

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

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1917

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## HOUSE

Friday, April 6, 1917.

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

Prayer by the Rev. Mr. Sisson of Island Falls.

Journal of previous session read and approved.

Senate papers disposed of in concurrence.

From the Senate: Ordered, the House concurring, that the Commissioners of inland fisheries and game cause to be compiled in convenient form the inland fish and game laws and that not exceeding 20,000 copies be printed for general distribution; and the Governor is authorized to draw his warrant for the payment of same on the amount appropriated for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds and for printing the report of the commissioners of inland fisheries and game, and other expenses incident to the administration of the department of inland fisheries and game.

Came from the Senate read and passed.

The House concurred in the passage of the order.

From the Senate: An Act to provide for the recording of discharges of attachments by registers of deeds. Came from the Senate read twice under a suspension of the rules, without reference to a committee and passed to be engrossed.

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

From the Senate: Resolve to provide for the payment of telephone service for members during the present session of the Legislature.

Came from the Senate, read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Rounds of Port-

land, the rules were suspended and the resolve was given its two several readings and passed to be engrossed in concurrence.

From the Senate: An Act to secure information relating to the yearly cut of timber from the wild land townships.

Came from the Senate, that body reconsidering its vote whereby the bill was passed to be engrossed. Senate Amendments A and B were adopted and the bill passed to be engrossed as amended by Senate Amendments A and B.

In the House this bill was passed to be enacted on April 2.

On motion by Mr. Clason of Lisbon, the House voted to reconsider its action whereby bill, An Act to secure information relating to the yearly cut of timber from the wild land townships was passed to be enacted. On further motion by the same gentleman, the House voted to reconsider its action whereby the same bill was passed to be engrossed.

The SPEAKER The Chair will read Senate Amendment A to Senate Document No. 208.

"Amend Senate Document 208 by inserting after the word 'lands' in the third line of Section 1 the following: 'which have been cruised and examined under the authority of the State Board of Assessors for taxation purposes.'"

The amendment was adopted in concurrence.

The SPEAKER: Senate Amendment B is as follows:

"Amend Senate Document 208 by adding at the end of Section 1, the following: 'Such returns shall not be accessible to the public nor shall they be deemed public records.'"

Senate Amendment B was adopted in concurrence, and the bill having had its three several readings was passed to be engrossed as amended by Senate Amendment A and Senate Amendment B in concurrence.

From the Senate: Resolve in favor of

the appointment of the Hydro-electric investigating committee.

In the Senate this resolve was given two several readings and Senate Amendment A was adopted. The resolve passed to be engrossed as amended by Senate Amendment A.

Mr. BAXTER of Portland: Mr. Speaker I would ask the Chair to read Senate Amendment A.

The SPEAKER: Of course the proper procedure is to give the first reading of the resolve and then the amendment.

Mr. BAXTER: I was about to move, Mr. Speaker, that the resolve be indefinitely postponed but I did not know what the Senate Amendment comprised.

The SPEAKER: The Chair would suggest that the motion can just as well be put after the first reading.

The resolve then had its first reading. "Senate Amendment A. The said committee shall have authority to summon witnesses, administer oaths and punish for contempt." Adopted April fifth.

Mr. BAXTER: Mr. Speaker, in moving to indefinitely postpone this resolve, I want to explain to the House very briefly the present situation. On Tuesday the House passed an act creating the Maine Water Power Commission. That commission, if the act is passed by the Senate, is to investigate the whole hydro-electric situation in Maine. It will have no other duties to perform except this investigation. Now this resolve appointing this legislative committee seems to me to be wholly inadequate. If you will look at the resolve, you will see that five members are to constitute this committee. They are to hold four meetings in the following cities: Portland, Lewiston, Augusta and Bangor. The sum of \$5000 is appropriated for the use of that committee. Now I cannot understand how anybody could come to the conclusion that this whole situation could be investigated, and the proper report made thereon, after having had four meetings. This perhaps is one of the largest questions in the State of Maine and deserves most careful consideration.

In the first place, the House has already passed the bill I refer to which covers the main ground, and could not consistently delegate these powers to another committee. In the second place, I think if we had taken no action previous to this time, that this committee would not be able to do the work. If we are to have any investigation, it should be a thorough one and not be treated in a trivial manner.

In view of these facts, Mr. Speaker, I move that this resolve be indefinitely postponed.

A viva voce vote being taken,  
The motion prevailed.

Mr. FARRINGTON of Augusta: Mr. Speaker, we have just passed two amendments, Senate Amendment A and Senate Amendment B, to Senate Document No. 208, providing for the securing of information relating to the yearly cut of timber from wild land townships, and so forth, also that such returns shall not be accessible to the public nor shall they be deemed public records. I do not know just the purpose of these amendments, but if this legislature is passing laws, for the purpose of getting information, and then stating that the public has no right to have access to it. I should want some explanation. I move that these amendments be tabled until the afternoon session.

The SPEAKER: This bill has been passed to be engrossed in concurrence.

On motion by Mr. Farrington, the House voted to reconsider its action whereby the bill was passed to be engrossed. On further motion by the same gentleman, the House voted to reconsider its action whereby it adopted Senate Amendment B. On further motion by the same gentleman, the House voted to non-concur in the adoption of Senate Amendment B. On further motion by the same gentleman, the House voted that Senate Bill 208 be passed to be engrossed as amended by Senate Amendment A in concurrence.

Mr. FLINT of Monson: Mr. Speaker. I move that we reconsider the vote

whereby we adopted Senate Amendment A on Senate Document 208.

Mr. MERRILL of Gray: Mr. Speaker, I would suggest that we indefinitely postpone that bill if there is no value in it.

The SPEAKER: The Chair is of the opinion that there is value in the bill itself. The trouble is with the two amendments that have been slipped on to it.

On motion by Mr. Flint of Monson, the House voted to reconsider its action whereby Senate Document 208 was passed to be engrossed in concurrence as amended by Senate Amendment A.

On further motion by the same gentleman, the House voted to non-concur in the adoption of Senate Amendment A. On further motion by the same gentleman, the House voted that Senate Amendment A be indefinitely postponed. On further motion by the same gentleman, the House voted that Senate Document 208 be passed to be engrossed.

Mr. WILSON of Portland: I rise to inquire if the Chair will explain just what has happened to this bill 208.

The SPEAKER: The Chair is very willing. Senate Document 208 came from the Senate passed to be engrossed with two amendments, Senate Amendment A and Senate Amendment B. The House, after reconsidering its votes whereby Senate Bill 208 had been passed to be enacted, reconsidered the vote whereby the bill had been passed to be engrossed, which brought it to the amendable stage. Then the Chair read two amendments, Senate Amendment A and Senate Amendment B, and they were adopted in concurrence. Afterwards certain members were of the opinion that the amendments should not be adopted and both votes were reconsidered whereby the amendments were adopted. The amendments were indefinitely postponed and the bill passed to be engrossed.

Mr. FARRINGTON: Mr. Speaker, I move that we insist on our former action.

The SPEAKER: The Chair deems that it is not necessary now.

Mr. FARRINGTON: I think it is necessary, Mr. Speaker, that we should have that entered on the records and that the papers go back to the Senate. I make that motion.

The SPEAKER: Our former action was the last action. The bill was passed to be enacted.

Mr. FARRINGTON: Mr. Speaker, we have not reconsidered that vote in any of these motions.

The SPEAKER: The first reconsideration on the part of the House was the vote whereby the bill was passed to be enacted. That was our first action in this matter, and our next action we reconsidered the vote whereby we passed the bill to be engrossed and both amendments were adopted, and afterwards all that was undone and both amendments were rejected. Now the bill has just been passed to be engrossed without the amendments, the amendments having been indefinitely postponed.

Mr. FARRINGTON: I move, Mr. Speaker, that the matter lie on the table and that we proceed.

The SPEAKER: The matter is practically closed now, the Chair will state. Of course by the last action the bill was passed to be engrossed in non-concurrence and goes to the Senate; and as soon as the clerk writes the transaction, we will be all ready to proceed.

Mr. SAWYER of Madison: Mr. Speaker, I would like the privilege of considering out of order—

The SPEAKER: We cannot consider anything out of order now because of the fact that it will facilitate business more to take these reports and get them on their way to the hands of the printer. The clerk's desk is being overworked and any matter taken up out of order would only delay matters further. Of course the Chair at any time will be glad to interrupt the proceedings to accept a conference report. That is always in order.

From the Senate: Report of the committee on salaries and fees "ought

to pass" on An Act to amend Section 8 of Chapter 325 of the Private and Special Laws of 1897, fixing the salary for the recorder of the municipal court of Waterville, Senate Doc. No. 404.

In the Senate, read and accepted, bill read twice, Senate Amendment A withdrawn, bill passed to be engrossed, second Senate Amendment A read and adopted, bill passed to be engrossed as amended by Senate Amendment A.

In the House, the report was accepted in concurrence, the bill was given two several readings; on motion by Mr. Barnes of Houlton, the rules were suspended and the bill was given its third reading; Senate Amendment A was read and adopted in concurrence, and the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

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From the Senate: Resolve authorizing the publication of automobile registration.

In the Senate, House Amendment A indefinitely postponed in non-concurrence and the resolve passed to be engrossed.

Mr. ROUNDS of Portland: Mr. Speaker, will you read House Amendment A?

The SPEAKER: House Amendment A to House Document 701:

"In line two strike out the words 'any person, firm or corporation to' and insert in their place 'all persons, firms or corporations who will.' In line four strike out the words 'person, firm or corporation' and insert in their place the words 'persons, firms or corporations.' In line eight strike out the words 'person, firm or corporation' and insert in their place 'persons, firms or corporations.' So that the resolve shall read as follows:

'Resolved, that the secretary of State be and hereby is authorized to make arrangements with some persons, firms or corporations who will publish a list of the automobile registrations in the State of Maine; said persons, firms or corporations to publish a list each month, said list to contain the registration number, name of the party to whom issued, residence,

style of car, make of car and manufacturer's number. The said persons, firms or corporations to pay for the actual cost of furnishing said list by the secretary of State. The price of said list to the purchasers not to exceed 50 cents per copy.'

This amendment as read was indefinitely postponed in the Senate.

Mr. SPEIRS of Westbrook: Mr. Speaker, this is a small matter, but that bill was introduced by a firm from Rhode Island and it gives them the exclusive privilege of publishing a list of the registered automobiles. Now if a publisher in Maine or any other printer in Maine wants to publish a list, they will have to buy the privilege from that concern. I move we adhere to our former action.

The motion prevailed.

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From the Senate: An Act to amend section 72, Chapter 82, of the Revised Statutes, increasing the annual appropriation for the attorney general's department.

In the Senate, bill read twice; Senate Amendment A adopted and the bill passed to be engrossed as amended by Senate Amendment A.

Mr. BARNES of Houlton: Mr. Speaker, is the amendment simply a change in the amount?

The SPEAKER: The Chair is unable to state until he reads it. The Chair judges not.

On motion by Mr. Barnes of Houlton, the House voted to reconsider its vote whereby the bill, being House Bill 694, was passed to be engrossed in the House.

The SPEAKER: The Chair will read the amendment. "Amend House Bill 694 by adding at the end of Section 72 the following: 'The attorney general shall at the request of any state department make or cause to be made investigations in behalf of such department and he shall also prosecute any case to such an extent as may seem advisable, and the expense of such investigation and prosecution shall be charged to this appropriation so that as amended Section 72 of said act shall read as follows —"

Mr. BARNES: Mr. Speaker, if I may interrupt, I move we accept Senate Amendment A in concurrence.

The motion prevailed.

On further motion by the same gentleman, the bill was passed to be engrossed in concurrence as amended by Senate Amendment A.

From the Senate: An Act to amend Chapter 30, Section 55 of the Revised Statutes, relating to the amount expended by the insurance commissioner investigating fires.

This bill comes from the Senate read twice, Senate Amendment A adopted and the bill passed to be engrossed as amended by Senate Amendment A. In the House it was passed to be engrossed.

On motion by Mr. Farrington of Augusta, the House voted to reconsider its action whereby the bill, being House Doc. 395, was passed to be engrossed.

The SPEAKER: The Chair will read Senate Amendment A to House Bill 395. "Amend said bill by striking out the words 'fifteen hundred' in the fifth and sixth lines and inserting the words 'two thousand' so that said section as amended shall read as follows:

'Section 55. The insurance commissioner may employ such clerks and assistants, provide such blanks and incur such expense, as may be necessary to carry out his duties in investigating or causing to be investigated the origin of fires and the inspection of buildings and property, not to exceed two thousand dollars and all bills and expenses incurred shall be audited by the State auditor.'

On motion by Mr. Farrington of Augusta, the House voted to concur with the Senate in the adoption of Senate Amendment A and the bill was passed to be engrossed as amended by Senate Amendment A.

From the Senate: An Act to require certain vehicles to carry lights at night and to control the glare of headlights.

In the Senate, Senate Amendment B was adopted and the bill passed to be engrossed as amended by Senate Amendment B.

This comes from the Senate in the form of a report of the committee on ways and bridges, reporting "An Act to require certain vehicles to carry lights at night and to control the glare of headlights" in new draft under same title and that it ought to pass. The report was read and accepted and sent down for concurrence.

In the House the report was accepted in concurrence.

The SPEAKER: This bill has had two readings in the Senate. It is properly in order to give it two readings at the present time and then to consider the amendment pending its third reading.

Mr. SNOW of Mars Hill: I make a motion to indefinitely postpone the bill. The bill was then given its first reading.

The SPEAKER: Does the Chair understand the gentleman from Mars Hill to move to indefinitely postpone the bill?

Mr. CLASON of Lisbon: Mr. Speaker, I wonder if the House understands the amendment.

The SPEAKER: It has not been read.

Mr. CLASON: Mr. Speaker, I wish you would please read it and then I would like to make a little statement.

The SPEAKER: If the gentleman from Mars Hill temporarily will withdraw his motion, the bill will be given its second reading.

The bill was then given its second reading.

The SPEAKER: The Chair will read the amendment.

"Amendment B to Senate Document 333.

"Senate Document No. 333, entitled 'An Act to require certain vehicles to carry lights at night and to control the glare of headlights' is hereby amended by striking out all of Section 1 after the word 'vehicle' in line 7 and inserting the following: 'which is designed to be propelled by hand, or any vehicle designed for the transportation of hay, straw, wood, lumber, stone, ma-

chinery or other heavy freight, nor shall it apply to any form of vehicle whatsoever while upon any bridge or highway where street lights are maintained at a distance of 500 feet apart or less', so that said Section one as amended shall read:

'Section 1. Every vehicle on wheels, whether stationary or in motion, on any public way or bridge, shall have attached to it a light or lights so displayed as to be visible from the front and rear thereof during the period of one hour after sunset to one hour before sunrise; provided, however, that this act shall not apply to any vehicle which is designed to be propelled by hand, or any vehicle designed for the transportation of hay, straw, wood, lumber, stone, machinery or other heavy freight, nor shall it apply to any form of vehicle whatsoever while upon any bridge or highway where street lights are maintained at a distance of 500 feet apart or less.'

Also striking out all of Section 3 and putting in place thereof the following:

'Section 3. The Public Utilities Commission shall prepare rules and regulations from time to time governing the use and operation of headlights on electric cars and lights on motor vehicles used on public highways, and prescribe penalties for violation thereof and may from time to time alter, rescind or add to any rules or regulations previously made by it. The rules and regulations of the commission and any changes therein shall take effect when approved by the Governor and Council and published at least once in each daily newspaper in the State.'

Mr. CLASON of Lisbon: Mr. Speaker, I think, if it is amended, that ought to be satisfactory to those who are opposed to the bill in its original form, as it applies now to light carriages and light hitches, and those are the ones that are most difficult for the man in the automobile to see on a night, especially when it is foggy. Of course, the automobilists do not object to having the glare taken away from their lights; in return, it seems to me as though the drivers of

carriages ought to put on a small light on front and behind. I move the adoption of Senate Amendment "B" in concurrence.

Mr. SNOW of Mars Hill: Mr. Speaker and Gentlemen of the House: I would like to have your attention a few minutes on this bill. A similar bill has been before the last two Legislatures. It first appeared I think four years ago. Then it appeared again two years ago. I think it is an unwise thing to pass a bill obliging the people of the country to place or carry lights on their vehicles. It seems to me to be an unfair bill.

Mr. BOMAN of Vinalhaven: Mr. Speaker, we cannot hear a word of that speech up here. (Applause.)

The SPEAKER: The Chair will ask the gentlemen behind the rail to either keep quiet or go out of the room. (Applause.)

Mr. SNOW of Mars Hill: (Continuing) I suppose perhaps the object of this bill is to prevent accidents between teams and automobiles, but, if the record is correct, there are very few accidents now at night. The most of the accidents that happen between automobiles and teams or automobiles and pedestrians happen through the days. I remember during the last year of four accidents in my town, and they were all during the daytime.

I think, if you require vehicles to carry lights, you would take away the responsibility of the drivers of automobiles, and they will be careless, more so than they are now, at night. There are a great many automobile drivers who perhaps never have had an accident, but there are a lot of other irresponsible drivers who scorch through our towns, not perhaps at the rate of 150 miles an hour, but they go fast and are a danger to anyone who may be on the streets. That class of people might, if you placed lights on vehicles and took away from them the responsibility, rush through the country regardless of what might be in the way.

Now there are a few states that have a similar law or a law for lights



on vehicles. Massachusetts has a law very similar to the one drafted for this Legislature, but the provision in Massachusetts makes exempt any vehicle without expense to the applicant from carrying lights for any period of time, so that that does away with or limits the number of vehicles which might carry lights. New Jersey has such a law, but it does not apply to non-residents.

Now, gentlemen, we will take it, for instance, in my country, along the New Brunswick border. A great many people come across the border to trade with us and do business. Are you going to make those men criminals as soon as they pass the line at night? They are not obliged in their own country to carry lights, but when they come across the line, they are criminals on the highway if they do not carry lights under this bill.

Another provision in some of the laws of the states is this, that if you are away from home and you perchance have not the lights on your vehicle you are allowed to travel to your destination without breaking the law, but in this bill you are not. The driver of the automobile has just the same responsibility resting upon him though as he has in the State of Maine today, because he does not know when he is going to meet someone on the street whose light has been extinguished in some way and who is allowed to go to his destination.

There are a number of states in the Union which have no such law as this, and they are progressive states four and five times larger in population than the State of Maine, such as Ohio and Michigan. In those two states they have no such law. Kansas and the great state of Missouri have no such law that I can find. Wisconsin, Iowa, Washington, Indiana and others. If those states, having so large a population and having so many teams and so many men on the streets and so many automobiles, have no such law as this, isn't it fair to assume that they do not need it?

Mr. Speaker and gentlemen, I hope the act will be indefinitely postponed.

Mr. BESSE of Clinton: Mr. Speaker and Gentlemen of the House, I think this

bill which is before us is a very important bill and I hope it will receive a passage. This committee considered this bill very carefully. I like the bill better than I do the amendment. I am not going to object to the amendment. You have heard the remarks from Bro. Snow that the committee, when passing this bill, did not have this bill take effect outside of the State of Maine, and it was for this reason, that we were afraid, if we did, that Bro. Baxter would put an amendment on it.

Mr. ALLEN of Portland: Mr. Speaker, I would like to say a few words in reference to this matter and I hope that the bill as an entire bill will not be indefinitely postponed. Those of you who have read this bill know that it contains practically two classes. It refers first to the headlights of automobiles and trolley lines—these large, high-power electric lights which meet you so many times on the streets and on the roads and bind you. The other class is a class referring to the lights on small vehicles, small hitches, so it pertains more to the country than to the city.

The question of the electric headlight to every city of this State is an important matter. On the new highways, many of which are very narrow, when these high-powered cars with high-powered lights meet us, without any glare regulation or anything to keep the light down, it is almost an impossibility to pass them safely or to realize what is behind any one of those cars.

I need not go into instances where accidents have occurred. We see them in the larger cities every day. But I will say further that the regulation of these lights is a matter for the Public Utilities Commission to determine—that is, what shall be best for the automobile driver and what shall be best for the trolley line.

For these reasons I hope that this part of the bill in some form may be saved to protect myself at least as one driver of an automobile from other owners and reckless drivers whom we meet every day on the highways of the State of Maine. (Applause)

Mr. MESERVE of Naples: Mr. Speaker, this Legislature has a pretty

good and brilliant record for the staging of farces and comic operas, and this adds but another to their brilliant list. If you want to make criminals out of every man, woman and child in the State of Maine, pass this bill; if you do not, indefinitely postpone it. (Applause)

Mr. MERRILL of Gray: Mr. Speaker, I hope this bill will be indefinitely postponed. The dimmers on the automobiles are all right. I drive an automobile and I drive all kinds of light rigs. I wish that something might be preserved in regard to the dimmers of automobiles.

Mr. Allen: Mr. Speaker, would it be in order to in some way test the sentiment of this House on this bill before taking final action, in order that, if it should be adverse, the bill might be tabled so that an amendment might be placed upon it to save the automobile headlight situation?

The SPEAKER: The Chair will recognize the gentleman from Houlton, who asks permission by unanimous consent to introduce several war measures out of order. If it is a vote, that this motion prevail, the proceedings on this bill will be interrupted until that time. The Chair wishes to read a telegram just handed up by the Press. "Attempt to blow up the railroad bridge between Waterville and Benton. Dynamite bomb with burning fuse dropped from freight train. Crew saw it and threw it toward the river, but bomb exploded before striking the river and blew a hole in the river bank."

On motion by Mr. Rounds of Portland, unanimous consent was given and that gentleman introduced out of order, An Act to provide for the support of families of volunteers.

Mr. ROUNDS: Mr. Speaker, when the proper time comes, I shall move that the other resolve put in the other day be indefinitely postponed and that this be put in its place for the benefit of the people in Augusta.

On further motion by Mr. Rounds of Portland, the bill was given its three several readings and passed to be engrossed.

The SPEAKER: The Chair will simply state that if it is the wish of the House, these bills will be read and presented. The Chair will state, however, that these measures have been prepared by the Governor and Council, by the military committee and by the Adjutant General's Department, and so far as the Chair knows, every one who is interested and has to do with that arm of the State's service. The Chair is making the suggestion that if the majority feels as the Chair does, we are willing to leave it to them and take these bills on their recommendation. If such is the case, unless some one wants the bills read, we will omit that part of it.

Mr. BARNES of Houlton: Mr. Speaker, I present an emergency act to provide State pay for soldiers and sailors in the volunteer service of the United States. I will say that this will increase the pay of the enlisted men in the military or naval service to \$25 a month until such time as the Federal Government increases the pay to that amount.

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On motion by Mr. Barnes, the bill was received under suspension of the rules and given its three readings and passed to be engrossed.

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Mr. BARNES of Houlton: Mr. Speaker, I offer now An Act to provide for the organization of the Home Guard during the continuance of the war with Germany. This provides for the enrollment under the Governor as Chief Executive of men 35 years old or over for service in the protection of property and the maintenance of public peace.

On motion by Mr. Barnes of Houlton, the bill was received under suspension of the rules, given its three several readings and passed to be engrossed.

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Mr. BARNES of Houlton: Mr. Speaker, I offer now An Act to provide for the better defense of the State and for the discharge of its duties toward the National defense. This act provides

that special constables, as many as may be deemed necessary, may be sworn in and prescribes their compensation; that they shall have all powers throughout the State of constable except the service of civil processes, and have the powers of police officers and watchmen. The act further provides that the Governor, when he shall find it necessary and expedient for the purpose of better securing the public safety, may take possession of any personal property within the State, and provides how the owner may receive fair and just compensation therefor.

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

Mr. BARNES of Houlton: Mr. Speaker, I offer An Act authorizing the taking of land for forts and other purposes. This provides that the Governor, with the advice of the Council, may take by purchase, lease or deed any real estate, and provides that it may be ceded to the United States when necessary; that the power granted is limited to the first day of March, 1919, after which time it shall cease.

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

Mr. BARNES of Houlton: Mr. Speaker, I offer An Act to provide for the appointment of special deputy sheriffs.

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

Mr. BARNES of Houlton: Mr. Speaker, I offer An Act in relation to suits in court, the parties thereto being in the military service of the United States or this State. It in brief provides that any action of contract or review in which an enlisted man is plaintiff or defendant, the case shall be continued during his absence from the State, and that the statute of limitations shall not run against

him in such action, and that there may be an exemption of his personal estate up to the amount of \$1000, subsequent to his enlistment, to come in without costs to either party, the exemption from attachment not applying to any attachments that are of record prior to the date of enlistment.

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

The SPEAKER: The Chair will call attention to the fact that several of these measures carry the emergency clause, and the Chair does not need to remind the members that in the case of such stress as this it is the duty of every member to be in his seat when these emergency measures are brought up. They will probably be back here tomorrow morning after being engrossed tonight. It takes 101 votes to pass them.

The Chair will now take up the matter which was before the House prior to the interruption, the motion of the gentleman from Lisbon, Mr. Clason, that Senate Amendment B be adopted.

A viva voce vote being taken,

Senate Amendment B was adopted.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Wilson, who moves that the bill as amended be indefinitely postponed. You are voting on the indefinite postponement of this bill when you vote yes.

A division of the House being had,

Fifty voted in the affirmative and 53 in the negative and the motion was lost.

The SPEAKER: This bill having had its three several readings, is it the pleasure of the House that it be passed to be engrossed?

Mr. WILSON: Mr. Speaker, I offer House Amendment A.

The SPEAKER: The Chair will read House Amendment A.

"House Amendment A to Senate Document 333. Amend said document by adding thereto the following: 'Provided, that no action for damages resulting from a collision between any unlighted vehicle and an automobile during the hours from one hour after sunset to one hour before sunrise shall be maintained.'"

Mr. BREWSTER of Portland: Mr. Speaker, I move that the amendment be indefinitely postponed.

The SPEAKER: The question is on the adoption of the amendment. Those who are in favor of the adoption of the amendment as read will say aye, those opposed will say no.

A viva voce vote being had,

The amendment was rejected, and the bill was passed to be engrossed as amended by Senate Amendment B.

Mr. BUZZELL of Belfast: Mr. Speaker, at this time I would like to ask unanimous consent of the House to make a statement. It seems that there is a little lull in the business order of the day, and perhaps it would be very fitting for me to make a few remarks at this time. We are now facing a tremendous national crisis, and the other day, as a token of our friendship toward the Speaker of this House, we took some action. I understand that in past years it has been a custom to go still farther than that. Here are some 150 persons assembled together in this House of Representatives, and probably never again shall we all meet under these conditions here or anywhere else. Our stay in Augusta has been made most pleasant this winter by reason of the efforts of our Speaker's wife; and, as a token of our esteem and friendship toward her, I now take pleasure in presenting her with this little token. (Passing Mrs. Bonney a beautiful jeweled pendant.) (Applause)

Mrs. BONNEY: (The House rising). I wish to thank you, gentlemen. I feel that I have done nothing to deserve your remembrance.

The SPEAKER: There is nothing like being able to say the last word in

a family mixup of this kind. (Applause.) You know I said the other day when you gave me the watch that it was the first thing I had ever had given me that I did not deserve, but that was not exactly the truth. The other was when I got the madam. (Applause)

From the Senate: Majority and minority reports from the committee on mercantile affairs and insurance, to which was referred bill, entitled "An Act relating to the construction of chimneys," majority reporting "ought not to pass," and minority reporting "ought to pass." This comes from the Senate, the minority report accepted in that body.

On motion by Mr. Wilson of Portland, the House non-concurred in the adoption of the minority report, and adopted the majority report in non-concurrence.

From the Senate: An Act to provide for conducting scientific investigation bearing upon the agriculture of Aroostook county. This comes from the Senate with Senate Amendment A adopted and passed to be engrossed. In the House read three times and passed to be engrossed.

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

On further motion by the same gentleman, Senate Amendment A was adopted in concurrence and the bill was passed to be engrossed as amended by Senate Amendment A.

From the Senate: An Act to improve the public highways of Maine by regulating the width of tires upon wagons and carts, carrying heavy loads.

In the House this bill was passed to be engrossed.

In the Senate indefinitely postponed in non-concurrence.

Mr. FLINT of Monson: Mr. Speaker, I move we recede and concur with the Senate in its indefinite postponement.

Mr. BESSE of Clinton: I hope, Mr. Speaker, the motion will not prevail.

A viva voce vote being doubted,

A division of the House was had.

Thirty-one voting in the affirmative and 37 in the negative, the motion to recede and concur with the Senate in indefinite postponement was lost.

On motion by Mr. Barnes of Houlton, the House voted to insist and ask for a committee of conference.

The Chair appointed as such committee of conference Messrs. Besse of Clinton, Barnes of Houlton and Farrington of Augusta.

From the Senate: An Act to amend Chapter 117, Section 18 of the Revised Statutes of 1916, relating to the insurance department.

In the House it was indefinitely postponed and comes from the Senate passed to be engrossed.

On motion by Mr. Clason of Lisbon the House voted to adhere to its former action.

From the Senate. An Act to establish the farm lands loan commissioners of Maine and to authorize the investment of certain moneys now on deposit in the State treasury known as the reserved land fund.

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

Mr. BARNES of Houlton: Mr. Speaker, from information I have from gentlemen in the Senate, I feel that that is an error or oversight. I move that the House insist and ask for a committee of conference.

The motion was agreed to.

The Chair appointed as such committee Messrs. Farrington of Augusta, Barnes of Houlton and Gurney of Portland.

From the Senate: Resolve proposing an amendment to the constitution relative to the authority of the Legislature to impose taxes.

Comes from the Senate referred to the next Legislature.

On motion by Mr. Allan of Portland the House voted to concur with the Senate in referring the matter to the next Legislature.

From the Senate: An Act relative to the hours of labor of employes and street railway conductors.

In the House the report B was accepted and the bill was given its three readings and passed to be engrossed. In the Senate report A was adopted in non-concurrence. The House adopted the report "ought to pass" and Senate report A was "not to pass" in non-concurrence.

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

From the Senate: An Act relating to the compensation of judges of probate.

The House insisted on its action, which was to adopt the report and ask for a committee of conference. The Senate refused and adhered to its former action, which was to adopt the report "ought not to pass."

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

Mr. HALL of Wilton: Mr. Speaker, I have a conference report that I wish to present out of order, as follows:

The committee of conference appointed on House Bill No. 704, An Act repealing Paragraph 6, Section 6, Chapter 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

The SPEAKER: The report is rather long embodying practically a new draft. It is a unanimous report, and unless the House insists, the Chair will not read it.

Mr. HALL: Mr. Speaker, I can explain in a very few words the substance of this report. The act relates to the exemption of live stock, and the conference committee reports that all mules and horses under six months old, all sheep to the number of 35 and swine to the number of 10 and neat stock under age of 18 months should be exempt.

The report was accepted and on motion by Mr. Hall of Wilton, under suspension of the rules, the bill had its three several readings and was passed to be engrossed.

From the Senate: An Act to amend Section 43 of Chapter 117 of the Revised Statutes, relating to the salary of the register of deeds for Kennebec county.

In the House the minority report "ought to pass" was accepted. In the Senate the majority report "ought not to pass" was accepted in non-concurrence.

On motion by Mr. Farrington of Augusta, the House voted to insist and ask for a committee of conference.

The Chair appointed as such committee Messrs. Farrington of Augusta, Fletcher of Kennebunkport and Lenfest of Manchester.

From the Senate: An Act to create a commission of sea and shore fisheries, majority and minority reports. The Committee on Sea and Shore Fisheries to which was referred bill, entitled "An Act to create a Commission of Sea and Shore Fisheries" have had the same under consideration and ask leave to report that the same "ought to pass," signed Butler, Harman and Goldthwait. Majority report on same subject matter, reporting "ought to pass," signed by the other members of the same committee. In the Senate this report was accepted and sent down for concurrence with Senate Amendment A adopted, bill read twice and passed to be engrossed.

Mr. BOMAN of Vinalhaven: I move that the bill lie on the table.

The SPEAKER: Is the House going to permit anything to be tabled today?

Mr. FARRINGTON of Augusta: May I ask through the Chair when the gentleman from Vinalhaven, Mr. Boman, proposes to take this up if it is tabled?

Mr. BOMAN: Either this afternoon or tomorrow—anytime.

Mr. FARRINGTON: Mr. Speaker, I would have no objection to its being tabled until this afternoon, but I should object to any further postponement of it.

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

Mr. NEWCOMB of Scarborough: Mr. Speaker, I move that we accept the majority report and proceed with the several readings in concurrence.

The motion was agreed to.

Mr. BOMAN: Mr. Speaker and gentlemen of the House:

The SPEAKER: There is no motion before the House. Has the gentleman from Vinalhaven any motion to make?

Mr. BOMAN: I move that we do not accept the majority report.

The SPEAKER: The majority report has already been accepted.

Mr. MURRAY of Bangor: I will give notice, Mr. Speaker, that I want to reconsider the matter tomorrow.

Mr. NEWCOMB: Mr. Speaker, we have had under consideration about all the session this lobster matter before the sea and shore commission. We have had a bill introduced here that has been killed—the double gauge measure—

The SPEAKER: What is the gentleman's motion? The Chair is only interested in getting the business done and there is no motion before the House.

Mr. MURRAY: Mr. Speaker, my only reason for giving the notice I did that if the gentleman wanted to have that bill tabled until this afternoon, it seems to me only fair that he should have it done. If it can be tabled until this afternoon, I will withdraw my notice.

Mr. BOMAN: Mr. Speaker, I wish to know what motion I would have to make in order to make some remarks in regard to this bill.

The SPEAKER: The Chair is unable to understand the gentleman from Vinalhaven.

Mr. BOMAN: I asked, Mr. Speaker, what motion it is necessary to make in order to be permitted to make some remarks in regard to this bill?

The SPEAKER: If the gentleman is making a parliamentary inquiry, he could move to indefinitely postpone. Almost any motion would be in order. The Chair will entertain a motion to table again.

Mr. BOMAN: Mr. Speaker, I move that the bill be indefinitely postponed and I wish to make some remarks in regard to this bill. I hardly think that

there are half a dozen men in this House who know the provisions of this bill. This bill has remained until the latter part of the session. I have been in my seat every day of the session. Some of you have not been here more than two-thirds of the time, but now you are in a hurry to go home. I am in a hurry to go home, but I do not think a question of such importance as this should be hurried through without men knowing what they are voting upon.

I wish, gentlemen, that you would look at Section 6, which I will read with your permission. Section 6 provides: "Commissioners may at any time be removed from office for cause by the Governor with the advice and consent of the Council after notice and hearing." I wish, gentlemen, that you would look at this bill. Section 7 provides: "The commission shall appoint a director of sea and shore fisheries and the first director appointed shall be the present commissioner of sea and shore fisheries, who may be removed by them at their pleasure." Just mark that, gentlemen "at their pleasure." I would like to know why the rest of the sea and shore fisheries should not have an equal chance with the commissioners themselves. "Removed by the Governor with consent of the Council."

The director of sea and shore fisheries shall be removed at the pleasure of the commissioners. Now, gentlemen, I ask you if that is fair and square? What is the reason for this distinction? I know what it is and some of you gentlemen know what it is. I ask you, gentlemen, if you think it is fair to bring such a measure as that into this House the last minute of the session?

When I was elected a member of this House I was not elected for any particular time. I was elected to come and stay until the business was done right to the satisfaction of everybody. If any of you gentlemen should be asked how long you were willing to stay here you would say, "I will stay as long as you want me to stay." I am willing to stay until everything is finished as it should be.

Now, gentlemen, I refer you to Section 3, 18th line, and this refers to the com-

missioners: "They shall have authority to make rules and regulations governing the time, manner and conditions of taking fish, shell-fish and lobsters and may declare a close time on such varieties and in such localities as they may determine." Now, gentlemen, I ask you if there should be appointed any three men to close up any section of the State for fishin? Too much power, gentlemen, I claim.

I do not believe, gentlemen, that you have read this bill. This bill came in yesterday first, and some of the gentlemen did not even know that it was in. **You** have abolished the commission of inland fish and game and in its place created a commissioner, one man, carrying with it an appropriation of \$103,700. Now you go to work and create a commission of three men to spend \$27,000 and one half of that will be expended for salaries. What have you left for the department?

I claim, gentlemen, it is an unjust bill, and I hope the gentlemen will see through it and vote it down.

**THE SPEAKER:** The question is on the motion of the gentleman from Vinalhaven, that the bill be indefinitely postponed.

**MR. NEWCOMB** of Scarborough: Mr. Speaker, we have voted down the double gauge law because it was not considered a protection to the lobster fishermen. The Governor has agreed in his Budget to give the committee on sea and shore fisheries \$10,000, but he has asked for a commission of sea and shore fisheries. He has told us that if he could have this commission established, as this bill proposes, he would guarantee that the sea and shore fisheries commission should have money to protect the lobster industry in the State of Maine. Perhaps many eastern men do not realize how the lobster industry has become depleted in the western part of the State. We who come from the western part of the State have tried to get some measure through that would protect it; and this is the only thing, as I understand it, that the Governor will sanction, in order to have enforcement of the lobster law.

My friend from Vinalhaven (**Mr. Bo-**man) says that this close time in sections

in unjust. This close time provides that the commissioner of sea and shore fisheries shall have the power to close any locality where the lobster fishermen are violating the law, as a last resort; and, gentlemen of the House, your committee on sea and shore fisheries, in consultation with your Governor, felt as though this was the only protection that the lobster has after these years of lax enforcement of the lobster law. I hope that the motion of the gentleman from Vinalhaven will not prevail, and that the House will vote that this bill have its several readings.

Mr. FARRINGTON of Augusta: Mr. Speaker, one statement made by the gentleman from Vinalhaven (Mr. Boman) would seem to carry the inference that this was a paid commission. It is not a paid commission at all. It is a report of the majority of the committee on sea and shore fisheries, and I trust that the motion to indefinitely postpone will not prevail.

Mr. BERRY of Waterville: Mr. Speaker, I think if permissible for me to speak in behalf of the gentleman from Vinalhaven, Mr. Boman, in reply to the gentleman from Augusta (Mr. Farrington), that the idea he wishes to convey is that you are abolishing one commission and appointing another. When I stood in my seat the other day and asked the reason why, no reply was forthcoming. What he wants to make plain is the consistency of the act. I shall offer no objection, but I believe it my duty to stand up here and say at this time that there ought to be a sufficient explanation made of a matter when some one asks what is behind it and that some one should have knowledge enough of the bill to reply, which was not done the other day.

Mr. HARMAN of Stonington: Mr. Speaker, I signed the minority report. There have been three new drafts of this bill since this was drawn up and a hearing had before the committee on sea and shore fisheries. First it was agreed by certain members of the committee that this commission be composed of four men. At another meeting of the committee which followed,

it was agreed by certain members of the committee that this committee should be composed of five members. Then since I had a meeting with the committee it seemed a new draft had been drawn and this commission now, according to the new draft, is to be composed of three men and a director. I am opposed to a commission for handling these departments. I believe it will work out badly for the interests of the department of sea and shore fisheries.

According to this bill, the director of sea and shore fisheries—the man in the same capacity as the present commissioner of sea and shore fisheries—can be removed without hearing. I believe this will work out badly for the interests of this department. You cannot step out on the street and pick up a man qualified to fill this responsible position. A good man, a man who is qualified to fill this office, would not accept an office where he could be removed by three men at their pleasure without cause or hearing. Therefore, it would attract to the office the type of men who would not be qualified and would work out badly for the interests of this department.

In the department of inland fish and game, the commission has been changed from three members to one. The department of inland fish and game is a much larger department than the department of sea and shore fisheries. That department spends around \$100,000 a year and employs several score of wardens; while the department of sea and shore fisheries under the present appropriation cannot usually employ more than 10 or 15 wardens. The whole amount they have to be expended in this department is about \$27,000, and a large part of that will go to salaries. It seems to me that one man ought to be big enough to handle a department of this size. One man handles and has charge of some of the great railroads. Great corporations are handled by one man, in fact nearly all of the great business enterprises of the country. Why is it that they should ask for three to handle this small department of sea and shore fisheries? Mr. Speaker, I trust that the motion of the gentle-



man from Vinalhaven (Mr. Boman) to indefinitely postpone will prevail.

Mr. HOLT of Gouldsboro: Mr. Speaker, I signed the majority report of that committee. When that was put up to me, I felt that we did not need a commission to run the sea and shore fisheries. The Governor recommended \$10,000 in his Budget to run that department. There is one thing certain from the evidence you have heard in this House, and that is that the sea and shore fisheries department never can be run in any worse shape than it has been in years gone by. It was put up to us that the Governor would like some method of running that department where there would be some club, as you might call it, over the sea and shore fisheries commission. There never has been up to the present time. The commissioner is appointed for three years and there is no possible way of removing him until the three years have expired. We have always had a commissioner who allowed the fisherman to do as he pleased. There has been a powerful lobby here this winter, and where did it start? It has been sent here by the dealer; there has been no demand whatever from the fisherman.

The gentleman from Stonington (Mr. Harman) says all large companies are run by one man. I think you will find that every corporation has a board of directors; every bank has a board of directors. Those directors appoint a man, and I do not know of any reason why that man cannot be discharged at any time at the will of those directors.

We have spent a lot of time on this bill and politics have been attempted to be made out of it. I believe I suggested four men on that commission and we tried to get a unanimous report. The Governor said: "If you put a commissioner in there that I can have some power over, you can have money enough to run the department;" but when we came to get it all framed up there was a minority report. There seemed to be three men who were opposed to that commission. We have worked out the best bill we possibly could with those men on there, and I would like to see it go through and

tried out. If there is any possible way that it can be any worse than it has been I cannot imagine what it would be. I believe that there can be three men appointed by the Governor and Council who are interested enough in the sea and shore fisheries to see that the law is enforced. The only reason they give for any change in the lobster law is that it never has been observed. There are localities where it has been observed, and you do not hear any kick from them. If this commission bill goes through, I believe you can get a competent man, and I do not believe there will be any danger of that man being removed so long as he does his duty.

I do not know anything about inland fish and game. I do not know any reason why, if they want a commissioner instead of a commission, they should not have it.

Under Governor Haines, in Hancock county the fishermen lived up to the law as well or better than in any part of the State and Governor Haines appointed a man whom he thought would enforce the law. Those interested came up and worked on the Council until it would not support that man and they went to Portland and got somebody. If the sea and shore fisheries want to run in that way, we had better let it go on as it has been. If not, I would like to see the majority report accepted and try this out. (Applause)

Mr. AMES of Stockton Springs: Mr. Speaker, I would like to add a little to what has been said by Mr. Bowman. He read from Section 3, but he did not finish it out. It reads as follows: "They shall have authority to make rules and regulations governing the time, manner and conditions of taking fish, shell-fish or lobsters, and may declare a close time on such varieties and in such localities as they may determine; but such rules and regulations shall be made and such close time declared only after hearing, reasonable notice of which shall have been given by publication or otherwise to all parties interested. Rules and regulations so made and close time so declared shall be held to take precedent over any existing provisions or statute inconsistent therewith." I think the last part of that, Mr. Boman left out.

The SPEAKER: The question is on the motion of the gentleman from Vinalhaven, Mr. Eoman, that this bill be indefinitely postponed.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I will say one more word, gentlemen. I have told this thing fairly and squarely.

I say, gentlemen of the House, that no three men should have the power in this State to say that they shall govern the time when and the conditions of taking fish, be they flounders, cunners, smelts or any old thing. They have no right to say we shall do these things. You find men living on the shore and maybe these men do not know anything about fishing at all, and what does this amount to? This bill as now provided will not make any more smelts: it will not make any more lobsters, and they won't grow any faster than they do now. This bill will not carry the law into effect—I mean to say, will not protect the fishing any more than it does at the present time and, gentlemen, I hope you will consider the matter and give it a fair show, and I move the question be put.

The pending question being on the motion of the gentleman from Vinalhaven, Mr. Boman, that this bill be indefinitely postponed,

A viva voce vote being had,

The motion was lost.

The bill then had its two several readings under suspension of the rules.

Senate Amendment A to Senate Document No. 435.

"Amend Section 4 of Senate Document 435 by striking out all of said Section 4 which follows the word 'term' in the 11th line thereof."

Comes from the Senate adopted.

On motion by Mr. Barnes of Houlton the House concurred in the adoption of Senate Amendment A, the bill had its third reading under suspension of the rules and was passed to be engrossed in concurrence as amended by Senate Amendment A.

Mr. MURRAY of Bangor: Mr. Speaker, I wish to withdraw my notice of tabling this matter.

The SPEAKER: The Chair so understood.

From the Senate: The committee on judiciary, to which was referred bill, An Act to provide for the establishment of district almshouses or infirmaries and to repeal Sections 15, 16 and 17 of Chapter 23 of the Revised Statutes, Senate Doc. 241, have had the same under consideration and ask leave to report that the same ought not to pass.

(Signed) Messrs. Barnes, Farrington, Gillin, Davies, Hutchins.

Read and accepted in the Senate, sent down for concurrence.

On motion by Mr. Alden of Gorham the House voted to concur with the Senate in the adoption of Report B, "ought not to pass."

From the Senate: Committee on salaries and fees, to which was referred bill entitled "An Act to fix the salary of the judge of probate for the county of Androscoggin," ask leave to report same in new draft and that it ought to pass. It is a unanimous report.

On motion by Mr. Purington of Mechanic Falls the House voted to concur with the Senate in accepting the report of the committee.

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

From the Senate: Report of committee of conference on An Act to establish the wages of the clerks in the offices of the Aroostook registry of deeds, Southern District, and clerk of courts, and to secure to said clerk of courts reimbursement for necessary expenses for attendance at the terms of the supreme judicial court held at Caribou.

The committee of conference on the disagreeing action of the two branches have had the same under consideration and ask leave to report that the Senate should recede and concur with the House.

Mr. BARNES of Houlton: I move that the report be accepted.

The SPEAKER: Was the gentleman from Houlton on that committee of conference?

Mr. BARNES: No, Mr. Speaker; but it is understood that when the Senate has opportunity it will recede from its former action and concur with the House.

The report was accepted.

On motion by Mr. Bussabarger of Lubec the House recessed to two o'clock.

#### After Recess

Mr. ROUNDS of Portland: Mr. Speaker, I move we now go into executive session for a few minutes, as I moved yesterday, and invite Mr. Higgins here, Senator Higgins.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves that the House go into executive session. The Chair will have to ask all who are not members of the House or officials of the House to retire.

(Executive session.)

The Speaker laid before the House Resolve providing for an armory for the University of Maine.

Mr. ALLAN of Portland: Mr. Speaker, I move that the bill lie on the table.

Mr. ROUNDS of Portland: Mr. Speaker, after what has been told us here today and after what we have seen in Bangor, I think we can trust our Governor in this matter and our senators and representatives from Penobscot county, and therefore I hope the gentleman's motion to lay on the table will not prevail, and that it will be passed along and be enacted, as they say they want to get through tomorrow night. (Applause).

The pending question being on the motion of Mr. Allan of Portland that the resolve be tabled.

A viva voce vote being taken.

The motion was lost.

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

The pending question being on the adoption of Senate Amendment A.

A viva voce vote being taken,

Senate Amendment A was adopted.

Mr. ALLAN of Portland: Mr. Speaker, before consenting to the second read-

ing of this resolve, I want to call the attention of this House to the fact that a little over three months ago we met in this hall as a constituent part of this Government and to qualify for whatever might confront us in the discharge of our official duties. During this time, though spirit and life have characterized us all, we have not been unmindful of the shadows of war that have spread out before us from the European shores.

As we meet today, we realize that the storm of war has burst upon us and is surely driving our country into the maelstrom from which as a nation we little know how we shall emerge. Sacrifices must be made. With the patriotism and loyalty that have always characterized our people from the birth of our State through the throes of a great civil war down to the present moment, we have offered and do now offer our treasure and our blood without stint. We were glad to do it in the past. We are glad to donate again this treasure as a sacred trust to be used for the safety and peace of our beloved State. In return, our citizens demand and have the right to demand that the products of their sacrifices be used in the spirit of the giver without waste, and with discretion, not in armories, useless for many months, but to protect our citizens, and aid our soldiers, to care for the orphans, to insure sustenance to those left without protection.

Do not for a moment think that this opposition comes from a committee of this legislature, from opposition to the University of Maine or from any section of our State. There is no sectionalism today, nor is there any opposition to the grand, old University that has done so much for the State of Maine but, Mr. Speaker, as our people look forward, not only with hope, but with a deep sense of foreboding, as they enter into the mighty conflict, they demand that no doubtful step be taken; nothing more.

May I observe, as we fill this hall today, that we do not sully our record with the adoption of any act of selfishness, or ignoble purpose, but with a calm and clear judgment look forward

into the path that leads into the sunshine of a quick and lasting peace.

Mr. Speaker, I move the indefinite postponement of this act.

The SPEAKER: The Chair understands the gentleman has no motion to make?

Mr. ALLAN: I move you, Mr. Speaker, the indefinite postponement of the resolve.

The SPEAKER: The question before the House is the second reading of the resolve. The Chair did not declare the resolve read the second time. This discussion was virtually on the adoption of the Senate Amendment.

Mr. SNOW of Mars Hill: Mr. Speaker, I would like to say just a word. This matter came before the committee on education among other matters having to do with the University of Maine. We reported favorably on some of the bills there, but we did not think we would be justified in reporting a resolve for an armory. The committee were favorable to an armory and we were conscious of the fact that they needed one there when seeing those men as they came into their gymnasium and went through their military movements. This has got to come soon. If not now, it will have to come two years from now perhaps, and under the existing circumstances I favor the passage of the resolve; and I think every member of the committee on education who took that matter into consideration would say the same thing. (Applause.)

Mr. COLE of Eliot: Mr. Speaker, I think we are all in favor of economy and the doing of the right thing at the right time. Oftentimes things are forced upon us suddenly and we do not have opportunity to think them over carefully, but we are seeing the results of just those conditions at the present time. We have, in the face and eyes of those who have urged upon us a preparation for years, drifted along feeling secure in ourselves and that we needed to do nothing if we were strong within ourselves and that no one would dare do anything to attack us in any way, but

the time has come when that feeling has changed.

Every man moves in accordance with the spirit of the times. If we move in accordance with the spirit of the times today, it will be in accordance with preparedness, not only for today, but for the future. If we let this thing drift along, when this conflict is over, we shall drift back again into our old ways of easy living, and the University of Maine will be for years and years without an armory on the same ground we have been going on before. I should be very sorry to see any money taken from any appropriation which may be needed to care for soldiers or to care for the Nation's needs or the needs of the State in time of war. But if we have this money at hand at the present time, this legislature can be assembled again within two years if more money is needed, and I believe that the University of Maine, much more than Bangor or Lewiston, if only one or two armories can be had, is the proper place for an armory. The State is spending its money there for the young men who lead us in times of peace. Those same men who lead us in times of peace will be the best men to lead us in times of war. I believe the man trained in mind to lead us in business should be equally trained in the future to lead us in war.

I hope this resolution will pass. (Applause.)

Mr. ROUNDS of Portland: Mr. Speaker, if I had not found out to my satisfaction that this money was not coming out of the million dollar appropriation, I should not vote for this resolve, but as I understand it is coming out of the regular appropriation and it will be spent somewhere, and therefore, after what I have seen in Bangor Wednesday, I move that it pass now.

Mr. ALLAN of Portland: Mr. Speaker, I suppose I am responsible somewhat for this rumpus, but I want to say to you and the members of this legislature that I agree absolutely with them all in the question of preparedness. I want to say to you all that I agree with them in doing what they can do for the University of Maine. I think

if anyone has occasion to say that, I have. I graduated from that institution in 1884. I attended four years of its drills, out and in, day after day, winter and summer. I know something of what that drill is and I knew we made good progress in everything we did. There is nothing I would not say or do for that University, and I would be only too glad here today to vote the sum necessary for that armory were it to be taken out of the proper funds of this State, but I wish to make sure where that money is coming from as well as any of you. The only point I object to is this: You came before this legislature for a million dollars to be raised by a bond issue for war purposes. Now you are coming here and taking it for building armories that cannot be built for months, when almost perhaps within 24 hours there will be thousands of soldiers called for from Maine, and they would have no opportunity of using it for any time so far as we may know. What are you going to gain

I know other money will come; I know this State will give you every dollar you need, but I say to you as citizens of this State in good faith, protect that war money—use it for the purposes for which it is intended, and nothing else. I do not see how you can do anything else. Good faith with the State requires it; we are bound by that to that purpose.

The cry has been to aid our soldiers, to protect their children and to protect themselves. Of course we have got to look out for our own protection as a State by our own police power. But do not spend this money in buildings or take this money under the guise of war purposes to build prominent buildings and public institutions in this State. Let those buildings take care of themselves. When the time comes about, the time will take care of it. If the University of Maine years from now needs to build itself a strong military institution, I have no question but the citizens of this State will give the money. But I say to you now, for the time being, protect this million dollars, issued as it is, and make sure it is expended in the spirit that the givers

of our State want it expended, and in no other way.

We have seen a resolution or an order come in to build a road to Jackman or some place from this military fund, and now another order comes in to build an armory from this military fund. How long do you think the State will stand any such policy as that? True, we voted it down in good faith with the people who sent us here. But what are you doing here? While I feel by the applause here that you will pass this resolve, I want you to consider it carefully and remember that this fund is sacred for certain purposes. If it is taken for any other person, even by the Chief Executive of this State or by the committee on Safety or any other institution having charge of it, they are false to the spirit which gave that fund. I have done; I have said my say, and I appeal to you now to make sure that this money comes from the proper source and not from the fund appropriated for military purposes.

Mr. LARRABEE of Bath: Mr. Speaker, it seems to me an ill-fitting time for any member of this House to raise one objection or put one trig in the wheel. It does not seem to me that we as American citizens should stand here and talk about a few filthy dollars. It seems to me also that a man is not worthy to be a representative in this Representative Hall that would do such a thing or express one word against our building an armory in either place or both places—Lewiston or in Bangor. We, many of us, have had the drills in our youth, and I am very glad that I have had them for years. These men who have been over to Bangor and have seen the young men, the pride of our State, standing there and drilling, think of their maneuvers! It was a grand and noble sight. And the men who heard the address of the President of that University should be gratified and pleased, for it seemed to thrill every man and woman in that house with the loyal spirit of Americanism. I protest against any member saying one word as to where the money will come from. There is money enough in this country. The trouble is today, there is too much.

I hope that no man will have one idea to put up against anything that we may do to pass this resolution and have the bill put through, even this afternoon. (Applause.)

The SPEAKER: The Chair will give the parliamentary status of the resolve. It has been read once. The pending question is on the motion of Mr. Allan, who moves the indefinite postponement.

A viva voce vote being taken,

The motion was lost.

On motion by Mr. Rounds of Portland, the resolve was given its second reading and passed to be engrossed as amended by Senate Amendment A.

Mr. ROUNDS: Mr. Speaker, if it would be in order, I move it be carried right over to the Senate.

The SPEAKER It does not take any motion for that.

On motion by Mr. Murray of Bangor, the House voted to suspend the rules and take up out of order the eighth section of the day's proceedings—Bills on their Passage to be Enacted.

#### Passed to Be Enacted

An Act to enable the town of Mexico in the county of Oxford to Free the Mexico toll bridge to public travel;

An Act to amend Section 23 of Chapter 26 of the Revised Statutes, relating to the registration of motor vehicles;

An Act to incorporate the Independence Developing Co., of Kingman.

An Act relating to municipal elections in the town of Mt. Desert.

An Act to amend Section 108 of Chapter 16 of the Revised Statutes, relating to teaching in the public schools the principles of kindness toward birds and animals.

An Act to amend Sections 85 and 87 of Chapter 2 of the Revised Statutes, relating to the State contingent fund;

An Act to amend Section 51 of Chapter 82 of the Revised Statutes, relating to trial terms of the supreme judicial court of Hancock county;

An Act to amend Section 85 of Chapter 16 of the Revised Statutes, increasing the maximum annual tuition in secondary schools of the State;

An Act to repeal all special and private laws relating to the taking of migratory fish in Denny's river;

An Act to amend Section 20 of Chapter 144 of the Revised Statutes, relating to the commitment of girls to the State School for Girls;

An Act to create the office of commissioner of inland fisheries and game and to abolish the office of commissioners of inland fisheries and game;

An Act to amend Section 6, Paragraph 4 of Chapter 50 of the Revised Statutes, relating to compensation for personal injuries for employees;

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

An Act to amend Section 2 of Chapter 204 of the Private and Special Laws of 1883, as amended by Section 1 of Chapter 119 of the Private and Special Laws of 1903, increasing the jurisdiction of the municipal court of the city of Westbrook.

An Act to amend Section 45 of Chapter 117 of the Revised Statutes, providing for clerk hire in the office of the county attorney of Penobscot county.

An Act to make uniform the law of negotiable instruments.

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

An Act to amend Section 16 of Chapter 84 of the Revised Statutes, relating to the tenure of office of county attorney.

An Act to repeal Section 12 of Chapter 128 of the Revised Statutes relating to intention to defraud in lumbering operations.

An Act to provide compensation for injuries received by State employees.

An Act to amend Section 18 of Chapter 45 of the Revised Statutes, relating to regulation of lobster industry.

An Act to create a board of harbor commissioners for the harbor of Portland, and define its powers;

An Act to amend Paragraph 10 of Section 45 of Chapter 117 of the Revised Statutes, increasing the clerk hire in the Oxford county registry of probate.

An Act to amend Section 20 of Chap-

ter 5 of the Revised Statutes relating to the registration of voters;

An Act to amend Section 13 of Chapter 7 of the Revised Statutes, relating to duties of election clerks;

An Act to amend Sections 92, 93 and 94 of Chapter 2, of the Revised Statutes, relating to the estimated income and expenditures of the State departments and institutions;

An Act to amend Section 45 of Chapter 117 of the Revised Statutes, increasing the amount to be paid for clerk hire in the office of the recorder of municipal court of the city of Portland;

An Act to amend Section 38 of Chapter 72 of the Revised Statutes relating to legal effect of adoption of child;

An Act to designate truant officers as attendance officers;

#### Finally Passed

Resolve, making an appropriation for the support of the bureau of inspection of the department of agriculture;

On motion by Mr. Murray of Bangor, the House voted to suspend the rules and take up out of order the second section of the day's proceedings.

#### Messages and Documents from the Executive and Heads of Departments

The following message in regard to An Act to establish the police court of the city of Belfast was received from the Governor:

"To the Honorable Representatives:

I have carefully examined House Bill entitled 'An Act to establish the police court of the city of Belfast,' and respectfully return the same herewith without my approval.

This bill abolishes the existing Belfast municipal court and creates a new court in its place with the stipulation that the judge must be a member of the Waldo County Bar.

The present judge of the Belfast municipal court is a man learned in the law and, so far as I am aware, is properly performing the duties of his office, but he is not a member of the Bar and has not studied law in a law office or law school a sufficient length of time to qualify him for admission to the Bar.

The practical effect of the enactment of this bill would be to remove the present judge from office and make him ineligible for reappointment.

In regard to all other similar cases pending at this session, you have properly taken the position that no court ought to be abolished by legislation when the sole or main purpose is to remove the judge of that court. A proper process is provided under the Constitution for accomplishing this object where there are justifiable causes.

I feel sure that same rule should apply in this case. If it is sought to require the municipal and police court judges to be members of the Bar, that can be accomplished by passing a general law to that effect. In fact I think such a bill is now pending in the Legislature. If other changes in the charter of the Belfast municipal court are necessary, they can be accomplished without abolishing the court.

CARL E. MILLIKEN,  
Governor."

(Accompanying this communication was the bill referred to therein.)

The SPEAKER: The question before the House is, shall this become a law the objections of the Governor to the contrary notwithstanding?

Mr. BUZZELL of Belfast: Mr. Speaker, this bill was introduced in this legislature by me, and I wish to explain some of the conditions in relation to it.

This is purely a local matter, gentlemen; it only affects Waldo County, and now perhaps I might as well go into the history of this court for a short time. I know that you are weary; I know that you have heard all the conversation and talk in this House that you care to, but I feel that I had ought to say a few words in support of this proposition.

In the first place I want to take up the reasons for this veto. It seems that this is the first instance in this legislature where the power of the Governor has been exercised. Of course, it is well enough to have at least one veto in the course of a session of the legislature, but let's see for a moment whether it is warranted in this instance.

"The present judge of the Belfast Municipal Court is a man learned in the law." I wonder where he got that information from—our Governor. "And so far as I am aware is properly performing the duties of his office, but he is not a member of the Bar." Second, "The practical effect of the enactment of this bill would be to remove the present judge." "The practical effect"—I want you to remember that, gentlemen, for a short time.

Now in the fifties this court was established; it was established when Belfast became a city, and never has a layman been judge of that court before. The first judge of that court was the Honorable Joseph Williamson, one of the leading members of the bar of the State of Maine for years and the father of the late Joseph Williamson of Augusta. From that time down to the present time, this is the only layman judge that we have ever had.

Our court act never has been disturbed but in two instances since its creation. One was in 1879, with a Democratic House—a Democratic Legislature—and again in 1911 when the Legislature was Democratic. Never once since its creation have the Republicans of the State of Maine asked to have the act abolished and a new one created.

Now I am going to touch upon one of the reasons here for the governor's veto—the practical effect. I want to read to you for a moment, especially for the benefit of the lawyers of this body, the practical effect of this act which was passed in 1911. It does not provide for one cent's worth of costs on judgments of less than twenty dollars. Every execution that is now outstanding coming from that court, whether it has been enforced or not, is illegal, and whenever a man has been arrested or his property restrained under that document, it has been illegally so. An officer is liable for making an arrest under those conditions, and I think the lawyers of this House will bear me out in this proposition.

I will read the statute: (Laws of 1911) "And in all actions wherein the debt or damages recovered by the plaintiff, or wherein the amount claimed if

the defendant prevails, exceeds twenty dollars, the fees of the court parties and witnesses shall be the same as allowed by law in the Supreme Judicial Court." But it does not go on to say what shall become of the costs where the judgment is less than twenty dollars. If you will look at House Document 126, or this act, you will see that I have taken care of that proposition. Incidentally, I have inserted into the law that the judge shall be a member of the Waldo County Bar, an attorney practicing law in our State.

Now to start with, gentlemen, laying politics all one side and looking at this from the standpoint of men—because I am not appealing to you as Republicans or appealing to you as Democrats, but I am appealing to you as men of common sense. I have not asked one man in this room within the hearing of my voice to support this measure. I simply want to stand here in support of the proposition that my words may be recorded in protest.

What are we up against when we go into that court room to try out an issue before that court? We go in in the morning and say, "Good Morning, your Honor"—members of that Bar, going in there with the case of this layman and that layman and the other layman, cases involving points of law—supposing only \$20 are involved, the same points affect that cause that affect a larger one. We start in in the morning and say, "Good Morning, your Honor," and then we present the proposition to a man who in some instances does not know any more law than the man who is in litigation before the court.

Should this law be passed? I appeal to you from the point of the layman. Don't we hear, and hear it too often, that there is no justice in law? If we are going to continue to do that kind of business in the State of Maine as lawyers, as laymen, as legislators—how can we expect that cry to decrease that there is no justice in law?

Now let's see for a moment whether the position of his Excellency is sound. My colleagues, if one of you were sick and sufficiently so, would you go out and call in the services of a



plumber? If your horse needed shoeing, would you go to an oculist? If your bath room was leaking, would you go call in a dentist? If you were in trouble even over a matter of \$20, would you want that to be tried out before a man who had no knowledge of the conditions or of what to do?

I am going to cite to you an instance that I know about that took place while I was in that court as one of the attorneys in the case. I hope within the hearing of my voice is one of the committee that passed upon this proposition who happened to be in my office and went over with me at the time. A man wanted me to defend him on some little matter of no great consequence. I didn't go over the proposition before I went over to court, but went in there and tried the case out. When we got through, the judge says "The points of the respondent are well taken but this court must take judicial notice"—get me on this judicial stuff, gentlemen—"this court must take judicial notice of the evidence it heard in another case yesterday and hold the respondent." Oh, what justice! Do you wonder that when a layman meets you face to face he says there is no justice in law? What are you going to pass back to him, especially if he passes that to you in Waldo county?

This is not of any concern to the rest of the State of Maine, but it affects us in Waldo county. And I say to you that there is an imperfect act and every time that a man is arrested or his property is restrained, it is done illegally. I want to legalize it and, if that act there now vetoed by the Governor, is passed by this House by a two-thirds vote, I will legalize it that far.

What has been the course of this bill? Why is it here at this time? What has been its passage? Has it been a rough passage?" It had a hearing before the Legal Affairs committee and not a divided report, but a full report of that committee "ought to pass" after hearing. It comes into this House, receives its hearing, passes the House, passes the Senate and goes to our Chief Executive. I will wind up what little I have got to say by asking you this question, gentlemen of this legislature: If you

had a member of your family who was sick and you made a mistake and got a man into your house believing that he was a doctor because he carried a grip in his hands similar in size, shape and looks to that of a doctor and when he got in there he should inform you in the presence of the sick member in that family that he was nothing but an undertaker, would you keep him until his term of office expired, which in this case is about a year and a half, or would you say for the benefit of the sick member of that family, "I am glad you are here, but I will show you the door and go get a doctor?" Are you going to help us in Waldo county to correct this evil notwithstanding the position of the Chief Executive of this State?

I have not asked you to vote for this, but I have put it up to you just as it is. If I have not been fair, I am sorry. It is now ready for your action. I thank you, gentlemen.

Mr. COLLE of Eliot: Mr. Speaker, I dropped into the box early in the session two bills relating to the removal of judges, one by special request and the other at the suggestion of some of those who felt that some action should be taken. Those bills were not dropped in with any personal intention on my part of pursuing any judge in the State of Maine or attempting to oust him from office, but rather to show the temper of this legislature whether it was thought best by a wholesale removal from office to attempt to purify some of the bad spots in the State of Maine. I had no personal interest in that whatever.

Your action showed your ideas of the sanctity of the courts in the State of Maine, created, as they are, under the Constitution of the State of Maine. Unanimously this legislature said that it was not the province of the legislature to legislate judges out of office. If the appointing power of the State of Maine who puts those judges in office has made a mistake, then the legislature ought not to transcend its dignity to remove the cause provided no great injustice is done.

There are hundreds of trial justices throughout our State who are performing good service in the localities where

they hear their cases up to a jurisdiction of \$20, and I want to say, Mr. Speaker, that the quality of a judge does not always depend upon his knowledge of the law, but the condition of his heart. (Applause.) The man whose heart is right usually does not make a great many mistakes.

I do not know anything about conditions in Belfast; I do not know anything about the knowledge of the law of the judge; he may make mistakes of law, but judges of police courts make some mistakes and judges of the supreme court have been known to be in error or we would not have a great many cases going to the law court. So it is not all confined to the laymen, Mr. Speaker, when mistakes are made in the rendering of judgments.

Most of the cases that come before a police court or municipal court are rather questions of fact in which horse sense and good faith are required more than the deep knowledge of the law.

I can see and you can see that if this legislature should pick out one judge in the State of Maine and remove him, forever and forever the brand of Cain is upon him and his family would become marked. This he would never outlive, but the finger of scorn would be pointed at him as a man who was removed for inefficiency, and the public as he grows old in life would never stop to ask whether he was politically removed or whether he was removed for corruption. I believe we should think of that before we legislate a man holding a judicial position out of his office. Simply because he is a misfit is not always a proper cause for removal. There are many misfit people holding positions, but we would not want to summarily dismiss them and disgrace them. And we have already enacted into law or shall at the end of 90 days a bill which will take care of this same condition.

The judge at Belfast is not the only layman in the State of Maine who has been appointed a judge of a municipal court and this legislature has attempted to rectify that thing so that in the future if it is necessary in order that the people in the State of Maine may be protected, a member of the Bar shall be

appointed. But in this case, gentlemen, to single out this one man and remove him by legislation, seems to me to be an imposition upon the man and unfair to him and to his children who will come after him, and I do not believe that the spirit of this legislature will follow that course. I hope the Governor will be sustained.

Mr. MURRAY of Bangor: Mr. Speaker, I have repeatedly criticised this legislature, and I think every criticism I made was deserved, but I want to praise them for one thing. That is this: They have let the courts alone, and I hope that should any party other than this one which is in power come into power in the future that they will do the same thing. I believe our courts are sacred and should not be legislated against simply for political purposes. (Applause.)

Mr. BUZZELL: Mr. Speaker, in all that has been said by the gentleman from Elliot and the gentleman from Bangor there is much wisdom, but for all that it gives me great pleasure to make this reply. The gentleman from Elliot has done himself proud. He was the author, the first part of the session of this legislature, of a colossal police court bill in which there were more holes to my certain knowledge than there are or ever was in any skimmer that I ever looked at. Why shouldn't it meet the fate that it did? That is not parallel to this case in the least.

My friend from Bangor is on the legal affairs committee with me that passed upon this bill. If my recollection is right, it received a full report and no minority report.

Now, gentlemen, I do not ask a single one of you to vote different from the way you honestly feel about this proposition. Should we in fairness to the people that have business before that court continue a year and a half under those conditions? Or should we have an act that is an act—that provides for ways and means to transact business before that court?

Now there is a law about to be enacted, House No. 724, introduced in this House

by somebody—I think Brother Garcelon of Auburn—with which I have nothing to do, and it reads—“No person shall be eligible for appointment as judge of any municipal or police court unless he shall be a member of the Bar in the county in which the court is located.” My colleagues, that probably will become a law, and I submit, a good law, but will it be any better in the future than it would have been six months ago? Perhaps you can appreciate our position.

One moment more, Mr. Speaker, to make myself clear. No member of this House has heard me say that our present judge down there has not performed his duties fairly well—performed them as he has seen them. I do not charge him with corruption or anything of the kind. He has always used me fairly well, but as I said before, he has decided cases on evidence he has heard in the court room, that he has heard outside the court room and by reason of what he has heard the day before. If you think that is right, you will agree with the Governor, and you are fair with yourselves if you honestly think so.

The SPEAKER: The question before the House is, shall the bill become a law notwithstanding the objections of the Governor? The constitution of Maine requires this vote to be taken by yeas and nays. The clerk will call the roll and those who wish the Governor's veto to be sustained will answer no when their names are called, and those who wish the bill to become a law in spite of the veto of the Governor will answer yes. The clerk will call the roll.

(The gentleman from Augusta, Mr. Farrington, assumed the chair.)

YEA—Anderson, Brewster, Burbank, Buzzell, Chaplin of Bridgton, Dutton, Gannett, Hammond, Holt of Gouldsboro—9.

NAY—Albert, Alden, Allan of Portland, Allen of Sanford, Ames, Andrews of Norway, Andrews of Warren, Averill, Babb, Barnes, Baxter, Berry, Besse, Billings, Bolduc, Boman of Vinalhaven, Bowman of Detroit, Boynton, Bragdon, Brown, Bussabarger, Cates, Chaplin of South Portland, Charles, Clark of Harrison, Clason, Clifford, Coffin, Cole of Eliot, Cole of Etna, Crediford, Cummings, Cushman, Daigle of New Canada Pl., Day, Desco-

teaux, Dow, Eaton, Ellis of Gardiner, Ellis of York, Emerson, Farrington, Fleming, Fletcher, Flint, Frost, Hanson, Hall, Harman, Harris, Hart, Hartwell, Hill, Holbrook, Holley, Holt of Skowhegan, Hooper, Howard, Hunt, Hutchins, Jenkins, Jennings, Jordan of Baileyville, Jordan of Cumberland, Kneeland, Knight, Largay, Larrabee, Lawrence, Leavitt, Lenfest, Lewis, Libby, Longley, Lyford, McNally, Meserve, Messer, Morin, Morrison, Murray, Newcomb, Neilon, O'Connell, Packard of Newburg, Pendexter, Phillips, Picher, Purington, Ranney, Redman, Reed, Founds, Rowe, Russell, Ryder, Sawyer of Eden, Sawyer of Madison, Sisson, Snow of Bluehill, Snow of Mars Hill, Speirs, Stearns, Stanley, Stubbs, Tate, Turner, Tuttle, Wagg, Watson, Watts, Welch, Webb, Williams, Wilson—115.

ABSENT—Brackett, Clarke of Randolph, Clement, Conary, Corliss, Daigle of Wallagrass, Dearth, Driscoll, Drisko, Garcelon, Goldthwait, Grant, Greenlaw, Gurney, King, Langley, Levesque, Merrill, Murphy, Mutty, Nicholas, Packard of Rockland, Pattee, Powers, Richards, Washburn—26.

During the roll call, Mr. Boman of Vinalhaven said: “Mr. Speaker, I was not present in the House when the matter was put to the House, and I didn't understand the question, I move my vote be changed from yes to no.”

The SPEAKER pro tem: Nine having voted yes and 115 having voted no, the act to establish the police court of the city of Belfast does not become a law and you have sustained the Governor's veto.

On motion by Mr. Dutton of Bingham, the rules were suspended and the following report from the committee on ways and means was received out of order.

The committee on ways and means, which was instructed by order of the House to fix and determine the tax rate for the years 1917 and 1918 in the matter of State tax, have had the same under consideration and ask leave to report the accompanying bill: An Act for the assessment of the State tax for the year 1917; also An Act for the assessment of the State tax for the year 1918; and that the bills ought to pass. Per order, Farrington for the committee.

The reports were accepted.

On motion by Mr. Dutton of Bingham, the rules were suspended and

the bill, An Act for the assessment of State tax for the year 1917, was given its three several readings and passed to be engrossed.

On motion by the same gentleman, the rules were suspended and the bill, An Act for the assessment of State tax for the year 1918, was given its three several readings and passed to be engrossed.

Mr. ALLAN of Portland: Mr. Speaker, I would like to move to suspend the rules that I might introduce An Act relating to the printing of the Maine reports of the supreme judicial court of this State. Heretofore the statute price for the reports has been \$1.75. Within the last few days we have received word from the reporter of decisions that \$1.75 is not enough to pay the cost of printing these reports. Unless more money is forthcoming, the price is to be raised. Volumes 116 and 117 of the Maine Report cannot be issued either. As these reports are of interest to the lawyers and perhaps to the town clerks of the various cities and towns, we may be somewhat interested in them. The bill I introduce simply strikes out \$1.75 from the act and places therein \$2.50. This money does not come from the State, but from those who purchase the volumes, so I cannot see how there can be any objection.

Mr. ANDERSON of Portland: Mr. Speaker, as I understand it, this matter has been taken up before the judiciary committee and I would like to have some information from that committee as to what action they took upon this same matter.

Mr. ALLAN: Mr. Speaker, perhaps Mr. Farrington can explain that better than I.

The SPEAKER pro tem: The Chair will state as a member of the committee on judiciary that the bill covering this matter was reported "ought not to pass."

Mr. ANDERSON: Mr. Speaker, I move that the act be indefinitely postponed.

Mr. COLE of Eliot: That matter, as the Speaker has said, came before the judiciary committee. A number of years ago when the cost of paper was low and the cost of binding a great deal lower, the price of those reports was reduced one-half. Those volumes take up the decisions of the supreme court of Maine as often as there are cases enough to bind up and make a volume of the size specified in the statutes. When the matter came before the committee there was some misunderstanding in the committee and the thing drifted along until the closing days of the session and it was thought that perhaps the Governor and Council could take care of the matter, because the State buys a certain number of those reports and sends them to the various libraries throughout the State. It was found after that the reporter of decisions who has the printing of them under a contract with W. W. Welch of Portland, who distributes them, would be the loser of four or five hundred dollars during the next two years if the law were not changed, or, as he is not bound to print them by any law, there would be none printed. This is a matter which vitally affects every person in the State because the last decisions of the supreme court or the last interpretations of statutes passed by this Legislature is the law of the State of Maine. Any one of you may be involved in litigation which depends upon the action of the supreme court in a recent case. If those cases are not accessible you may be the loser of many, many hundreds of dollars. It is of vital interest to all the people of the State of Maine that the decisions of the supreme court shall be in the hands of those who appear before the courts and of the judges themselves and any town clerk who are governed by them in their actions as soon as possible. I do not see any reason why this thing shall not be done. It was at the suggestion of the Governor and the Council this morning—the Governor and Council—that the act was introduced by the gentleman from Portland. I hope the matter will not be indefinitely postponed.

The SPEAKER pro tem: The question before the House is on the motion of the

gentleman from Portland, Mr. Anderson, that the bill to amend Section 76 of Chapter 82 of the Revised Statutes of the State of Maine, relative to the price of Maine reports, be indefinitely postponed.

Mr. BUZZELL of Belfast: Mr. Speaker, I would like to ask the gentleman from Eliot a question through the Chair—if he did not serve on that judiciary committee, and whether or not he has changed his mind since their report on the proposition.

Mr. COLE: Mr. Speaker, I think we stated that we thought the matter could be taken care of by the Governor and Council during the high cost of paper and in that way get around it without changing the law. This act is simply to get by the next two years. Volume 115 is already taken care of by contract. Volumes 116 and 117, which will be issued before the next Legislature comes, have not been covered by any contract for paper or printing or binding. It is to get by that two-year contract that this bill is put in. It is hoped that after that it will go back to \$1.75. I think it is an injustice to ask anybody to print State printing at a loss to himself, and the printer is not bound to do it and absolutely refuses to do it.

The SPEAKER pro tem: The Chair will state that this act could be introduced only by suspending the rules.

Mr. ALLAN: Mr. Speaker, I intended to move to suspend the rules and to move that it pass and take its several readings.

The SPEAKER pro tem: The gentleman from Portland, Mr. Allan, has moved for a suspension of the rules, which requires a two-thirds vote, in order to introduce this act. Under the rules of the House an act that has been reported "ought not to pass" cannot be revived only under special procedure. To suspend the rules will require a two-thirds vote.

The pending question being whether the rules shall be suspended and the bill received.

A viva voce vote being taken,

The rules were suspended and the bill was received.

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

A viva voce vote being taken,

The motion was lost.

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

(The Speaker resumes the Chair.)

The SPEAKER: The gentleman from Eliot, Mr. Cole, moves that the rules be suspended and that we go to the calendar and that we take up the calendar beginning with unfinished business, and the Chair would like to have the members consider it. The Chair would suggest to these various committee of conference that have been appointed that whenever a committee of conference is ready to report, present the matter and it will take precedence.

On motion by Mr. Sawyer of Madison, the rules were suspended to consider the report of a committee of conference as follows:

The committee on conference on the disagreeing action of the two branches of the Legislature on Senate Document No. 103, entitled "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 to 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 they cannot agree. Signed, John M. Goggin on the part of the Senate; signed by Messrs. Neilon, Sawyer and Holbrook on the part of the House.

On further motion by the same gentleman, the report was accepted.

From the Senate: The committee of conference on the disagreeing action of the two branches of the Legislature on Resolve proposing an amendment to Article 4, Section 3, of the Constitution, in regard to apportionment of representatives in accordance with the population, have had the

same under consideration and ask leave to report that they have prepared a new draft entitled "Resolve proposing an amendment to Section 3, Part 1, of Article 4 of the Constitution in regard to the apportionment of representatives in the event of the merger of towns and cities" and that the same ought to pass. Signed by Messrs. Butler, Holt and Bartlett on the part of the Senate; Messrs. Dearth, Chaplin and Brewster on the part of the House.

On motion by Mr. Brewster of Portland, the report was accepted in concurrence.

On further motion by the same gentleman, the rules were suspended and the resolve was given its two several readings and passed to be engrossed in concurrence.

Mr. CLASON of Lisbon: Mr. Speaker, I would like to ask for the opportunity of taking up at this time a Senate paper, An Act to amend Chapter 25 of the Revised Statutes relating to State and State aid highways.

Mr. MURRAY of Bangor: Mr. Speaker, I object. I understand that it takes unanimous consent.

The SPEAKER: The Chair wishes to carry out the will of the majority.

Mr. CLASON: Mr. Speaker, isn't this in the regular order if it came in today? It is a Senate paper.

The SPEAKER: The Chair will have to rule that the point of the gentleman from Lisbon is well taken. It is in the regular order of business, but we left that by a suspension of rules a short time ago to go on with the calendar and consider conference reports on the motion of the gentleman from Eliot, Mr. Cole. The motion of Mr. Cole to begin on the calendar was passed.

Mr. REDMAN of Ellsworth: Mr. Speaker, I move that unanimous consent be given to the gentleman from Lisbon, to take up Senate Document No. 413.

Mr. MURRAY: Mr. Speaker, if it takes unanimous consent, I object.

The SPEAKER: Of course it is a question of suspending the rules. We have been suspending the rules without any question being raised. The Chair understands it would take a two-thirds vote.

Mr. MURRAY: Mr. Speaker, I agree to a simple suspension of the rules, but as I understand this is taking it up out of order. I understand that has to be by unanimous consent. I am simply speaking for the reason that Mr. Bussabarger informs me that he has been waiting for two days—that he has a measure here dear to his heart and that he wants to speak on it, and he must get back to his church.

Mr. DUTTON of Bingham: Mr. Speaker, it almost seems to me that Mr. Bussabarger's bill should be considered at this time; I believe it has been delayed long enough.

The SPEAKER: The Chair will go back to the original motion, and we will take up the calendar in order. That is where we were when the motion was made. The first item is unfinished business. The Chair has no wishes in the matter except to further the business of the session and to try to accommodate all the members and to get as many as possible in as happy a frame of mind as the Chair is himself. Many of these measures are important.

The Chair will lay before the House majority and minority reports of committee on temperance, majority reporting "ought not to pass" and minority reporting "ought to pass" on House Document 12, An Act to prohibit the importation of intoxicating liquors into Maine for beverage purposes, tabled by the gentleman from Warren, Mr. Andrews.

Mr. ANDREWS of Warren: Mr. Speaker, I move the acceptance of the minority report.

On motion by Mr. Baxter of Portland, the rules were suspended and the members were given permission to smoke during the remainder of the session.

Mr. Speaker and Gentlemen of this House: As a member of the temperance

committee and one of the members that signed the minority report of the committee, it is nothing more than right that I should give you good reason for doing so. First of all I believe it is my duty to my constituents who sent me here and who have during the last campaign through letters and personal conversation, urged me to do all in my power, to assist the Governor to drive the most destructive evil of all nations from our State. So far I am satisfied in my own mind that I have done my duty. This bill, House Doc. No. 12, is in the line of progress with the other states; only last week we have seen in the papers where the State of Georgia has passed a Bone Dry bill, as well as many of our other states. Why not Maine, do we want to be classed as taking a backward step in this matter now, after having professed to be a Prohibition State over 50 years. No wonder we are the laughing stock of the nation, on the Prohibition question and considered as being a joke when compared with other states that have actual prohibition. Now gentlemen, let us stand for something if we want prohibition, and I know we do by the vote of last September; let us shoulder the responsibility, and pass this bill, and not be cowards and turn it down. It makes no difference to me whether it's a Bussabarger bill, or a Baxter bill, or a Brewster bill, or a Barnes bill, my stand would have been exactly the same. I look at the matter from a humanitarian point of view and not from a political. Tell me, gentlemen, what is the cause of our jails, our prisons, and our insane asylums being filled with poor unfortunates, if it is not this damnable curse that is upon us, the liquor evil. I have had some little experience in seeing the effects of the saloon this past few years in the ruined lives it has turned out. I have seen a family driven from their home to their neighbor's for shelter, by their breadwinner coming home infuriated by the effects of this vile stuff. I have seen young men with prosperous futures before them fall from towering heights to the depths of the gutter, from the use of this poison. Let us rise up like men, and strike a deadly blow to this traffic that is ruining the lives of so many of our fellowmen. If

you have followed the papers this past few weeks you will have noticed what our sister states are doing along prohibition lines. New Hampshire has passed a prohibition measure in the House; Vermont has turned down her annual liquor referendum and Massachusetts has struck a blow at her pony expresses, making every man now his own express in dry cities and towns. The handwriting on the wall is plain. It has been said this bill is too drastic in its scope. Can that be so, gentlemen, after 50 years of prohibition; that argument seems to me too ridiculous in these times.

Gentlemen of this house, let us be true to ourselves and our constituents, and practice what we preach, if we believe in Prohibition vote for this bill, if we don't believe in Prohibition vote against it. As long as we have a Prohibition law on our statute books let us live up to it and strengthen it by passing this bill and enforce it, for the benefit and uplift of our fellowmen; therefore Mr. Speaker, I hope the minority report ought to pass, will be accepted, and I move that when the vote is taken it be taken by yeas and nays. I thank you.

Mr. HARMAN of Stonington: Mr. Speaker and Gentlemen of the House: Maine, the father of Prohibition! Every good citizen in the State of Maine feels like bowing his head, especially when outside of the State, when you speak of prohibition in Maine. Are we to stay in the same rut or are we to move ahead in the matter of prohibition in this State? We have had prohibition in this State for a great many years. What has been the result. We have been the laughing stock of every State in the Union. A great wave of prohibition is sweeping this country, as well as every country on the face of the earth. All the warring nations in Europe conceded that it was a great benefit and a necessity while in a state of war to have the use of intoxicating liquor prohibited in those countries. We are at the present time at war with one of the great countries of the world. I believe this is the right time, the proper time, to take a step again in the line of prohibition. Why, this State is allowing other states to go ahead of us

in this line. It is claimed that this is a drastic law. I believe we should have a drastic law at this time, especially when we need our heads sober; and out in Washington, it has been conceded by the Congress of the United States by a very large majority that they should have sober heads in Washington, D. C. They have made Washington bone dry, something that has never happened before in that District.

I will read you a clipping from the Kennebec Journal of yesterday, and they are authority on prohibition.

"The progress of prohibition in the states continues. The Georgia Legislature, which was convened in extraordinary session to pass a 'bone dry' act, has met, legislated and adjourned. The result is a very drastic law which makes every man or woman who has a drop of intoxicating liquor in the house a law-breaker, no matter if the prohibited article had been bought before the law went into effect."

The southern states have always been called in the North the rum states. Are we to allow those southern states to step ahead of Maine in prohibition? There are seven other states which have passed a similar law to this and made their states bone dry. If you are consistent and sincere, you will vote for the Bussabarger bone dry bill. This bill uses all alike, the high and the low, the rich and the poor. I believe if we stand for prohibition, we should have real prohibition. If you want prohibition with plenty of intoxicating liquors in the State, vote against it. It seems to me we have had enough of that kind of prohibition in Maine for all these years. Legislation to the end that sheriffs and county attorneys be removed, the vast amount of freak prohibition laws which are being placed upon our books at this session, is all a joke. The only reason for it is to satisfy the temperance element and fool them for two years longer. Let us serve notice on the whole United States and the whole world that we have adopted in Maine real prohibition and not mockery. We have tried all kinds of laws in connection with the prohibition law. We have tried State constables, Sturgeis commissioners, and town agencies. Town agencies were only legalized rum

shops. We have put these in the prohibitory law and we have taken the teeth out of them. We have tried all kinds of legislation to make it dry in Maine. I claim that under this law it can be made dry. Congress has passed a bone dry law which helps all states in the Union which have a prohibitory law.

I claim that intoxicating liquors should be placed in the same class as poisons, and I believe that that will be done within five years, and no liquor will be sold which is labeled in that form.

Mr. Speaker, I trust that the majority report will be accepted on this bill and give us real prohibition once in Maine.

Mr. BUSSABARGER of Lubec: Mr. Speaker,

"It is fun to fight when you know you are right,  
And your heart is in it too,  
Though the fray be long and the foe be strong,  
And the comrades you have are few."

This is the reason that I arise on this floor after more than two months of painful suspense and waiting to support the motion of my fellow member and colleague, the gentleman from Warren (Mr. Andrews) that the Bussabarger bone dry bill, so called, shall receive a passage; and, with the indulgence of the Honorable Chair, I shall face the House on this matter and give a reason for the faith that is within me.

As I cast over in my mind the possible arguments or the possible ways that I might pursue in this legislature to induce the majority of the House to support this bill, I thought of several. If I had been a wealthy man, I might have followed the usual process of hiring a powerful lobby such as we have seen in these halls during the past few weeks to urge upon each individual member the advisability of supporting this measure; but that would be against my religious scruples and convictions. Then I might, if you had been all my friends—and the great many of you are fellow Masons, Odd Fellows and K. P.'s, and friends in other ways—have urged



you upon the ground of friendship to help a friend over a rough place; but that, my friends, would be an imposition upon the name of friendship. I might have thought of other influence, but the only course that seemed open to me, standing as I do, upon these bed-rock principles of fundamental democracy that are sweeping the world in its wonderful onward march was this: In order to get the votes that are necessary to pass this bill, I must give you the argument, and here I am this afternoon. God help me, I can do no less than to give to you out of the abundance of His service and loyalty the reasons why you, the majority of this honorable body, should support this measure. I am sorry that it bears the name of the gentleman from Lubec from one viewpoint, while glorying in it from another viewpoint. I could always raise money better for some poor fellow who wanted to buy a coat than I could ask the congregation to pay for my own support; and so I can support a Baxter bill, or a Barnes bill, or a Milliken bill, if I believe it is for the best interests of this State, a great deal better and with much more becoming modesty and grace than I can get up before you and ask you to support a Bussabarger bill. I know it is unbecoming for one to toot his own horn, as they used to say, but necessity is upon me to make this argument, and that is why I come to you. I want to say, friends, just as the gentleman from Warren did, that I am not hidebound or tied to any particular measure. When there were objections brought to this bill, I sent to three of the different states that recently had enacted these measures—the state of Kansas, the state of Indiana, the state of Arkansas—and secured from the governors of these great states their recently enacted bone dry laws. I submitted them to the chairman of the honorable temperance committee, and asked them, if they did not want the Bussabarger bill, to substitute one of these measures in place of it, and said that I would support it as loyally as I have supported the gentleman from Portland, Mr. Baxter, in his fight for the conservation of water powers. But this was not done for reasons that

doubtless appealed to the honorable gentlemen on that temperance committee—and I am not saying this, friends, by way of criticism of those men. I believe that every one of them, Republican as well as the two Democratic members, who signed the minority report, are honest men, and I believe that if there were no political necessity behind them, they would stand for this measure if I could make them see it as I see it today; and that is the reason, friends, that I come to you, first, to ask the majority members to support this measure. And the first reason I give to the gentlemen of the dominant party in this Legislature is that it is a much needed law as a war preparedness measure.

Do you not remember that significant statement of the great Commoner, that favored son of the school-teacher, preacher and shoe-maker, Lloyd George, who now is the chief adviser of the great King of Britain when the war broke out? What was it? He said to his fellow countrymen: "Our greatest foe is not the sword of the Emperor William, or the Emperor of Austria-Hungary, nor any king nor potentate; but the greatest enemy that England has to face in this war is King Alcohol." And to the everlasting shame of the great British Nation, they have permitted King Alcohol to down her great Chancellor, now Prime Minister of England, Lloyd George, until he stood up before his fellow countrymen with tears in his eyes and said, "As long as I am in politics, I will never touch liquor again." So, friends, today, when all through this Nation in arms, this war of men, the call is going out that your country needs you, and the President of the United States, your President and mine, the Commander in Chief of the armies and navies of this Nation, calls for men, sober men are wanted, and no greater war measure for the preparation of this old Pine Tree State in my humble opinion and judgment could be passed by this body than a measure that will make the State of Maine bone dry.

Friends, there is another need for the passage of this measure by this great dominant party of Maine and

that is to stop the leak and prevent the traffic between this State and New Brunswick. I have nothing against our Canadian friends, our Canadian cousins. We call them "blue-noses" down around the border, but they make splendid citizens. Sometimes they help us out in our political campaigns before they are naturalized, but that is neither here nor there. It is not that so much that I object to, it is this nefarious traffic in which they are engaged.

The other day when we were discussing another measure, the long and short lobster double gauge bill, the gentleman from Scarboro, Mr. Newcomb, declared that there was certain traffickers who came to the fishermen and got the wardens drunk and kept them drunk five days. Friends, I know that to be a fact, and they go across the border from Lubec into the Province of New Brunswick. They have a notorious rumseller there, and I do not know whether he is a Canadian by birth or not—he may be a renegade American—but what does he do under these laws? He permits his men to help him carry along the sea-coast his rum goods, and he buys up the short lobsters from fishermen at five cents a piece and pays them in wet goods. And that is not the only violation of law. He even leaves these men in imminent danger of death. Shortly after I was elected to the legislature, I was down that coast a few miles when he was plying his traffic, and a fisherman, who is a sober man and whose testimony would go as far in a court of justice as mine or any member of this honorable body, told me that just a few days before he found a fisherman in his boat there, in the most dangerous part of the precipitous coast, amidst the rocks, with a broken oar and almost insensible from the rum that this trafficker, and ostensibly respectable lawbreaker, had given him. Ten minutes more, said the fisherman, and he would have gone down to a watery grave. Now the next Sunday, when I saw the daughter of that fisherman, a beautiful golden-haired little girl, as pure and sweet as any city girl of this beautiful city of Augusta, sitting down there in front of me with a smile of innocence on her

face and with all the delightful outlook of life before her. I said in my heart of hearts "Little daughter, how near you came the other day to being left fatherless to battle against the cold currents of life's great ocean," and then and there, friends, in my heart of hearts, like that other Kentuckian who went from the back woods of my native State to the capital of our country, when he saw the inhuman slave trade that kept people in bondage, I registered a vow and I said "By the help of the Eternal God if I ever get a chance to hit that thing, I will hit it hard." And that is the reason, friends, that last autumn, months before I ever came to this Capitol, I wrote to the leader of our democracy and said that I was to introduce such a measure, or a similar one, making a jail sentence for selling rum, for pouring this rotten hell-fire and damnation into our fellowmen, and I so informed the Chief Executive of this, the Pine Tree State of Maine. This has been no sudden inspiration, friends, but it was born of necessity that called for action, that will make this State what it ought to be in deed, in reality, and not merely in name or in formality.

Friends, I want to answer some of the objections that have been brought against this measure from some who differ from me in politics. They say it is a political measure, and I want to place in the record this objection that is brought. I am going to reserve the gentleman's name because he is a political opponent of mine, and he might think that I was doing this to queer him in his ambitious project of being a county attorney in a great county of Maine; but I have got to read the objections which he frames to the so-called Bussabarger Bill. He says "My dear Sir: Yours of the sixth inst. with copy of the 'B. B. B.' Act enclosed, and wish to thank you for same. I have nothing to say in re the matter other than I have already written, the 'sacramental' part is damned rot, and you know it, but if you want to father that farce, I am perfectly willing that you should do so. I have not 'joined Bro. Dudley' or any body else in this matter and do not know his opinion in

the matter. I do know that I am in favor of prohibition and have always been in favor of it. I am also aware that you Democrats expect to win over the State of Maine by having enacted at this session of the legislature some measure in regards to prohibition similar to the act presented by yourself, and while the Democratic party may keep in the 'Rum Rut', I for one think that such a measure as the one in question will bring more votes to the Republican Party than it will take away, and I feel that you are not working for the interests of the Republican party and I know that you do not expect me to believe that you are sincere in expecting your act to be enforced after its passage. But, I believe the Democratic party has a surprise in store for itself on this same 'Booze Bill' and that it will not act as it is expected. Yours very truly."

Gentlemen, there is an argument right in that letter for the majority to support this measure, because it will help you more than it will help the minority and gain you more votes and be a surprise to the Democracy. Surely, friends, a gentleman who has been for 25 years in politics as a leader of the Republican party would not make an argument like that if he did not feel that he was on the right track; and I want to tell you, friends, frankly that I believe there is something in what he says about it helping the Republican party if you pass this Bussabarger Bill.

After we made our fight here and had a little domestic infelicity over the Suffrage referendum, a gentleman told me that by my action I had helped to make certain the reelection of Governor Milliken two years hence by 30,000 majority; and, friends, if the passage of this bill making Maine dry and forever taking the rum question out of politics, as my good Brother Pattangall has said, so that we can devote our attention to other great measures of preparedness, re-elect Governor Milliken I say: joy speed him on the way! I could tell you, friends, something about my stand in regard to the Governor that would make you feel that every word I say in that is sincere, but it would also be a bomb-

shell in my future career and for that reason I cannot speak of it. (Laughter.)

I think the gentlemen—I forgot what town he hails from—who said this morning that somebody accused the majority of politics,—and certainly, friends, those of the majority did accuse brother Pattangall and myself of politics in this measure,—ought not to use such an argument. It would be unbecoming in me, standing in the position I do, to even insinuate that there had been any politics in the deliberations of this 78th legislature. You are honorable gentlemen; all of us are honorable gentlemen. They address us that way on the envelopes, and we will be pleased in future years to have our children read in the records "The Honorable Gentleman from Lubec;" "The Honorable Gentleman from Bangor." And so, friends, I think that this argument that is made about there being a joker in the Bussabarger Bill is a little off color. That joker, to put it in a homely phrase of the Kentuckian's dialect, means, in simple language, that there is a "nigger in the woodpile;" and the way the majority have been sounding around this bill trying to smell out the colored gentleman for the last two months, reminds me of an old hunter's pack of hounds out in the Ozark. A preacher friend of mine stayed all night with him, but he did not get much rest for all through the night those hunting dogs were raging around the house—the bungalow—and the little log cabin—first in one place and then another. The next morning my tired preacher friend said to the old Ozark hunter: "Those dogs of yours certainly had something treed last night down in the swamp, didn't they?" The old hunter set down his cup of coffee untasted and said "Them hounds certainly were scenting something, but from the amount of noise they made, I don't think they could quite locate it." Now, friends, I do not think that the leaders who have been looking for a joker, for a coon in the woodpile, have been quite able to find which tree he is up. I want to say, friends, that I have no revelation from the Lord about this

thing; I do not know the innermost thoughts, the secret thoughts, the intent of the soul, of the gentleman who has stood with me as sponsor of this bill. I used to be a bitter opponent of his, and blamed him for everything that went wrong in the Democratic party; but I want to make amends for any injustice that I ever had, even in thought or word, towards my fellow man, and I give it to you as my unbiased judgment that the gentleman who drew this bill with me, and stood with me before the committee and appealed to you to pass it, is as sincere in his desire for prohibition in Maine as the gentleman who is speaking to you or as any leader of temperance in the State. I want to say to you, friends, that every word that he has given to me as counsel has been shown to be true throughout the three months of this long, grinding session; and, if I were the Chief Executive of this grand old State of Maine, a dream, friends, that would never come true for a Kentuckian in this State, I would want at my right hand as chief counsellor the Honorable William R. Pattangall, who drew the Bussabarger bill.

Now, friends, why are the Democrats here in this House ready to back up this measure? Why should they be ready? Why should any of the Democrats in the national Congress and in these other states of Oregon, Washington, Kansas, Indiana, Arkansas and Georgia, support bone-dry bills? You know, friends, that thirty years ago a base slander was hurled at the Democracy of the nation by a reverend gentleman of the cloth, who claimed that this party was only the party of rum and rebellion and religious fanatics, and for thirty years one or the other of these arguments has been hurled at the Democracy. And, friends, I want forever a day to discredit that argument. That is one of the reasons why I stand here supporting this measure, because I say to you that I do not believe it is true. Now this is not saying, friends, that there was not an element of truth in it in days gone by. In 1912, both of the old parties

made an appeal for the wet vote—for the liquor interests; and Champ Clark and his astute managers—and Champ Clark is an elder in one of our Christian churches in Missouri—undoubtedly got the solid wet vote of this nation. They knew on which side their bread was buttered. In 1916, the same old parties made an appeal for the votes of this element, but what was the result, friends? Mr. Hughes and the Republican ticket got the wet vote, and Woodrow Wilson got it in the neck. If do not believe that, friends, take up the political map of the United States and look at the states that voted for Woodrow Wilson in 1916, and then look at the states that rolled up almost superhuman majorities for the Republican nominee for President. Does anyone here believe that, in the state of Massachusetts, in Boston, the liquor vote went for Gov. Walsh a few years ago when he was defeated,—the best governor that Massachusetts has had for a generation? Why, even the leaders of the saloon openly came out in the papers and declared that it was a confidence game and a crime that the wet vote had defeated the Democratic candidate for governor. Neither is it denied that, in the city of New York, that great Democratic stronghold betrayed the candidate because of the liquor question; and, if it had not been for the temperance vote of the West, for the women of California, and for the solid South, Woodrow Wilson would have been defeated and Charles Hughes would now be the President of the United States. Now what is the result of that? There has been a new alignment in Congress, and it was no political trick for the majority party there to support a bone-dry bill for the District of Columbia and for the temperance states of this nation. I get this direct from the national capital itself, when a few days ago—a week or two ago—one of my most devoted friends came from the leader of the Democracy, and told me that they were launching out to make this the great issue in 1920; and, when the gentleman from New York, Mr. Fitzgerald, got up to speak against the

bone-dry bill—the Reed amendment—he was hissed off the floor by his own members. Friends, I therefore am following the lead of those devoted Democrats who repudiate the slurs and the slanders like that the gentleman of your own town hurled at me summer before last when he said he did not have to prove that the Democratic party was the wrong party because it stunk with rum like a drunken man; and I say to you, friends, that there is need for this great reform in the State of Maine.

Some minister wrote to me the other day and said: "Well, I have told my flock that the Bussabarger bill would be referred to them to vote on this coming September and that they must all vote for it; but now I will have to tell them that they will have to wait for National prohibition." They say that the Reed Bill will do the work. I want to say to you, friends, that the Reed Bill will not do the work for the State of Maine. I was handed this letter just the other day. It comes from a rum-seller in the city of Boston and I want to read it to you.

"Boston, Mass.

"Dear Sir: The Congress of the United States has passed a law forbidding the shipment of liquor after July first, 1917, into your State except for scientific, sacramental, medicinal and mechanical purposes. Therefore after that date you can order only for medicinal use. We will not be able to ship your order unless you order it that way. Remember this law does not prevent you from receiving what liquor you need for medical use. Mark your order 'For medical use only.' We thank you for past favors." (Laughter and applause.)

I want to say, gentlemen, that the joke is on you. That letter was not addressed to me, it was put in my box out there by someone who did not put a stamp on it. (Laughter and applause.)

Now, friends, I appreciate the little subtle humor there, and that is the reason I did not let that other secret out. Friends, the Bussabarger bill will cure that defect in the Reed

Amendment. I do not believe it is intended by the temperance men at Washington to let a joker into that bill, but that it got in just like certain things get into these bills that have been kept back here until the last few hours of a dying legislature and then dumped into the hopper and sluiced through like a great torrent of water coming down a mountain. I do not know half what is in the bills I have let go through here this week, and, if I had not made a pledge to my constituency, I believe I would have felt like resigning and going home. And that is what happened there. That bill was passed in the dying hours and probably one-third and maybe two-thirds of the members never read it; they thought it was all right. The Bussabarger bill will cure that, because that bill says that the possession of liquors shall be prima facie evidence of illegal importation. You do not have to prove that he did not get it for medicinal, mechanical, sacramental, or scientific purposes. He has got the burden of proof laid on his shoulders, and are all the doctors of this State of Maine going to stultify themselves by writing out a false recipe that this man is sick and must have some of the good old Grand Dad or Sam Blake or Bourbon to cure him—a little wine for his stomach's sake as Paul said to Timothy. No, friends, they have got a tremendous task to prove to the satisfaction of the court that they have not been importing it for illegal purposes. As one of my Democratic colleagues says, the Bussabarger bill gets down to the bottom, and it does, friends; and so without further ado I ask you not to look upon this measure as a joke. The joke might be on you who vote against it on the coming days.

Now to substantiate what I have said that I am not a mere political reformer who has suddenly taken a notion to this thing, I will read here a letter from the former Governor of Indiana, J. Frank Hanley, under date of April 13th, 1914.

"R. E. Bussabarger, Lubec, Maine.

Dear Friend: Please to consider this as the acknowledgment of your con-

tribution to the support of the "Flying Squadron." Thanking you for your contribution, hoping you can enlist and help others, I am

Sincerely yours,

J. Frank Hanley."

We were enlisting for war, and this is the pledge that we signed:

"The Flying Squadron of America.  
Declaration of War.

We stand for the National Prohibition of the Liquor Traffic. On this issue we fight.

Whenever a politician or an executive officer, or a political party, prefers the liquor traffic above the public morals, such men must be set aside and such parties abandoned. To the accomplishment of this high purpose we dedicate ourselves, and invite all who are with us agreed to enroll in this army by signing this pledge of service."

I signed that pledge and here is the proof of it:

"Cherryfield, May 27th, 1915.

Mr. Bussabarger, Lubec, Maine.

Dear Sir: I have rec'd from you one dollar for the June campaign fund W. C. T. U. Thank you very much. I am glad to learn of your interest in National Prohibition. You will help the cause along in many ways I am sure. Success to you in all your work. Yours respectfully,

Mrs. Harriet Coffin Ward, Co. Treas."

Now, friends, these two letters, one from the leader of the great temperance movement in Indiana and the nominee in the last election for President on the Prohibitory ticket, J. Frank Hanley, a former Republican, substantiates what I have said. The county treasurer of the W. C. T. U. two years ago wrote this commendation. You cannot—I know you will not—for one instant doubt that I am sincere, and I want you to be able to say that there was one man in the legislature who would support what he deemed to be the best measure that was presented.

Friends, I learned these lessons of liberty and civic righteousness when a lad being educated in the Queen City

of Kentucky, the beautiful blue-grass town of Lexington. Many a time have I gone out beneath the great statue of Henry Clay, standing there nearly 150 feet above the city's heights, with uplifted hands as though he would still the waves of passion that were beating up against each other over the Mason and Dixon Line from 1840 to 1860, and then I have gone with reverent and bared head and I have stood outside the stone tomb and looked at the stone sarcophagus where his ashes are now today and read those last words of his that, by his request doubtless, were inscribed thereon. And those words have been to me like the pillar of cloud by day and the fire by night: I can with unshaken confidence appeal to the Divine Arbiter for the truth of the declaration that in all my public acts I have been influenced by no impure purpose; have sought no personal aggrandizement; but in all my public acts I have with a sole and single eye and a warm devoted heart directed and dedicated to what in my best judgment I believed to be the true interests of my country." And as God knows my heart, as an humble, erring, imperfect man, just like you men, with like passions, who knows how to sympathize with the ignorant and erring, because I, myself, have been encompassed by infirmities, I come to you with this last appeal to the men of Maine, who match the mountains of Maine and the tall pines of the forest, and I ask you to support this measure because I support it, because

"I want to be strong with the strength of men

Who are strong in the sense of right,

I want to lift song with the songs of men

Who sing of the truth of the light;

I want to be rich with the wealth of men

Who are poor in every sense except this—

That they love their wives and they guard their homes

And they lean to a little one's kiss."

(Applause.)

Mr. MURRAY of Bangor: Mr. Speaker, I move that when the vote is

taken it be taken by the yeas and nays.

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

The SPEAKER: The Chair will state the question, on which you are to vote. You are voting on the motion of the gentleman from Warren, Mr. Andrews, that the minority report "ought to pass" be accepted. The clerk will call the names of the members and those in favor of the motion of Mr. Andrews of Warren will answer yes when their names are called; those opposed will answer no.

YEA—Andrews, Warren; Billings, Bolduc, Boman, Vinalhaven; Boynton, Bussabarger, Descoteaux, Dow, Emerson, Grant, Harman, Hart, Holbrook, Holt, Skowhegan; Hooper, Hunt, Kneeland, Lawrence, Meserve, Messer, Morin, Neilon, Packard, Newburgh; Packard, Rockland; Sawyer, Madison; Tate, Tuttle, Washburn, Watson, Welch, Webb. Yes—31.

NAY—Albert, Alden, Allan, Portland; Allen, Sanford; Ames, Andrews, Norway; Averill, Babb, Barnes, Baxter, Berry, Besse, Bowman, Detroit; Bragdon, Brewster, Brown, Burbank, Buzzell, Cates, Chaplin, Bridgton; Chaplin, South Portland; Charles, Clark, Harrison, Clarke, Randolph; Clason, Clifford, Coffin, Cole, Eliot; Cole, Etna; Conary, Credford, Cummings, Cushman, Daigle, New Canada Pl.; Daigle, Wallagrass; Day, Dutton, Eaton, Ellis, Gardiner; Ellis, York; Farrington, Fleming, Fletcher, Flint, Frost, Gannett, Gurney, Hanson, Hall, Harris, Hartwell, Hill, Holley, Holt, Gouldsboro; Howard, Hutchins, Jenkins, Jennings, Jordan, Cumberland; Knight, Langley, Largay, Larrabee, Leavitt, Lenfest, Lewis, Libby, Longley, Lyford, McNally, Merrill, Morison, Murray, Newcomb, O'Connell, Pendexter, Phillips, Piener, Purington, Ranney, Redman, Reed, Richards, Rounds, Rowe, Russell, Ryder, Sawyer, Eden; Sisson, Snow, Bluehill; Snow, Mars Hill; Speirs, Stearns, Stanley, Stubbs, Turner, Wagg, Watts, Williams, Wilson. No.—100.

ABSENT—Anderson, Brackett, Clement, Corliss, Dearth, Driscoll, Drisko, Garcelon, Goldthwait, Greenlaw, Hammond, Jordan, Baileyville; King, Levesque, Murphy, Mutty, Nicholas, Pattee, Powers.—Absent—19.

During the roll call, Mr. Longley of Sidney said as follows:

"Mr. Speaker, may I say a word? I want to explain my position before I announce my vote. No man in the State of Maine stands any more rigidly for enforcement of the laws than I do; but we have already had many drastic

measures which seemed to cover this ground so completely that I signed the majority report of the committee "ought not to pass", and I shall vote no."

Thirty-one having voted in the affirmative and one hundred in the negative, the motion of the gentleman from Warren, Mr. Andrews, was lost.

On motion by Mr. Barnes of Houlton, the House voted to accept the majority report.

The SPEAKER: The Chair lays before the House out of order Senate Report of the Committee on Ways and Bridges, reporting "ought to pass" on bill, entitled "An Act to amend Chapter 25 of the Revised Statutes, relating to the State and State aid highways, and providing a mill tax fund for their construction," reporting the same in new draft under same title and that it ought to pass. The Chair would inform the House that the other two bills under consideration are House Document No. 47 and the House Report of the Committee on Ways and Bridges reporting "ought not to pass" on Resolve amending Article Nine of the Constitution so as to permit an increased bond issue for construction and improvement of State and State aid highways. Is it the wish of the House that we assign any special time limit on this debate?

Mr. CLASON of Lisbon: I would say, Mr. Speaker, that you need not assign any time for me for I shall be less than five minutes. I move that the report be accepted in concurrence with the Senate. Just a few words is all that I intend to say about the pending question. If any gentleman wishes to ask about this second new draft, I would be pleased to answer if I can.

The Committee on Ways and Bridges had these three propositions before them early in the session and they gave them all careful consideration. Under the existing conditions and circumstances, it seemed advisable to us to recommend the so-called mill tax bill. The other two bills were unanimously reported "ought not to pass." This bill differs from the original draft in one or two particular instances. In the

original draft of the bill the approval of the Governor and Council was all the way through it. It was felt by the committee that the approval of the Governor and Council should be in it in such places as would place the control of the Highway Commission in the same manner as other departments and it has done so, which is agreeable to the Governor and to all concerned.

The proposition in the original bill was that the increased maintenance meant from sixty to one hundred twenty-five dollars a mile. We did not deem that expedient and we cut it out of the bill in the new draft so that it stood as it was formerly—sixty dollars a mile as the limit.

In regard to the automobile feature, which is really an important factor when you stop to consider the amount of money which is received each year from that department, it is estimated this year that it will be about \$425,000. As you realize, the automobile people, those who pay this tax, understand that it goes to certain purposes. Those purposes are reported in certain sections—Section 23 of the second new draft. First, for the payment of bonds as they mature; second, for the payment of interest and of maintenance of the road, also for the expense of the Highway Department. The balance, if any, goes to the construction of State aid and highway work. Those, of course, are naturally the roads where the automobiles travel most.

The idea of this bill, if passed by the legislature, is to have it go into effect in 1918. It is considered by the Governor that there are ample funds for all that are necessary for 1917; and Section 35, as you will notice in the second new draft, will tell you that he will assure us of at least \$500,000 to be placed upon the trunk line roads this coming year. That does not include bonds which may be re-issued or bonds that have been reissued, but includes the bonds which have not been issued in amounts of \$1,000 and also the money received from Federal aid.

I think I have explained the points in this bill that differ from the original bill. If there are any questions, you

would like to ask, I should be pleased to answer them if I can.

Mr. REDMAN of Ellsworth: Mr. Speaker, I am not opposed to the mill tax. I am somewhat opposed to this bill before us for the reason that I do not believe it provides enough money. I believe that if we are going on the pay as you go principle in building our roads that you should have a two mill tax; otherwise you will pay, but you will not go. On the other hand, if we are only to have a one mill tax, I submit that we should have a certain amount of money to go with that to put into the permanent features of our road construction.

Now in regard to the mill tax and in regard to this pay as you go principle that this bill involves, I believe that the people throughout the State of Maine, people who have signed petitions advocating the passage of this law, are greatly mistaken and at sea. For instance, as you all know, the Grange favors this mill tax bill, and has presented various petitions to this House in favor of it. I would like to call your attention briefly to a letter which was addressed to the Secretary of the Grange at Freeport. It begins, "Will you kindly read the following communication at the next meeting of your Grange? The mill tax bill has gone through the severest test that a financial measure ever underwent in Maine. It has proved itself to be sound in every detail, and has been adopted by Gov. Milliken in his Budget measure as the basis for distribution of the road funds after the year 1917." The letter goes on and quotes various figures showing the amount that would be available under the mill tax, and then contains this enlightening clause, and it is in heavy type: "Note carefully. The mill tax for highway funds does not increase your State tax one penny. Whatever additional funds will be necessary to meet the State's expenses will be raised by indirect taxation."

I have no doubt that many of the petitions that have come in here from Granges over the State of Maine have been produced on such statements as



that. Now we might as well get right down to business. If we are going to have a mill tax, we have got to pay it, and whether you own a farm, whether you own an automobile or a ten-story building in one of our large cities, you are going to pay one mill on a dollar for roads. You cannot get away from that; and, if you put this mill tax law into effect and into operation, the people all over this State of Maine who are taxed a mill on a dollar are going to expect to see some roads. They are going to expect to see some roads right in their own town; that is natural; it is human nature. But how much road can we build with this mill tax alone? Under this law we would get \$521,000. Take \$200,000 out of that, State aid, and it leaves \$321,000. Now we have got to take \$145,000 out of that in 1918 for our Federal roads. I believe it is no more than fair that we should all understand just what this Federal road proposition means. It means that we are going to have a stretch of Federal highway up through the middle of the State here which will touch about four counties. It is perfectly right that the Federal road should be built that way; the Federal Government requires it. It will be a road costing substantially \$15,000 a mile—between \$12,000 and \$15,000—so that you take out your \$145,000 from your mill tax and put it on your Federal money and you would only have \$176,000 left to build state highways all over the remainder of the State of Maine outside of your four counties that get the Federal road; and, perhaps, the first year the Federal road would only go into one or two counties. That \$176,000 will build just about twenty-five miles of road—twenty-five miles of road for twelve counties—two miles to a county. Now when the people all over this State of Maine are taxed a mill for roads, and you only put substantially two miles of state highway into their county, you are going to hear, I believe, a hue and cry against the mill tax. I think that will be human nature that you should hear that hue and cry. I believe in the Federal road going up through the center of the State: I think it is right, but I believe that if we are going to satisfy the people of this State with a measure

providing for the raising of funds for road construction, we have got to give them something more than we give them under this mill tax law. To be sure, they get a little more in State aid—\$200,000 goes into State aid—but when you spread that out all over the State, it only means just a few hundred feet more in each town. It is not anything. And yet you are taxing every town and every single city in addition to what they have paid in the past for roads; and will they get the road? That is the point to be decided.

What is the argument in favor of a bond issue? You have all heard it. The idea that you take certain moneys—bonds—and put those moneys into the permanent features of road construction. Our roads today are costing us \$6,000, \$7,000 and sometimes \$10,000 a mile; and, if you will go through these Highway Commission reports and look at such items, for instance, as excavation rock excavation, stone masonry, stone drain and certain concrete work, you will find that in substantially every mile of highway that we are building in the State of Maine today those permanent features cost from forty to sixty-six per cent. of the total cost of construction. It seems fair that future generations which get just as much advantage from the permanent feature of construction as the present generation, should help pay for them. There are certain objections that the mill tax people raise against a bond issue in any form, and the first one is that we cannot build any more roads here in the State of Maine than the mill tax provides for. Gentlemen, don't you think we can build more than two miles to a county? Why, it costs more on the average to build two miles to the county than it does to build four or five miles. We will have no trouble in getting contractors on the Federal road up through the middle of the State, and I submit that here in the State of Maine, all over this State and the various counties, we can build more than two miles on the average in those counties outside of the counties which get Federal aid, and that we can build four or five miles on the average in each one of those counties at a less expense per mile than we can build

two miles, because, you know, the contractors will contract at a cheaper rate on a four mile job than they will on two miles.

A lot of you have come over here and put resolves into this box asking for road construction in your town, and you have gone before the committee on highways and bridges—an excellent committee, gentlemen; don't think for one moment that I want to criticise the work of that committee; I think it is one of the most conscientious committees that we have had in this legislature and I know how they have worked. I admire every member of that committee, and I think that they are entitled to great credit for the time and thought they have given to this highway problem; and I know that this bill that they have reported is a bill that comes right straight from their consciences. We have put resolves in that box there for road construction and we have gone before that committee and presented our case. We have been turned down, many of us, but we had to be turned down; there could be no other action on their part, and why? Because the road could not be built? No, because they did not have the money, and that has always been the reason why we could not go ahead with our construction of roads in this State, namely, because we haven't had the money. This one mill tax does not raise sufficient money to provide for a comprehensive road construction all over the State of Maine.

Another objection that those who advocate the mill tax raise against the bond issue in any form is that the people won't vote for it. How do we know that the people won't vote for it? On the other bond issue they voted four to one in favor of it. We do not know that the people are going to vote in favor of suffrage, do we? But we have submitted the question to them. We do not know that the people are going to vote in favor of the various questions that are to be submitted to them next September. The only way we can find out is to submit the question to them, and I do not believe it would tax their mentality a great deal to add this question of having a bond issue for roads in

addition to our mill tax. Let's find out what they say. If they say no, all right; no harm done. If they say yes, when this legislature convenes two years from now, they will have some money to go ahead with. Is not that a fair proposition? What is the trouble with it?

Another objection that they raise against the bond issue is that it will be burdening future generations. It will not be burdening future generations for something that they do not get the use of. If we put our bond money into permanent uses of construction, it will simply be asking future generations to help pay for features in our road construction that they get just as much use of as we have. Why, when you go out and take a narrow, winding, country road, and spend thousands of dollars in excavation to drain that road, straighten it, to make it passable at nearly all times of the year, those thousands of dollars that you put into that road accrue to the advantage of future generations as much as to those of us who are here today.

But the next great argument that is presented against the bond issue—and I am only going to take just a few minutes longer, perhaps four or five minutes, I know you are tired and so am I—the next great argument, and it is the great insurmountable barrier that they present against the bond issue, is interest charges. We have allowed up here in the State of Maine the conservatism of our Yankee forbears, I believe, to develop stagnation in the Yankee of today. It is repulsive to the business judgment of the Yankee to put out anything in interest charges. If we issue a million dollars in bonds today, and those bonds run along for 28 years. I think we will have paid out a million dollars in interest charges; but the way this country has been developed has been on the interest payment plan. Every great railroad, every great industry, every great business, has been developed on the payment of interest charges. You go all over this State today and drive up through it and you will see countless abandoned farms; you will see dilapidated and tumbled-

down old farm buildings, many of them not having had a drop of paint during the present generation. You have heard on this floor numerous times about our sons and daughters here in the State of Maine, that as soon as they are educated at the expense of the State they go to other states and make their homes. We have heard all that this winter. Our farmers are growing poorer, our farms are running out, and the young men and women of the State are leaving by the hundreds every year over a very large portion of this State. But that is not true of the entire State of Maine, it is not true of the splendid county of Aroostook, whose valuation, I believe, is today 35 times greater than it was fifty years ago. It is the only county east of the Ohio River that has made progress commensurate with the middle west and the western territory beyond. And you have made that progress up in Aroostook, how? Why, by paying interest charges. They have done just what the West did; they have done just what the South is doing today; they have mortgaged the very air they breathe; they have paid interest, interest, interest. But they have had something to recompense them for the payment of those interest charges. That is the only way you will ever be able to go ahead and build your roads in the State of Maine.

We have a war coming on and some perhaps will say that we ought not to submit this matter to the people because of the war. Understand, the people do not vote on the proposition that the money shall be spent, or how it shall be spent or when it shall be spent. The people will simply vote on the proposition, will the legislature at the proper time have authority to issue bonds to carry out the construction of our roads.

The SPEAKER: Are you ready for the question on the motion of the gentleman from Lisbon, Mr. Clason, that the House concur in the acceptance of the majority report of the Committee on Ways and Bridges, "ought to pass"?

A viva voce vote being had,

The motion of Mr. Clason of Lisbon prevailed and the bill had its three

several readings under a suspension of the rules and was passed to be engrossed.

Mr. REDMAN of Ellsworth: Mr. Speaker, just simply to dispose of the matter, I move that House Doc. 47, the bill, be substituted for the report of the committee.

Mr. CLASON: Mr. Speaker, I hope that motion will not prevail.

The SPEAKER: The Chair cannot put the motion until the papers are in its possession, so it can ascertain what the report is.

The Chair lays before the House House Report of the Committee on Ways and Bridges, reporting "ought not to pass" on House Document 47, providing for a bond issue for the permanent improvement of highways, and the gentleman from Ellsworth, Mr. Redman, moves that the bill be substituted for the report.

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

On motion by Mr. Clason of Lisbon, the report "ought not to pass" was accepted, by a viva voce vote.

Mr. CLASON of Lisbon: Mr. Speaker, I move that the report of the Committee on Ways and Bridges, "ought not to pass" on Resolve to amend Article Nine of the Constitution, so as to permit an increased bond issue for construction and improvement of State and State aid highways be accepted.

The motion was agreed to.

Mr. BAXTER of Portland: Mr. Speaker, I move that we take from the table House Order relating to the investigation of the advisability of putting a franchise tax on power corporations, tabled by Mr. Farrington of Augusta, as I move that it be indefinitely postponed as I wish to offer a substitute for it.

The motion was agreed to.

Mr. BAXTER: Mr. Speaker, I wish to offer a substitute, and the only dif-

ference is that instead of referring this matter to a joint legislative committee, it is referred to the Board of State Assessors. That does away with the necessity of any special committee or commission, and gives full power to the Board of State Assessors to investigate this question. I will read the first five lines which covers the matter.

"Resolved, the Senate concurring, that the Board of State Assessors be and hereby is directed to investigate and report as to the advisability of imposing an excise, franchise or other tax on corporations within the State of Maine which generate or distribute or sell electric current for light, heat and power purposes." I will not make any argument on this order unless there is opposition to it. It simply gives the Board of Assessors the power to look into this matter and to report their findings to the Governor and Council. I move the order have a passage.

Mr. BARNES of Houlton: Let me inquire of the gentleman from Portland, Mr. Baxter, through the Chair whether he would be satisfied with this resolve if it were limited to persons generating or distributing electricity within the State.

Mr. BAXTER: I would reply that I should think it would be all right to leave out the word "sell." I do not want to weaken the order in any way and I do not want to restrict the State Board of Assessors in their investigation. I should like to think that over for a few moments. There might be some corporation in the State engaged in selling electricity which we might want to know about. I would ask the privilege of having this laid upon the table for a few moments.

The SPEAKER: The Chair would suggest that the order might be withdrawn temporarily.

Mr. BAXTER: I will withdraw the order with the consent of the House temporarily and will try to bring it up before we take a recess.

#### Senate Bills on First Reading

Senate 432. An Act in addition to Chapter 26, Revised Statutes, relating

to the registration of motor vehicles.

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

Senate 430. An Act relating to bonds in the probate court, given by executors and administrators to obtain license to sell real estate, amending Chapter 76 of the Revised Statutes.

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

Senate 417. Resolve in favor of the Reformatory for Women for the construction of additional buildings and other purposes for the years 1917 and 1918.

The rules were suspended and the resolve was given its two several readings and passed to be engrossed in concurrence.

On motion by Mr. Cole of Eliot, the vote was reconsidered whereby the resolve was passed to be engrossed.

Mr. COLE of Eliot: I understood, Mr. Speaker, that that was to be left out this year. I think the appropriation has been left out. I move that it be indefinitely postponed.

The motion was agreed to.

Senate 431. An Act to provide for the seizure and forfeiture of vehicles carrying intoxicating liquor intended for illegal sale.

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

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From the Senate: Final report of joint standing committee on agriculture; final report of joint standing committee on taxation.

The reports were accepted in concurrence.

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From the Senate: An Act to establish military training in the public schools.

In the House this was indefinitely postponed. In the Senate passed to be engrossed. In the Senate the Senate voted to insist on its action in

passing the bill to be engrossed and asked for a committee of conference.

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

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Mr. BAXTER of Portland: Mr. Speaker, I have made the corrections suggested by the gentleman from Houlton, Mr. Barnes, in the order that I tabled a few moments ago, and I now move that the order be given a passage under suspension of the rules.

The order received a passage.

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From the Senate: The committee on sea and shore fisheries, to which was referred the bill entitled "An Act to amend Chapter 235, Section 3 of the Public Laws of 1915, providing for the granting of lobster licenses," have had the same under consideration and ask leave to report the same in new draft under title of An Act to amend Section 18 of Chapter 45 of the Revised Statutes, relating to lobster licenses, and that it ought to pass.

On motion by Mr. Newcomb of Scarborough, the report was accepted in concurrence and on further motion by the same gentleman, the bill had its three several readings under suspension of the rules and was passed to be engrossed in concurrence.

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**Passed to be Enacted.**

An Act to regulate the operation of motor vehicles for the carriage of passengers and freight.

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

An Act to amend Section 11 of Chapter 117 of the Revised Statutes, relating to the salaries of the stenographers of the superior courts.

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

An Act to prevent public discrimination by reason of religious creed at

places of public accommodation, resort or amusement.

An Act to revise, collate, arrange and simplify the inland fisheries and game laws of the State, both general and public and private and special, and the rules and regulations of the commissioners of inland fisheries and game now in force.

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Mr. COLE of Eliot: Mr. Speaker, I wish to introduce a House report out of order, and I will say that this is the report of the special committee on the Executive Mansion. It transfers the power given that committee to the Governor and Council. We thought we had the Blaine Mansion nailed, but a grandson of James G. Blaine has just arrived at the age of twenty-one years, and has been given a birthday present of this property and is coming to Augusta to take up his residence. He desires to keep it as his own home.

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The committee appointed under a joint order of both Houses to make a recommendation to this legislature with regard to an Executive Mansion, beg leave to report that they have been unable, after a thorough investigation, to secure any suitable location, and recommend that authority be granted to the Governor and Council to take such property as they deem suitable and pay for the same out of any money in the Treasury not otherwise appropriated or expended. Per order Swift, Baxter, Cole, Gannett and Largay.

The report was accepted.

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On motion by Mr. Cole of Eliot, it was

Ordered, the Senate concurring, that the Governor and Council be and hereby are authorized to secure by purchase or take by eminent domain any property in Augusta which in their judgment may be deemed suitable for an Executive Mansion, and pay for the same out of any money in the Treasury not otherwise appropriated.

The House recessed until 7.30.

## EVENING SESSION.

From the Senate: Final report of committee on inland fisheries and game; committee on federal relations; committee on legal affairs; committee on military affairs; committee on ways and bridges.

The reports were accepted in concurrence.

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The Chair laid before the House An Act to amend Sections 20 and 21 of Chapter 3 of the Revised Statutes, relating to lands reserved for public uses. In the House this was indefinitely postponed and comes back from the Senate, the Senate insisting on its former action which was passed to be enacted and a committee of conference was asked for.

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

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From the Senate: Report of the committee on judiciary, to which was re-committed, An Act to amend Section 16 of Chapter 7 of the Revised Statutes of 1916 relating to manner of voting, reporting same in new draft under same title and that it "ought to pass."

In the Senate read and accepted.

On motion by Mr. Stanley of Dixfield the House concurred in the acceptance of the report, and on further motion by the same gentleman the rules were suspended and the bill was given its three several readings and passed to be engrossed.

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From the Senate: An Act relating to standing committee on counties.

In the House accepted in concurrence.

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From the Senate: An Act relating to the construction of chimneys.

The House accepted the majority report of the committee on mercantile affairs and insurance "ought not to pass." The Senate accepted the minority report "ought to pass," gave the bill two readings and passed it to be engrossed.

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

From the Senate: Report of committee on pensions, reporting "ought to pass" on An Act to amend certain Sections of Chapter 148 of the Revised Statutes, relating to pensions for the blind.

In the Senate read and accepted.

In the House accepted in concurrence.

The bill was given its two several readings.

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

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Report of committee on conference on the disagreeing action of the two branches of the legislature on An Act relating to clerk hire in the office of the clerk of courts for York county, reporting that they cannot agree.

On motion by Mr. Reed of Bangor, report accepted.

On further motion by same gentleman, the House voted to adhere to its former action.

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From the Senate: Report of committee on appropriations and financial affairs, reporting "ought to pass" on Resolve in favor of George Martin for services as clerk and stenographer to the committee on interior waters.

Report accepted in concurrence.

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

From the Senate: Report of the committee on appropriations and financial affairs, reporting that same be referred to the next legislature, on An Act relating to the department of agriculture.

Report accepted in concurrence.

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From the Senate: Report of the committee on inland fisheries and game, reporting that same be placed on file, on concurrent resolution of the Senate and House and of the assembly of the State of New York relative to the convention between the United States and Great Britain for the protection of migratory birds.

Report accepted in concurrence.

From the Senate: An Act to amend Chapter 121 of the Public Laws of 1917, entitled An Act to amend Section 17 of Chapter 12 of the Revised Statutes, providing for notice by registers of deeds to municipal officers of real estate transfers.

In the Senate introduced under suspension of the rules; given its two several readings and passed to be engrossed.

Mr. ALLAN of Portland: Mr. Speaker, it is very necessary that an amendment should be added to that bill. It specifies "within twenty-four hours." It would be impossible for the register of deeds for Cumberland county to comply with that. If you will simply table it, I will see that the amendment is put on tomorrow morning. I move it be tabled until morning.

Mr. FARRINGTON of Augusta: Mr. Speaker, I would ask through the Chair if the gentleman cannot prepare his amendment now.

The SPEAKER: Is it possible to prepare the amendment tonight?

Mr. ALLAN: Mr. Speaker, I better move to indefinitely postpone it.

A viva voce vote being taken,

The motion to indefinitely postpone the bill prevailed.

From the Senate: An Act relating to the sale of milk.

In the House the minority report "ought not to pass" was accepted. In the Senate the majority report "ought to pass" was accepted in non-concurrence, and the bill was read twice under suspension of the rules and passed to be engrossed.

Mr. ALLAN of Portland: Mr. Speaker, I move we adhere.

Mr. PURINGTON of Mechanic Falls: Mr. Speaker and Gentlemen, do not be alarmed; I am going to inflict an earache upon you, you may be sure of that, but it is a surprise to me that this bill received the support of every officer connected with the Grange interests of this State, and then should be turned down. The present law while it provides a standard for milk, makes it impossible for the producers to comply with it. Somebody has been around here with a big boo-hoo about corporations, but I was in conver-

sation with a man from Portland the other day and he said that the Turner Center was furnishing him milk which had 4%. Somebody has said there were both good corporations and bad corporations in the State and that the bad should be discouraged but the good should be encouraged. No bad corporation is furnishing milk to cities as good as that and in addition divide amongst its patrons some \$50,000. It must be a pretty good corporation. I hope this motion of the gentleman from Portland will not prevail.

It is certainly a good law and places all producers of milk and all farmers on an equal basis. If its right to have a standard bushel of potatoes or apples, it seems to me right to have a standard for milk. The farmers of this State are greatly interested in it. The Maine Dairymen's Association ask for it. Now, gentlemen, I hope that you will listen to the wishes of the dairymen of this State.

Mr. LEAVITT of Livermore: Mr. Speaker, I would like to call attention just for a minute to who is interested in this bill. Mr. Tucker, our State Dairy Inspector, Mr. Robbins and Mr. Adams of the Department of Agriculture, and Doctor Woods of the State Experimental Station are all in favor of this bill, and most of these gentlemen appeared before the committee at the hearing on this bill and spoke in favor of it.

The Boston Chamber of Commerce, in a report which they got out last August, 1916, on grading and labeling milk and cream say that the law should be changed so that milk and cream should be standardized. Now, gentlemen, I think that is a step in the right way. If you people have got sick of your thin milk that you are getting delivered to you in the cities, it is time you had the old law changed and your milk standardized, and then when you get milk, you will know what you are getting.

Mr. LONGLEY of Sidney: Mr. Speaker, in behalf of the towns which I represent I have got to say one thing for this bill. This bill is a measure not only for the interests of the milk producer but for the interests of the consumer. I will show you why. In this

city of Augusta and every city in the State of Maine there are men using milk that is not up to the standard. You may think that is not so, but I would like to ask you how often your milk is up to the standard in the State of Maine. In my town they are shifting over and putting in Holstein cows because they get just so much more from a Holstein cow that tests out only three per cent. than they do from a Jersey cow that tests out from six to eight per cent. If a man is getting milk from a cow that tests out from six to eight per cent., that cream is surely an asset to that man who produces that milk and it should be worth something to him.

The point is like this, we can see no harm in having milk standardized so that both the consumer and the producer will be on equal terms. As far as the Turner Center Creamery is concerned, I never sold them any cream in my life, but in my towns they have purchased of them many years and they are satisfied for this reason: The Turner Center Creamery has done better by them than they ever agreed to do, and they have paid something in dividends besides.

Mr. BARNES of Houlton: Mr. Speaker, let's not forget that this bill authorizes a man to stir a little butter fat into skim milk and sell it for cows' milk. (Applause).

Mr. O'CONNELL of Millinocket: Mr. Speaker, and gentlemen of this House, I would be ashamed to go back to Millinocket and let my constituents know that such a bill as this came before this legislature and passed. (Applause).

The pending question being on the motion of the gentleman from Portland, Mr. Allan, that the House adhere to its action,

A viva voce vote being taken,  
The motion prevailed.

Mr. BUZZELL of Belfast: Mr. Speaker, the last thing tonight before adjournment we acted on Bill 559 which was passed to be enacted and is now in the hands of the Senate, I suppose. Could that be brought back to this House?

The SPEAKER: It was signed about six o'clock by the Speaker and after that the Chair lost track of it. It has probably gone to the Governor.

From the Senate: Reports of judiciary committee on bill, An Act regulating the practice of osteopathy.

In the House the majority report, "ought to pass", was accepted. In the Senate the minority report "ought not to pass" was accepted in non-concurrence.

Mr. DUTTON of Bingham: Mr. Speaker, I move we insist and ask for a committee of conference.

A viva voce vote being taken,  
The motion prevailed.

The Chair appointed as a committee of conference on the part of the House Messrs. Longley of Sidney, Sawyer of Madison and Clason of Lisbon.

From the Senate: Reports of the committee on ways and bridges on An Act to amend Section 16 and Section 17 of Chapter 4 of the Revised Statutes, regarding road commissioners.

In the House the minority report "ought to pass" was accepted. In the Senate the majority report "ought not to pass" was accepted in non-concurrence.

Mr. JORDAN of Baileyville: Mr. Speaker, I move we insist and ask for a committee of conference.

A viva voce vote being taken,  
The motion prevailed.

The Chair appointed as a committee of conference on the part of the House Messrs. Jordan of Baileyville, Alden of Gorham and Cummings of Hebron.

The report of the committee of conference, on the disagreeing action of the two branches of the Legislature on House Document 95, An Act to amend Sections 35 and 38 of Chapter 45 of the Revised Statutes of 1916, relating to the measurement of lobsters, reporting that they were unable to agree. Signed by Messrs. Peacock, Butler, and Higgins on the part of the Senate, and Messrs. Newcomb, Packard and Fletcher on the part of the House.



On motion by Mr. Barnes of Houlton, the report was accepted.

On motion by Mr. Newcomb of Scarborough, the House voted to adhere to its former action.

From the Senate: Report of the Committee on Pensions, on the following Resolves:

Resolve providing for a State pension for Joann P. Libby.

Resolve providing a State pension for Myra G. Millet.

Resolve providing a State pension for Stephen F. Flood.

Resolve in favor of Mary Allen.

Resolve providing a State pension for Vinnie E. Saunders.

Resolve providing a State pension for Susan B. Merrill.

Resolve in favor of Zebedee M. Cushman.

Resolve in favor of Cora M. Libby.

Resolve in favor of Adaline M. Hanaford.

Resolve giving a State pension to Levi E. Holden.

Resolve in favor of State pension for Olive A. Getchell, of North Berwick, Maine.

Resolve in favor of Addie L. Coombs, of Montville, for State pension.

Resolve in favor of Ellen M. Shute.

Resolve providing a State pension for Winifred Whitney of Union.

Resolve in favor of a State pension for Hattie E. Rust, of South Portland.

Resolve in favor of Georgiana Carley.

Resolve in favor of a State pension for Lucena P. Andrews.

Resolve providing for a State pension for William H. Clark.

Resolve providing a State pension for Luella Darling.

Resolve in favor of Charles D. Preble of Kittery.

Resolve providing a State pension for William H. Durham.

Resolve in favor of Margaret H. Root of Kittery.

Resolve providing a State pension for Drusilla Roberts.

Resolve in favor of Pamela F. McElroy of Topsfield, Washington county, for State pension.

Resolve in favor of Arvesta M. Con-

rey, widow of John Conrey, a soldier in the Civil War.

Resolve in favor of Sarah E. White of Princeton, Washington county, for State pension.

Resolve providing an increased State pension for Emma A. Gannett.

Resolve providing a State pension for John Lamson of Vassalboro.

Resolve in favor of Charles S. Robbins of Lewiston, Maine, for State pension.

Resolve providing a State pension for Flora Stevens of Lewiston.

Resolve in favor of James D. Wilder of Hiram, Maine, for State pension.

Resolve providing a State pension for Dorcas M. Watkins, of Lewiston.

Resolve in favor of a State pension for Lorenzo D. Wright.

Resolve providing a State pension for Ann M. Larrabee.

Resolve in favor of Phoebe Dano of Readfield, county of Kennebec and State of Maine.

Resolve providing a State pension for Bridget Hogan.

Resolve in favor of Margaret Francis, of Lubec.

Resolve providing a State pension for Samuel S. Goodwin of Amherst.

Resolve in favor of a State pension for Lydia E. Sutter, of Monticello.

Resolve providing a State pension for George E. Spear.

Resolve providing a State pension for Hannah Hogan.

Resolve providing a State pension for Harvey C. Black.

Resolve in favor of Eliza A. McKenney for a State pension.

Resolve providing a State pension for Jane Frazier.

Resolve in favor of Theresa Rines for State pension.

Resolve providing a State pension for Electa J. Lawry.

Resolve providing for an increase of State pension for James R. Hunton of Milford.

Resolve providing for State pension for Maria L. Wallace of Lubec.

Resolve providing for a State pension for Emily T. Smith of Litchfield.

Resolve in favor of Mrs. Rosilla Hall of Harrington.

Resolve in favor of Mrs. S. J. Ever-son of Addison.

Resolve in favor of M. Frances Owen.

Resolve providing a State pension for Maria Snow of Sedgwick.

Resolve in favor of Perlie A. Haskell of Sidney.

Resolve providing a State pension for Annie M. Lovell.

Resolve in favor of Bertha A. Toomey.

Resolve providing a State pension for Syrena B. Withee.

Resolve providing a State pension for Harriett G. Twombly; reporting same in a new draft, under title of Resolve providing for certain State pensions, and that it ought to pass.

Reporting same in new draft under title of Resolve providing for certain State pensions, being Senate Document No. 438.

On motion by Mr. Sawyer of Madison, the report was accepted in concurrence.

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

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On motion by Mr. Farrington of Augusta, the House voted to reconsider the vote whereby Senate Document 434, An Act providing for notice by registers of deeds to municipal officers of real estate transfers.

Mr. FARRINGTON of Augusta: Mr. Speaker, I now move it take the course it took in the Senate. I think there is a misunderstanding on the part of the gentleman who postponed it.

The SPEAKER: The pending question is the motion of the gentleman from Augusta, Mr. Farrington, that the bill takes its three readings under suspension of the rules and pass to be engrossed in concurrence.

Mr. BARNES of Houlton: Mr. Speaker, let me ask the gentleman from Augusta, through you, if he has read the bill since it was amended?

Mr. FARRINGTON: Mr. Speaker, I will state I have. It is an amendment to a bill I think which has been signed by the Governor. The entire bill re-

lates to the duties of the registers of deeds in making separate returns in regard to all transfers of property. I think this amendment takes care of the situation in the bill.

Mr. BARNES: Mr. Speaker, I understood that all the amendment accomplished was to take away the little fee given to the register of deeds. I cannot see how this could be of any value to any one. It is attempt to notify the assessors of the towns of the transfer of real estate, probably for the purposes of taxation, but it strikes me as a lawyer that it will not accomplish anything.

Mr. BREWSTER of Portland: Mr. Speaker, I am advised by the attorney general's office that this bill is to repeal an act passed early in the session. Does the bill show?

The SPEAKER: It is No. 434.

Mr. BREWSTER: I haven't a copy of it, Mr. Speaker.

The SPEAKER: The title of the act is An Act to amend Section 17 of Chapter 12 of the Revised Statutes providing for notices by registers of deeds of real estate transfers.

Mr. COLE of Eliot: Mr. Speaker, can you inform us of the course of the bill? Is it a new bill just introduced?

The SPEAKER: It was introduced April 3 in the Senate—presented under suspension of the rules by Mr. Chick of Kennebec.

Mr. COLE: Mr. Speaker, I move it be indefinitely postponed.

Mr. LONGLEY of Sidney: Mr. Speaker, if that is the bill that I think it is, I am informed by one or two registers of deeds that this will do a great injustice to every register of deeds in the State of Maine. If this bill should pass and become a law, it would make it almost impossible for registers of deeds to comply with the law. It would work a great injustice for every register of deeds to be obliged within 24 hours to do that and notify the municipal officers as called for in that bill. They would have to work nights and have extra girls to

do it. I want to register my objection against enacting that bill into law.

Mr. BREWSTER of Portland: Mr. Speaker, I move this bill be laid on the table temporarily until we can investigate. Several lawyers seem to be in doubt as to which and what is being considered.

Mr. COLE: Mr. Speaker, this legislature has raised the pay of every person getting over \$1500 a year who has asked them. It has killed the pay of every one who works in an office. To add any more burdens to the girls in the offices of registers of deeds or that they shall be busy any more hours a day than they are, is a great injustice. I move the bill be indefinitely postponed. (Applause)

Mr. FARRINGTON: Mr. Speaker, I think the sentiment of the House is exactly as expressed by the gentleman from Eliot, Mr. Cole. As I understand it, the bill was sent in early in the session which makes this provision which throws on the register of deeds the extra work. I am just old this bill repeals that.

Mr. MURRAY of Bangor: Mr. Speaker, I think I can make this clear. Before the legal affairs committee was presented, not this bill, but the one they are trying to repeal which added two lines which made every register of deeds make a return to the tax collector or somebody in cities and towns. This bill is now being presented and it strikes out from the bill passed early in the session those last two or three lines and leaves the law just as it was before the bill presented early in the session.

Mr. COLE: Mr. Speaker, I withdraw my motion.

The pending question being on the motion of the gentleman from Augusta, Mr. Farrington, that the bill be given its several readings under suspension of the rules.

The motion prevailed, and the bill was given its three several readings.

Mr. COLE: Mr. Speaker, I think there is some uncertainty on this matter now. I move it be laid on the

table, and we will take it up again within a few minutes.

The motion prevailed and the bill was tabled pending its passage to be engrossed.

Report of the committee on conference on the disagreeing action of the two branches of the Legislature on An Act amending Section 124 of Chapter 87 of the Revised Statutes, relating to the competency of witnesses in court cases, reporting that they are unable to agree.

On motion by Mr. Reed of Bangor, the report was accepted and on further motion by the same gentleman, the House voted to adhere to its former action.

#### Reports of Committee

Mr. Powers, from the Committee on Appropriations and Financial Affairs, reported "ought to pass" on Resolve in favor of Fred F. Lawrence for services to Committee on Taxation;

(On motion of Mr. Reed of Bangor resolve given two several readings under suspension of rules and passed to be engrossed.)

Majority report of the Committee on Taxation, reporting "ought not to pass" on bill "An Act to Amend Chapter Nine, Section Eighteen, of the Revised Statutes of 1915, Relating to the Taxation of Corporate Franchises."

(Signed) Messrs. Holt, Jordan, Allan, Gannett, Charles, Turner, Swift.

Minority report of same committee, on same subject matter, reporting same in a new draft under same title, and that it ought to pass.

(Signed) Messrs. Holt, of Cumberland, Merrill.

(On motion of Mr. Gannett of Augusta, majority report accepted.)

Mr. Speirs, from the Committee on Public Buildings and Grounds, reported "ought not to pass" on Resolve for the Improvement of the State Street Park on the easterly side of State street;

(Report accepted.)

From the Senate: Report of Committee on Taxation on bill, An Act to amend Chapter Nine, Section 27 of the Revised Statutes of 1916, relating to the amount of tax on railroads and how ascertained, reporting "ought to pass."

In the House read and accepted. In the Senate indefinitely postponed.

On motion by Mr. Gannett of Augusta the House voted to recede and concur with the Senate.

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Mr. BARNES of Houlton: at the proper time, Mr. Speaker, now or later, I wish to make a motion in aid of the engrossing department.

The SPEAKER: As soon as we have finished with the House reports.

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From the Senate: An Act to secure information relating to the yearly cut of timber on wild land townships.

In the House the bill was passed to be engrossed. Comes from the Senate passed to be engrossed with Senate Amendments A and B.

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

Mr. ROUNDS of Portland: Mr. Speaker, just state what the House's action was this morning.

The SPEAKER: The House passed the bill without the amendments, and the Senate sends it back adhering to its former position in the adoption of the amendments.

Mr. ROUNDS: I move we adhere to our action, Mr. Speaker.

Mr. BARNES of Houlton: Mr. Speaker, I was just going to make the motion that we adopt the Senate amendments in concurrence. It applies as amended only to the lands which have been cruised by the State assessors.

Mr. ROUNDS: Mr. Speaker, if I may be allowed a word, I want to say there has only been a little of it cruised, so they do not calculate to get much taxes. I do not believe in that. Therefore I move that we adhere to our former action.

Mr. BARNES: Mr. Speaker, as a matter of fact the only value of reporting the amount of timber cut is to reduce the taxable value of wild land.

The SPEAKER: The motion to recede has to be put in precedence according to parliamentary usage. The gentleman from Houlton moves that the House recede.

Mr. FARRINGTON of Augusta: Mr. Speaker, before that motion is put, I want to call it to the attention of the House that that is the bill that came in this morning providing that these records should not be public records.

The pending question being on the motion of the gentleman from Houlton, Mr. Barnes, that the House recede.

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

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

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From the Senate: An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relating to the compensation of inspectors of steamboats, being Senate Document No. 369.

On motion by Mr. Reed of Bangor, the House voted to reconsider its action whereby the bill was passed to be enacted.

On further motion by the same gentleman, the House voted to reconsider its action whereby the bill was passed to be engrossed.

The Speaker read Senate Amendment A.

Mr. MESERVE of Naples: Mr. Speaker, this bill was heard by the Committee on Interior Waters and nothing was said about any fees for inspection. No notice was given to any steamboat owners in the State to appear at that hearing. Your committee voted unanimously to strike out that section. I move this amendment be indefinitely postponed.

Mr. FARRINGTON of Augusta: Mr. Speaker, I understand the bill went to the Governor with that—I may be misinformed, and if I am, I will stand cor-

rected—that the bill went to the Governor, was shown to him and he desired this amendment placed on it before it received his signature.

Mr. BÜSSABARGER of Lubec: Mr. Speaker, I wonder if we are to use our initiative on these bills, or are we rubber stamps to be stamped on to the laws. I want to protest against that. I heartily second the motion of the gentleman from Naples, Mr. Meserve.

Mr. ROUNDS of Portland: Mr. Speaker, the United States inspectors do not get any fees. They inspect your vessel once every year and give it a most rigid inspection. They have men they pay for it. I understand these men are paid so much a day. If the State pays these men so much a day, I do not see why a man owning a boat should pay a fee to have the boat inspected. It is for the public that he is willing to run a boat and the citizens want them inspected before they ride on them. Therefore I do not see why they should pay. I own no boats that run on interior waters, but I do own boats that run on the Big Pond. I don't think it is right that people without any hearing should come in here and have bills passed on the last day of the session with amendments attached to them to make men pay for having an inspection for the the public.

The pending question being on the motion of the gentleman from Naples, Mr. Meserve, that Senate Amendment A be indefinitely postponed.

A viva voce vote being taken,

The motion prevailed.

On further motion by Mr. Meserve of Naples, the original bill was passed to be engrossed.

From the Senate: An Act amendatory of Section 27, Chapter 52 of the Revised Statutes and to permit savings banks to invest in certain railroad bonds.

This bill was passed to be enacted by both branches and was signed by the Speaker and President of the Senate, and comes back from the Senate with Senate Amendment A adopted in the Senate.

The SPEAKER: The amendment is long and evidently is a redraft of the bill. The Chair will not read it unless the House wishes.

Mr. ROUNDS of Portland: Mr. Speaker, being that is so long and it is this time in the session, I move that the bill be indefinitely postponed.

The motion prevailed.

Mr. FLINT of Monson: Mr. Speaker, I move we reconsider the vote whereby we voted to adhere to our former action on Senate Document No. 208, An Act to secure information relating to the yearly cut of timber on wild land townships.

The SPEAKER: The Chair will take that up after we finish up these Senate Reports.

Mr. BAXTER of Portland: Mr. Speaker, in regard to that bill in regard to savings banks just indefinitely postponed, I should like to ask if there is not some member of the Committee on Banks and Banking who could explain it. I understand the bill has some merit in it, and it might not be well to indefinitely postpone it without knowing what it is.

The SPEAKER: The House hears the remarks of the gentleman from Portland. There is no motion before the House.

Mr. PURINGTON of Mechanic Falls: Mr. Speaker, if I can see the bill and look at it, perhaps I can get some line on it. So many of those have passed that I don't remember it.

Mr. BREWSTER of Portland: Mr. Speaker, I would like to inquire whether the gentleman knows whether this was the amendment of some length that was tacked on in the Senate yesterday or the day before and whether it is a Senate Document. I found it printed on my desk, I think, this morning.

Mr. BAXTER: Mr. Speaker, I am not familiar with it myself. I merely asked for information.

Mr. BREWSTER: It seems to me it is rather an important change to tack on at this late hour, the last in the session when it hasn't been before the Committee on Banks and Banking. I think the House acted just right.

Mr. PURINGTON: Mr. Speaker, I move we reconsider that vote and that it be laid on the table until tomorrow.

Mr. DUTTON of Bingham: Mr. Speaker, I believe that it is wrong to bring anything back and lay it on the table. I would like just a moment to say just this. Mr. Speaker, that having important matters come in here in the very last days of the session and having decidedly drastic amendments tacked on to them and coming back to this House and being passed and going along without due consideration or a chance for investigation—is something that is wrong and something we will have an opportunity to regret at our leisure. We have taken a particular action on this measure. I believe that is the position we should take on all measures that come back here with drastic amendments we have not time to consider.

The SPEAKER: As the matter stands it is indefinitely postponed.

From the Senate: Resolve in favor of the appointment of the Hydro-Electric Investigating Committee.

In the House this resolve was indefinitely postponed; in the Senate it was read twice under suspension of the rules without reference to a committee, Senate Amendment A was read and adopted, and the resolve was passed to be engrossed. It comes back from the Senate the Senate voting to adhere.

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

From the Senate: An Act regulating the keeping and sale of dynamite, powder and other explosives.

This bill was introduced in the Senate, read twice under suspension of the rules and passed to be engrossed.

Mr. BARNES of Houlton: Mr. Speaker, this is an act drafted and introduced today to meet the emergency that faces us and requiring a record of the sales of dynamite. I move it have a passage.

Mr. ROUNDS of Portland: Mr. Speaker, a record in our city, Mr. Speaker, of every mite of dynamite sold; I supposed they did in every town in the State, and I hope it will pass if they do not. We have a record in the city of Portland.

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

Mr. BARNES: Mr. Speaker, has it the emergency clause?

The SPEAKER: It has. The Chair would call attention to the fact that this has the emergency clause and that undoubtedly it will come up for passage tomorrow morning. It takes 101 votes to pass it. The tax bill also comes up tomorrow morning—the assessment of the State tax, which is also an emergency measure.

From the Senate: An Act to create the Maine Water Power Commission.

In the House the minority report "ought to pass" was accepted. In the Senate the majority report "ought not to pass" was accepted in non-concurrence.

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

Mr. BAXTER of Portland: Mr. Speaker, I was about to move we adhere.

On motion by Mr. Barnes of Houlton, the House voted to recede and on further motion by the same gentleman, voted to concur with the Senate in the acceptance of the majority report "ought not to pass."

Report of the Committee on Concurrence on the disagreeing action of the two branches of the legislature on Re-

solve relating to the equestrian statue of Major General Oliver O. Howard and standing statue of Brevet Major General Joshua L. Chamberlain at Gettysburg, reporting that a committee of the legislature, consisting of two members from the Senate and three from the House, be appointed by the presiding officers thereof. It shall be the duty of the committee to investigate fully the subject matter of this resolve, hear all parties interested and make their recommendations to the next legislature.

On motion by Mr. Reed of Bangor, the report was accepted.

Report of Committee of Conference on the disagreeing action of the two branches of the legislature on Resolve in favor of the General Knox Chapter of the Daughters of the American Revolution, Thomaston, Maine, and Knox Academy of Arts and Sciences, reporting that a committee of the legislature, consisting of two members of the Senate and three of the House, be appointed by the presiding officers thereof. It shall be the duty of said committee to investigate fully the subject matter of this resolve, hear parties interested and make their recommendations to the next legislature.

On motion by Mr. Reed of Bangor, the report was accepted.

On motion by Mr. Reed of Bangor, the rules were suspended to consider a Senate Report.

From the Senate: Report of the Committee on Judiciary on bill, An Act to amend Section Two of Chapter Five of the Revised Statutes, relative to qualification of voters, reporting that the same ought to pass.

In the Senate read and accepted.

On motion by Mr. Reed of Bangor, the report was accepted in concurrence and on further motion by the same gentleman, the bill was given its three several readings under suspension of the rules and passed to be engrossed, in concurrence.

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

In the House passed to be enacted.

Comes back with Senate Amendment A.

On motion by Mr. Hutchins of Mexico, the House voted to reconsider its action whereby the bill was passed to be enacted.

On further motion by the same gentleman, the House voted to reconsider its action whereby the bill was passed to be engrossed.

Senate Amendment A adopted in concurrence.

On motion by Mr. Gurney of Portland, the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the legislature on House Document 646, An Act to prohibit the selling or giving away of air rifles to children under fourteen years of age, reporting that said document should be amended by striking out all words after the word "dollars" in the third line of the first Section of said act and by striking out all of Section Three, and that said act with the suggested amendments ought to pass.

The report was accepted.

On motion by Mr. Reed of Bangor the House voted to reconsider its action whereby the bill was passed to be engrossed as amended by House Amendment A.

Mr. Hutchins of Mexico offered House Amendment B to amend Section One by striking out all words after the word "dollars" in the third line of the first section of said act and also striking out all of Section Three in said act, and moved its adoption.

House Amendment B was adopted.

On further motion by Mr. Hutchins of Mexico, the bill as amended by House Amendments A and B was passed to be engrossed.

From the Senate: Final Report of Joint Standing Committee on Judiciary; final report of Joint Standing Committee on State Sanatoriums.

The reports were accepted in concurrence.

From the Senate: An Act regarding the compensation of the judge of probate for Somerset county.

The Senate voted to adhere to its former action.

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

The SPEAKER: Isn't it true that the Senate has refused all action on these increases of salary for county officials and have caucused on the matter and absolutely refused?

Mr. BARNES of Houlton: Mr. Speaker, the Senate last Monday caucused on these measures and decided to support those which had a favorable report from the committee.

Mr. HOLT: Mr. Speaker, what was the report on this one? I understood it was a unanimous report "ought to pass."

The SPEAKER: The report is "ought not to pass." The Chair only knows that that has been the fate of all of them that have had a committee of conference—the Senate adhere.

Mr. SAWYER of Madison: Mr. Speaker, I move that the Senate have our unanimous consent to recede and concur with the House.

The SPEAKER: The pending question is on the motion of Mr. Holt of Skowhegan that the House insist and ask for a committee of conference.

Mr. SAWYER: I withdraw my motion.

Mr. ROUNDS of Portland: Mr. Speaker, it is a well known fact that they won't accept these reports on salaries and fees unless there is a unanimous report. We have tried every way to shove them by, but they are like a stone wall. That is why we would like to be a stone wall on this end.

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

The Chair laid before the House An Act relating to the care and treatment

of certain infectious diseases, tabled by the gentleman from Portland, Mr. Allan, pending third reading.

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

The Chair laid before the House Resolve relating to the conservation of storage reservoirs and water powers of the State of Maine.

Mr. BARNES of Houlton: Mr. Speaker, if it is the will of the House, I would like to have ten minutes to discuss that measure in the morning.

The SPEAKER: The Chair might remind the members of the House that they will feel different in the morning than they do tonight.

Mr. BARNES: Mr. Speaker, I move it be tabled until tomorrow morning.

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

Mr. BARNES: Mr. Speaker, I think we are all agreed that it would be a very unfortunate thing under the circumstances if this legislature adjourned, after having considered the matter of State ownership of waterpowers or rights in water powers, without having done anything or taken any definite stand.

Now the gentleman from Portland, Mr. Baxter, has offered a resolution which the Senate has refused. The Senator from Cumberland, Mr. Davies, has offered a resolution in the Senate which the House has refused. There is widespread over the State the belief on the part of most people that the State owns the water powers and that something should be done on the part of the State to make those rights which the people believe they have of value to the people of the State.

Now it is not of any moment for a lawyer to say that it is well settled law in Maine and has been ever since sixteen hundred and forty-something when the



Colonial Ordinance of Massachusetts was passed, that the man who owns the land that borders on a stream owns to the thread of the current of the stream, and if he owns both sides of the stream, the land on both sides of the stream, he owns the land under the stream above tide water. So, if there happens to be a water-fall on a stream to which my land is adjacent, I own half of that waterfall, and if the waterfall is on land owned by a corporation, it is owned by the corporation, if the corporation owns the land on both sides of it. The riparian owners own the waterfall. That has been decided since 1640 when we were a part of Massachusetts.

That is not the law in England and that is not the law in Canada; and with the false statements made in certain newspapers of the State, it is no wonder that the people of Maine to a large number believe that the State has a right or interest or title or ownership to the waters that come tumbling down over her falls. It is no use for a lawyer to state to the House tonight what the law is. There is a pronouncement of Ex-Chief Justice Emery on page 585 or some other page of our record which can be read at leisure.

But since there is this sentiment so strong among the people that the people of Maine own some water powers, I believe that should be recognized by this legislature, and it should not be said when we adjourn that the legislature of the State of Maine has surrendered to corporations or bowed to the octopus, or any other of those high sounding terms that are published in the newspapers every day in Maine.

I believe further it would be a detriment in Maine to have men who have money invested—and you know the development of a water power, if it is of any size, in Maine means that we must interest a great deal of capital to improve it—I believe it is a great detriment to Maine to have this legislature adjourn and have the people believe we have surrendered our rights, and also from this other point of view that capital will not be interested to aid in the development of our

water powers, to furnish employment to our labor, but there they will be perfectly willing to go elsewhere.

Now it would not be of any use for me to state to you that I believe that the State does own one tremendous water power. That is the one over near Bingham on the east branch of the Kennebec river below the outlet of Moosehead Lake. Now the State owns that one water power because one wise surveyor years ago laid out land so that the school lots in that unorganized township are on one side of the water-fall. And the State owns some other small water powers where on school lots there are waterfalls.

I prepared this resolution and presented it in case the others were not favorably received. I read it to you once, and I will take your time to read it again.

"Resolved, the Senate concurring, it is the opinion of the 78th legislature of Maine, now in session, that the storage reservoirs and basins in this State should be conserved in some manner for the benefit of the people and the industries of the State."

You will all agree with that.

"That no steps should be taken that will discourage capital from continuing old industries."

You will all agree with that.

"Or establishing new ones in the State or that will make it more difficult for the people of the State to be supplied with light and power; And

That it is the opinion of the legislature that steps should be taken to determine what rights of ownership, if any, the State has in storage reservoirs and basins and in water powers; And

That the State should not part with its rights in any water power or storage reservoir or basin, except after investigation and report by some competent authority acting for it."

Of the others that have been suggested one asked for a recess committee of the legislature. Those of you who have followed those things know that a recess committee of the legislature on a junketing trip in the summer are not considered of any value when the legislature meets.

The other one was to be appointed by

the Governor and it entailed a great deal of expense, and some of it unnecessary, for instance, the expense of the clerks that would be necessary in the State House.

Some of us know that a water commission was established way back in 1909 and did splendid work until the Public Utilities was formed, made up of two lawyers and one of the best informed men or as well informed as any on water powers from practical experience in construction work. They form the Public Utilities Commission, and that Public Utilities Commission has continued this work in a measure, that is, it has used what money has been advanced to it for this particular purpose. I do not mean that the two lawyers and the other member of the Commission go out themselves—that would not amount to anything—but they do employ an expert. They hire an expert and his reports are worth something. So, my resolution went on with this further:

“In pursuance of the foregoing, the Public Utilities Commission is hereby directed and ordered to make a careful and thorough investigation of both the developed and undeveloped water powers and of the water storage reservoirs and basins of this State, showing what rights remain to the State therein, and what are the probabilities of development and the probable cost of the same; And

The said Commission is hereby directed and ordered to take up and continue the work begun by the State Water Storage Commission which was created by Chapter 212 of the laws of Maine for 1909; And

The said Commission is further directed to make a full report with such recommendations as it may deem advisable, to the next legislature.

If this resolution will be entertained by the House—as I drafted it I suggested \$5000 be allowed for the hydro-electrical engineering—I would change that, if the House should entertain a motion at all, and suggest, instead of that, the Governor shall draw his warrant for the funds necessary to carry out the provisions of this resolve from any funds in the State treasury not otherwise appropriated.

I will say further, there is probably no

man in Maine more largely and intelligently interested in the development of water powers of Maine and in determining what rights the State has, than our present Governor. I think I can assure this House he would see to it that the Public Utilities Commission continued their work intelligently and in well-directed fashion, and he would see to it that such funds as were necessary should be at the disposal of that Commission.

What would be the result? The result would be, we could go before the people and say that the question coming up before the legislature this winter which had so much time and attention given to it—you know how long the hearings were—so many experts giving their opinions and their deductions from their information—we could say that we had considered the matter seriously and that we did take a step. We can say that we did direct the best authority at our disposal to make a fair examination of these questions that are before us and that they will return a report. And I say to you, knowing the personality of the Utilities Commission, that I believe that that report would be really considered as of some value.

Gentlemen, if the opinion that is so prevalent in this State that the people of the State have certain rights that are of tremendous value, is unfounded, isn't it well that we have the information on it?

Now, Mr. Speaker, I move the adoption of the resolution and that it be given its first reading at the present time.

Mr. BAXTER of Portland: If the House will give me just five minutes, I will not take five seconds over that time. I should not get up here and oppose the resolution offered by the gentleman from Houlton, if it accomplished what it purports to accomplish. In the first place, gentlemen, in my opinion it is too late in the session for us to adopt any measure of such importance as this. This resolution has never had a hearing. It has never been considered in this House. It was introduced a few days ago.

Now the reason why I oppose this is this, briefly, I do not believe that the public utilities commission can adequately determine this question because it is overburdened with work. It is bound up with a dozen matters. More than that, the public utilities commission has all the powers which the old water storage commission used to have. If the public utilities commission at the present time wanted to do this work, it has in my opinion ample authority to do it.

All our contests are over; I want to be the last man in the House to raise any issue at the present time, and I should be only too glad to stand up here and second the motion of the gentleman from Houlton if I really believed this resolution would accomplish anything for the State of Maine. Certainly nobody can say after we adjourn that the House of Representatives of this Legislature yielded to the octopus. We have stood right here with our backs to the wall; we have expressed our views clearly and forcefully and I believe every member of this House is willing to go home and say what he did regardless of what anybody else in any other branch of this community has done.

We do not want to pass a resolution just so we can go before the people and try to explain it to them in some way. If this question was worth any consideration, it was worth very careful consideration. We passed a bill which gave this whole subject to a separate commission. The Senate in its wisdom did not see fit to concur with it. I am willing to leave it in that form, and I hope that the members of the House will agree with me. (Applause.)

Mr. BREWSTER of Portland: I would like to inquire through the Chair of the gentleman from Portland, Mr. Baxter, whether there is any prospect of this commission getting through at all, the one which he proposed?

Mr. BAXTER: Mr. Speaker, I would answer the gentleman from Portland by saying that the report just came in here this evening that the

Senate did not pass it, and on motion by the gentleman from Houlton, the House recessed and concurred. I was on my feet and was about to make the motion that we adhere simply to show to the Senate that we stood by our action in passing the bill, but the motion of the gentleman from Houlton was put previously, and I accepted it, so that the bill is killed and of course cannot come up again this session.

Mr. BREWSTER of Portland: Mr. Speaker, I understand that the public utilities commission would have \$5000 a year for the purpose of investigating these matters,—perhaps hardly enough to make a very comprehensive investigation; but from my knowledge of that commission and the Governor of this State I believe it would be wise and entirely safe for us to leave it with the Governor to make this investigation through the public utilities commission.

Mr. DUTTON of Bingham: Mr. Speaker, I would like just a moment or two in regard to this matter. I introduced a measure here early in the session and it was killed. I am not feeling badly about it nor feeling as though I wished to spit any spite on anybody relative to it. I believe that this water power proposition is something that should have some consideration, and I do not believe that we should take any action here simply to show the Senate that we resent anything that they have done to us. I believe that we are here to do business for the great State of Maine. In regard to these water powers in northern Somerset—and I do not speak of them because it is particularly in my county, but because they are of such vastness that they become a State-wide proposition. For nine or ten years the attitude of the State has prevented the development of that water power, and the people up there begin to feel as though the position which we have taken has been wrong; they want to see it developed. Bingham is a town with wonderful possibilities of development, if we only could have the water power developed up there, so that we might have cheap power from the electricity which could

be transmitted from the big development possibilities only a mile above Bingham, and also from the development on the East Branch.

Now I feel that rather than have this legislature adjourn without having accomplished any real good in the way of water power development or investigation, I believe that this measure which is introduced by the gentleman from Houlton (Mr. Barnes) should receive sensible consideration from this House. It is a real good measure and in the interests of the people of the State of Maine. I do not believe it is wise for any man to stand on the floor of this House and criticize a high court like the public utilities commission; I believe it is beneath the dignity of any member of this House to do so. I believe further that they are thoroughly competent to investigate our water-powers in the State of Maine. I believe that they will do it in the interests of the people of the State, and surely, with the assistance of the Governor of the State of Maine, I believe that we can safely rest this measure with them; and I am glad to second the motion of the gentleman from Houlton, Mr. Barnes.

Mr. COLE of Eliot: Mr. Speaker, I simply want to say to the members of this House that when the Public Utilities measure was passed, the present Governor of the State was the President of the Senate who appointed the members of that Commission; that he left his chair as President of the Senate and went on to the floor of the Senate and helped put the measure through against the opposition brought against him. I know his feeling for the present Public Utilities Commission, that it is favorable to them. I also know the attitude of the Public Utilities Commission in this whole matter. The only reason that they have not carried on the work as laid down in these statutes—and this is the latest revision, gentlemen, which you have been tearing to pieces this session more or less and which is already in the hands of the people at a cost of \$40,000, raised by us two years ago with which to pay for it—the duties imposed on them by these statutes require them to do the

very work this calls for; and the only reason they have not done it is because they have not had an appropriation for that purpose. Mr. Babb was the engineer of the Water Storage Commission; and when the Public Utilities bill was framed it was felt that that Commission should take over that work, because all dams and all work on reservoirs, and so forth, was a part of the process of the upbuilding of all of those corporations which came within their scope. Now today the Public Utilities Commission is taking physical valuations of the public service corporations of this state. It is already at work with the Central Maine Power Company, taking, down to the last mill, every dollar's worth of property it owns in order that it may know whether it is charging the people of Maine too much. Mr. Babb was a hydro-electric engineer. He was not an engineer who could take physical valuations. There was no appropriation at that time made, because the expense would be too great for the State to incur. We only allowed them \$15,000 to start with. This year they have broadened out their work and they have got a corps of people working, but they are working along the lines which they ought to work on first before they could be of any value to the state—the taking of physical valuations. The United States Government is taking physical valuations, through its Interstate Commerce Commission, of every railroad in the country in order that they may know whether rates are too high or too low to pay dividends on a fair valuation. The Public Utilities Commission could not carry on this work with the money that they have been having; but if they could have what this measure calls for, they could get Mr. Babb back and set him to work and do that work which is contemplated in Chapter 53, sections 9 to 14, inclusive.

Mr. BUSSABARGER of Lubec: Mr. Speaker and members of the House: I am not going to make any speech because I have made my speech today, and I am afraid my tongue might get loose at both ends and that I would speak unadvisedly; but I do want to heartily second the stand of the gentle-

man from Portland, Mr. Baxter. I do not know the personnel of Mr. Haines' Public Utilities Commission; but it seems to me, from what I have read and from things that I have heard in the three months that I have been here in the capitol, that there is growing distrust of the Public Utilities Commission in some quarters of the State, and there is also a growing expense account. It seems to me, as has been said here, that that Public Utilities Commission has enough on its hands; and I, for one, would prefer to turn this matter over—the investigation of our water power—to the Central Maine Water Power Company, which has experts along that line who devote their whole time to it, that the State might know what has been done, rather than to turn it over to the Public Utilities Commission. And I want to say that, though the gentleman from Portland (Mr. Baxter) helped to kill my little bill this afternoon, I bear no malice, but am going to stand behind the Baxter bill, and the author of it, and move that this be indefinitely postponed. (Applause)

Mr. NEWCOMB of Scarborough: Mr. Speaker and gentlemen of the House: I believe that this matter is a great deal larger than any one man. Our friend from Portland, Mr. Baxter, has made a gallant fight. The people in the State of Maine recognize the fight that he has made. (Applause.) But, Mr. Speaker and gentlemen of the House, he, or we, have lost out from some cause or other. I do not want to see this thing die and have to start over again. We have got a good start in this legislature, and I believe that referring the bill that the gentleman from Houlton presented to our utilities commission, for which I have a very high regard, is the proper thing for us to do to protect all our rights; and I hope that the resolve offered by the gentleman from Houlton will pass. (Applause)

Mr. ROUNDS of Portland: Mr. Speaker, if it took them twelve months to look over a little water plant of \$75,000, how long will it take for them to look over the water powers of Maine. (Applause) If they have not time to help that little plant out, I do not think they have got time to attend to this big question.

Mr. NEWCOMB: That does not change my opinion a bit, Mr. Speaker.

The SPEAKER: The question is on the motion of the gentleman from Houlton, Mr. Barnes, that the resolve have its first reading.

A viva voce vote being doubted,

A division of the House was had, And fifty-two having voted in the affirmative and forty-five in the negative, the motion of the gentleman from Houlton, Mr. Barnes, prevailed.

The resolve then had its two several readings.

Mr. Barnes then offered House Amendment "A" as follows:

"Amend by striking out the last paragraph, and inserting in place thereof the following:

"The Governor shall draw his warrant for the funds necessary to carry out the provisions of this resolve from any funds in the State treasury not otherwise appropriated."

Mr. BARNES: I move the adoption of House Amendment "A."

The amendment was adopted.

On further motion by Mr. Barnes the rules were suspended and the resolve was passed to be engrossed as amended by House Amendment "A."

The SPEAKER: The Chair asks consent that the rules be suspended to introduce an order of out of order.

Ordered, that the Clerk of the House compile and cause to be printed under his supervision 600 copies of the Journal of the House for the current session.

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

On motion by Mr. Farrington of Augusta, it was ordered that when the House adjourn it adjourn to meet at nine o'clock tomorrow morning.

Mr. COLE of Eliot: I wish to take from the table Senate bill 434, tabled by me a short time ago.

The motion was agreed to.

On further motion by the same gentleman the bill was passed to be engrossed.

On motion by Mr. Rounds of Portland, the House adjourned until nine o'clock Saturday morning.