman from Portland, Mr. Rounds, the Resolve was taken from the table relating to pay for National Guard and Naval Reserves of the State of Maine, under suspension of the rules.

Mr. Rounds offered House Amendment A as follows:

Amend Resolve relating to the pay of the National Guard and Naval Reserves of the State of Maine by adding in the fifth line after the word "State" the words 'not exceeding the sum of one dollar' so that it shall read 'not exceeding the sum of one dollar.'

The amendment was adopted and on motion by Mr. Rounds, the resolve was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Farrington of Augusta,

Adjourned until 9.30 Thursday morning.