

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
KENNEBEC JOURNAL PRINT
1916

HOUSE.

Thursday, April 5, 1917.

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

Prayer by the Rev. Mr. Cochrane, chaplain of the 2nd Regiment National Guard of Hallowell.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act to amend Section 65 of Chapter 126 of the Revised Statutes, relating to the appointment of cruelty officers.

In the House this matter was indefinitely postponed. In the Senate it was passed to be enacted in non-concurrence.

On motion by Mr. Cole of Eliot, the House voted to recede and concur with the Senate, and the bill was passed to be enacted.

From the Senate: An Act repealing Paragraph 6 of Section 6, Chapter 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

Came from the Senate indefinitely postponed in non-concurrence. In the House was passed to be engrossed.

Mr. HALL of Wilton: Mr. Speaker, as a member of the agricultural committee, this was argued before that committee and there was a unanimous report that it be repealed. I therefore move that the House insist on its former action and appoint a committee of conference.

The motion was agreed to.

The SPEAKER: The Chair will appoint on that committee Messrs. Hall of Wilton, Bowman of Detroit and Tate of Topsham.

From the Senate: An Act to better define the duties and to increase the number of medical examiners.

Came from the Senate, Senate

Amendment A adopted and bill passed to be engrossed. In the House passed to be engrossed.

On motion by Mr. Farrington of Augusta, 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 A and the bill was passed to be engrossed as amended by Senate Amendment A.

From the Senate: Report of the committee on salaries and fees on An Act to amend Chapter 337 of the Public Laws of 1915, relating to the amount to be paid for clerk hire in Knox county, reporting "ought not to pass."

Came from the Senate that body voting to adhere to its former action of March 29, at which time the Senate adopted the report of the committee "ought not to pass." In the House the bill was substituted for the report and went to the Senate. The Senate's action was acceptance of the report and now it comes back here for action. The last action of the House was that we vote to insist and ask for a committee of conference and the Senate adhered to its former action.

Tabled by Mr. Meserve of Naples.

From the Senate: Report of committee on salaries and fees on An Act to amend Section 38 of Chapter 117 of the Revised Statutes of 1916, relating to compensation of the judge of probate for Somerset county, reporting "ought not to pass."

This comes from the Senate, that body voting to adhere to its former action. March 24th, the report of the committee was read and accepted. In the House the bill was passed to be engrossed.

On motion by Mr. Holt of Skowhegan, temporarily tabled.

Mr. FARRINGTON of Augusta: Mr. Speaker, I would like to inquire through the Chair of the gentleman from Skowhegan, Mr. Holt, if he proposes to take that off during the day.

Mr. HOLT: I do, Mr. Speaker.

The SPEAKER: The Chair would take this opportunity to state that it is the belief of the officers, the secretary and the clerk, that the House can do its business and adjourn by Saturday night provided—and I presume we all feel the same way that we would like to do the business up if we can do justice to the State—nothing new develops at Washington. It is the feeling and belief that this can be done if the members will be in their seats and attend to the matters on the program. Of course, the Chair does not refer to any one matter that has happened to be tabled this morning; but in days past it has happened that when matters have been reached on the calendar, very few members have been in their seats to take their matters up when reached and consequently they have been retabled. If we are to get through Saturday, it is very essential that we have the members here and those interested in the matters ready to look after them. We have one or two emergency measures where it will be necessary to have 101 votes.

The Chair would further suggest in regard to the matters where there have been a committee of conference that a report of that committee is always in order, and it is suggested by the Chair that where such committees have been appointed, they meet with the members of the Senate and formulate their reports as quickly as possible and make their reports. Of course the Chair would suggest that it is advisable for the House, if possible, to stand by the report of the committee of conference, provided it is unanimous or anywhere near it. This is only a suggestion to the end that matters may be forwarded relative to printing. Let every committee of conference that is appointed see to it that the report is made as quickly as possible.

The Chair realizes that the seats are hard to sit in and that some of the discussion is not especially interesting to all members who are not interested in the particular matters under discussion; but, the Chair and the officers are ready to do their duty and be on duty all the time—morning session, forenoon session and evening session if

necessary. It is simply up to the members of this House. So if, when the times comes to take up your measure, you defer it or are not here to look after it, do not find fault with the administration because the session is dragged out.

From the Senate: Resolve in favor of Freeman Boynton of Boothbay Harbor in the county of Lincoln for refund of money paid in lieu of military service in the late war of the Rebellion.

This matter comes from the Senate that body voting to adhere. In the House the House voted to insist and ask for a committee of conference.

On motion by Mr. Descoteaux of Biddeford, the House voted to adhere to its former action.

From the Senate: Majority and Minority reports from the Committee on sea and shore fisheries on An Act to amend Sections 35 and 38 of Chapter 45 of the Revised Statutes, relating to the measurement of lobsters, the majority reporting "ought not to pass" and the minority reporting "ought to pass."

The majority report comes from the Senate read and accepted in non-concurrence. In the House the minority report was accepted and the bill given its three several readings under suspension of the rules and passed to be engrossed.

Mr. PACKARD of Rockland: Mr. Speaker, it seems to me tht the Senate has not given the House very much consideration. It looks very much to me as though they thought we were a bunch of children and not capable—

The SPEAKER: Does the gentleman from Rockland, desire to make a motion?

Mr. PACKARD: I do, Mr. Speaker. I was saying that the Senate must think us a bunch of children—

The SPEAKER: The gentleman is out of order.

Mr. PACKARD: I move that the House insist on its former action and ask for a committee of conference.

The motion was agreed to.

The SPEAKER: The Chair will appoint on the committee of conference Messrs. Packard of Rockland, Newcomb of Scarborough and Fletcher of Kennebunkport, and in the case of this committee as in the case of all conference committees would suggest that their report be formulated and returned to the House as rapidly as possible so that if the bill is voted to be passed it can be put on its way to the printer's as soon as possible.

Mr. NEWCOMB of Scarborough: Mr. Speaker, I move you that this be sent to the Senate immediately so they can appoint a committee.

The SPEAKER: The only objection to that is that the records of the clerk have to be made up from the endorsements on the papers.

From the Senate: Majority and minority reports from committee on judiciary on An Act for the better protection of children and to amend certain sections of Chapter 64 of the Revised Statutes, majority reporting same in new draft under title of "An Act to amend certain sections of Chapter 64 of the Revised Statutes, in relation to the protection of neglected children" and that it ought to pass, signed by Messrs. Cole, Deering, Dearth, Farrington, Gurney, Baxter and Barnes. Minority report from same committee on same matter, "ought not to pass" signed by Messrs. Davies, Gillen and Hutchins.

In the Senate, the majority report was accepted.

On motion by Mr. Farrington of Augusta, the House accepted the majority report in concurrence.

The bill was then given its two several readings.

On motion by Mr. Barnes of Houlton, the rules were suspended, the bill was given its third reading and passed to be engrossed in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on Resolve on the pay roll of the Senate, reporting "ought to pass."

In the Senate, report read and accepted.

In the House, report accepted in concurrence.

The resolve, Senate Document 419, was given its first reading.

On motion by Mr. Barnes of Houlton, the rules were suspended and the resolve was given its second reading and passed to be engrossed in concurrence.

From the Senate: Report of committee on appropriations and financial affairs on Resolve for the pay of the chaplain and certain employees and for typewriting and stenographic assistance for the official reporter of the Senate, reporting "ought to pass."

In the House report accepted in concurrence.

The resolve, Senate Document 420, was given its first reading. On motion by Mr. Barnes of Houlton, the rules were suspended, the resolve was given its second reading and passed to be engrossed in concurrence.

From the Senate: Report of committee on education on An Act entitled "An Act to establish military training in public schools" reporting "ought to pass."

In the House the report was accepted in concurrence.

The bill, Senate Document 424, was given its two several readings.

On motion by Mr. Barnes of Houlton, the rules were suspended and the bill was given its third reading.

Mr. CLASON of Lisbon: Mr. Speaker, do I understand that in the new draft it leaves it optional with the schools?

The SPEAKER: The Chair is unable to state.

Mr. CATES of Vassalboro: Mr. Speaker, has the bill had its three readings and is it ready to be passed to be engrossed?

The SPEAKER: It has.

Mr. CATES: Mr. Speaker, I would like to move that the bill be indefinitely postponed, and in support of that motion, Mr. Speaker, I wish to say that

the general sentiment of the educational board is opposed to military training in public schools. I wish to read two extracts here.

"Years ago, England tried military training in her schools, and finding it harmful instead of beneficial, gave it up.

"France tried universal military training in her schools, after the Franco-Prussian war of 1870-71, and after a trial of over 20 years, France discarded the system and sold the school equipment at auction.

"Australia more recently tried general compulsory military training for her boys in the schools and after several years' trial discarded it by a majority referendum vote of 80,000 last October.

"Germany, with all her devotion to military efficiency, has never had the system in her public schools or colleges, except in a few military schools, similar to our West Point Military Academy. Field Marshal Von Moltke condemned it especially in the lower schools, pointing out that gymnastic exercises were more valuable.

"The experiences of all European nations show that military training in the schools is positively harmful, so that not one of them has favored it for several years.

"Just before his death, Lord Kitchener of England told his military commander to cut out most of the drilling because it has so little value in modern warfare."

Further than that such an authority as Doctor Dudley A. Sargent of Harvard University, says: "Our principal objection to military drill as a physical exercise is that it does not to any extent meet the physiological demands of the body."

So I could go on indefinitely, but furthermore the educational system of the State of Maine is not in favor of military training in schools. While this does not require compulsory military training, it is entirely optional with school boards or school committees. There is nothing in the law that we cannot carry out now without it. I do not think that we should encumber the statute books with any unnecessary

legislation. Therefore, I move the bill be indefinitely postponed.

Mr. SNOW of Mars Hill: Mr. Speaker, I wish to support the motion of the gentleman from Vassalboro. It does not seem as though this bill would be of very much benefit. If the national government wants to establish some kind of a system of military training for the boys in the towns, it may work out, but under this bill I do not think we are getting very much. I second the motion of the gentleman from Vassalboro.

The pending question being on the motion of the gentleman from Vassalboro, Mr. Cates, to indefinitely postpone.

A viva voce vote being doubted,

A division of the House being had,

Forty-seven having voted in the affirmative and 42 in the negative, the motion to indefinitely postpone prevailed.

Senate Bills on First Reading

Senate 426. An Act to provide for the transfer to the reformatory for women of women serving in the State prison, in any county jail or in any house of correction.

Senate 354. An Act to amend Sections 1 and 22 of Chapter 69 of the Revised Statutes, relating to succession taxes.

Senate 425. An Act to amend Section 23, Chapter 115, Revised Statutes, relating to poor debtors.

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

Senate 421. Resolve for a memorial in honor of Major General Hiram C. Berry. The rules were suspended and the resolve given its two readings and passed to be engrossed in concurrence.

Senate 428. An Act to facilitate the care and treatment of certain infectious diseases and to add certain sections to Chapter 19 of the Revised Statutes relating to the State Board of Health.

On motion by Mr. Allen of Portland, tabled, pending its third reading.

Mr. FARRINGTON of Augusta: Mr. Speaker, may I ask the gentleman from Portland, what time he will take this up?

Mr. ALLAN of Portland: Mr. Speaker, I will take it up at any time. I want opportunity to examine it; I haven't had an opportunity all the session; I want to see what the new draft really is.

Senate 400. An Act to amend Section 5 of Chapter 146, Revised Statutes of 1916, relative to admittance and charges for patients at State sanatoriums.

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

Senate 423. Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

On motion by Mr. Cole of Etna, the resolve was given its two readings under suspension of the rules and passed to be engrossed in concurrence.

Senate 422. An Act relating to the operation of motor vehicles.

Mr. FARRINGTON of Augusta: That is a short bill, Mr. Speaker, and I hope the members of the House will read it.

Mr. ALLAN of Portland: I would like to move its passage, Mr. Speaker.

The SPEAKER: The Chair will read it as it is short to save the members looking it up. (The Speaker reads the bill.)

Mr. DUTTON of Bingham: Mr. Speaker, that measure sounds to me a trifle drastic. It seems to me an innocent man might be liable to a fine of \$20. I move that the matter be indefinitely postponed.

Mr. COLE of Eliot: Mr. Speaker, I do not know whether the gentleman (Mr. Dutton) lives in a thickly settled community where there is a great deal of automobile travel, or not; but it is not very pleasant to be kept awake half the night by those fellows who go whistling along with their cut-out wide open. If the gentleman is familiar with that phase of the matter he would realize some of

the troubles of those who do live in such places in those portions of the State where automobiles are going at all times of day or night. There is today a law against motorboats running with cut-outs and mufflers open for the protection of the people along the coast. Now I do not know why the people inland should not be protected as well. It does not strike me that an innocent man would suffer, because any innocent man can prove in court that he is innocent if arrested for this offense and no judge would ever fine him. Every man is presumed to know the law and it is not the innocent man who is usually punished.

Mr. MERRILL of Gray: Mr. Speaker, I believe that the annoyance to the innocent sick person would be greater than it would to that innocent man who might be fined.

Mr. FARRINGTON of Augusta: Mr. Speaker, I believe that the part relating to the muffler is all right, but it strikes me that the rest of that bill might open up quite an avenue of trouble for the person driving an automobile. "No person driving an automobile shall open the muffler cut-out." That is all right. "Nor permit such motor vehicle to make any unnecessary noise." That is the part that I question.

Mr. BARNES of Houlton: Mr. Speaker, of course this is what is called a criminal statute, and before any judge would consider any evidence on that matter of unnecessary noise he would have to be shown that the man knowingly and willfully permitted it to make unnecessary noise. I hope that this matter will pass just as it is written. There are in the cities and towns of Maine a class of men who will deliberately pass the churches on Sunday morning and open their cut-outs to make a noise. As to the punishment, the punishment is any sum from one cent to twenty dollars; and I think we can trust the court to do right about that. It is one of those statutes that it seems to me just the enactment of will correct the difficulty. I see no serious objection, viewing it from the standpoint of my brother from Augusta. I hope that the act will pass.

Mr. CLASON of Lisbon: Mr. Speaker, being on that committee, I will state why, as far as I remember, we put in the words "unnecessary noise." There are lots of cases where they not only open the muffler, but they start their horns and keep them going for a mile at a time through the main thickly travelled streets. I think the bill is perfectly right and ought to pass. I drive an automobile and I may be one of those innocent persons arrested; and I am willing to be if I am evading that law.

Mr. BUSSABARGER of Lubec: Mr. Speaker, when I first read the law, my first thought was that it was too drastic; but since it has been explained, especially by the gentleman from Houlton, Mr. Barnes, I am in favor of it. I can recall when I was speaking out of doors in a bandstand in times of political excitement, with a great crowd listening intently to every word of eloquence that proceeded from my throat, some fellow would come down the hill tooting his horn and raising Cain in general. He would come down the hill though there were other streets that went out of town, at full tilt. I think a man who will do a thing like that ought to be fined.

Mr. FARRINGTON of Augusta: Mr. Speaker, I am convinced; I will vote for the bill. (Applause.)

Mr. DUTTON of Bingham: Mr. Speaker, when the lawyers and ministers combine, I think it is time for the layman to withdraw his motion. (Applause.)

Mr. BUZZELL of Belfast: Mr. Speaker, I do not rise to offer an amendment. The thought suggested itself to me that perhaps we might make that law broad enough to cover those that were engaged in talking from the band-stand.

Mr. MURRAY of Bangor: I will second that motion.

The SPEAKER: The gentleman from Portland's motion (Mr. Allan) was that the bill be given its third reading.

The motion was agreed to and the bill was passed to be engrossed in concurrence.

From the Senate: Report of committee on ways and bridges, to which was referred bill, An Act to amend Chapter 319 of the Public Laws of 1915, entitled An Act to provide for State and county aid in the construction of highway bridges, have had same under consideration and ask leave to report that same ought to pass.

The report accepted in concurrence.

Comes from Senate amended by Senate amendment A and Senate amendment B.

On motion by Mr. Farrington of Augusta, the House concurred in the adoption of Senate amendment A. On further motion by same gentleman, Senate amendment B was adopted in concurrence, and the bill had its three several readings under suspension of the rules, and was passed to be engrossed as amended by Senate amendment A and Senate amendment B.

Mr. WILSON of Portland: Mr. Speaker, do I understand the vote was put?

The SPEAKER: The vote was practically declared.

Mr. WILSON: My object, Mr. Speaker, is to get into my mind just what this bill does. It seems to be very long and complicated and to recite nearly all the statute that it claims to amend.

Mr. CLASON of Lisbon: Mr. Speaker, I think I can make it clear in a few words. Instances have happened where certain towns, in order to get the roads to go through their sections, have agreed to construct the bridges, and then after they agreed to do it, have refused. This gives an opportunity for the municipal officers, the county commissioners and the highway commission to meet and decide upon whether these bridges should be rebuilt or not; otherwise nothing is done on these bridges. I think it is a fair and proper thing that the town, county and highway commission should get together and decide.

Mr. WILSON: May I ask the gentleman a question through the Chair? Is not that exactly what the original bill provides—that the municipal officers and county commissioners and highway

commission shall meet and pass upon this?

Mr. CLASON: Yes, sir.

Mr. WILSON: I want to get at what change this bill makes in the present law and I cannot tell from what I have heard of it here. It seems to me that it is the same thing only it adds a proposition of unorganized townships.

Mr. CLASON: It adds that and makes decisive action in regard to it; some decisive step must be taken at this meeting.

Mr. WILSON: Do I understand that it makes no change in the present law except to make an unorganized township come under the provisions of the law?

Mr. CLASON: I am not familiar enough with the present law to state that. We had under consideration this bill and, as I understood, there were no provisions in the previous law governing this.

Mr. WILSON: Mr. Speaker, if the vote was declared I move that it be reconsidered for the purpose of laying this matter on the table long enough to find out what it does do.

Mr. FARRINGTON of Augusta: Mr. Speaker, it is not necessary to reconsider the vote. It can be tabled in whatever stage the bill is.

The SPEAKER: If the gentleman from Portland, Mr. Wilson, desires to table it, it can be tabled.

On motion by Mr. Wilson of Portland the bill was tabled.

On motion by Mr. Farrington of Augusta, the House voted to reconsider its action whereby it passed to be engrossed in concurrence Senate Document . o. 400, An Act to amend Section 5 of Chapter 146, Revised Statutes of 1916, relative to admittance and charges for patients at State sanatoriums.

The SPEAKER: The Chair would state that this motion is made for adopting or non-concurring in a Senate amendment which the Chair overlooked and the Chair will read the amendment.

Senate Amendment A to Senate Document 400.

Amend by striking out the following words from Section 5: "According to the capacity of the sanatorium, and patients shall be eligible for treatment in all stages of the disease." Adopted in the Senate April third. Is it the pleasure of the House to concur in the adoption of this amendment?

On motion by Mr. Williams of Auburn, the House voted to adopt the amendment in concurrence with the Senate, and the bill was passed to be engrossed as amended by Senate Amendment A.

Orders.

Mr. REDMAN of Ellsworth: Mr. Speaker, if in order at this time, I should like to move that we reconsider our vote which we took this morning whereby the act to establish military training in the public schools was indefinitely postponed.

The SPEAKER: The Chair would suggest that it would facilitate the work of the session if that could be taken up under orders of the day.

Mr. REDMAN: I accept the suggestion, Mr. Speaker.

The SPEAKER: The Chair will name the following gentlemen on the committee which was created on an order passed through this House several weeks ago which contemplated the purchase of new desks and seats for the members on report back by the committee on public buildings and grounds. The Chair will name on that committee Messrs. Speirs of Westbrook, Eaton of Rumford and Langley of Lewiston.

The SPEAKER: The Chair wishes to read the following statement from the House official reporters at this time.

"An editorial in the Kennebec Journal yesterday morning, referring to the order introduced by Rep. Rounds in regard to ascertaining why a complete report of the House Proceedings had not appeared in the Journal, stated as follows:

"Toward the close (of the session), when two and sometimes three sessions are held daily, it becomes an

impossibility for the official reporters to write out the routine and all the speeches in season to get it in type the following morning.'

Let some member might infer that the official reporters have not turned out their copy as speedily as they might, they wish to state:

That up to last Thursday's session they delivered complete copy of each day's proceedings at the Journal's office on or before 10:30 p. m. of the same day; that on account of the fact that Thursday's session was continuous from 9 a. m. to 6:20 p. m., barring an hour at noon, it was impossible to deliver complete copy of that day's session until 3:30 Friday morning; that on account of the fact that the Journal had not previously printed any debate delivered at its office after 6 p. m., the reporters, after working until a reasonably late hour, decided to get a little sleep and did not finish complete copy of that day's report until Saturday noon, there being no session on Saturday; that complete copy of Monday's session (which was not printed in the Journal at all) was delivered at its office before 11 p. m. that evening; that while complete copy of Tuesday's session was not delivered until yesterday noon, 72 pages were delivered at the Journal Office before 10:30 Tuesday evening, and a part of that was not printed.

The Reporters would suggest that, if a messenger from the Journal office should call at the reporters' office at intervals during the evening, they would be able to furnish the Journal much more copy before going to press than they can now, it, of course, being impossible for the reporters to leave their work to deliver copy.

Of course, when such long sessions as that of Tuesday are held, it is an impossibility for any two reporters to furnish a complete transcript of the day's proceedings until after midnight."

On motion by Mr. Barnes of Houlton, the communication was received and placed on file.

Mr. ROUNDS of Portland: Mr. Speaker, it is not only the last few days, but it is something that has been

done for some time. Now the Journal sent out letters all over the State of Maine to different parties telling them that they could get a full stenographic report of the doings of the day before, and if it is misleading the people of the State of Maine, it ought to be shown up. Therefore I think it is no more than right that this should be received and placed on file and a vote taken that we censure the Kennebec Journal, and every other Journal, for what they have said about the Legislature of Maine in their editorial, which was uncalled-for, not only in this instance but in every instance, and especially on Wednesday, April fourth, in the report of what was said about the Baxter Amendment. Therefore, I would like to add something to it showing some expression of this House that we condemn any newspaper for criticising our action with, it seems as though, a dishonest purpose.

Mr. BUSSABARGER of Lubec: Mr. Speaker, I do not think I could add anything to what has been said; but I am heartily in favor of the communication because I know from personal conversation that from the stenographers' viewpoint they have faithfully performed their duties.

In reply to the editorial in the Kennebec Journal taking myself and the gentleman from Portland, Mr. Rounds, to task for our statements on Tuesday, I would say that they made the argument that they did not have the facilities for doing all the printing that they had to do for the State. I think, if my memory serves me true, that in the early days of this session there was an attempt made, through one of the representatives of this administration appearing before the Governor and Council, to change an order of the former administration giving the State printing to W. S. Ladd to the Kennebec Journal. I now think that if these gentlemen would be willing to divide up the printing and not try to hog it all—

The SPEAKER: It occurs to the Chair that the discussion is on the motion of the gentleman from Houlton, Mr. Barnes, to accept the statement and place it on file; and the Chair would

only suggest that it occurs to the Chair that the part of the gentleman's remarks, and the remarks also of the gentleman from Portland, Mr. Rounds, are in conflict with the report of the committee of which the gentlemen are members.

The statement of the official reporters was received and placed on file.

The gentleman from Monson, Mr. Flint, presented the following order and moved its adoption.

Ordered, the Senate concurring, that the commissioners of inland fisheries and game are hereby directed to promulgate within 60 days after the adjournment of this Legislature rules and regulations embodying such of the inland fish and game laws in Sections 18 and 19 of Chapter 33 of the Revised Statutes of 1916 and such of the Public Inland Fish and Game Laws of 1915 as were not incorporated in said Chapter 33 of the Revised Statutes of 1916 as they deem necessary for the protection and preservation of the inland fish and game of this State, together with such special fish and game laws as have been approved by this Legislature; said rules and regulations to take effect 90 days after the adjournment of this Legislature.

The order received a passage.

On motion by Mr. Holbrook of Brooks, unanimous consent was granted and that gentleman introduced out of order under suspension of the rules the following resolve:

Resolved, that the Governor and Council be and hereby are authorized to complete the Jackman-Rockwood State highway, also to repair the Quebec Trail or Canada road from Sandy Bay to Bingham, a distance of approximately 62 miles.

These roads being necessary for military purposes, the cost of construction and repair shall be paid from the one million dollar emergency fund.

On motion by Mr. Allan of Portland the resolve, entitled Resolve in favor of the completion of the Jackman-Rockwood State highway and the repair of the Quebec trail or Canada road, was tabled.

Mr. FARRINGTON of Augusta: Mr. Speaker, may I inquire from Mr. Allan, when he intends to take this matter up from the table?

Mr. ALLAN: Mr. Speaker, tomorrow morning.

Mr. FARRINGTON: Mr. Speaker, it seems to me that that matter can just as well be considered today. If we put many matters over until tomorrow, the thing which I think we all want to do, to get through this week, will be increasingly difficult.

Mr. HOLBROOK of Brooks: Mr. Speaker, I suggest to the gentleman from Augusta, Mr. Farrington, that it will probably take but a short time to consider it if it lays on the table until tomorrow morning and is then taken up. If it has any merit in it, the House can consider it in the meantime, and it will take a very short time to settle it.

Mr. FARRINGTON: Mr. Speaker, I trust that the gentleman from Portland will be willing to take that up today. My only purpose is simply to try to facilitate and hurry the action of the House.

The SPEAKER: Does the Chair understand that the motion of the gentleman from Portland, Mr. Allan, is to take it from the table at the present time?

Mr. ALLAN: Yes, Mr. Speaker.

A viva voce vote being taken,
The motion prevailed.

Mr. CLASON of Lisbon: Mr. Speaker, I move that the resolve be indefinitely postponed.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Wilson of Portland, Senate Document No. 356, was taken from the table, and on further motion by the same gentleman the same as amended by Senate Amendments A and B was passed to be engrossed.

The SPEAKER: The Chair presents the following telegram which has just been received by Governor Milliken:

"Washington, April 5th, 1917.

Honorable Carl E. Milliken,
Augusta, Maine.

Congratulations to you and the Maine Legislature for your prompt action in support of the government. I have conveyed your message informing me of the million dollar war appropriation to the President, who acknowledges the same with thanks.

(Signed) BERT M. FERNALD,
United States Senator."
(Applause)

On motion by Mr. Farrington of Augusta, the telegram was received and placed on file and made a part of the records.

On motion by Mr. Farrington of Augusta, the following order received a passage:

Ordered, that the committee on ways and means fix and determine the tax rate for the years 1917-1918 in the matter of State tax.

The SPEAKER: The Chair will read the names of the members of the committee on ways and means, it being, of course, a House committee: Messrs. Farrington of Augusta, Brown of South Portland, Tuttle of Caribou, Stubbs of Strong, Nicholas of Eastport, Langley of Lewiston and Packard of Newburg. The committee are requested to meet the Governor and the Speaker at 12 o'clock or as near that as we can fix the adjournment today in the Executive chamber.

Reports of Committees

Report of the committee on the disagreeing action of the two branches of the Legislature, on bill "An Act to amend Section 1 of Chapter 204 of the Public Laws of 1915, relating to the salaries of registers of probate in Piscataquis county," reporting that the committee has been unable to agree.

(Signed) Stanley, Conant, Peterson, committee on part of the Senate; Ryder, Hunt, Garcelon, committee on part of the House.

(On motion of Mr. Ryder of Brownville the House voted to accept the report; to discharge the committee of conference; to insist and ask for another committee of conference.)

The Chair appointed as such committee of conference Messrs. Rounds of Portland, Flint of Monson and Lyford of Atkinson.

Mr. Powers from the committee on appropriations and financial affairs reported "ought to pass" on Resolve in favor of T. M. Rollins, mail carrier of the House of Representatives, for expenses.

Report accepted.

On motion by Mr. Cole of Etna, the rules were suspended and the resolve was given its two several readings and passed to be engrossed.

Mr. Wilson from the committee on public utilities, on bill "An Act to regulate motor vehicles as common carriers," reported same in a new draft, under same title, and that it ought to pass.

Report accepted.

On motion by Mr. Cole of Etna, the rules were suspended and the bill was given its three several readings and passed to be engrossed.

Mr. Gannett from the committee on taxation, on bill "An Act to amend Section 32, Chapter 9, Revised Statutes, relating to taxation of street railroad corporations," reported same in a new draft, under title of "An Act to amend Section 32 of the Revised Statutes of Maine, relating to the taxation of street railroad corporations," and that it ought to pass.

Report accepted.

On motion by Mr. Cushman of Auburn the bill was tabled pending first reading.

Mr. Jordan from same committee reported "ought to pass" on bill "An Act to amend Chapter 9, Section 27 of the Revised Statutes of 1916, relating to the amount of tax on railroads, how ascertained."

Report accepted.

On motion by Mr. Cole of Etna the rules were suspended and the bill was given its three several readings and passed to be engrossed.

Mr. Allan from the committee on taxation reported "ought not to pass" on bill "An Act to amend Chapter 9, Section 38 of the Revised Statutes of 1916, relating to computation of tax on telephone and telegraph companies."

Report accepted.

Mr. Gannett from same committee reported same on bill "An Act to amend Section 27 of Chapter 9 of the Revised Statutes of 1916, relating to the tax on railroads, how ascertained."

Report accepted.

Mr. Holt from same committee reported same on bill "An Act to amend Chapter 9, Section 43, Revised Statutes of 1916, relating to taxation of express companies."

Report accepted.

Passed to Be Enacted

An Act additional to Chapter 127 of the Revised Statutes, relating to the enforcement of the laws against the sale of intoxicating liquors;

An Act to amend Sections 16, 38, 39 and 40 of Chapter 26 of the Revised Statutes, relating to the operation of motor vehicles;

An Act relating to insurance rates and providing for approval of the same by insurance commissioner before promulgation and use;

An Act to amend Chapter 65 of the Private and Special Laws of 1899, entitled "An Act to incorporate the Bath Trust Company";

An Act to provide for the establishment of a bureau of markets;

An Act to amend Section 1 of Chapter 85 of the Private and Special Laws of 1915, entitled "An Act establishing a close time on lobsters in certain waters of Hancock county";

An Act to amend Section 7 of Chapter 38 of the Revised Statutes, relating to licenses of agents and dealers in nursery stock;

An Act to incorporate the Pilgrims' Home Cemetery Association;

An Act to incorporate Gould Electric Company;

(On motion by Mr. Baxter of Portland, tabled until this afternoon.)

An Act to amend Section 78 of Chapter 4 of the Revised Statutes, relative to state stipend for public libraries;

An Act to appropriate moneys for the expenditures of the government for the year 1918;

An Act to amend the charter of the city of Hallowell;

An Act to provide for mothers with dependent children;

An Act additional to Chapter 433 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Portland water district";

An Act to amend Section 45 of Chapter 117 of the Revised Statutes, increasing the amounts to be paid for clerk hire in the county offices of Sagadahoc county;

An Act to amend Section 24 of Chapter 48 of the Revised Statutes, relating to testing commodities offered for sale, as to weight and measure;

Finally Passed

Resolve, appropriating money to aid in repairing and constructing roads and bridges and for other purposes;

An Act to provide for the payment of a bounty on bears killed in the State.

Mr. FLINT of Monson: Mr. Speaker, I move that that be indefinitely postponed. It would be a big expense to the State and I do not think it ought to pass.

Mr. JORDAN of Baileyville: Mr. Speaker, it seems to me that we have already a large expense upon the State on account of bears, and to my mind it will reduce the expenses of the State. Therefore, I hope that the measure will be sent on its way.

The pending question being on the motion of the gentleman from Monson, Mr. Flint that the bill be indefinitely postponed,

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

The bill was then passed to be enacted.

An Act to create a State department of health.

Mr. WILLIAMS of Auburn: Mr. Speaker, that act is for the formation of a commission in place of our State Board of Health, and I move that it be indefinitely postponed for reasons which I will give, if in order.

The SPEAKER: The gentleman is in order.

Mr. WILLIAMS: Mr. Speaker, this measure of course must be in the in-

terests of economy or efficiency or else it would not be put forward, and in what I have to say I do not wish to be understood as criticizing any member of the committee which considered the bill.

The SPEAKER: Will the gentleman pardon the Chair a moment. For the benefit of the members, Senate Document 388 is the one under consideration.

Mr. WILLIAMS: Mr. Speaker, this bill calls for an appropriation of \$30,000. Of that appropriation at least \$16,500 would be paid in salaries. The present appropriation is \$7,000, which pays the salary of the secretary, the salaries of every member of the Board of Health, the salaries of the clerks employed in the office, and for the printing of all the pamphlets and treatises which are distributed throughout the State, as you all know, very frequently. So, in the interests of economy this bill should not pass.

But the main thing with which we are all concerned is with the efficiency of the Board of Health. I heard a member of the Board of Health say on my way to Augusta one morning that he thought that perhaps our Board of Health was a little behind the times, and that therefore we needed a change. To what shall we change? The act asks us to change to a commission. How many states have adopted commission departments of health? Only four. Those are Massachusetts, Pennsylvania, New York and Oklahoma. All the others have boards of health corresponding very closely to that of Maine.

We have now a Board of Health which, as I have said, is working under a very small appropriation as compared with the appropriation asked for. Now the question is: Has it been efficient? To add to what I said a moment ago, I want to say this—that some time ago the American Medical Association appointed a man to investigate the departments of health of the several states. He visited every state in the Union but one, Maine being among the number. He reported emphatically that our method—the method then prevailing as I told you

in every state but four—is the method of conducting the health department of a state. He gave various reasons, and among them were these: The members of the Board of Health appoint the secretary who is the leading one and who conducts the work practically of the department; medical men naturally would be presumed to know better who would make an efficient and intelligent secretary to conduct the affairs of the Board of Health than the Governor of the State would as this act provides for—that is—the Governor and his Council as I understand are appointed. Moreover, if the appointment be in the hands of the Governor and his Council, it might be a political matter, while you know at present our State Board of Health is entirely removed from politics. The investigator of this, Dr. Dennison, says that is a very great danger and is reason enough why we should have a State Board of Health similar to that which we have now rather than a commission form.

The great question is—What has the State Board of Health of Maine done? Is it an out-of-date department of our State? The secretary of the State Board of Health is very alert in looking after the needs of the State and the needs for action in his department. Some time ago I remember a formula pamphlet—I do not remember how many pages—large enough to present the subject thoroughly—which came out in regard to disinfectants and antiseptics. To me, who was then actively engaged in looking after a good many patients in the hospitals in Lewiston, it was like a complete feast. While I have been able only to look up crumbs of medical terms here and there, it was a complete compilation of all that had been said and done in England, Germany, France and Switzerland and all over the world. It brought all together the various disinfectants and antiseptics; it told who had tried them out, what the results were, and their dangers and their effects. It was of such great importance that the surgeon general of the United State took occasion at the time of his departure to take charge of the medical department in the Spanish

war—I say at that very time he took occasion to write to the secretary of our State Board of Health and to compliment him upon that pamphlet.

Later, or some time not long ago, the question of disinfection such as we have following typhoid fever, scarlet fever, tuberculosis, small-pox, etc., was taken up by our secretary. In proving or in establishing the efficacy of formaldehyde—a name which some of the farmers will recognize—he developed a permanganate process, so-called, of rapidly fusing this gas throughout the room. That was done by experiment in his office. He also invented and called attention to a similar method of doing this whereby all one had to do was to light a candle in connection with this, place the matter in a vessel, pour in a little water and then get away as quickly as possible, because the fumes would be thrown out very rapidly.

Now, I have taken all this time to explain this because the German government wanted to find out the most effective methods of disinfection. They had heard of some of the methods used in the United States, and they wrote to the surgeon general in regard to them, and they were informed that the method which the United States was then employing—the Surgeon General said—“in my opinion is far beyond that which any country is using; it is known as the Maine method.” That was the method which was brought out in the experimentation in the office in this State House. It was the method which our secretary of the State Board of Health invented. It was the method which the United States were using and which they recommended to that country in which we are somewhat interested now—Germany. If this State Board of Health did nothing more than that, it would have proven its efficiency.

There are others who will I hope speak to you upon the methods the State Board of Health is now using in getting out slides to teach communities, schools and so on, the need of care in regard to tuberculosis, scarlet fever and all those things connected with schools, connected with communities and connected with the interests of health throughout the whole State.

I simply want to pass now to what our State Board of Health has done in regard to warding off epidemics. I want to say too that our secretary is unusually learned in the dangers to this State of epidemics; he is unusually quick to grasp any situation and to decide upon the methods which may best prevent the spread of epidemics into our State. He learned through a Montreal newspaper that there was an epidemic across our border which was working its way here and which had got about half-way to Madawaska on a road which made direct to that place. He went to Canada at once; he consulted with the head officer of the Board of Health; he was told that he must see the secretary-treasurer or he could not get any money to help him out; he went, I think it was to Frederickton, to see this officer, and he found he was at a distant city; instead of leaving his work, he just followed up this officer to a distant city, found he had returned, followed him back, consulted with him, got him interested and got him to institute an inspection station between where this small-pox epidemic was spreading and our border. I will say that previous to his going there the Government in that location were apparently entirely indifferent, as they often are in regard to small spots of this epidemic. He got this station established there by saying that he would try to get the United States to pay half the bill. The epidemic was stopped there and Maine was saved a great deal of expense besides disease and death.

One more item on the efficiency of the board of health, and I will leave this to others. The bubonic plague found its hold on some of the seaport towns of the State of California. California appeared to feel indifferent and made no marked effort to stamp out this disease, which you know is a terrible epidemic once it gets a firm hold and it is very difficult to control. One of the states wrote to Massachusetts, which has one of the most active State Health departments, and got them interested. The secretary of that state wrote to all the health departments of the states which he knew to have officers who had back bone and energy and got them interested in this

subject, and at a meeting of all these—at any rate of many of the boards of health or the representatives of boards of health—throughout the United States, this state so pushed this question—so forced it upon the other states that they put this question to the Surgeon General of the United States, and he, seeing that California was not doing her part to protect the other states, took charge of it himself and stamped out this epidemic in California. Now, you ask me what Maine had to do with it. I want to tell you, Mr. Speaker and gentlemen of the House, Maine, true to her motto, was that State which led all the rest.

Mr. PHILLIPS of Southwest Harbor: Mr. Speaker, I do not wish to take very much time, but I do want to make a few explanations here in regard to this bill. We have had this bill under consideration all the session and we have gone over it very carefully. We have had a hearing and we supposed that everybody was in favor of the majority, that is, the majority were in favor of this bill. We have tried to do what we thought was proper in regard to the State board of health as it appeared to us. We have all respect for Dr. Young, and we do not wish in any way to disapprove of him or make him feel that he has passed his usefulness; but we do think that the State of Maine is large enough and broad enough and up to date enough to have something different from what we have been having. Now the gentleman has spoken of a great many things that have been accomplished by this board. We grant you that. It would take more time to speak of the things we do know of that they have not done. There have been many things in this State that they ought to have done. There are many cases of typhoid fever, there are many cases of infantile paralysis, and there are many cases of venereal diseases, that do not have proper treatment and consideration under the State board of health. We only want to try and get a good bill. We have sent the Massachusetts, New York and other states, and we have copied this bill to a great extent from the Massachusetts and

New York laws. I have in my hand now letters from the principal educators and those interested in scientific research in this regard, not only in our State but many New England states. We have a letter here from the health officer in Portland; we have a letter from the health officer in New York; we have a letter from the Governor of Massachusetts; we have a letter from many of those men who have an interest in health departments and in the matter of health, and I believe that every one here—although I do not wish at this time to discuss some of the things that might be discussed—I do think that the State of Maine is large enough and interested enough in the research which ought to be made in this State to have this bill passed.

I would say one thing more in regard to this expense. We took that up. This bill called for a large expense but we cut that down so that there is not very much difference between the present board of health expense and what this calls for. I think you will all find that this bill is a proper one and would be sanctioned by a large majority of the medical profession and by the people of the State.

The SPEAKER: The question is on the motion of the gentleman from Auburn, Mr. Williams, that the act creating a State department of health be indefinitely postponed.

Mr. EMERSON of Lewiston: Mr. Speaker, I want to heartily endorse the remarks of the able and learned physician, Dr. Williams of Auburn, for the valuable statistics he has gathered and read before you. I want to say further that I do not believe at this time that we are in a position to want to add to our already large appropriation. The secretary of the State board of health is ably qualified, and his previous extended experience and his alertness to act in cases of epidemic are unsurpassed by any man in the State of Maine today.

Mr. BARNES of Houlton: Mr. Speaker, this bill presented to us today is the result of the labors of an active and efficient committee, following the

suggestions that were made at the very beginning of the session in the message of the Governor looking to an improvement in the State department of health. We have today a board of health with a secretary here. The bill provides for a commissioner of health, with a council of four or five others. The committee recommend this. It has the support of all who have studied the bill, with the exception of the gentlemen who have spoken here. It is a fact, of course, that the old order changes and must give place to the new. It is a fact that progress in medical science, sanitation and hygiene has been as great as in any branches of life, and it is the recommendation of our committee that we get in line with the progressive states and establish a department of health, which it is assumed will be more quick to respond to the demands of the conditions and will have further powers than are granted to the secretary of our State board of health under the old law. I am not a physician, but in the interest of the public health I hope that the motion of our good friend Dr. Williams of Auburn will not prevail.

A division of the House being had.

And 41 voting in the affirmative and 43 in the negative.

The motion to indefinitely postpone was lost, and the bill was passed to be enacted.

An Act to amend Sections 20 and 21 of Chapter 8 of the Revised Statutes, relating to the lands reserved for public uses.

Mr BARNES of Houlton: Mr. Speaker, I do not wish to take the time of the House to any extent; but this act now in the hands of the Speaker is an act to attempt to cure the difficulty which has arisen in our treasury of having the funds from lands reserved for school uses lying there on which the State pays interest. Two measures are before the legislature, the present measure and one which is numbered 417. Do you remember that a great sum of money has accumulated in the treasury of the State due to the sale of tim-

ber and grass on wild land townships? Under the provision of the law, this money accumulates in the State treasury and the State allows six per cent. interest upon it. Now there are a great many wild land townships in Maine which will not be organized for school purposes for a great many years, and there are some which won't be organized for one hundred years. The fund is accumulating down stairs, and it is so large now that it is a menace to the State. You will remember that Governor Curtis, in a special message to the legislature, recommended that action be taken, not to waste the money, but that its increment in the way of interest should be used for some purpose. Now the present bill before you for consideration, as I read it, is a mere make-shift bill. The bill to be considered a little later has the unanimous support of the committee on judiciary, after having studied the thing for a long time. It provides that the school money which is in the treasury for plantations that are organized, or are supporting schools, shall be kept separate, kept a separate fund, on which interest shall be allowed; and, under the provisions of the school law, the expenses of the schools in those plantations shall be taken care of as they are now. It provides that the fund arising from the sale of timber and grass—this 1,000 acres you all remember in every unorganized township, and it is quite a big fund now, \$400,000, and accumulating at six per cent., and doubling in 16 years—that that sum so due to plantations where no schools are organized shall be kept separate; that the State shall allow four per cent. on it. The State puts its money out and gets four per cent. Why should it allow more than four per cent.; and that that fund shall be kept separate by the State treasury. Due bills running along parallel with this, approved by the judiciary committee, called a State Farm Land Loan Commission, provide that the interest on that sum can be loaned as recommended by the Governor in one of his messages, to parties giving security that is ample. If a man should want to build a creamery, or silo, or a barn,

or clear timber lands, he can hire of the State. Now if this measure is enacted, the other plan that has been thought out with a great deal of care will, of course, be killed. I move you, Mr. Speaker, that this act be indefinitely postponed.

A viva voce vote being taken,

The motion of the gentleman from Houlton, Mr. Barnes, prevailed.

An Act to legalize the doings of the inhabitants of the town of Windham at the annual town meeting held on March fifth, 1917, and by adjournment, on March seventh, 1917. This carries the emergency clause.

A viva voce vote being had,

And 102 voting in the affirmative and none in the negative,

The bill was passed to be enacted.

The SPEAKER: The Chair wishes to call attention to the fact that it is necessary that the House adjourn now to meet the committee of ways and means. It further suggests that when the House meet it meet at 2 o'clock, and that when we meet after recess we begin with the calendar and take it up in order without regard to race, color or previous condition of servitude. (Applause.)

Mr. FARRINGTON of Augusta: Mr. Speaker, I was going to make a motion that we adjourn until half past one. I understand there is going to be quite a good deal of talking this afternoon which will consume considerable time. I would make a motion that we take a recess until half past one.

Mr. BARNES of Houlton: Mr. Speaker, I have just been informed that the act to provide moneys for the expenditures of the government for the year 1918 was passed to be enacted this morning. There is a clerical error or a misprint which I move now to correct, under the article thereof referring to the supreme judicial court, by changing the words "clerk of courts" to "clerks of law courts."

The SPEAKER: It is a plain case of clerical error, nothing more nor less?

Mr. BARNES: It is, Mr. Speaker.

The SPEAKER: I think the House is competent to make that correction, and is it the pleasure of the House that the motion of the gentleman from Houlton, Mr. Barnes, that the corrections be made, prevail?

The motion was agreed to.

The SPEAKER: The Chair would simply state in regard to this matter of adjournment that it is the opinion of the Chair that we had better meet at 2 o'clock because some of these committees are anxious to go to the photographer this noon, and we all know that if we adjourned until half past one it would be two o'clock before there is a quorum, and if we adjourn to two o'clock it will be half past two before there is a quorum. It is, however, a matter entirely within the wish of the House whether we adjourn to two or one-thirty.

On motion by Mr. Farrington of Augusta a recess was taken until two o'clock.

After Recess

The SPEAKER: In order to facilitate the business of the session and get ahead as fast as possible, the Chair will take the liberty of reversing itself and announcing that under suspension of the rules at this time we will take up the matters tabled and unassigned on the bottom of the calendar, on the motion of the gentleman from Portland, Mr. Baxter, and that portion of those that can be well taken up at this time and about which there is no contest or any great difference of opinion we will try to dispose of as soon as may be before we go back and take up the regular order of business. The Chair lays before the House, House Document No. 172, An Act to incorporate the St. Croix Water Company.

On motion by Mr. Baxter of Portland, the House voted to reconsider its action whereby the bill was passed to be engrossed.

Mr. Baxter of Portland further moved that the House concur with the Senate in the adoption of Senate amendment A.

The SPEAKER: The Chair will not read the amendment unless the members wish it.

Mr. FARRINGTON of Augusta: I would like to hear the amendment, Mr. Speaker.

The SPEAKER: Senate amendment A to House Document 172, "Amend said bill by adding thereto the following section: 'Section 8. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of Chapter 55 of the Revised Statutes.'" "

The motion of the gentleman from Portland, Mr. Baxter, that the House concur with the Senate in the adoption of Senate amendment A prevailed, and the bill was passed to be engrossed as amended by Senate amendment A.

The SPEAKER: The Chair lays before the House, House Document No. 519, An Act authorizing Fort Kent Electric Company to erect and maintain a dam across Wallgrass stream, which comes from the Senate with House amendment 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 in the adoption of House amendment B.

The SPEAKER: The Chair lays before the House, House Document No. 580, An Act to incorporate the Grand Isle Light and Power Company. In the House, House amendment A was adopted and the bill was passed to be engrossed. In the Senate, House amendment A was indefinitely postponed and the bill passed to be engrossed.

On motion of Mr. Baxter of Portland, the House voted to adhere to its former action in the adoption of House amendment A.

The SPEAKER: The Chair lays before the House, House Document No. 679, Resolve continuing unexpended balance of appropriation provided by

Chapter 321, 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, the House voted to reconsider its vote whereby this resolve was passed to be engrossed.

That gentleman then offered House amendment B and moved its adoption.

Mr. WASHBURN of Perry: Mr. Speaker, I would say that this amendment is offered at the request of the Auditor's office in order to make it plain that this appropriation is to be taken from the contingent fund.

The SPEAKER: The Chair will not read the amendment if the explanation of the gentleman is satisfactory.

The amendment was adopted.

On motion by Mr. Washburn of Perry, the resolve was passed to be engrossed as amended by House Amendment A.

The SPEAKER: The Chair lays before the House House Document No. 698, An Act relative to the operation of traction engines, motor and other vehicles upon highways and bridges. The pending question is the adoption of Senate Amendment A in concurrence.

On motion by Mr. Farrington of Augusta, the House reconsidered the vote whereby House Document No. 698 was passed to be engrossed.

Mr. REIDMAN of Ellsworth: Mr. Speaker, I did not know this was coming up at just this moment and I will yield to the gentleman from Portland, Mr. Rounds, while I am getting my papers.

Mr. ROUNDS of Portland: Mr. Speaker and gentlemen of the House: I would like to have this bill tabled until tomorrow, because there are gentlemen very much interested in this matter coming here on the next train. Therefore if I can have the indulgence of the House so that these gentlemen could tell me what they want and what business will be hurt in Portland, I will

be only too glad to communicate it to the House.

Mr. FARRINGTON of Augusta: Mr. Speaker, it is possible that we may have an evening session, I understand.

The SPEAKER: In connection with that, the Chair would beg leave to state, somewhat out of order, that he has in his possession from the management of the Augusta House an invitation to the representatives to attend the assembly at the Augusta House tonight. It is a question of how we get along with our calendar. The Chair is neutral in the matter.

Mr. FARRINGTON: May I ask, through the Chair, of the gentleman from Portland, Mr. Rounds, if he will be able to take it up later in the day.

Mr. ROUNDS: Mr. Speaker, these people cannot get here until by the train that leaves Portland at 4.50 tonight. They told me they were coming, but if the House does not wish to wait, take it up and send it along.

On motion by Mr. Rounds of Portland, the matter was tabled.

The SPEAKER: The Chair lays before the House An Act to amend Chapter 337, Public Laws of 1915, relating to clerk hire in the register of deeds, York County, the pending question being concurrent action with the Senate.

On motion by Mr. Cole of Eliot, the House voted to recede and concur with the Senate.

The SPEAKER: The Chair is of the opinion that, as the gentleman who tabled the bill at the bottom of the calendar is not present, we will pass to the head of the list, and on motion of the gentleman from Eliot, Mr. Cole, we will take up the unfinished business.

The Chair will explain that in order to hasten business it was the intent of the House to put an emergency measure through, a measure which carries the emergency clause on which there is no contest; but the Chair is a little in doubt as to whether there are 101 present or not, and suggests that if the monitors will make a count we will put the measure now.

On motion by Mr. Barnes of Houlton, the rules were suspended to take up out of order An Act to incorporate the Van Buren Light and Power Co. for its final passage.

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

On motion by Mr. Allan of Portland, the rules were suspended to take up out of order An Act creating a volunteer police reserve force for the city of Portland.

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

The SPEAKER: Now returning to the calendar, the Chair lays before the House majority and minority reports of committee on judiciary, majority reporting "ought not to pass" and minority reporting "ought to pass" on House Document No. 555, "An Act to amend Section 1, Chapter 60, Revised Statutes, entitled "Transmission of electric power beyond the limits of the State prohibited." The pending question is the acceptance of either report.

Mr. COLE of Eliot: Mr. Speaker, I shall not want to take very much of the time of the legislature in these closing hours; but I do wish to state the position of the State of Maine today regarding the development of its natural resources and the utilization of those resources for the best interests of the State of Maine, as set forth in the legislation of the last few sessions of the legislature.

We have had a great deal of talk about the policy defined in 1909. I want you to cast your eyes back over that session of 1909, those of you who belong to my political faith, and see what happened to the policy of that legislature. Almost every Republican who was a candidate for re-election was torpedoed by a Democrat, and the session of 1911, gentlemen, found only a few Republicans here. There

was a Democratic House, a Democratic Senate and a Democratic Governor for the first time in more than 30 years, and all because of the legislature of 1909 and the policy it put forth under the domination of one man whose influence is being felt here in all the legislation that is going through regarding these various matters at this session. I want to bring your minds before I get through to the policies of 1913 and 1915, policies which are constructive, for the benefit of the people of the State of Maine, and the difference, if I am able to express it, between conservation which means strangulation and conservation which means regulation. That is the principle today, gentlemen,—whether you believe in conservation by strangulation or whether you believe in conservation under proper regulation. The policy of the State was expressed by you at the polls in 1913, when, by an overwhelming majority, you sustained the institution of the public utilities commission in the State of Maine as enacted into the law in 1913. It will be absolutely necessary for me to refer to personal matters, and I hope I may be pardoned as I go along.

In the first place, in order to clear my own skirts of any charge of corporate control, I want to say that I am very fortunate in that the district that I represent in this legislature has no manufacturing industry of any kind, nor is there a factory anywhere in that section of the State except one small textile factory in an adjoining town. It is purely an agricultural section and the only industry there is Uncle Sam's magnificent navy yard within a gunshot of my own home; so the people I represent are entirely free from corporate influence and I have never had any occasion to hear from them either for or against any votes which I cast here. I came to the legislature thoroughly imbued with government control of corporations. Those of you who remember the splendid work of Governor LaFollette in Wisconsin and those of you who followed the constructive policies of that greatest of American Presidents, of this country, Theodore Roosevelt, are imbued with the same spirit. Those of you who believe in the reactionary policy

of individual control in this State and Government are imbued with the policies of 1909, gentlemen.

In 1883, following along during the period after the Civil War, when our country changed from an agricultural to an industrial and commercial country, the great common carriers of our country had grown powerful; the interests of the people were being subserved to private interests; rebates were being granted to large shippers; preferential rates were being granted; short hauls were being charged more for than were long hauls, and you know that long story which culminated in the Inter-State Commerce Act. Yet the United States Supreme Court, following the precedence a hundred years old, did not help the principles of the time which created the Inter-State Commerce Act, and therefore the Inter-State Commerce Act was powerless to do anything except to draw its salary. It was not until Theodore Roosevelt, with a vision of the prophet, saw through the cloud of precedent and swept it aside, that the Inter-State Commerce Commission became a power for the people.

It was about that time that the young western government came upon the scene, and what happened in the government of the United States had happened in the State. Private corporations had grown up and had been using all the resources of the State granted them under the charters to enrich their own pockets at the expense of service to the common people, and the State of Wisconsin enacted into law what was known as the Public Utilities Commission—the first state to attempt to regulate intra-state public service corporations.

That matter went along year after year and one after another of our states fell into line, and that matter became an agitation in the east following the progressive tendencies of the West. But the East was far more conservative than the West in all kinds of legislation, and there came on a campaign when the party to which I belong pledged itself, following 1909, that it would enact a Public Utilities Commission of some regulating force. The people on account of actions in the past, in 1907 and 1909, did not believe in it and were justified in not believing in it,

and we went down to ingnomious defeat.

In 1913, we were returned to power and in 1913 and 1915, gentlemen, I submit to you, there was the most progressive legislation in all departments that this State has seen in a generation. We enacted the Highway Commission which started the good roads throughout the State. We enacted the Public Utilities Commission. We passed in 1915 a Workmen's Compensation Act. We reduced in 1913 the hours of labor of women and children. We reduced in 1915 the labor again to 54 hours because it was for the benefit of the working people and the mills and to the health of society that women and children should be protected from the greed of public corporations. All those things were constructive, and that legislation should be broadened to give greater rights, greater advantages and greater privileges to the public subject to proper legislation. Whenever you do as you have done at this session of the legislature—restrict honest business, if it is properly regulated, you take away the opportunity of growth; you take away the right of development and you take away what is greater than all that, the incentive to investment.

What the legislature needs today and what it should do is to legislate upon broad, constructive lines, gentlemen, so that capital will not only be invited but will be induced to enter; for in this day of the world all business is done by a combination of capital, and as President Roosevelt has said, time and time again, there are good trusts and there are bad trusts, there are good corporations and there are bad corporations. The good corporation is the corporation which does good for the people, and any corporation can be good when it is made good by regulation.

Now, that is what the State of Maine is attempting to do today through its public service corporations. That is what you are asked, gentlemen, to appropriate \$66,000 for at this session of the legislature in order that these little public service corporations scattered through the various towns in the State may be able to grow and be able to pay a fair dividend upon a fair value invested and give

you proper service at a proper rate. That is the whole sum and substance of all the work here.

Prior to 1913, I want to rehearse what happened, and I want to show you some of the opposition that was met in that year by the people who were trying to do something for the benefit of the State of Maine and show the same action by the same influence that is working here today to stifle business.

In 1907, the legislature passed a monopoly law, and you will find that monopoly law today drafted into your statutes in Section 3 of Chapter 60 of the Revised Statutes. I will explain very briefly what it is. It simply says that when any public service corporation, gas, electric, telephone, telegraph or any of those companies, is doing business in any other territory, no other company shall come in and compete with them. That is all fine, because that is an inducement to them but gentlemen, you think of an unregulated monopoly—the monopoly over which no one has any restriction—the monopoly which there is no law to control—and you get an idea of what happened under the law of 1907; any corporation could regulate any old service at any price they wished to charge and the public would have to pay the bills. That is what happened in 1907 regarding public utilities in the State of Maine.

In 1909, that same legislature came back again and there was a great fight on in the State of Maine between two great powerful corporations—one of them controlling the railroads. You will remember back in that time, gentlemen, that the New York and New Haven Railroad under the Morgan system had taken over the Boston and Maine and Maine Central. You remember, gentlemen, that at that time that railroad was taking over all the electric roads and that one of Mr. Mellen's pet ideas was the acquisition of all the electric railroads in all the territory served by the steam roads controlled by him. It was only two or three years ago that in the state of Massachusetts, where they had taken over all the roads in the western part of the State, the supreme court made them divorce those roads and get out of the electric business. That was

what was going to happen in the State of Maine. The fight was between one gigantic corporation on one side and some other gigantic interests on the other. I never knew what interests, nor did the people of the State of Maine ever know what, but they supposed it was the Standard Oil Trust. It was known as the "Octopus," whatever that may mean. We knew naturally that the railroads in the State of Maine had for a long time been powerful in the legislature. Those of you who have been in the legislature in years past know the powerful influence of the railroad committee. It was the most important committee in the legislature from the very fact that railroads did more to control legislation for their own rights than the people did to oppose it for their rights. That was what happened in 1909, and, gentlemen, I want to read you the statute, full of holes as the gentleman from Portland said the other night, and if you believe the people of the State of Maine with their eyes wide open and no dust thrown into them ever created a statute of this kind and enacted it into law, I think you have another guess coming as to the rights of the people.

"No corporation"—mark you the words—"unless expressly authorized to do so by special act of the legislature shall transmit or convey beyond the confines of the State for the purpose of furnishing power, heat or light any electric current generated directly or indirectly by any water power in this State, nor shall sell or furnish directly or indirectly to any person, firm or corporation any electric current so generated to be transmitted or conveyed beyond the confines of the State for any of such purposes." Now comes the joker whereby the railroads got in their work, for their own benefit and not for yours. "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 road between some point in this State and any point or points beyond its confines." Fine gentlemen! The nicest piece of legislation ever put over on the people when they were

asleep! And yet, they tell you that is the policy of 1909.

Why, gentlemen, do you know when you stop to analyze it that there is not a particle of law in the State of Maine against transmitting electricity out of the State. If you or I had a half a million dollars, and we wanted to buy a water power, there is not a thing in that section or in any other section of the statute which says we cannot do it. Any person who wants to transmit electricity out of the State and who owns his water power, can do so. I will say this, going still farther, that any person could buy all the electricity he wanted in the State of Maine of these corporations and run it over wire—or he could do better than that—he could allow corporations to come up within two feet of the New Hampshire line and sell it to him on a switch-board there and he could take it two feet over on the other side and sell it to anybody he pleased, and there is no law in the State of Maine to forbid it.

If you believe that that law enacted in 1909 was a wise law, you will continue to vote for the law of 1909. For my part, I rather stand alone in favor of what I believe is right than to stand one hundred and fifty one with you for what I believe is wrong. (Applause) I have no principle or feeling particularly for the so-called Cole bill but there is a greater principle under it.

In 1913, we came to the legislature, and it was known before we came that there was to be a public utility commission enacted, and those same interests, gentlemen, that got those measures through had packed the committee already. But there were some of us who stood on our feet and objected to any such measure as that, and, rather than have a scandal, a special committee was appointed of six members, of which I had the honor to be chairman. Those six members were all good men, or at least the other five were—Honorable Ira G. Hersey who is today congressman, Honorable Alton C. Wheeler, Lauren Sanborn of South Portland, who has been twice a member of the House, Francis Peaks of Dover, and Bertram Smith of Patten. That committee held

public hearings, gentlemen, very many of them, in this hall which was as well filled as it is now by people representative of all the different branches which it was to affect, and by the best lawyers which New England could afford, and they were not wholly confined to our own State. And I want to say to you, gentlemen, especially the gentlemen who have said that there was a powerful lobby working against the interests of the people here this session—I want to assure you that there was some lobby here that session working against the enactment of a public utilities bill and they did not lie down and go to sleep and let that go through. Nor was anyone offered any price to change his mind any more than you have been offered a price to vote one way or the other on fertilizer, insurance or milk or anything else. But they came here and used their honest influence for what they believed was their own good. The same people who put this measure into the statutes in 1909 were opposed with all the power they had to the enactment, and the Lewiston Journal was the great paper of the State which stood out against that thing more than any one paper and it was almost the only one which was against it. For what reason? When the matter started there was an electric railroad being built from Portland to Lewiston. It was known that if the public utilities commission was inaugurated that that railroad which was not completed would not be able to issue its stocks and bonds except under the direction of the public utilities. All the forces that could be brought to bear from the city of Lewiston and by the Lewiston Journal were brought into this legislature against it, and the Lewiston Journal has not gotten over it yet. The same power in favor of the Maine Central Railroad was here against it, and the same gentleman who drafted the statute against this is today in the employ of one of the men who opposed it in 1913, the same man who dominated the legislature of 1909 and sent it on the rocks in 1911.

The matter went along until that became a law. It went to the people, gentlemen. Do you suppose the people

signed a petition to have the Public Utilities Commission thrown out and that the corporations had it done for the benefit of the people? I hardly think so. At least, I never have thought so, although it may be true, but I have always supposed and it has always been supposed that the principle of the people who surrounded with their influence the Lewiston Journal at that time furnished the cash which furnished the brains which sent that referendum to the people on the Public Utilities Commission.

The matter has gone on from that day to this. There are now 93 electrical companies doing business in the State of Maine under one charter or another. They have been broadened out until they cover ninety-six per cent of the organized territory of the State of Maine. By "organized territory," I mean the cities and towns which are incorporated. That does not mean, however, that they cover ninety-six per cent of the people. What was the benefit of the Public Utilities Commission and its great expense to the State if it were not going to be able to render any service to the State? What is the power in the Public Utilities Commission today to render service to the State if you give them an opportunity to do it? It is just this, gentlemen; the Public Utilities Bill in Maine when it was completed was the most elastic bill then in operation in the United States. We did not follow the Wisconsin plan, and the reason we did not follow it is the reason that the Lewiston Journal was against it, because it called it a court instead of a commission.

Now if Wisconsin, just as one more state is, were dissatisfied with the schedules furnished by public service corporations, they could apply to the Public Service Commission by complaint and have their case heard and, if the corporation were giving too poor service, the Public Service Commission of that state could order that corporation to increase its service or lower its rates or do anything it pleased to make it. What happened? Just what happens in the ordinary lower courts of our State. The corporation appealed, and it kept appealing until the poor can could not chase it, and the result was that the people of Wisconsin

had something in substance but not in reality.

We went a step further than the Wisconsin law and we said that any ten, in the first instance, could make complaint to the Public Utilities Commission and when that commission said the rates were too large or the service insufficient, there was absolutely no appeal to any other court and no costs attached to it for anybody. We even went further than that, and today you think your rates are too high in your towns, you have only to send a postal card to the Public Utilities Commission notifying them of that fact, and they have power to go to work and investigate themselves and call witnesses without any complaint on your part. We have this very session enacted a law which allows a public service corporation to make a complaint against itself when it thinks its rates are too low and it wants to raise them or to increase its service or to do something of that kind, and the Public Utilities Commission may order a public hearing and the public may be invited in. So the thing was established as a regulating board, not to punish anybody, not to regulate one side in preference to the other, but to regulate things so that the people might get what they paid for and so that the public service corporations might get pay for what they gave, and that today is the policy.

The bill of 1909 is dead as dead can be. The policy of 1909 was the policy of strangulation; it was a policy of monopoly and it was a policy of graft. The policy of 1913, which is the policy of today, is a policy of co-operation in which the people and the public service corporations are walking along side by side and hand in hand under the Public Utilities Commission, a regulatory board made for the State of Maine.

Let's see what else can happen. Why the Cole Bill has some merit in it is because it is in line with the development. I want you when you get home and have an opportunity to read the case of *Churchill vs. The Winthrop and Wayne Light & Power Company*, which is the most exhaustive discussion that appears today in the records of these public service corporations. You remember when

you wanted some telephone service a few years ago and you found it was impossible to get it, you united together all your poles, your wires, and you got your instruments and you had a little line from farm to farm; but when you wanted to get in on the switchboard of the New England people, they said "Oh, no, nothing doing," and so your little rural telephone was absolutely useless. The first thing we did was to enact what you call the physical connection law which makes every rural telephone today connected by law with the switchboard of the New England people. Before that the New England people could say after you had built your line, "If you will give it to us, we will hook on to you," and many farmers' lines were built at the expense of people in the country and given to the New England Company in order that they could get close service up to 1913. Today those people may build their own lines and keep their own rates as low as they want to and the New England people are bound absolutely to give them switchboard connections if they bring their lines to the central office.

Something happened in 1915 as to power companies. They said—"Oh, no, we cannot go up into the country; the cost of distribution is too high"—so we said that any number of farms could get together and build a line of their own and any public utility running through that territory must furnish power to them at wholesale and they may distribute it among themselves at any price they can get for it. You talk about five cents a kilowatt for lighting purposes being too high—do you know that there are companies in the State of Maine here selling it at the wholesale rate of five cents a kilowatt and that those companies who buy it are distributing it and making a profit? If it is too high, how can two companies live where one company ought to be in existence only?

This bill is not to hurt the power companies; it is not to hurt the people; it is a process of development whereby they may take advantage of an opportunity to develop and then sell their surplus as you or I would sell our surplus if we were in the manufacturing business. Talk about carrying it out

of the State! Why shouldn't you carry out any surplus we have got? If you are going to let these water powers go to waste for the next hundred years as they did in the last hundred years, where is the boy or girl that has any inducement to stay on our farms when the Great White Way of the city beckons to them? If we are going to keep the boys and girls on the farms of Maine, you must give the girl something to do with in the house as good as that of her city cousin whom she visits and you must give the boy the power to do work, for he is not going to do the hard manual work that his father did. Give him the power so he can saw his wood, so he can light his buildings and so he can milk his cows, if necessary, and give it to him at such a price that he can make a profit from labor, because you and I know what today is the trouble with farms in Maine. It is help.

Let me go back again to the principle I started on of development. Every electric company is perfectly willing to sell electricity to the thickly settled cities, and they run miles and miles through the country to get from one village to the other, but they are all most unwilling to go off into a side street a half a mile to feed one or two or three farms with electricity. It is good business to get into congested sections because there are less overhead charges for upkeep and repairs; it means less for reading meters; it means less for collections and less in every way. They even go farther than that, and you will find every one of our summer resorts well and thoroughly lighted—Old Orchard, York Beach, Bar Harbor and all those places where summer people congregate. That is when they are carrying a great load, but what happens for the other nine months and a half during the year, gentlemen? Where is that extra juice that goes to supply them during that time? It goes over the falls and nowhere except into the Atlantic Ocean. But they have got to maintain the same amount of power during those nine months and a half that it is wasted in order to serve those congested portions two months and a half. This would serve the same number of people

twelve months in the year. But they are today pretty near the limit so far as their development is concerned, and if you are going to make them serve all the people of the State of Maine, there has got to be an early adjustment somewhere along the line because under the law you cannot take away private property for public purposes unless you pay for it.

What is the project. Just as the Public Utilities Commission says in substance in Churchill against Winthrop and Wayne Light and Power Company. Let every company develop to its limit; let every company sell its surplus where it can and let the weak company which is new under monopoly when it is hedged into certain territory get power enough to furnish the people a supply by purchasing the surplus power of some other company. Whenever the surplus of all the companies is greater than there is any need of, let them sell it where they can get a market for it.

They talk about keeping the water powers of Maine until Maine shall become a great manufacturing State. Gentlemen, you and I are citizens of Maine, absolutely and intentionally interested in it, but the first thing we should do, we should be interested in is to keep our boys and girls at home. Our population is decreasing with a rush faster than in any other state. You, many of you here, have boys and girls who have left the farm in Maine and gone to other states because they could better themselves there and because those states were more progressive and offered better opportunities by way of development. Let's consider frankly. With all the water power we have in the State of Maine, electricity ought to be the cheapest thing we have in the State, and there is no home so humble that it ought not today to be furnished with light unless it is too remotely situated. But our farms—they say they will have to go an eighth of a mile in order to do that. I asked one of the great power men in this legislature why he didn't run out into the country. He said, "What is the use; there is no business." I said, "There is not any business, but do you suppose that there is

not any right?" I said, "Gentlemen, powers are all that is needed in the State of Maine to make great manufacturing centers, gentlemen, those powers have been here since the days of John Smith. Lawrence, Lowell and other cities would not have grown up if that was all that was needed, because our water powers were here to turn the machinery to weave cloth all these years. I believe in enacting into law legislation that will benefit the poor people of the State of Maine as well as the rich. I believe not in hampering people who are trying to develop their interests, but under rules and regulations set forth in 1913 and approved by the people in 1915, I believe the action taken by this House is absolutely wrong, that it is a backward step and is not in line with the policy. I was very sorry to hear the gentleman from Portland state that there was a corrupt lobby around here against the interests of the people. A corrupt lobby means a corrupt legislature, and if the legislature is corrupt, it is corrupt because you allow it to be corrupted—nothing more, nothing less. I know the men that have been in the lobby; they are personal friends of yours and they are personal friends of mine. Not one of them would have the audacity to offer any man a dollar or hope of reward of any kind for any vote. That is not what gets votes. Let us forget that thing, because prejudice never enacts into law those things which go to the benefit of the people. Let us broaden out our ideas and believe there is some good in something, believe that the tendency of the times is onward, and believe that the tendency of the times is toward honesty and the State of Maine has gone along that line.

I have no personal feeling that the Cole Bill has not any holes in it. I have had numerous letters desiring to know where the joker is in the Cole Bill. Why, gentlemen, assume it is full of jokers—I don't know—but here is what the Cole Bill means in reality. It means that when a company is subject to the Public Utilities act, I want to impress upon you that they cannot lift one finger or issue one dollar's worth of bonds or stocks or anything else unless they have the approval of the Public Utilities, but if they have their charter that is subject to that approval they may not only have the opportunity to develop, but have a market for their product and may be forced to develop and to develop to the one hundredth per cent limit instead of the sixty per cent limit. Every business man will agree that when a company has an income, no matter from what source, he can perhaps decrease the pro rata rate of cost, although he may have to increase the amount of business.

What, gentlemen, is the objection? Maine being a manufacturing State, the tendency of manufacturers is either to come to the source of supply or source of labor. Do you suppose that Millinocket grew simply because Millinocket happened to be a spot on the face of the earth, or did it grow up because it was a source of supply of raw material? Do you suppose that Rumford Falls was located where it is simply because there is something there in the way of water power, or do you suppose it was the raw material which floated down there and which the falls ground into pulp? If water

As I say, gentlemen, so far as water storage is concerned, I happened to be on the committee that made up the public utilities bill; and the matter was discussed as to what we should do with the Water Storage Commission. Now the Water Storage Commission has to do with the development of industries in the State of Maine. The will of the people has been the multiplication of offices. You can cut out all the salaries you please, but you do not cut out the expenses when you cut

out the salaries. A non-salaried commission will have half a dozen clerks loafing around and all the officers that go with it. We have three men on the Public Utilities Commission today against whom no one raises a question, either as to ability or honor. We are paying those three men \$14,000 a year to do their work, and they occupy the whole end of the fourth floor of this building. Now if you elect another commission, that commission has got to find some offices and office equipment and clerks. The only reason that the Public Utilities Commission has not carried on the whole extent of the work that was carried on up to 1913 was a lack of appropriation by which they had to discharge Mr. Babb, the hydraulic engineer, who has been employed up to that time; but they stood ready, and have stood ready ever since that time if the appropriation was granted, to take Mr. Babb back, who is one of the greatest hydraulic engineers in this country, and whose work stands out today as a grate work along the line of development in Maine. They will be glad to take him and have always said that the lack of appropriation was the only thing that kept them from it. Now if you want to benefit the people of the State of Maine, it seems to me that all you have to do is to add the salary of the hydraulic engineer.

I do not think I need to take any more of your time, gentlemen, I do not believe that you believe that any of us are in favor of the corporation against the people. It is only a question of the viewpoint from which you look at it. The issue has been made as between 1909 and some other date. I prefer to forget 1909 and to remember 1913 and the work that has gone forward in the State of Maine. I prefer to look forward to the day when the State of Maine will enact more elastic laws whereby the natural resources of the State will be fully developed, so that every home in Maine will reap such advantages that the girls and boys on the farms will see that the life and freedom of the country is far better than the life of the city, the requirements of city life and the expenditures dependent upon it. I do not

care whether you vote for this bill or not; I have no desire for a roll call upon it; I do not believe in roll calls. I believe that every man is honest and will vote as his conscience dictates, and if you see fit to adopt the majority report "ought not to pass" you will not hurt my feelings. If there are 150 against me, I stand or fall by myself if necessary. (Applause.)

Mr. HUTCHINS of Mexico: Mr. Speaker, as a member of the judiciary committee before whom there was a hearing, I trust that this body will consider carefully the report of the majority of that committee "ought not to pass" and I shall simply make one or two brief statements giving you the reasons why I believe, and why some other members of the committee believe that this was not good legislation for the State of Maine. It is true that not a person appeared before that committee in opposition to the bill; but, if I mistake not, only two of the committee signed the report "ought to pass."

I have been somewhat relieved in my mind on account of the able discussion of the proponent of this bill. He has said to us, if I am not mistaken, that there is not any law today that will prevent a corporation from carrying electricity out of this State—

Mr. BARNES: Individual, he said.

Mr. HUTCHINS resuming: any individual from carrying out of the State, and he leads you to infer, gentlemen, from that that any corporation doing business here may, by contracting with an individual, carry it out. Well, gentlemen, if they could do it, and if they have not seen a hole to get out, it only confirms the position which I took on this floor the other day, because a man could be hired to do that for a few dollars or a few thousand dollars—and gentlemen, they have the money to do it—and it would be worth a few thousand dollars to carry it out under this Cole Law, even.

There has something been said about the 1909 law. I do not think that this House needs a discussion as to whether or not that law is constitu-

tional. Authorities differ on it, and for one I do not care to see the electricity carried out and then afterwards find out that it is unconstitutional after it is beyond our reach. Now what does the Cole Law propose to do? The Cole Law proposes to amend that particular law. If it is unconstitutional, what does your amendment amount to? But it goes further, gentlemen, and it says that when they shall have reduced—who? When who shall have reduced? Why, the company that is transmitting it outside; not all the companies that are generating and selling to that company, gentlemen; it does not say that. It is a company down on the border, gentlemen, that is carrying that out. Whenever they shall have reduced to a five cent and a one cent rate, and whenever they shall have more than they need to supply that immediate vicinity, they may carry it then beyond your reach except, gentlemen, that they may be regulated by the Public Utilities Commission. They may if the United States Court does not say they cannot after you get it out. Remember that, and remember another thing, gentlemen, that when that locality there takes a five cent and a one cent rate, you and I are paying nine, ten, twelve or fifteen cents. I defy any man to say that that Cole act, or any part of it, provides for cheap rates in other parts of Maine, because there is nothing mentioned in it concerning the rest of Maine. Well, now, is a five cent rate and a one cent rate a low rate? It is as we figure when we are paying our bill to the light company, gentlemen. It is about half what we pay; but, gentlemen of the House, remember that many changes are being made in the generations of electricity. Its costs are being lowered, and they must be lowered because, gentlemen, we have had experts before our committee who have told us that in Boston at the sea board, they are manufacturing electricity with coal—not with water but with coal—at four mills a kilowatt, less than half a cent a kilowatt. I will submit to you, gentlemen, that in this country, with water, they are

manufacturing it and selling it for nine dollars just across the border; and I submit to you, gentlemen, that they are manufacturing it at an ordinary plant in this country at from \$12.50 to \$15.00 a horsepower. That is not overdrawn; that is conservative. Now what are you paying, gentlemen? How much? Figure this. At one cent a kilowatt you are paying \$65.00 a horsepower; at ten cents you are paying \$650.00 a horsepower; at five cents, for lighting uses, you are paying \$325.00 a horsepower. Well, that is low, but it isn't twelve and a half or fifteen or one hundred.

Now, gentlemen, I have no complaint against these companies as they are now doing business. I have never sued one of them or had any trouble with one of them and some of the men connected with them are my friends. I am glad they are doing well, but do not get into your heads for a moment that they are weak, that they are suffering, that they are going backward. The gentleman sitting across the aisle told me the other day, and it is a fact, gentlemen, that they have invested thirty millions of dollars in the State of Maine; and they are paying interest on their bonds, gentlemen, and they are paying dividends on their stock, and we are helping pay them. They are improving their plants, and they have in the reports one million two hundred thousand dollars surplus during the last year. They are doing well and I am glad of it; and I say to you, gentlemen of the House, that they could do better and they will do better. There are some of our communities that are asking the public utilities for relief. It is not the community that I live in; we are not kicking; but up in my county, the county that I represent, there are two communities right together—Norway and Paris—that are paying today fifteen cents a kilowatt, or \$975.00 for every horsepower they use. Some companies not two thousand miles away sell it for \$9.00 instead of \$975.00. I am glad they are doing well, gentlemen, and I have no complaint; but you know as well as I that these companies—and the gentleman who has

just spoken has told you—do not want to go out into the country, some of them. They said they do not have power enough in the city to supply the cities of Maine. Now, gentlemen, we know better than that. Maine has more power in the six zones than enough to supply its cities, and they can develop and they can furnish our farmers and they can furnish those boys and girls from the country the things that would make country life happier and pleasanter, (Applause) and they will do it (Applause).

Now, gentlemen, why amend an un-constitutional law if it is such, or why take chances with amending it when there are other methods that will be safer for the State of Maine, though not quite so palatable to the corporations? And what method, gentlemen, has this House suggested? It has suggested the Baxter Amendment for one; and I want to say to you, gentlemen, that I am glad that the gentleman who honors this House with his presence and who sits in seat No. 1,—I am glad that he was not elected as Speaker of this House, because in that Chair he could not have done the duty he has done for the State of Maine. (Great applause.) Regardless of the criticisms that have been made, inside of this House and outside of it, in the corridors, by public officials, men standing high, gentlemen, the slurs and the sneers,—I say in spite of all those that have been heaped upon this man's head, he stands today high above any man in this House with the people of the State, and twenty years from now will stand just the same. (Applause.)

Now, gentlemen, why haven't they carried it out if they could carry it out so simply and so easily? they want a law to help them do it and to stand back of them while they are doing it, and they want to furnish a little corner down in York County or in Oxford County—and I do not care which one it is—with electricity for five cents and one cent, and the rest of you pay a high price while they shoot a half million horsepower into New Hampshire, Massachusetts and Connecticut; and, gentlemen, should

the transmission of power be cheapened and the loss be lessened as much as the loss in transmission has been lessened in the last ten years,—should it be lessened in the next ten years as much as it has in the last ten, it would go to New York. You could not stop it, no man could stop it, when it became a subject of inter-state commerce, and the gentlemen who are proposing this bill know it.

The Public Utilities Commission is composed of honorable gentlemen. Every man in this House, my associates, are honorable gentlemen. Many of them are induced, are persuaded, are convinced even, to do what some of us think is not for the interests of the State of Maine. I wish every horse-power in this State was harnessed, and I wish that every charter that this State ever gave had the Baxter amendment on it, and then I would move another amendment, gentlemen; but first you must have their charters right. You must have their charters where you can control them, because that charter is a part of their contract. They should be put on all of them, whether they come to anything or not. Did you ever make a contract with a man who did not want to make one? Did you ever do it? They are throwing dust if they do not come here and ask you for anything. You cannot make a contract with them unless they want you to; but if they do come here, gentlemen, and ask you for something, you can say "you can have that, you can take that step, and you can take three or four more, but we want you not to go too far. You agree with us as a part of your contract, gentlemen, that you won't go outside of the State until you get authority from the State to do it, and we will let you develop." And when they come here, all of them, in an upright manner and ask this legislature, or a future legislature, to do business by contract, and say "we will agree not to do that," and then they come and say "we have developed and we want to develop some more, we have agreed not to go beyond the limit—now we want to develop half a million horsepower, and we want to send some outside of the State"—gentlemen, you can

arrange by a contract with them in the future that they may develop; and when that company develops, or any company through which its power flows, any territory served by any company through which its lines pass—when they shall have served them at the same rate that they will serve outside of the State of Maine, you can safely let some of it go by contract, and they can develop, and the State of Maine will get its low price, and New Hampshire will get its low price, and Massachusetts the same; but New Hampshire and Massachusetts will not get the power for three-quarters of a cent while you are paying a cent. New Hampshire and Massachusetts, under that condition and under contract with them, will not get power at half a cent and light for two or three cents when you are paying twelve or fifteen. I say to you, gentlemen, that you cannot afford to take the chance, and the committee on judiciary decided that we could not afford to take such a chance. Now then, gentlemen, I want to see them carry their surplus for use in other places, sometime. I do not want to see them carry it out under this law, and I do not believe you do. I want to see them carry it out when they charge it to Maine as cheap or cheaper than they charge it to any other place under the heavens. That is what I want to see, and when they are willing to come up and contract with the State of Maine, and say they will do it, and then they violate that contract, you can annul their charter; and you will be in the saddle and you can see that the people are supplied. Why leave it to the Public Utilities Commission, gentlemen! You leave it to that commission and some time they may get five or six decisions that the people of the State of Maine do not like from the Public Utilities Commission. They may say to some community, "you have still got to continue to pay twelve cents or fifteen cents," when the people know that they ought to get it for eight or nine. Then what will you do with the Public Utilities Commission? The people of the State of Maine will then abolish it, and, when you abolish it, what will you have regulating the Cole bill? Oh, my

brothers! Such things have happened; such contracts have been devised; and the people of the State of Maine do not want this legislature to enact an amendment to that law that will allow the power to be carried out.

Now I will close by reading the other part of the letter that I did not have time to read the other day. This letter was written by the legislative committee of the Maine State Board of Trade—not some little community up here like Mexico, but the State Board of Trade; and they say in the latter part of that letter, which was dated March 25th—I will not encumber the record by reading the part I read the other day—they say as follows:

"In view of the bill known as the Cole bill, introduced in the latter portion of the legislative session to enter a wedge into this settled portion of the State, with the suspected purpose of throwing the whole matter under the Interstate Commerce Commission, and passing it from the State of Maine into Federal control, I wish to protest on behalf of our committee against the passage of any such bill at this legislature when the great mass of the people know nothing about it. In the opinion of many, it would be interpreted as an attempt to throw our far-famed white coal after the wild lands and sacrifice another birthright of this State.

(Signed) CHARLES F. FLAGG."
"Chairman of the Legislative Committee of the State Board of Trade."

Mr. Flagg is also president of the State Board of Trade.

Gentlemen, I think you will agree with me that our policy at this session has not been one of entire strangulation. I see that some of the electric companies of the State of Maine still live and their representatives are still here. They can afford to keep them here yet, and I am glad to see them. No, we have not strangled thirty million dollars' worth of capital, and I hope that within the next few years that thirty million will have been increased to one hundred million. I do not mean watered stock; I mean actual investment and development; but until they will come and, by provisions

of their contract with the State, protect the interests of the State as well as their legislation will protect the interests of New Hampshire, Massachusetts, and Connecticut, I say to you, gentlemen, that we should turn down their acts and their amendments and make them come to us on a contractual basis where we will know what they are to do and where they will know what they can do. Then, gentlemen, and not toll then, will the policy be settled. The people of the State of Maine do not want you to settle it by passing it into federal control. They want to settle it themselves by contract in this or some future legislature when they come to us on a square, fair, honest contract plan by amendment to their charters which they now possess. (Applause.)

The SPEAKER: The question is on the motion of the gentleman from Eliot, Mr. Cole, that the minority report be accepted, "ought to pass." As many as are in favor of the motion will say aye; those opposed will say no.

A viva voce vote being had,

The motion of the gentleman from Eliot, Mr. Cole, was lost.

On motion by Mr. Hutchins of Mexico, the House voted to adopt the majority report.

The SPEAKER: The Chair lays before the House majority and minority reports of committee on judiciary, majority reporting "ought to pass" and minority reporting "ought not to pass" on House Document No. 32, An Act to regulate the practice of osteopathy, creating a board of examination for those desiring to practice the same and providing penalties for violation of this act, tabled by the gentleman from Lisbon, Mr. Clason, pending the acceptance of either report.

Mr. CLASON of Lisbon: I yield to the gentleman from Sidney, Mr. Longley.

Mr. LONGLEY of Sidney: Mr. Speaker, I move you the acceptance of the majority report "ought to pass."

A viva voce vote being had,

The motion of the gentleman from

Sidney, Mr. Longley, prevailed and the majority report was accepted.

On motion by Mr. Rounds of Portland, the bill had its three several readings under suspension of the rules and was passed to be engrossed.

The SPEAKER: The Chair lays before the House majority and minority reports of committee on taxation, majority reporting "ought not to pass" and minority reporting "ought to pass" on House Document 92, An Act to amend Paragraph 1, Section 14, Chapter 10, Revised Statutes, relating to the taxation of personal property, tabled by Mr. Farrington of Augusta, pending the acceptance of either report.

Mr. FARRINGTON of Augusta: Mr. Speaker, this House Document is the one that provides that pulp wood, cord wood and logs shall be taxable in the town where located on the first day of April first year, and I move that the majority report "ought not to pass" be accepted.

Mr. BARNES of Houlton: Mr. Speaker, this is the bill that was discussed the other afternoon just before tea time. There were two bills before the House relative to the taxation of personal property asking amendments to the present statute. One referred to the tax on personal property in unorganized townships and that one has been enacted. This one is affecting the proper section of the statute so that if it were enacted, pulp wood, cord wood and logs would be taxable in the town where located on the first day of April in each year. Many gentlemen of the House know of the fact that a portable mill, for instance, will come into a town and cut up a lot of pine timber into boards and the boards are stacked or stuck up on land near where the portable mill is set, and on the first day of April there is in very many towns a big pile of pine boards. This stuff is taxable in the town where the owner lives, but in very many instances the assessors of the town where the owner lives do not know that the pine boards, for instance, are there. It applies also of course, to pulp and cord wood lumber. It has seemed to many,

as the argument the other afternoon would show, that logs or cord wood or pulp wood which were real estate in the town in the month of January, might properly be taxed and the tax go to the town where the manufactured product, so far as it has been manufactured, is piled on the first day of April. I do not propose to argue one way or the other. It is worthy of serious consideration and especially where the small town where the stuff is cut. It seems to me that the bill should be enacted, that is, that the minority report "ought to pass" should be accepted.

(Mr. Murray in the Chair.)

Mr. MERRILL of Gray: Mr. Speaker, I would like to inquire, through the Chair, what the present law is now? If it is not the law that the lumber and wood should be taxed in the town where it is now.

The SPEAKER pro tem: The Speaker will not undertake to answer without the statutes before him. Perhaps some of the gentlemen who have the statutes in front of them will answer.

Mr. MERRILL: At least I know we are taxing lumber and wood at the present time where it is found in the towns on the first day of April.

Mr. BARNES: With the permission of the Chair I will try to answer the gentleman. Personal property situated in the town outside of the town where the owner lives is taxable to the owner in the town where he lives. If both the owner and the pulp wood and the cord wood are in the same town, it is taxed in the town where the owner lives. Under the present statute, unamended, any pulp wood or cord wood, which I might own in any town in the State of Maine would be taxed to me in Houlton. This provides that pulp wood, cord wood and logs would be taxed in the town where located on the first day of April in each year unless it happens to be piled where the man lives.

Mr. CATES of Vassalboro: Mr. Speaker, I was present at the hearing before the committee on taxation when this bill was considered. It would affect mills in the towns I represent. It was brought out in that hearing that

ninety per cent. of their holdings were in unorganized townships and if this bill passed, they would get off from paying the State and county tax, get rid of all municipal taxes. Of course that would mean a whole lot to a municipality such as I represent.

It was brought out also that this bill has two provisions in the same clause in direct opposition. Now I am not a lawyer, but as a layman it appeared to me that that was so. It says in the first part of the law that "all personal property employed in trade, in the erection of buildings or vessels, or in the mechanic arts, shall be taxed in the town where so employed on the first day of each April." Then this amendment in addition to that clause says that "all pulp wood, cord wood and logs shall be taxable in the town where located on the first day of April each year". In the first sentence they are to be taxed where employed and in the second sentence where located. It seems to me that these are inconsistent; although, as I said, I am no lawyer, but that was the opinion of two or three able attorneys of the State and was so stated before that committee.

Mr. RUSSELL of Farmington: Mr. Speaker, I will not take but a few minutes. I am somewhat interested in lumber matters, and, the gentleman from Houlton said, as I understood it that it was right that they tax lumber to the owner. Well now in this case, while it is a fact probably that it is impossible to make a law that will hit every case, but often lumber is moved from one town to another to be sawed; that is it may be cut from one town and moved to another to be sawed and be there the first day of April. The town where it was located has no interest in it other than that it is lodged in that town and will be there the first day of April; but it does not seem to me fair that it should be taxed in that town, and I think that it is customary, usually, that lumber is taxed—owned by corporations—the corporation pays a tax to the town they live in and in that way they pay a tax on that property situated perhaps in a town that has no interest in it and the lumber was not cut from that town. This is liable often to be the case. It seems to me

there are laws enough to reach those cases now.

Mr. NEWCOMB of Scarborough: Mr. Speaker, if the position of the gentleman from Houlton, Mr. Barnes, is correct, my town has been violating the law for twenty-five years, and other towns that I am acquainted with have been doing the same thing. For 25 years, the town of Scarborough has been taxing cord wood and sawed lumber that was in their town on the first day of April, owned by non-residents, as non-resident personal property, and there never has been a case to my knowledge—and I have been intimately acquainted with the affairs of the town—where that owner has refused to pay his tax because it was unlawfully assessed. I know of other towns in Cumberland county which have done the same thing.

Mr. BARNES: Mr. Speaker, I do not wish to be misunderstood. Of course we have construed this statute a good many times and that has been the law for a great many years. This applies to pulp wood, cord wood and logs. To give you an illustration! I know of a corporation cutting pulp wood in Aroostook county whose home office is in the town of Hartford in Oxford county. Now regardless of what is said about where that corporation will be taxed, those who have had to interpret the law for selectmen and assessors, of course know that the personal property of that corporation is taxable in the town of Hartford, Oxford county. I tell you now that the town of Hartford never taxed one penny's worth of that lumber. The corporation was organized under the law and never did any business there, never intended to but operates in other towns and is a big pulp cutting concern. Now the old law means just the same about manufactured lumber, lumber in transit and all that. This amendment simply provides that pulp wood, cord wood and logs are taxable in the town where located on the first day of April of each year.

Mr. SAWYER of Madison: Mr. Speaker, there seems to be a little difference of opinion about this taxation of pulp wood. If I am correctly informed, the law is that it shall be

taxed at the point of destination. I represent a town in which is located the Great Northern Paper Company and the Hollingsworth and Whitney Company, and they have thousands upon thousands of cord and pulp wood piled in the woods at the present time or did have the first day of April, from their operations this winter. As I understand the law at the present time they make out a schedule of the amount of property and turn it in to our selectmen and our selectmen assess and collect a town, county and State tax on that the same as though it was in the town on the first day of April. If that is not correct, I should be very thankful to be informed as to what the condition actually is on the point of pulp wood being taxed at the point of destination.

Mr. LAWRENCE of Fairfield: Mr. Speaker, I represent a town which for many years has had a great many logs manufactured within its borders. We never have failed yet to tax those logs at the place where they were the first day of April. The Fairfield people always taxed them and they always collected the tax. Twice within my memory streams have broken up and those logs have been strewed, at one time through at least four different towns; and it seems to me that it would have been utterly impossible to have taxed them in the towns where they were located on the first day of April. Several times within my memory the ice was broken up on the main river, the landings would roll into the water and they have been strewed along through two and three different towns. It seems to me that it would be almost impossible to get a fair tax on those logs to tax them in the different towns where they were located on the first day of April.

Mr. CHARLES of Lovell: Mr. Speaker, I would like to answer the gentleman from Vassalboro, Mr. Cates, and several others, in regard to the timber cut in unorganized townships. There is a bill already enacted which says that all logs, lumber and personal property not already taxed in another town shall be subject to a direct State

tax for State and county to be paid to the State assessors. This bill has in mind two features. One, there is a great deal of property located in certain towns that has been cut there. It always has a real estate value and it is taken down the river to Saco or some other manufacturing point reducing the valuation of the town where it stood and the city of Saco collects the tax on that lumber. One other point: A great many times—and there may be some assessors in the towns here that have had that experience—that an assessor will find 50,000 or 100,000 or even 500,000 logs in this town and assess a tax on it only to find it owned by a man in some other part of the State and having to go to work and rebate that tax. This bill merely means to tax what logs and lumber has been cut. Of course there might be some hauled from one town to another, but to make it all taxable where it is located, where it has been growing and where the owner has paid a tax on the real estate, and having cut it off, it seems no more than fair that that town, losing the decrease in valuation, should have the right to take one year's tax instead of some other town. In some places there is a great tendency if a corporation moves in and builds a mill to absolutely exempt that plant from taxation, knowing that they are going to get a large increase from timber withdrawn from some other place. Again in our hearing the men who opposed this mostly were members of our counsel for lumber corporations. Their main objection was that it would be an increase in bookkeeping, having to make returns to more than one town, also that they thought it would be a great loss to timber. But there is a great amount of this lumber up river at the beginning of April, and no one knows how much they have, I do not know as the lumber companies themselves can tell. In other words they have to jump it and I can hardly see where if the other law is passed making all logs and lumber personal property, pulp wood and all, in a township taxable, unless otherwise taxable in some town by a direct state tax,

where this can hurt any other town or place.

Mr. WILSON of Portland: Mr. Speaker, there seems to be a little confusion about what this bill provides and what the law is. I think it is well understood in this State that personal property belonging to a resident of a State is taxed in the town where he is a resident on the first day of April, no matter where his personal property may be, with the exception that the personal property used in trade in any other town may be taxed in that town. For instance, a corporation might have a large store in Portland, and it would be taxed on its personal property there, and it might have a small store in some country town in the State with a stock of goods in it, and it would be taxed for that store in that little town, the town where it was located.

It seems to me, if this bill is passed, we are going to have a bad complication of matters. It would take some personal property and require it to be taxed wherever it happens to be on the first day of April. It would leave other personal property to be taxed where the owner resided.

To my mind the chief trouble now is with the assessors and the owners of personal property. Under our law the assessors of the City of Augusta, if they have a lumber operator living here who has lumber in the woods, may require him to file a sworn statement of how much lumber he has in the woods on the first day of April. If he does not see fit to file that statement, they may doom him any amount they see fit and he will be obliged to pay. There is no escape for him unless he has filed a sworn statement with the assessors.

I think the law when it is enforced honestly and carefully, is strong enough and that there should be no exception made, but one rule for everybody, and let every man pay the tax on his personal property to the town or city where he resides. I hope the motion of the gentleman from Augusta will prevail.

The pending question being on the motion of the gentleman from Augusta, Mr. Farrington, that the majority report "ought not to pass" be accepted,

A viva voce vote being taken,
The motion prevailed.

The SPEAKER pro tem: The Chair lays before the House, Senate Document 360, "An Act for the safeguarding of employees in factories, mills and workshops against danger from fire," tabled by the gentleman from Augusta, Mr. Farrington, pending first reading.

Mr. FARRINGTON of Augusta: Mr. Speaker, I yield to the gentleman from Portland, Mr. Wilson.

Mr. WILSON of Portland: Mr. Speaker, I move that this bill be indefinitely postponed in concurrence with the Senate.

Mr. DESCOTEAUX of Biddeford: Mr. Speaker, the only change that I can see that this bill makes in the present law is this section of the bill—Section 4—which I will read:

"Nothing in this act shall be held to abrogate the duty of municipal officers or board of fire engineers to make inspection of such buildings as provided in Chapter 30 of the Revised Statutes, Sections 37 to 46 inclusive, and acts amendatory thereof; but after inspection of such buildings as designated in Section 1 of this act, before issuing their certificate, if they find proper safeguards and precautions for escape from fire, or before issuing written notice to the occupant or owner of alteration, additions or repairs which they will require, if they find them improper,—shall first submit to the Commissioner of Labor a description of the building inspected, stating size, and material of which constructed; average number of employees," and so forth.

Now, Mr. Speaker and gentlemen, the law at the present time says that the fire chief may inspect a building, and, if it is satisfactory to him, in fact whether it is or not, he can give the occupants or owners a permit. If the

Commissioner of Labor enters that place of business and he finds the conditions are not right, he hauls that man into court. He has not got any grudge against the owner of the building, but he simply serves a notice. As I get this section here, it simply means that before the fire chief can give this permit, he shall send down the conditions of the building to the Commissioner of Labor, and, if he sees that everything is all right, why he signifies that he is willing, and they can start the building.

I think this is no more than right because, you know, in a great many of our cities and towns, "fire chief" is a political job and, in order to hold his job, the fire chief does a good many things he would not do if it was left the other way. I hope the motion to indefinitely postpone will not prevail.

Mr. WILSON: Mr. Speaker, I understand this bill, to make it brief, because I think we have had about enough talking this afternoon, so I will not detain you but a moment, but I understand that the purpose of this bill to take away the control of fire escapes from different municipal officers of cities and towns and lodge it with the commissioner of labor here in the building. We have had no great trouble with the way municipal officers of cities and towns have handled this fire business, and I think they should hate to see some one man authorized to travel around this State and tell the municipal officers that they must do certain things or that they could not do certain things. I think this bill should be postponed.

Mr. DESCOTEAUX: Mr. Speaker, I differ with the gentleman from Portland, when he says this takes away the power of the municipal officers and the board of fire engineers. It says here: "Nothing in this act shall be held to abrogate the duty of municipal officers or board of fire engineers." You have got fire chiefs that for political purposes have given permits to these people. If they are hauled into court, they show this permit and they clear their skirts. That is the whole thing right in a nutshell.

Mr. BOMAN of Vinal Haven: Mr. Speaker, I think the bill is all right, and I will give my reasons. While this matter is placed in the hands of the municipal officers, I know they do not do their duty. I know of cases where even amusement buildings and opera houses have had no fire escapes for years, and when their attention has been called to that, they have neglected to provide fire escapes. I know myself in my own town I called attention of the municipal officers to the lack of fire escapes on different buildings, but nothing has been done. As the gentleman from Biddeford has stated, the fire chiefs sometimes for some reason do not care to enforce the laws. It seems to me, Mr. Speaker and gentlemen, in a case of that kind and similar kinds there ought to be some authority away from those towns with power to see that such buildings are safeguarded when they are neglected by the authorities in the cities and towns. I think the bill is just right and ought to have consideration.

Mr. JENKINS of Kingfield: Mr. Speaker, I do not know what the law is in regard to this matter, but I do know that there have been men come to our town and apply to people to put fire escapes on, and it seems to me, if this bill passes, they cannot do any more.

Mr. WILSON: Mr. Speaker, if I remember this law correctly, it provides a fine of \$10.00 for every day the building is allowed to go without a fire escape, and municipal officers who let it go that way, are subject to indictment. If you can get it any more strict than that, I should like to see it in force.

The pending question being on the motion of the gentleman from Portland, Mr. Wilson, that the bill be indefinitely postponed.

A viva voce vote being taken.
The motion prevailed.

The SPEAKER: The Chair lays before the House House Document 274, "An Act allowing dentists to employ women assistants who shall be known as dental

hygienists," tabled by Mr. Wilson of Portland pending third reading.

Mr. WILSON of Portland: Mr. Speaker, I move this bill be indefinitely postponed.

Mr. WILLIAMS of Auburn: Mr. Speaker, this bill is a far-reaching bill and has to do with the health of children and adults. It is a very important bill. It seems to me, it having arrived at this stage without any objection, we might well consider whether we will indefinitely postpone it or not, and so I venture a few remarks.

If you go to a dentist's office now he will tell you perhaps that your teeth should be cleaned, but he has no time to do it. That means he cannot afford to clean them at less than \$2.50 or \$3 an hour. That is all it means. He will tell you they should be cleaned so many times a year. There is no part of the human system that contains so many disease germs as the mouth of anyone whose teeth or gums are diseased. This provides that they may have in their office female employees who can do this business without any direction from them; that is, they can be trained so that they can do it legally without being constantly overlooked and taking the time of the dentist. It seems to me to be important for the health of all the people in the State and that it should have a passage.

Mr. BOMAN of Vinalhaven: Mr. Speaker, it seems to me there can be no reason why dentists should not have a lady employee or a woman in his office just as a lawyer can have a typewriter. (Applause.) I have all respect for a lawyer or anybody employing anybody in his office and see no reason why dentists should not have the same right.

Mr. WILSON of Portland: Mr. Speaker, the most of the typewriters we have around our offices in Portland are rather harmless pieces of machinery, but the girls who run them are usually all right. This bill, as I understand it, is in the interests of the few and not of the many. It would allow the rich dentist who wants to put on style and advertise the great preparedness of his office, to wage

unfair competition against the everyday chap who was not wealthy enough to provide a large and well-furnished office.

Now, if my information is correct, in these days of dental service the cleaning of the teeth is one of the most important jobs done in a dentist's office. I have been told so by several and that it is not a job that should be passed over very lightly. The most of us want to consider it in that light. Several of the dentists whom I know and who stand very high in their profession have told me repeatedly, although it was several years back, that the cleaning of the teeth was one of the most important things that a dentist did. The mere filling of a cavity after it is located is the technical part of the job.

It does not seem to me that there is sufficient call for this bill to require its passage.

Mr. WILLIAMS: Mr. Speaker, I am very glad to hear the expression—"the bill for the people," or "for the man who is doing dentistry and asking a good price."

Now, the understanding of the necessity of the keeping the mouth clean is comparatively modern. You heard about it many years ago, but you did not know that rheumatism and a great many of the infectious diseases are caused by swallowing germs from the mouth. A great many people who are in poor health constantly are so because they are swallowing poisonous material from the mouth. This is just in its infancy. Five years from now there will be ten times as many people calling to have this done and the dentists cannot possibly do it. There are schools graduating females to do this especially, and I leave it to you, Mr. Speaker and gentlemen, if, when the ladies undertake to clean anything up thoroughly they do not generally do it in just that manner. (Applause.)

The pending question being on the motion of the gentleman from Portland, Mr. Wilson, that the bill be indefinitely postponed,

A viva voce vote being doubted,
A division of the House being had,

Nine having voted in the affirmative and 73 in the negative, the motion was lost.

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

The SPEAKER pro tem: The Chair lays before the House, House Order relating to investigation as to advisability of imposing an excise, franchise or other tax on corporations generating or distributing electric current, tabled by Mr. Farrington of Augusta, pending its passage.

Mr. FARRINGTON of Augusta: Mr. Speaker, out of courtesy to the gentleman from Portland, Mr. Baxter, as there are matters similar still pending in the Senate over which there is disagreeing action, I would move that this be re-tabled until tomorrow.

The motion prevailed.

The SPEAKER pro tem: The Chair lays before the House, House Document 714, An Act to amend Chapter 9, Revised Statutes, relating to the taxation of insurance companies, tabled by Mr. Coffin of Freeport, pending reference to a committee.

Mr. COFFIN of Freeport: Mr. Speaker, in order to clear the calendar, I am going to move that the bill be indefinitely postponed, but I wish to say a word in explanation. This bill is a taxation measure. We know that taxation in this Legislature is very unpopular. We have been here three months now trying to legislate in the interests of the people. Everything in the way of taxation measures that we have been able to get by this House has been one that would allow us to tax pigs, sheep and cows that were not taxed for the last two years. Now, I submit, gentlemen, we are all pretty willing to appropriate money and to take the tax on calves and build that Jackman-Rockwood road. It is so unpopular, this with the rest, that I move it be indefinitely postponed.

The motion to indefinitely postpone prevailed.

The SPEAKER pro tem: The Chair lays before the House, Senate Document 102, "An Act to amend Sections 26 and 37, Chapter 9, Revised Statutes, relating to State taxation, telephone and telegraph companies," tabled by Mr. Barnes of Houlton, pending further action by committee of conference.

Mr. BARNES of Houlton: Mr. Speaker, is the report in?

The SPEAKER pro tem: As I understand there is no report from the committee on conference.

Mr. BARNES: I move it lie on the table.

The SPEAKER pro tem: As I understand, the committee of conference have not acted upon it.

Mr. BARNES: Then it should be tabled, Mr. Speaker, until the committee of conference acts and we will be governed by their action, whatever it is.

The SPEAKER pro tem: How will it get to the Senate?

Mr. FARRINGTON of Augusta: What is the status of the bill, Mr. Speaker? Has the committee of conference been joined by the Senate?

The SPEAKER pro tem: As I understand the committee of conference was appointed in the House, and then it was tabled so it did not leave this body.

Mr. FARRINGTON: Mr. Speaker, I should like to ask the gentleman from Houlton, Mr. Barnes, if he does not wish it joined by the other branch?

Mr. BARNES: I do, Mr. Speaker.

On motion by Mr. Farrington of Augusta, the papers were sent to the Senate for the committee of conference to be joined.

(The Speaker resumed the Chair.)

The SPEAKER: The Chair lays before the House, House Document 616, "An Act relating to the competency of witnesses," tabled by Mr. Rounds of Portland. It comes from the Senate indefinitely postponed and the question before the House is concurrence with the Senate in the indefinite postponement of the bill or insistence.

Mr. ROUNDS of Portland: Mr. Speaker, I move we insist on our former action and ask for a committee of conference.

Mr. BARNES of Houlton: Mr. Speaker, what was the action of the House?

The SPEAKER: Passage to be engrossed.

Mr. BARNES: Mr. Speaker and gentlemen of the House, I hope the motion of the gentleman from Portland will not prevail. Now just a word about this. The statute has read for very many years that no person is incompetent to testify in court or in a legal proceeding in consequence of having been convicted of an offence, but, if a person is on the witness stand who has been convicted of an offence, under the law as it now stands, such conviction may be shown to affect his credibility. For instance, if a man has been convicted of being a perjurer and is testifying on the witness stand, counsel can show that he was formerly convicted of that offence simply with the idea that the jury might weigh that and, having that information, decide whether they would believe him or not.

The people who have introduced this amendment—for what purpose I have no idea—have wished to change the statute so it would read—"but such conviction, if not established by plea of *nolo contendere*, may be shown to affect his credibility." I suppose everybody knows what *nolo contendere* means. *Nolo contendere* is practically Latin for "guilty." By saying *nolo contendere*, when a man is under indictment or complaint, he says "I do not chose further to contend against the State," which is equivalent in our practice to the plea of "guilty."

Now many a man who goes into court indicted or who is brought in on complaint and warrant, when he is asked to plead whether he is guilty or not guilty, murmurs, under instruction of counsel, *nolo contendere*, and then he can go and tell his wife he did not say he was guilty. But the fact remains that the plea of *nolo contendere* carries just the same penalty and all that sort of thing.

Now it is desired, if a man might be brought into court under complaint or

warrant and can get out by saying in Latin "I am guilty" or "I do not contend," that, even if they have plead nolo contendere to perjury and anything of importance was hanging on what they said, you shall not be allowed to have the jury know. If so, every man brought into court for perjury would not say "I am guilty," but would say at the suggestion of his counsel "nolo contendere," and get out of it.

This act ought not to pass, and, if the motion of the gentleman from Portland is not sustained, then I shall move later that we recede and concur with the Senate.

Mr. ROUNDS of Portland: Mr. Speaker, I hope the gentleman's son will never be riding upon the sidewalk perhaps or committing some other misdemeanor and then have to go into court and plead "guilty," and then afterwards be brought into court by some nice young friend, such as the county attorney, and have the county attorney get up and say, "Are you the same gentleman that was found guilty some 20 years ago of the misdemeanor of riding on the sidewalk or plead guilty or plead nolo contendere?" Now I will admit that perhaps the man or the boy did, but at the same time his lawyer says, "I can perhaps beat them in court, but it would cost you a great deal more and you will get out of it cheaper if you will only plead nolo contendere, and it will be all right." Now in after years, if that is thrown up again to that young man, it looks to me as being a very small matter.

This bill was drawn at the suggestion of one of the judges of the superior court in Portland by a lawyer and presented here by a lawyer. I have looked this thing up and I find that is the case, and he says that in Massachusetts that is the law. I do not know why we want to take these young men and make a court record against them so that in after years they may be charged with some small misdemeanor and at the same time if they have a criminal record, their word would not be taken in court. Therefore, I ask for a committee of conference.

Mr. MURRAY of Bangor: Mr. Speaker, I want to say one word. I am not familiar with this subject at all except as it was argued here today. The plea of nolo contendere need not be accepted unless the county attorney sees fit to accept it, so it cannot be abused. No man can walk in and, instead of pleading guilty, plead nolo contendere unless the county attorney and court allows him to. When my Brother Rounds brings that thought to my mind, I myself have seen and every lawyer here has seen a great many cases where there could be an adjustment with no expense to anybody if such pleas could be given.

Mr. GURNEY of Portland: Mr. Speaker, it seems to me there is something of merit in what Mr. Rounds has been telling us. Now this is a heritage of the old common law. There was a time not long ago, a hundred years or so, that minor crimes were punished by death. We have grown somewhat broader since that time, and we do not hang men today for committing petty larceny; we put them in prison, try to reform them and endeavor to give them an opportunity to begin life over again.

There are on our statutes today a great many things in the way of misdemeanors and offences that did not exist a few years ago. A man may over-speed an automobile—if he pleads guilty or nolo contendere, he is, nevertheless, a criminal and his name is marked down with that of the murderer and the thief in this State.

Not long ago I was counsel in a case where a young man went out riding in an automobile with another young man and two young ladies. They were people of perfectly good repute. They were all students in the high school, and they came from good families. They were riding through a town not far from Portland, and an officer told them to stop. He was not in uniform, although he did wear a badge. They rode by him. Purely out of resentment for the fact that this authority was not recognized, he ascertained the number of the car as it went by and

telephoned to the young man's father's house and asked him if his son or he were riding in an automobile. The father said honestly, "No, I was not, but my son was." "Well," he said, "you will have to appear in court tomorrow morning at such a time." I was counsel in that case and we appeared in court. There was no wrong done; there was no intention of wrong, and the officer told the startling story to the court that he saw that car approaching at a rate of 50 miles an hour. I asked him on cross examination what was the fastest rate of speed at which he had ever seen an automobile proceed, and he told me 150 miles an hour. That evidence in a court before a jury would bear as much weight and have just as much consideration as the Bussabarger Bill in a convention of brewers. (Laughter.) But, do you know, the court took that under consideration and he said to me, "I am going to find this man guilty."

Now it was a matter of paying a small fine. The father was able to pay it and willing to pay it, but he occupies a position of trust, and he said to me, "Will this give my son a criminal record?" I said, "Yes." He said: "If my son follows my line of employment, he will constantly be called upon to give surety bonds and one of the questions asked is whether or not he has been convicted of crime, and if I get that bond truthfully, and I rather not have it than lie about it, I have got to answer 'yes,' haven't I?" I told him he had.

What happened to that case? We appealed the case, and they took it up with the grand jury, who threw it out of court.

All of that expense was incurred on account of the fact that the father wanted to protect his son from a criminal record.

Where it is a criminal offence to ride on the sidewalk with a bicycle, where overspeeding an automobile is a criminal offence and where we have multiplied offences to such an extent, men ought to have a right to plead *nolo contendere* and then come into a court on a civil matter where he seeks to enforce his rights before a jury and

not have somebody say to him, "Are you the Mr. Smith convicted of crime at such and such a time?" It seems to me, having made so many things misdemeanors we ought to consider this other phase of it and not stick to the heritage of the common law 600 years old.

The SPEAKER: This act is very short, and the Chair will read it so all the members who are not lawyers will understand it. "No person is incompetent to testify in any court or legal proceeding, in consequence of having been convicted of an offence; but such conviction, if not established by plea of *nolo contendere*, may be shown to affect his credibility."

Mr. POWERS of Fort Fairfield: Mr. Speaker, this question I am personally interested in. I have been under indictment myself for over three years in the United States court, but still believe, if called, I can be a competent witness.

Mr. GANNETT of Augusta: Mr. Speaker, for my information, I would like to ask the gentleman from Aroostook which way he wants to vote on this.

The pending question being on the motion of the gentleman from Portland, Mr. Rounds, that the House insist on its former action and ask for a committee of conference,

A viva voce vote being taken,

The motion prevailed.

The Chair named as the committee of conference on the part of the House Messrs. Rounds of Portland, Gurney of Portland and Bussabarger of Lubec.

On motion by Mr. Barnes of Houlton unanimous consent was given and under suspension of the rules the House received out of order "Resolve to provide for the building of an armory at the University of Maine.

The SPEAKER: The Chair will read the resolve if the House desires.

"Whereas the United States of America is in a state of war with a foreign power; and

Whereas it is the duty of the State of Maine to equip and train troops for the

defence of the United States of America; and

Whereas armories for training, assembling and controlling of troops are immediately necessary for the preservation of the public peace and safety of the State of Maine; and

Whereas the building of such an armory constitutes an emergency within the meaning of the constitution of the State of Maine;

Now, therefore, Resolved that there be and hereby is appropriated from any funds in the treasury not otherwise appropriated and in particular from the funds to be derived from the loan authorized by the Legislature at this session for the purposes of suppressing insurrection and repelling invasion, or for purposes of war, \$50,000 in the year 1917 for the purposes of building an armory at the University of Maine. This armory shall be built under the direction of the trustees of the University of Maine with the approval of the Governor and Council.

Section 2. This act to take effect when approved.

This was introduced in the Senate under suspension of the rules and read twice and Senate Amendment A was adopted, which the Chair will read.

"Senate Amendment 'A' to the resolve to provide for the building of an armory at the University of Maine. Amend paragraph five by striking out in the sixth line the words "fifty thousand dollars" and inserting in the place thereof the words "such sum or sums as may be necessary," so that said paragraph as amended shall read as follows:

"Resolved, that there be and hereby is appropriated from any funds in the treasury not otherwise appropriated and in particular from the funds to be derived from the loan authorized by the Legislature at this session for the purpose of suppressing insurrection and repelling invasion, or for purposes of war, such sum or sums as may be necessary in the year 1917 for the purposes of building an armory at the University of Maine in Orono in the county of Penobscot in the State of Maine. This armory shall be built under the direction of the trustees of the

University of Maine with the approval of the Governor and Council.

In the Senate read and adopted April 5.

Mr. ALLAN of Portland: Mr. Speaker, I do not want to make any long speeches, and I am not going to, but I simply want to protest against taking any of the million dollars we have appropriated for the relief of our soldiers and for war purposes and turning them to any such purpose as is undertaken in that bill. I, therefore, move its indefinite postponement.

Mr. ROUNDS of Portland: Mr. Speaker, I am not opposed to the motion of the gentleman from Portland, Mr. Allan, on this matter, but I wish he would withdraw it, so we can have an executive session of this House, see what the sentiment is and talk this over frankly, both Democrats and Republicans, so it will not be in the record, to see if we cannot come to some conclusion of some kind. I only make that as a suggestion.

The SPEAKER: The Chair would suggest it be tabled temporarily until we take up the other matters on the calendar.

Mr. ALLAN: Mr. Speaker, I move it be tabled temporarily.

The motion prevailed.

The SPEAKER: The Chair lays before the House, House Document No. 727, "Resolve relating to the conservation of the storage reservoirs and water powers of the State of Maine," tabled by Mr. Baxter of Portland, pending action by the House.

Mr. BAXTER of Portland: Mr. Speaker, this resolve refers the question of the investigation of the storage reservoirs and water powers to the public utilities commission. It was introduced by the gentleman from Houlton, Mr. Barnes. Tuesday afternoon we passed an act which covers this same ground and which created the Maine Water Power Commission. That act is now before the Senate. Of course, we do not know now what action the Senate will take. At the sug-

gestion of Mr. Barnes and out of courtesy to him. I move this resolve be tabled until such time as we learn of the action of the Senate on the similar matter. If that is not done, it would be necessary to indefinitely postpone it, and I should not want to make that motion at the present time.

The pending question being on the motion of the gentleman from Portland, Mr. Baxter, to table the resolve pending the return of a resolve of similar nature from the Senate.

The motion prevailed.

On motion by Mr. Wilson of Portland unanimous consent was given and the rules were suspended and the following order was presented out of order:

"Ordered, the House concurring, that a printed copy of Senate Document No. 22 be substituted for the original bill which has been lost and that the recording officers of the two branches of this Legislature be instructed to receive said substitute for the original bill for the purpose of completing their records."

This order came from the Senate read and passed.

On motion by Mr. Wilson of Portland the order received a passage in concurrence.

The SPEAKER: The Chair lays before the House majority and minority reports of the committee on agriculture, majority reporting "ought to pass" and minority reporting "ought not to pass," on "An Act to amend Section 3, Chapter 130, Revised Statutes, relating to the sale of milk," tabled by Mr. Barnes of Houlton pending acceptance of either report. The majority report is signed by Messrs. Conant, Brackett, Grant, Averill, Cummings, Peterson. The minority report is signed by Messrs. Bowman, Alden, Hall, Boynton.

Mr. BARNES of Houlton: Mr. Speaker and Gentlemen of the House, if you will bear with me just a minute or two I will state my position on this bill, and, of course, we will all vote as our consciences dictate and as we think is right.

Now, I am addressing the House at the present time in behalf of the people who

buy milk for their table and particularly and especially of the people who buy small quantities for the feeding of infants and the feeding of such of their family as may be ill.

The statutes of Maine prescribe, under the Pure Food Act, that any food which is sold, if any valuable constituents of the article have been wholly or in part abstracted, is deemed adulterated, and hence cannot be sold.

Under Chapter 130, Section 3, relative to milk, a man or a corporation can sell cream or milk or skimmed milk or buttermilk, but under that act cream must be cream; skimmed milk and buttermilk no standard is prescribed for, but that which is sold as milk must contain not less than three and twenty-five hundredths per cent of fat.

Now, the law as enacted in 1911, established a minimum or low point of fat 3.25%, the milk must contain, or it could not be sold. If it went lower than that, it could not be sold. If it went higher than that, it was only milk. Under that act no milk from a cow could be sold, unless it contained 3.25% fat, and it did not matter how much more. Under the Pure Food Act, if a particle of cream is taken off before it is sold, the milk is adulterated and cannot be sold.

We will not argue a minute but that cream is an essential part of milk as being the nutritious element. It is needed for those who are sick, particularly those afflicted with tubercular trouble. It is needed for babies brought up on the bottle. There are many families in Maine who buy a pint or a pint and a half for the nursing baby, or a pint or a quart or whatever they have upon their table; and I submit to you who are boarders away from home that the milk you get from the milk cart is blue enough, thin enough and poor enough.

In order to satisfy the statute, the milk must be sold as milk; it will be skimmed milk otherwise.

For years the farmers have been improving and raising the standard of their cattle, and there are many varieties kept. The principal number, perhaps, is only four. Some men having a large stock of cattle can mix milk from all herds and,

provided it does not fall below 3.25%, it is not adulterated.

Now, there is in the State one concern which handles a tremendous amount of milk and butter fat and buys it in Vermont, New Hampshire and down through Androscoggin county—the Turner Center Creamery. You do not need any introduction to the Turner Center Creamery, because most of you have met the active men of that concern within the last few days. That concern handles a tremendous amount of milk. In the summer season it takes milk, runs it through the separator and sends the cream away, as they can get better money for it if used for the manufacture of ice cream in Bar Harbor or Boston. The problem then is, what to do with the skimmed milk.

By this act they will be authorized—and any farmer can do the same thing—to run their milk through a separator, collect the skimmed milk in pans and put it in the proper instrument, the hydrometer, or whatever it is called, and stir in enough butter fat—it may be cream they have just taken off—it may be cream they have got somewhere else—stir in enough butter fat to give it 3.25%, so that 3.25% hereafter, instead of being the minimum, will practically be the maximum, and the family who buys milk, will get milk reduced to 3.25% butter fat, and if it gets anything better than that, it will have to buy cream.

I do not want to spend much time on this, but I think it is of exceedingly great importance, not to you or to me or to the men who can sell milk, but to the real poor people of the State. Remember the minimum was fixed at 3.25%. If this is enacted into law, not only this corporation, but anybody who sells milk in Maine, may take out of some of the cream leaving 3.25% butter fat. Mind you, it does not have to be cream they have just taken off; it may be any kind of butter fat from any source whatever, and it is possible it would get by with not even that in butter fat.

Incidentally, consider the effect it will have. All of us who are farmers know that the Holstein breed have been improved in the State of Maine to such an extent that there are strains of them now, in numbers not less than one hun-

dred, whose mature cows at five years of age give four pounds of butter in a day's milking. The farmers would not spend the money necessary to bring them up to that high standard, had it not been for the fact that there is a demand all through the State of Maine for a good quality of milk. By enacting this law, you will make it possible for the farmer to skim his milk and sell skimmed milk with a little butter fat mixed in it as pure milk and make an enhanced profit on the cream taken out, that he may sell his butter. You will make it impossible in the course of twelve months for any person in the State of Maine to buy milk with more than 3.25% butter fat in it. You can afford to do it; I can afford to do it, but the great majority in the State of Maine cannot afford to do it.

I beg of you that you will not take the cream out of the baby's nursing bottle or take the cream out of the mouth of the tubercular patient whose doctor says he must be fed on cream and eggs. Think of sending that milk to a poor family this winter with eggs at 60c a dozen and cream at 45c. a quart!

Let's give them milk as the cow gives it! Let's not allow a portion of the cream to be taken out and the substance left sold as whole milk! (Applause.)

Mr. MERRILL of Gray: There is no motion before the House, is there, Mr. Speaker?

The SPEAKER: I did not understand the gentleman to make any motion.

Mr. MERRILL: I move that the minority report be accepted on this bill "ought not to pass." I am interested somewhat in this milk business, and I believe we all are, whether consumers or purchasers, and some of us are both. Now the proponents of this bill come to us asking us to make it lawful for them to reduce a milk from a certain high grade to a lower grade by removing a certain percentage of cream, or reducing it with skim milk to make it a certain grade which would be 3.25, which is lawful. Now if you will allow a personal matter. I am raising milk from 50 head of cows and am shipping it to Portland to re-

tailers. We raise from our herd about a four per cent milk; of course it varies a little. The proponents of this bill are buying milk of small dairies running at five per cent. They are not getting as much for it at the Turner Center Creamery as I am getting for my milk on four per cent grade. They want the privilege of reducing that or taking out a certain per cent if they take it for less. They have the privilege of taking out a certain per cent of fat and then put that in competition with my retailer, of course at a lower price; and you know that there are always some people ready to take the price into consideration. In other words, the idea is to drive that retailer out of business; and when I say "my retailer," I mean hundreds of others in the State of Maine. When we have lost our trade, we are obliged to go back to the Turner Center Creamery as one market. I do not think it is advisable and in the interest of the consumer. I do not believe there are any who are receiving milk at their doors with any too much butter fat in it for their systems. I do not think there are and I feel sure this bill ought not to have a passage.

Mr. GRANT of Hope: Mr. Speaker, in seconding the motion of the gentleman, I would like to state how I happened to sign that report. I signed the majority report "ought to pass," but shortly afterwards I was convinced that I had made a mistake, and I shall vote the other way.

Mr. PENDXTER of Cornish: Mr. Speaker and gentlemen of the House: I wish to add a word or two to strengthen Brother Barnes' statement. I had the pleasure of working for a large milk concern in Massachusetts for seven years, and I don't know but I should be ashamed to say it, but I did at that time just what Mr. Barnes says will be done if this bill goes through, and that is the way we sold our milk. We sold our cream for a high price and at that time we did not add any butter fat to it. It was adjusted with a glass and you had to bring it up to standard with the glass, and what we did was to put water in and some col-

oring, and some ingredient which I won't mention to bring it to that test and sell it as pure milk. (Applause.)

Mr. PURINGTON of Mechanic Falls: Mr. Speaker, there are always two sides to a question, and I think this is one that has two sides to it. My friend, Mr. Grant of Hope, has stated that he signed the wrong report. The same thing took place in the Senate. Mr. Boynton signed the minority report and he thinks he was wrong; so honors are, I think, even in that case.

Now this is a bill of great importance. Mr. Barnes has finely stated the law as far as he has gone, but there is another side to that. Now this report, allowing for the corrections to be made in case of the gentleman from Hope and the gentleman from the Senate, comes as a majority report that it ought to pass. I heard the gentleman from Houlton, Mr. Barnes, argue this morning that the report of a committee was almost sacred and it should not be withdrawn. Now we have this majority report to start with. This report has the unqualified endorsement and approval of Mr. Roberts, the commissioner of agriculture; it has the unqualified endorsement of Mr. Adams, the State dairy instructor; it has the unqualified support of Mr. Tucker, the assistant dairy inspector, who is also vice-president of the Maine State Dairy Association; it also has the support of Dr. Woods, at the Experiment Station at Orono; it also has the support and approval of Dean Merrill at the Agricultural School at Orono. All these men except the last one in conversations with me in the last two or three days have told me so. I submit that these men are men of experience and that great weight should be given to their opinions and that their opinions should not be lightly set aside.

Now I can go further. The bill has the support of the Boston Chamber of Commerce, which is interested in this matter, and has given great study to it as well as these men that I have spoken of. It is supported by various other organizations which have made a study of pure food laws. Further

than that I claim that I represent more agricultural communities of intelligent people than you can find anywhere in this State. They have all sent letters to me, and in private conversation have urged me to support this bill and do all I can for it, because they believe that the present law is unjust and unfair and even iniquitous. Another reason why I support is because it appeals to my sense of justice and fairness and that the law as it now stands is unjust and unfair.

Now it is well known that legal milk contains 3.25 per cent. of butter fat and a certain amount of milk solids. Now there are cows and there are other cows. These large producers of milk that is shipped into the cities by the Holstein today. They take their name from a province in northern Germany, which by the way was taken by the King of Prussia from the Danes in 1864 or 5. They have spread into the United States with their low grade of milk. I am informed by the Commissioner of Agriculture that it ranges from two to four per cent, not very often above four per cent, and that is the milk that these gentlemen are raising and producing for city consumption. Very frequently, if you examine the records in the office of the Commissioner of Agriculture, you will find that it falls below 3.25, and not very often does it go above that. These are the people who are interested in the present law.

Now there is another breed of cattle, the Jerseys and the Guernseys, that produce a high grade of milk, from four to five, six, seven, and even in very rare cases eight per cent of butter fat and the corresponding amount of butter milk solids. My friend here from Sebago, Mr. Babb, has such a herd, and I speak of him because he is one of many others. He has a herd that produces from five and a half to seven and a half per cent of butter fat and the correspondingly large amount of other milk solids. Now this man is in direct competition with these fellows who raise the Holstein cattle and raise milk for city consumption.

Now this bill is simply standardized milk and it is in the interest of the farmer. The result is that if my Brother Babb here takes a spoonful of

cream off his rich milk there-containing seven per cent of butter fat, he commits a crime and misdemeanor punishable by a fine not exceeding fifty dollars for the first offense and larger penalties for the second and third offenses. Now is it fair to ask him to sell his milk here, containing twice the amount of butter fat than the Holsteins yield, for the same price? That is the practical result of the law as it stands today and you cannot get around it. You might just as well ask a farmer to sell his fancy brands of apples at the price of seconds or thirds or cider apples as to ask this man to sell his rich milk at the same price as the poor milk, this milk given by the Holstein, is sold. It is just as fair; and you might just as well ask the farmer to sell 200 pounds of hay at the price of 100, as to compel this man to sell his milk in competition with this thin, blue milk produced by the Holstein. It is unfair, I say. This amendment to the law allows him to take off a certain amount of cream and sell the rest if he wishes to, or it may allow him to pour in skim milk and reduce his down to the same quality as the Holstein milk and then sell it. There is nothing unfair about that. He cannot go below 3.25 per cent; if he does he violates the law and takes the consequences. He will sell just as good milk as the other. No baby will suffer, no man in the city will suffer on account of it. You may say that the law does not compel him to sell his milk. It is true it does not in terms, but it does in practice and in reality. It would be no use for him to establish a milk route in Augusta or Portland and go around and say "Here, I have got good milk that I can ship you at 18 or 20 cents a quart", twice the price of the other; because he would simply be laughed at. They would say "I can get milk just as good as yours for half what you are charging for it." So the practical result is if he sells his milk, he has got to sell it at the same price as the poor thin milk. The situation is the same as the story of the little girl who left her city home and came into the country and got a drink for the first time of real good milk. She went to her mamma and said: "Well, this don't look like our milk. It don't

taste like the nice blue milk we get in the city."

Now the Turner Center Creamery has been around here and charged with being responsible for this. The Turner Center Creamery is in just the same condition as any other concern. It has to buy its milk by the weight, by the amount of butter fat. It formerly paid nothing for the skim milk. It now pays 80 cents a hundred pounds, and increases its price according to the fat that it contains. There is nothing wrong about that. All the Turner Center Creamery asks is to sell its milk the same way that they buy it. They want it standardized so that they can advertise what they have and give their customers just what they care to have, no more and no less. Now it is a large business that they are doing. They have attacked this rotound gentleman here with the smiling face who has been in and interviewed some of you. I knew that boy when he went to school out in old Hebron under John Moody, and I have yet to learn anything wrong he ever did. He stands high and he does a large business and has increased the price of the farmer's product from the time he went into business until now they are paid more than they ever received before. More than that, they do not have to take their milk to Portland, wait for their pay, and put their bills in the hands of a lawyer, and I have had quite a number. They get their check promptly on the fifteenth and first of every month. Now I say he is entitled to some consideration; he is not to be abused. He has come down here and presented his case fairly without employing any lobby and made known his wants and his needs and he is entitled to fair consideration at our hands. Human ingenuity has not devised a way whereby you can take several carloads of milk and mix them up in a vat and have them come within one per cent of 3.25. It cannot be done. His business amounts to between seven and eight thousand dollars a day, and that is of some importance to the farmers of this State and my community. All he asks is that he may be allowed to standardize that milk. He cannot take anything out of it nor add anything to it without violating the law,

as any other dealer would do. All that he asks is that he may get it as nearly as possible and then stir into that milk some cream if it is necessary, or, if the resulting mixture comes a little high, then he asks to be allowed to take it out, and one quarter variation from 3.25 represents his gain or loss. If he gets one quarter of one per cent over 3.25 he loses his whole day's profit, according to the amount. If he gets under 3.25, he cheats his customer and does not live up to his contract. I can see no objection to that. It is true he does a large business, but he does not ask to reduce the fat lower than 3.25 per cent; in fact he is giving 3.80 per cent, and if any gentleman here wants to know who is the friend of the consumers in the city, I am authorized by the representative of the Turner Center Creamery here, that, if anybody wishes to amend the law by making that percentage 3.50 of butter fat, the Turner Center Creamery will not oppose it. If any gentleman wants to give a higher grade of milk, the Turner Center Creamery will not oppose that; neither will I. I suppose these gentlemen from the city would like to know where they are coming in on this bill. I would if I were in their place. There is no trouble; you will continue to get your nice new milk. The Board of Agriculture here and your inspectors of milk will see that it does not fall below 3.25. They will see that it is clean and wholesome and you have nothing to fear. You have everything to gain, you have nothing to lose. Any change must be for the better so far as the city is concerned.

Now these black invaders from the north of Germany have over-run our country and the state of Rhode Island. They produce large quantities of milk. They have driven the Jersey and the Guernsey out of the State and the standard in Rhode Island is just two and one-half per cent. They are over-running quite a large part of Massachusetts. And today there is pending in the legislature of Massachusetts a bill to reduce the standard in that state. We have kept up our standard to 3.25, and as I have said, you can have it higher if you want it. There is no objection on the part of

he Turner Center Creamery. If there is any objection, it will come from those men who produce nice blue milk who cannot fill the bill. They are the men who are objecting to this bill. Now the same thing is happening in Maine. These black Holsteins are increasing rapidly in number, and I am told by the commissioner of agriculture they are gradually driving out the cows that produce better and richer milk; and when they have succeeded in doing that, you will see these men who produce this nice blue milk come down here and ask that the standard be lowered. That is the inevitable result.

I think this bill is in the interests of fairness and justice. Some people say the bill is iniquitous, and when I ask them why, they say it furnishes an opportunity for the honest man to cheat. If he adds any skim milk to it, the man who does it violates the law; and it is not to be wondered at when a man cannot take out of milk that is worth twice what his neighbor produces a little cream and sell it, that he is going to be indignant and evade the law. I say in that respect it is iniquitous. I say it is iniquitous to let any man sell an article that is worth twice as much as his neighbor produces at the same price. So I hope that the motion of the gentleman from Houlton will not prevail. He has argued about the sacredness of the reports of committees this forenoon and at numerous other times. I have heard him, gentlemen, quote from history and from mythology, I have heard him invoke invective and sarcasm; but, gentlemen, when you come to vote, I want you to have in mind my friend, Mr. Babb, and the business he represents and not to vote to compel him to sell his product at half price in competition with others.

Mr. MERRILL of Gray: Mr. Speaker, just one word in behalf of these black cattle that hold the world's butter record.

Mr. ALLEN of Gorham: Mr. Speaker, I was on the committee and I heard the arguments, and the first time we heard them I thought nearly all the

committee were satisfied that it should not be passed. Mr. Bradford came back to us and he was a very nice, pleasant man, and he asked the courtesy to come before us again because there were certain things he felt he did not present to the committee so that they understood them. Out of courtesy to that gentleman, we held the matter over and let him come back, and we expected to have a man there on the other side. Unfortunately that man was engaged and could not be there. Now what is this whole thing about and why is it that the gentleman is not here today? If I understand it correctly, he is before the New England Milk Producers' Association and he is selling this milk that my friend Merrill tells about in Boston. Why does he do it? Because he does not pay the people so much as we pay the farmer. I think Mr. Barnes stated it very nicely, that the people who were using the milk never would get any too good milk. And I do not believe this law ought to pass. I hope that the minority report "ought not to pass" will be accepted.

Mr. WILLIAMS of Auburn: Mr. Speaker, I am going to say a word for the infants, and I gladly do so because I believe that there should be a standardization of the richness of milk and the richness of cream. I do not know whether it is 10 per cent or 20 per cent for the infant. It is not the richness of the milk that makes the food wholesome for infants. The mother's milk contains about the same or a little more cream than the cow's milk. It contains from two to four times as much sugar. It contains very much less of the proteids, casein or cheese producing part of the milk; and the cheese producing part of the milk is the part that is very difficult to digest, so that in preparing food for infants you must take note of the percentage of cream and bring it to a certain point; you must take note of the percentage of sugar and you must also add the water in place of the part that is changed to casein or proteids which is to reduce the part which is so difficult of digestion. Now it seems to me that there should be a standardi-

zation so we can prepare food for the infant, and I do believe, as I said before, that our present law making 3.25 per cent fat has a direct tendency to give us in Maine a grade of cattle with low fat producing milk, and we who live in the city or in the country like to have rich milk; and if we have a standard of cream and a standard of milk and we want more cream in it, we know just how much to put in.

Mr. HALL of Wilton: Mr. Speaker, I am not going to take much of your time, but with reference to this standardization of milk, I would like to know how any physician or any other person knows how much fat to put in. On this card that comes from the Turner Center Creamery Company, there is quoted ten grades of cream running anywhere from 44 per cent. down to 18 per cent. butter fat. Now as the gentleman has just said he did not know whether his cream tested ten or twenty per cent. I do not see how he can tell what proportion to mix with milk from the standardization of cream any better than he would from the original cow's milk. The Turner Center Creamery manager has said that it used to be made four per cent milk as near as could be by mixing different herd's milk together, but he has reduced it to three and three-eighths by taking out some of the good herds' and mixing the poorer herds' milk, together, that is after he found he was acting illegally in separating the milk and putting the cream back. I want to say just a word in comparison of the value of these products. Let us take a sample of milk, three and eight-tenths, which is standard price on the card here and reduce that to three and a quarter per cent. butter fat. What proportion of cream has gone? It figures approximately fifteen per cent. in reducing it from three and eight-tenths to three and a quarter per cent. I will not stop to read many of these comparisons. Take four and a quarter per cent and reduce it to three and a quarter per cent. and it approximately changes it to twenty-five per cent. of that good butter fat that was originally in the milk. We will go one step farther and take five per cent milk, which is exceedingly good milk, but not

so good as referred to in lots of cases, and reduce that to three and a quarter per cent milk and that figures about thirty-five per cent. of the cream. So it is very easy to see that the percentage is reduced faster than it looked to be. The Turner Center Creamery Company spoke to me one day and said they understood I had no objection if it was four per cent milk, and I told them I considered four per cent good milk. He made the remark that they had tried to carry it up to four per cent milk until recently, and I suppose he wanted to change the value a little unseen. I did a little figuring to find out what he had done when he changed this percentage of butter fat from four down to three and eight tenths per cent where the majority of people would not discover it. They might think the milk was a little poorer than it had been, but as long as they were buying at the same price, they would suppose they were getting the same quality. He adds that at eight cents a quart for three and eight-tenths per cent milk would cost eight and four-tenths mills, adding almost one-half per cent per quart by reducing two points on butter fat—two tenths of one per cent. I figured a number of these comparisons at the different prices and it shows a marked change. For instance, take four per cent milk and figure it at ten cents a quart, and reduce it to 3.25 per cent milk, the same that you have been paying ten cents a quart to get the same amount of goodness you are paying 12.3 mills per quart, without changing the price but lowering the quality and there has been one extremely good herd of cows referred to although I did not figure any as high as that, but I did figure a herd of cows of five per cent milk at ten cents a quart, and it would be right to reduce that per cent to 3.25 making the same quality of milk compared with the cost to the consumer 15.3 cents a quart, simply by changing the per cent of butter fat.

It seems to me that pure milk is good enough for the majority of people, and if there is anyone having this quality of milk they can easily find a sale for it. I know a number of concerns in Massachusetts who are keeping those Jersey herds and Guernsey herds that we hear so much

about and are selling the milk at 15 cents a quart in the same places where other people are retailing it for 10 cents. There is plenty of demand for good milk if you will only produce it. I do not want to go back to my constituents in the country and say that I voted that skim milk was good enough. I like good milk, and looking over this audience I do not see any who show any signs that they were raised on skim milk. If the children in the years to come are to be raised on skim milk they will not compare favorably in size with the members of the present house of Representatives. If you want skim milk vote for the majority report. If you want pure milk vote for the minority report.

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

The SPEAKER: As many as are in favor of the previous question will please rise.

A sufficient number having arisen, the previous question was ordered.

Mr. CATES of Vassalboro: Mr. Speaker, I have only this to say: This bill does not interest me but it does interest the farmers in my section. The gentleman from Houlton, Mr. Barnes, said in substance that the milk we were getting now was blue enough and thin enough, and he is probably right; but if this law passes I do not agree with him that one could not get any better milk than that. I never saw a farmer or a business man who would refuse to sell his customers what they asked for. This is simply a standardization measure. The gentleman said that unless this bill passed he could see no incentive for the farmer to raise any cattle rich in butter fat and therefore he favors the bill.

Mr. LEAVITT of Livermore: Mr. Speaker, lawyers cannot blame the farmers if they do not agree. Only the other day the lawyers had a question here and they could not agree on it. I want to say just a word in favor of this bill. I have been doing business with this Turner Center factory for the past 25 years, and I know that Mr.

Bradford knows more about the handling of milk and cream, after having 25 years' experience, than any other man in the State of Maine; and the methods that are now being successfully used in the State of Maine have been introduced by Mr. Bradford. I remember when the sweet cream trade first started up in the State of Maine. That sweet cream was sold by the gallon. The buyer didn't know how much butter fat there was. He simply knew that he paid so much for a gallon of cream. I remember a little incident that occurred in regard to a sale of cream some ten years ago. A gentleman in Bar Harbor bought a large sweet cream trade. You all know that Bar Harbor is one of our largest summer resorts in the State. He wrote to the Turner Center factory and asked them what they would sell him sweet cream for by the gallon and they wrote and quoted the price. A few days later they got a letter from him saying "We can buy the Turner Center cream in Boston cheaper than we can buy it of you. Why can't you sell it to us as cheap as you do the Boston parties?" He wrote on the bottom of that letter and sent it back by return mail: "Buy your cream of us and doctor it to suit yourself." At about this time they introduced a method of buying cream by weights and tests. The collectors weighed out cream, took a sample of it, took it to the factory and we were paid according to the butter fat it contained, and that method has been adopted by all the factories in the State and is now used throughout the State.

What this bill calls for in a nutshell is simply that milk can be sold by test the same as cream is sold by test at the present time. They buy the milk by the test and it is no more than right and fair that they should sell it in that way.

As I understand at that first hearing, or in fact at both hearings before this committee, no one appeared against the bill. The first hearing especially was advertised in our State papers, and if this had been going to work any hardship to the small dealers, they would have appeared there before that

committee in opposition to this bill; but not one as I understand it, appeared. I would venture to say that, if any of these producers of milk that are selling milk to the city dealers, would go into the city and buy some of that milk as it is retailed to the consumers there in the city, they would not recognize the milk. Those dealers know that they cannot sell milk without it contains 3.25 butter fat, and they also know if they get milk from any of their customers it contains four per cent. They know how to reduce that milk down to 3.25, and before they sell it they do that, whether legal or illegal. There is opposition to this bill as we plainly see, but it does not come from the producers for whose benefit it was drawn. On the contrary we have over 700 communications from different sections of the State asking for the passage of this bill and 33 of those come from the class towns which I represent. There was no opposition at the hearing on this bill from the consumers, who were satisfied that their interests would be better served by the enactment of this bill than by its defeat.

The SPEAKER: The Chair rules that the five minutes limit is up.

Mr. LEAVITT of Livermore: I would like just half a minute, please.

The SPEAKER: By unanimous consent.

Mr. LEAVITT: It seems to come largely from the cattle dealers who care more about the shipment of cows to the metropolitan district of the United States than the large milk producers. Gentlemen, there has been a large amount of money spent to stamp out bovine tuberculosis from our State and we have a large number of high tested herds which would have to be exchanged for those of lower quality if this bill were passed. That is no reason, gentlemen, why this bill should not be passed—any more than the burning of our forests which has been so frequently alluded to that we might gain a few huckleberry bushes.

Mr. BESSE of Clinton: Mr. Speaker and gentlemen of the House: I think

this bill is a just bill and I think it is a fair bill between the farmer and the people who buy the milk from the farmer or from the Turner Creamery company, and I hope the bill will receive a passage. Now if you attempt to make a law whereby you can make your farmers bring the milk up to a certain degree, why should we not have a right to bring it down? I cannot see. If you do it by taking out a little cream, or if you add a little skim milk—you take say a pan of milk and let the cream rise on it and then take a spoon and stir it up, it all becomes milk. It does not separate but what it will come back again into milk. I do not believe there is a herd of Holstein cattle that is more than one half Holstein that will give milk up to the standard, and the nearer you get to the full-blooded Holstein, the further away you get from the cream. I have been out with a friend of mine to buy some full-blooded Holstein cows and we could not find a cow that would give standard milk and we probably visited a dozen or fifteen herds. While the Holsteins may hold the record today in the State, and I think they do, my herd of cows will test twice as much as any herd of Holsteins there is in this State. I hope the bill receive a passage.

Mr. LIBBY of Litchfield: Mr. Speaker, I live in an agricultural section, and with the recommendations I have received in favor of this bill, I hope the minority report will be accepted.

Mr. LONGLEY of Sidney: Mr. Speaker, there is one thing we all hear about and that is the high cost of living. Now for a moment let us see why it is. Every man who leaves off producing becomes a consumer and it helps that along. You now paying high prices for potatoes, you are paying high prices for beans, you are paying high prices for milk, butter and eggs, and why is it? Every year there are less producers than there were the year before. All I have got to say is this: I am not going to fight for or against this bill, but you have not got to drive out but a few more pro-

ducers of milk, before you won't have any. These are facts you have got to face. You have not got to drive out but a few more producers of beans before you pay a good deal more than you are paying now. You have not got to drive out but a few more producers of eggs before you pay 75 cents instead of 40.

Mr. BABB of Sebago: Mr. Speaker, I think this is the first time I have arisen to say anything, having been a jack in the box. I may not say anything now, but my friend from Gray, Mr. Merrill, has spoken of the Holstein as holding the world's record. That is true; but when you milk that Holstein cow which has given the world's record for milk, you have a storage there that will propel a hydro-electric plant, and it is milk like that that is being sold in the village, and it is milk like that that a gentleman from Massachusetts came down to purchase from me a cow—a Jersey cow—that he might bring that milk up to grade. I think that those cows in Massachusetts, the Holstein breed are something like our cows in Maine. They have to be built up by rich milk to make them salable. I for one am in favor of having a standard grade of milk as we have a standard cord of wood or a standard barrel of apples and standards of other things.

Mr. ALLAN of Portland: Mr. Speaker, I do not want to let the occasion go by without presenting a protest of a large market for milk, a market that includes the whole of western Maine and branches out and down into and takes in the products of the Turner Center Creamery which has been quoted here so much. This Turner Center Creamery sends a large amount of milk into Portland every day—I cannot say how many gallons—from two to three thousand gallons of milk a day perhaps. I want to say this that the records of our Board of Health show that the Turner Center Creamery milk that comes into the city of Portland furnishes about four per cent of fat. Now I want to say that we have about us in the county of Cumberland a large number of small farmers that keep from three to five

or six or seven cows and who are sending milk into our city. The point I want to make is this: If this milk is allowed to come in as standard milk, it will drive the small producers out of the market. I can mention one gentleman in the city of Portland who is producing milk with five per cent of fat. Do you suppose he could sell his milk in competition? He could not. Why? It has been my experience that people buy what they can get the cheapest. If it is not quite as good as the standard and a half dollar less in price, they buy it, and they buy milk that way. They say it is good enough for me, but it is not what I would like; it is only what I can afford to have. They buy the cheapest grade of milk they can find. The city of Portland is spending thousands of dollars now in order to protect its supply and is providing milk stations; and now to come in with this proposition to put impure milk into the city to feed our children on, and use in our cooking, for the inhabitants of my own city, I want to protest here and now against any such action by this legislature.

The SPEAKER: The question is on the motion of the gentleman from Houlton, Mr. Barnes, seconded by the gentleman from Gray, Mr. Merrill, on the acceptance of the minority report, "ought not to pass." As many as are in favor of the motion will say aye; those opposed will say no.

A viva voce vote being doubted,
A division of the House was had,

Seventy voting in the affirmative and thirty in the negative, the motion of the gentleman from Houlton prevailed, and the minority report "ought not to pass" was adopted.

Mr. ROUNDS of Portland: Mr. Speaker, as I tabled a matter here a little while ago, I would like to have an executive session for a few minutes to talk the matter over a little while about the University of Maine resolve. I move you that we go into executive session.

Mr. TATE of Topsham: Mr. Speaker, I have an order which I would like to

present out of order. I would say that it is an emergency measure.

Mr. HOLT of Skowhegan: Mr. Speaker, I move that we reconsider our vote whereby we accepted the minority report on the milk bill.

The SPEAKER: The Chair would ask the gentleman which side he voted on.

Mr. HOLT: I did not vote.

Mr. WILSON of Portland: Mr. Speaker, I move that we reconsider the vote whereby we voted "ought not to pass." I voted yes.

The SPEAKER: Mr. Wilson of Portland moves the reconsideration of the vote whereby the minority report "ought not to pass" was accepted. Those in favor of the reconsideration will say aye, those opposed no.

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

On motion by Mr. Wilson of Portland, the rules were suspended to present a conference report.

The committee of conference on the disagreeing action of the two branches of the Legislature on Senate Doc. No. 103, An Act to amend Chapter 295 of the Public Laws of 1915, relative to compensation to employees for personal injuries received in the course of their employment, and for the prevention of such injuries by allowing the injured party to select his own physician and the hospital to which he shall be carried, have had the same under consideration and ask leave to report that the House recede and concur with the Senate in the indefinite postponement of this act, signed by all the members of the committee.

Mr. DESCOTEAUX of Biddeford: Mr. Speaker, I want to say in regard to that conference committee that I was appointed on it, but did not attend for the reason that I always supposed that a committee of conference was supposed to consist of a committee representing the vote of the House. If I am right, I believe I was the only man on the committee who voted in

favor of the vote of the House, and I found it was a case of one against five, and I believe you will see that my name is not on that report. I want to go on record as not being on the report.

The SPEAKER: The Chair was in error in stating that it was a unanimous report. It was signed by five members.

Mr. SAWYER of Madison: Mr. Speaker, I move that the report of the committee of conference be accepted, that committee be discharged and a new one appointed.

The motion was agreed to.

Mr. BIEWSTER of Portland: Mr. Speaker, do we want to accept that report? If we do, why should we have another committee of conference? I should be opposed to accepting the report.

Mr. WILSON of Portland: Mr. Speaker, I think the committee on the part of the House was disposed to adhere to the House action in this matter of conference. The Senate members were absolutely determined to adhere to their action and the consequence would simply be to prolong the agony and this bill would die somewhere between the two houses. That being the case, the two members of your House committee who attended this conference decided it would be just as well to concur with the Senate members and let the matter be killed by this report as to bother with it any longer; so for this reason they have signed this report and have presented it.

In regard to the matter of the vote on this bill, when it was before the House, if I recall it correctly, every member voted yes. In other words there were two motions. The first motion was to accept the majority report and that motion was lost, and on the second motion to accept the minority report, there was no division and no objection, so that every member of the House voted yes on that motion.

Mr. HOLBROOK of Brooks: Mr. Speaker, I sincerely hope that the House will not kill the bill. I hope the mo-

tion of the gentleman will prevail that we demand another committee. The bill is desired by the labor interests and it can harm nobody. It is my opinion that it ought to pass.

Mr. FARRINGTON of Augusta: Mr. Speaker, I must confess that I cannot see what the objection is to the passage of this bill. It provides simply that the injured man may have the right to choose his own physician and the hospital to which he may be sent. I cannot see what the objection can be. I hope that a new conference committee will be appointed.

The SPEAKER: The Chair will state that the motion of the gentleman from Madison, Mr. Sawyer, was that the report be accepted. It is the opinion of the Chair that his action should be a motion not to accept the report and ask for another committee of conference and that the committee be discharged and a new one appointed.

Mr. SAWYER: Then I will change to not accept the report.

The SPEAKER: Is it the pleasure of the House that the gentleman be allowed to withdraw his motion.

The motion was withdrawn.

Mr. SAWYER: I move that the committee be discharged and another committee of conference be appointed. The law says that the employer shall furnish or provide a physician or surgeon. The opponents of this bill claim that that cannot be translated as selecting. Now the interpretation of that is simply by the workmen themselves. As I understand it they interpret it as meaning that the employer shall select the surgeon. Now if the ones who oppose the passage of this bill, claim that it does not mean that, why in the name of Heaven are they opposing it?

The SPEAKER: The question is on the motion of the gentleman from Madison, Mr. Sawyer, that the report be rejected, the committee discharged, and the House insist and ask for another committee of conference. Is it the pleasure of the House that this motion prevail?

The motion was agreed to.

The Chair named on that committee Messrs. Descoteaux of Biddeford, Sawyer of Madison and Holbrook of Brooks.

Mr. DESCOTEAUX: Mr. Speaker, I have been on this other committee and I think you had better put somebody else in my place.

The SPEAKER: Will the gentleman suggest a name to the Chair?

Mr. DESCOTEAUX: I suggest Mr. Neilon of Biddeford.

The SPEAKER: Mr. Neilon of Biddeford is appointed in the place of Mr. Descoteaux of Biddeford.

The SPEAKER: Before the motion of the gentleman from Portland, Mr. Rounds, in regard to the executive session, which will probably be brief, it occurs to the Chair that it would be well to decide about the time for a recess or an adjournment. You will note there are only four matters left on the calendar, one or two matters which were tabled to be taken up later. The Chair has already read the invitation from the Augusta House previously this afternoon. We have had a long, hard, grilling session, and the Chair has no wishes in the matter, but is willing to be guided by the majority. The Clerk informs the Chair that it is a matter of practical impossibility to get the records up if we have an evening session so that we would be ready to do business in the morning, and that seems reasonable in view of the volume of business transacted today.

Mr. COLE of Eliot: Mr. Speaker, can the clerk inform us how much pending matter there is that does not show on this calendar, in his judgment? How many matters there are to be attended to so that we may know tomorrow morning when we start in whether it is possible to get through Saturday night and get the printing up.

The SPEAKER: The Chair will ask the Clerk to state in his own words about the volume of business.

CLERK ROIX: I would answer the question of the gentleman from Eliot, Mr. Cole, by saying that there are four matters which have been tabled which

do not show upon the calendar. By an examination of the books there are four reports that will be entered in the House in the morning. Other than that the Clerk is not aware what business will come before the House, except that there will be enacters that will be sent up from the engrossing room on their final passage.

Mr. FARRINGTON of Augusta: Mr. Speaker, may I inquire of the Clerk if he has any idea how many matters will come over from the Senate tomorrow morning?

The CLERK: I cannot answer that because I do not know how many matters have been taken from the Senate Calendar. This morning there were right around 30 matters on the Senate calendar—I think 32.

Mr. FARRINGTON: Mr. Speaker, I do not wish to take the position of imposing on the Clerk any burden; but there are two House Reports and majority and minority reports on the Bus-sabarger Bill and the "Loan Shark Bill", so called—four matters now on our table with several that were put on this morning which I understand will easily be taken from the table and disposed of. I am going to make a motion that we take a recess until eight o'clock and let the House do as it pleases.

Mr. BABB of Sebago: Mr. Speaker, I am informed from the Senate that the Senate has cleaned its calendar.

The SPEAKER: That information does not help much because we do not know how much is indefinitely postponed; but it might help some at that. The Chair suggests that perhaps we could clean this calendar if we continued the session until seven o'clock tonight.

Mr. HALL of WILTON: Mr. Speaker, I move we work on the calendar a while longer.

The motion was agreed to.

Mr. BAXTER of Portland: Mr. Speaker, in order to take care of one matter which I tabled this morning I would like to take from the table House Document 505, if in order, to present an amendment.

On motion by Mr. Baxter of Portland, the House voted to reconsider its action whereby House Document 505 was passed to be engrossed, being An Act to incorporate the Gould Electric Company.

On further motion by the same gentleman, the House adopted House Amendment "A".

The bill having had its three several readings, was passed to be engrossed as amended by House Amendment "A".

The SPEAKER: The Chair lays before the House Report of the committee on ways and bridges, reporting ought not to pass on "Resolve amending Article 9 of the Constitution so as to permit an increased bond issue for construction and improvement of state and state aid highways."

Mr. REDMAN of Ellsworth: Mr. Speaker, do I understand that it is desired by the House to discuss these road matters at this moment?

The SPEAKER: The Chair is unable to state. This comes next on the calendar.

Mr. REDMAN: Mr. Speaker, I would be very glad to go ahead, but I thought perhaps if we were going to have an evening session, it would be better if we took it up this evening.

The SPEAKER: It is the opinion of the Chair from what information the Clerk is able to give that it would further the business of the House to run until seven o'clock and adjourn until tomorrow morning.

Mr. REDMAN: Mr. Speaker, all right, I am very glad to go ahead right now. I will move the matter be tabled until tomorrow morning.

Mr. CLASON of Lisbon: Mr. Speaker, is it absolutely necessary that that should be tabled now on the motion of the gentleman from Ellsworth? I have a motion to put in regard to it.

The SPEAKER: The motion of the gentleman from Ellsworth is that this matter be tabled until tomorrow morning.

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

Mr. CLASON of Lisbon: Mr. Speaker, I move that the report of the committee be accepted, and I will say a few words in regard to it. This committee on ways and bridges had under consideration three bills whereby the State aid and highway roads were to be taken care of. They considered all three of them very carefully and decided that the mill tax, or direct taxation, was the proper plan. This bill, or the bill following, was reported ought not to pass, and that was the status. I remove that the report be accepted.

Mr. WILSON of Portland: Mr. Speaker, I understand that these two reports of the committee are both on the bond issue; this report under consideration is on the so-called Nelson Bill, and the second one it is just as well to consider with that as the Redman Bill. Both are for the same purpose, to provide a bond issue for the construction of roads. The committee on ways and bridges in their wisdom decided on the mill tax bill. We have not seen any mill tax bill yet; it was hung up somewhere. It seems to me that it is unwise to dispose of these matters until we find out what is going to happen to the mill tax bill. If the mill tax bill should meet with any accident anywhere, we certainly need one of these resolves to submit to the people. Therefore, it would seem wise to allow these two reports to remain on the calendar until the mill tax bill reaches us. Then it would be very easy matter. We do not need both; everybody knows that. All we want is one method, and, if the committee should be sustained, that would automatically dispose of these matters. For that reason, Mr. Speaker, I would move that these two matters be tabled.

Mr. CLASON: Mr. Speaker, I will say in regard to the mill tax bill, which was a Senate bill, that it has just passed the Senate and will be in here tomorrow morning.

Mr. REDMAN: Mr. Speaker, I do not have any desire to thrust any debate on the House in this matter. I am perfectly willing to let these questions on the bond issue go to the winds and not have any debate on them, un-

less perhaps the House wishes to consider the proposition in connection with the mill tax. If the mill tax is coming to this House tomorrow morning, it would seem that we might well give a few minutes time to the consideration of the mill tax bill and these two resolves for a bond issue at the same time, as they all come together; and I hope that the House will vote to table these two bonds resolves until tomorrow morning when the mill tax shall be before us.

The SPEAKER: There are two bills involved here which practically treat upon the same subject, and the Chair is willing to put the motion again to table the matter. It was overruled the other time. Those in favor of tabling the matters and taking them up tomorrow morning in connection with the mill tax bill will signify it by saying aye and those opposed no.

A viva voce vote being taken,
The motion to table prevailed.

The SPEAKER: The motion applies to both bond bills.

The SPEAKER: Is it the pleasure of the House that the matters especially assigned and tabled for today be taken next on the calendar or that we clear the two matters left at the bottom of the calendar? It makes no difference to the Chair.

Mr. FARRINGTON of Augusta: Mr. Speaker, as those other matters are to be carried over until tomorrow, I move that the remaining two matters be carried over.

Motion prevailed.

The SPEAKER: The Chair lays before the House majority and minority reports of the committee on legal affairs, House Document 361, "An Act to license and regulate the business of making loans in sums of three hundred dollars or less, at a greater rate of interest than twelve per centum per annum, and regulating the assignment of wages or salaries given as security therefor," majority reporting "ought not to pass" and minority reporting "ought to pass." The pending question is the acceptance of either report.

Mr. ANDERSON of Portland: Mr. Speaker, I move you that the majority report of the committee on legal affairs, "ought not to pass," be accepted.

Mr. GARCELON of Auburn: Mr. Speaker, I move that the minority report of the committee, "ought to pass," be accepted.

I appreciate the sentiment of the House as to long speeches at this time, and shall therefore make my remarks as brief and concise as possible.

This bill is, I believe, one of the most meritorious—and in its way, one of the most important—that has come before the legislature this winter. It is an act to license and regulate the business of making small loans at large rates of interest. So that, although it may not be an interesting matter, it really is a matter of interest—in every sense of the word.

Since its introduction I have heard it referred to almost invariably as the "Loan Shark" bill. Now, gentlemen, I assume that I do not need to consume the time of this House in explaining the nature of the loan shark business. It is a recognized evil. The very term "loan shark" is descriptive; there is crystallized in two words the experience and opinion of mankind in dealing with the professional small money lender. I trust that none of you gentlemen have ever been compelled to place yourselves in their hands; doubtless many of you come from communities where the loan shark is unknown; but you have all probably at least heard of cases where men have borrowed from them, in the course of a few years paid back in interest and charges the amount borrowed several times over, and still owed principal.

Usury is not a new thing. It is as old as the records of civilization; as old as the greed of money in the hearts of men. It has sometimes been seriously argued that society is not concerned about usury,—that parties should be allowed to make their own contracts. But the parties to a contract of this kind do not stand on an equal footing; on the one side there is usually cunning and greed; on the other, ignorance and need. And the need of money is too often so great that the victim submits, consciously or unconsciously,

to conditions that are nothing less than extortionate. Therefore usury laws have been passed in all ages, seeking to limit the amount which in all fairness the needy borrower should be compelled to pay for the use of the money which he obtains to tide him over a rough spot on life's journey.

But I do not have to argue here the need of a usury law in Maine. The principle is well recognized. Maine, like most other states, has in the case of small loans a usury law. And if it were adequate to protect the poor borrower, I should not have introduced this bill.

Let us examine the present law, and see what is the trouble with it. Section 42 of Chapter 40 of the Revised Statutes provides that on loans of \$200 or less, the interest rate shall not exceed 3 per cent a month for a period exceeding three months; and thereafter not exceeding the rate of 15 per cent a year, or 1½ per cent a month. Renewals shall bear only this same rate, 1½ per cent a month. And there is also allowed a fee of \$3 for the expense of making the loan.

Three per cent a month for three months; and thereafter 1½ per cent a month; and renewals at 1½ per cent a month, with an initial fee of \$3. That seems reasonable, does it not? Such is the intent of the law. But see how it works out. Loans are not made for a period exceeding three months; and there are no "renewals." Instead, if the loan is not paid when due, at the expiration of one, two or three months, there is a new loan made at 3 per cent with the fee of \$3 repeated. As a result, if for instance the loan is \$10, the charge is \$3.90—\$3 fee and 90 cents interest—every three months, if the loan is for so long as that, or at the rate of 156 per cent a year. If the loan is for less than three months, the \$3 fee can be repeated more often, thus allowing the equivalent of a per cent truly enormous. In the larger cities, many of the loan sharks are credited upon good authority with averaging 100 per cent a year clear profit. No wonder they are opposed to any change in the present law that would deprive them of such easy pickings!

It is true, the statute provides that

all loans made in violation of this section shall bear interest at the rate of 6 per cent only; but the loan shark does not need to violate the statute. He has a good thing as it is. All he has to do is to charge the \$3 fee at frequent intervals, which was not contemplated by the statute. That is the fundamental weakness, gentlemen, about the present statute—that \$3 fee. It is capable of great abuse, and it is abused; to say nothing of other charges and bonuses that may be made without violating the statute.

That weakness has been avoided in the bill now under discussion. This bill eliminates entirely all fees, charges and bonuses, and provides instead a flat rate of $3\frac{1}{2}$ per cent a month, Three and one-half per cent a month, 42 per cent a year. I think you will all agree that ought to be enough to satisfy any reasonable man. It is easier than farming, gentlemen. But easy money for the lender means hard money for the poor borrower; and it is for his sake that I am proposing that we cut down—cut down, gentlemen—the interest and charges he must pay to $3\frac{1}{2}$ per cent a month, 42 per cent a year.

Now in order to make this provision effective, the bill provides for responsible supervision by the banking department of the State. In order to engage in the business of making loans under \$300, and charge more than 12 per cent per annum—and if the charge is 12 per cent or less this act does not apply—any person, co-partnership or corporation must pay an annual license fee of \$50 to the bank commissioner, which will cover all expenses of supervision, and must also give a bond of \$1,000 to the State for the protection of borrowers. This license may be revoked for cause, after a hearing; and any person violating these provisions is subject to fine and even imprisonment. This is effective regulation; no one will be able to violate the law and profit much thereby.

Gentlemen, I have no hostility to money lenders. I have never met more than three or four of them in my life, and they are friends of mine. I have no hostility to money lenders.

There will always be people who sometimes have to borrow; I am glad that there are people who are able to lend. I want to be fair to them; but I want also to compel them to be fair to the people. Most of them here in Maine, I believe, are fair men, and intend to obey the law, whatever it is. But the trouble is with the law. It should not be so loose. Some of the lenders themselves have admitted to me that the law ought to be changed, so that they might avoid the opprobrious name of "loan sharks." That, gentlemen, is just what this bill will do. It will tend to weed out some of the irresponsible ones and concentrate the business in the hands of responsible ones. It will put an end to a disreputable business, and make of it a reputable business—on the same plane as banking, on the same plane as industrial banks, the so-called Morris banks, which we have chartered this winter.

Let me say in passing that although these Morris banks are good things and will help a certain class of borrowers—those who want to borrow \$50 or \$100 for a year and can get two responsible indorsers on their note, they will not help those who need help the most; those who want to borrow less than \$50, and who cannot get two responsible indorsers on their note, and who must therefore have recourse to the loan shark. I say this merely to refute the assertion, which I have encountered, that the Morris banks will take care of the loan shark business. The experience of other states where the Morris banks are in operation unfortunately does not bear out this assertion.

This bill is not an experiment. It is copied from the law now in force in Massachusetts, New Jersey, and Oregon—except that in those States only three per cent a month is allowed—and represents the best judgment based upon the combined experience in legislation of 24 states. Its provisions have been found to be both necessary and fair to all concerned. This identical bill has been introduced this winter in the legislature of four states: California, Indiana, Illinois and Maine. Two weeks ago it became a law in Indiana.

It has been reported favorably by the committees in California and Illinois, and is on its way to be enacted in those states. What is Maine going to do about it?—Maine with her proud motto of "Dirigo".

I will not take any more of your time in going over the details of the bill. It is very carefully drawn, and aims in every way to protect the borrower and at the same time be fair to the lender. The question to be decided by this House is very simple. It resolves itself down to the fundamental question: Are you willing to cut down the interest and charges of the small money lender to 3 1-2 per cent. a month, 42 per cent. a year? If so, you will vote for this bill.

Three months ago, at the beginning of the session, the Governor in his inaugural address said:

"It is your duty not only to protect our citizens from dangers to their physical health but also from unwarranted invasions of their property rights. The loan shark who preys upon the occasional financial need of the wage earner should be restricted to a reasonable rate of interest. I recommend the passage of an adequate law against usury."

I think I am betraying no confidence in saying that this bill fulfills all the requirements of that part of his message. I have just learned that it was indorsed last January by the directors of the Associated Charities of Portland, composed of many of Portland's leading citizens. I am not aware that it has been brought to the attention of any other society or organization.

Gentlemen, you have seen no procession of loan shark victims coming to Augusta this winter asking for a better law. They maintain no expensive lobby in the corridors of this State House, buttonholing members. They are busy at home, trying to earn enough to keep a roof over their heads and get food for their families. They need relief. This bill cuts down interest charges to 3 1-2 per cent. a month, 42 per cent. a year. It is a very desirable piece of constructive legislation. They need relief. You can give it to them. Gentlemen, it is up to you.

(Mr. Farrington of Augusta in the Chair.)

Mr. ANDERSON of Portland: Mr. Speaker, this bill has been before the legislature now for the last three sessions, there has been a hearing by the committee and a majority report—unanimous I think—that it ought not to pass. This year the committee went over this same bill in a very thorough manner and came to the conclusion after hearing it some eight weeks ago that the report by seven of them should be "ought not to pass" and by three of them "ought to pass".

Now, this present bill allows a rate of interest to the loan shark, so called, of 42 per cent. The present law allows the loan shark 21 per cent. Are they working for the poor working man who is up against it and cannot get a loan from the bank because he has no security, or are they going ahead for the trust companies so that they can get 42 per cent. instead of 21 1-4 per cent.? Reading over the bill you will find a great many loopholes. In the first place, a man who desires to loan money to various people has got to furnish a license of \$50.00. The bill says nothing as to where that \$50.00 shall go to except to the Bank Commissioner. If it goes to him, we are again bringing up the fee system. Now, if there is any money coming to the State, it should come to the State treasury and not to the Bank Commissioner or to any department for his own use, and the bill implies no other use of this money. It also says that the loan shark shall give a thousand dollar bond. It is very peculiar that a man who loans money has got to give a bond of a thousand dollars to see that he loans it all right. In Section 4 this bill says that there must be a license for each and every place of business, so if he has one in Augusta, he cannot have one in Gardiner, Hallowell or Waterville without that extra fee of \$50.00 and a bond.

This bill is the most drastic piece of legislation ever put before the legislature. This bill also eliminates certain concerns, namely, the industrial banks which have been passed at this legislature which to my mind will alleviate

and minimize the trouble that the borrower has got; but this bill will go ahead and give the loan shark 42 per cent. where in the old bill he was getting 21 1-4 per cent.

This bill says that the man should have no fee for looking up the title of the property to be pledged as security. That is an unfair proposition on that part. It goes further and says that a man who is dealing in this kind of business, if he wants to loan the sum of \$305.00 or \$400.00, has got to charge 42 per cent. He cannot charge 4 per cent. which is the regular bank rate of interest or six per cent; it says he must charge 42 per cent.

It further goes on in the bill that any employee of a money lender—take for instance a bookkeeper—provided the loan is made contrary to this law, would be liable to punishment and be sentenced to State prison or fined or both.

I hope the majority report "ought not to pass" will prevail.

Mr. WILSON of Portland: Mr. Speaker, I would like to ask the gentleman from Auburn through the Chair what the object is of beginning Section 11, that the lender shall take no confession of judgment. It does not seem to me to fit our statute.

The SPEAKER pro tem: The gentleman from Auburn hears the question.

Mr. GARCELON: Mr. Speaker, I think the point is well taken by the gentleman from Portland. True it does not provide that technically he may. This is a uniform bill; there are confessions of judgment in other states, and it was thought this phrase might cover any form to the best of our judgment, whether it is technically true or not.

Mr. WILSON: Mr. Speaker, I would like to inquire whether the gentleman means to interpret that in an ordinary suit on default the plaintiff could not take his judgment?

The SPEAKER pro tem: Will the gentleman from Auburn, Mr. Garcelon, reply to the question.

Mr. GARCELON: I think that is a fair interpretation, Mr. Speaker.

Mr. WILSON: Mr. Speaker, it seems to me if that is the interpretation, while I have no quarrel with the object of this bill—it seems to me that a man who has brought suit and obtained judgment, is entitled to it, and he is rather careful to say that no one shall take such a judgment as he is entitled to.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Portland, Mr. Anderson, that the majority report on House Document 361, "ought not to pass," be accepted.

Mr. REDMAN of Ellsworth: Mr. Speaker, I will not take but just a moment of your time, but this is an important matter. It has worked out well in every state where they have tried it. What has it done? It has put the loan shark out of business; that is what it has done. The loan shark gets 21%, but what does he do? He charges a lot of extra fees which sometimes brings it up to sixty and seventy-five and I have known it to be one hundred per cent. This bill does not apply to the man who wants to borrow one, two or three hundred dollars, or to the man who can get an endorser on his not; it applies to the man who is right up against, who perhaps has a sick child, who is out of a job, who has not money with which to buy food. He goes in and gets a twenty-five dollar loan. Now, we know that in all of our industrial centers the loan shark business has been a very lucrative business. This is drastic legislation! It is progressive legislation. It has worked out well wherever it has been tried, and I believe it will have the same effect in the State of Maine if we put this law on our books and that it will drive the loan shark out of business. (Applause.)

The SPEAKER pro tem: Is the House ready for the question, which is the motion of the gentleman from Portland, Mr. Anderson, that the majority report "ought not to pass" be accepted?

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

On motion by Mr. Garcelon of Auburn the minority report "ought to pass," and

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

On further motion by Mr. Garcelon the House voted to reconsider its action whereby the bill was passed to be engrossed.

Mr. GARCELON: Mr. Speaker, I have three amendments to offer, one of which will take of the objection of the gentleman from Portland, Mr. Anderson. I now offer House Amendments "A," "B," and "C" and move their adoption.

Mr. MURRAY of Bangor: Mr. Speaker, I think it would be better to take them one at a time.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Garcelon, presents House Amendment "A" to House Doc. 361.

"Amend Section 3 by inserting after the word 'act' in the fourth line thereof on page 3 of the printed bill the following words 'or any existing statute.'

The amendment was adopted.

Mr. Garcelon also presented House Amendment "B" to the same bill as follows:

"Amend Section 16 by inserting after the word 'banks' in the third line thereof on Page 8 of the printed bill the words 'industrial banks.'

The amendment was adopted.

The same gentleman also present House Amendment "C" as follows:

Insert after Section 16 the following section to be known as Section 17:

'Section 17: For the enforcement of the provisions of this act the bank commissioner is authorized to appoint an examiner, the amount of his compensation to be subject to the approval of the governor and council, who shall also receive his necessary traveling expenses. The salary and traveling expenses, before mentioned, shall be paid out of the fees received from licenses issued under the provisions of this act, and the balance of the fees shall be paid into the treasury of State.

Section 17 shall be known as Section 18, and Section 18 as Section 19."

The amendment was adopted.

The bill having had its three several readings was passed to be engrossed as amended by House Amendments "A," "B" and "C."

On motion by Mr. Hutchins of Mexico, the rules were suspended and that gentleman presented out of order the following order and moved its passage:

"Ordered that when the House adjourn, it adjourns to meet Friday, April 6, at 9 o'clock in the forenoon."

The order received a passage.

Adjourned until 9 o'clock tomorrow morning.