

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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## HOUSE

Friday, April 8, 1921.

The House met according to adjournment.

Prayer by the Rev. Mr. Perry of Hallowell.

Journal of previous sessions read and approved.

From the Senate: Report of the Committee on Conference on Bill, "An Act to regulate the payments of appropriations for the care, treatment, support and education of persons in charitable or benevolent institutions not wholly owned or controlled by the State," reporting that the House recede and concur with the Senate and substitute the bill for the report with Amendment to Section 5. (House Document No. 65.)

The report was accepted.

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

On motion by Mr. Brewster of Portland, the vote was reconsidered whereby the House voted to recede and concur with the Senate.

On further motion by Mr. Brewster, the House voted to adhere to its former position.

From the Senate: Report of the committee on conference on bill, "An Act to make uniform the fees of the deputy sheriffs in attendance upon Supreme Judicial and Superior Courts," reported that House Amendment "A" be rejected in concurrence with the Senate. (Senate Document No. 134.)

The report was accepted.

In the Senate the report was accepted and the bill passed to be engrossed without amendment.

On motion by Mr. Forbes of Paris, the House voted to concur with the Senate in the rejection of House Amendment "A."

On motion by Mr. Forbes of Paris, under a suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by Mr. Forbes,

House Amendment "A" was rejected.

The bill was then passed to be engrossed without amendment.

From the Senate: Report of the Committee on Interior Waters on Resolve making an appropriation in aid of navigation on Sebago lake, Songo river, Bay of Naples, Chute's river and Long lake in Cumberland county, reporting that same "ought to pass." (Senate Document No. 131.)

This came from the Senate with the report read and accepted and the bill indefinitely postponed.

On motion by Mr. Hussey of Blaine, the House voted to concur with the Senate.

From the Senate: Resolve in favor of the Northern Oxford Fish and Game Association. (House Document No. 142.)

This resolve was passed to be engrossed in the House, and now comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

On motion by Mr. Pennell of Rumford, under a suspension of the rules, the vote was reconsidered whereby this resolve was passed to be engrossed.

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

From the Senate: Majority report of the Committee on Military Affairs reporting "ought not to pass" on bill, An Act to amend Chapter 81 of the Public Laws of 1919, relating to a draft for the National Guard; minority report of the same committee reporting "ought to pass" on the same bill.

In the Senate, the minority report was accepted and the bill passed to be engrossed.

Mr. Eastman of Fryeburg moved that the majority report be accepted in non-concurrence.

Mr. Weatherbee of Carroll moved that the House concur with the Senate in the acceptance of the minority report.

Mr. WEATHERBEE of Carroll: One of the most important items to consider before voting upon any question is public sentiment, and just what is the general feeling in regard to our draft law as it now exists under Chapter 82 of the Laws of 1919? The Maine Federation of Women's Clubs went on record at their last regular meeting as opposed to this peace time draft law. This organization represents thousands of women voters. Hundreds of our citizens who labor in our mills and factories have voiced their opposition to such a law. Our Governor has taken a decided stand in opposition to the present wording or phraseology of the law and yesterday afternoon the Senate unanimously accepted the minority report. Consequently, we can be quite safe in assuming that there is a strong public sentiment in favor of an amendment.

Let us now consider briefly the changes made by the proposed amendment. Chapter 82 practically changed that time honored, constitutional custom wherein the Governor of Maine has been the commander-in-chief of our army while within the borders of Maine. The law which we are asked to amend in its condensed form means that when in time of peace any company or regiment has not been filled up to the required strength by other methods, the Adjutant General will notify the Governor of Maine and the Governor shall start draft proceedings. Under this existing law he has no alternative, gentlemen, and even if he and his council considered a draft at some particular time unnecessary, or uncalled for, he would be forced to perform as dictated to by Adjutant General.

The only important change which the proposed amendment makes in the law is the elimination of that small but powerful word "shall" and the substitution therefor the word "may." So that the law with the amendment reads as follows: "The Governor may if in his opinion the

health, peace and prosperity of the State are threatened, order a draft." In other words we are asked by thousands of voters not to repeal but simply to amend this draft law in order to protect the people of Maine from the uncertain acts of whoever may be at the head of our military department. They ask that we have no draft in time of peace unless as the Governor and Council deem it necessary, and I don't believe that there is a representative within these walls who cannot see the justice in such a request.

Mr. EASTMAN of Fryeburg: Mr. Speaker, as a member of the committee on military affairs, I wish to state that at the hearing before the committee on this matter there appeared a strong labor organization in opposition to this bill. The Adjutant General appeared before the committee in favor of the bill, and for that reason, knowing that he knew all about the requirements of the bill, it seemed to the committee that there should be nothing but a majority report sent out. If this bill is repealed and if the Governor would not have the power to draft in time of peace, how are we going to raise the national guard up to the standard of 4800 men? It seemed proper to the committee that this majority report should be favorably received by this House, and for that reason I have made this motion.

The question being on the acceptance of the majority report,

A viva voce vote being taken,

The majority report was accepted.

From the Senate: Report of the committee on appropriations and financial affairs on Resolve providing for expenses in connection with the funeral of the late Governor Parkhurst, reporting same in a new draft under same title and that it "ought to pass." (Senate Document No. 225)

This came from the Senate with the report read and accepted and the resolve passed to be engrossed.

The report was accepted in concurrence.

On motion by Mr. Holley of North

Anson, under a suspension of the rules, the resolve received its first reading.

Mr. Holley then offered House Amendment "A."

The SPEAKER: The Chair will state that House Amendment "A" incorporates in the original resolve three items which were omitted by inadvertence.

The amendment was adopted.

On further motion by Mr. Holley, under a suspension of the rules, the resolve received its second reading and was passed to be engrossed as amended by House Amendment "A."

(At this point a recess of 15 minutes was taken.)

#### AFTER RECESS

From the Senate: An Act to amend Section 85 of Chapter 2 of the Revised Statutes relating to the State Contingent fund, (House Document No. 422.)

This bill was passed to be engrossed in the House, and now comes from the Senate passed to be engrossed in that branch as amended by Senate Amendment "A," in non-concurrence.

On motion by Mr. Holley of North Anson, under a suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by the same gentleman, Senate Amendment "A" was adopted, in concurrence.

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

From the Senate: An Act prohibiting games and amusements on Memorial Day, (Senate Document No. 212.)

This bill was passed to be engrossed in the House, as amended by House Amendment "A"; it now comes from the Senate passed to be engrossed in that branch as amended by House Amendment "A" and Senate Amendment "A," in non-concurrence.

Mr. EASTMAN of Fryeburg: Mr. Speaker, the committee reported

unanimously "ought to pass" on this bill. There appeared before that committee the grand commander of the Grand Army of the State of Maine, numerous veterans of the Civil War and soldiers of the late war. The committee feels as though we owe something to the veterans of the war of 1861-1865. Memorial day, or Decoration day, as it is sometimes called, is a holiday observed in many states, as the occasion for decorating the graves of the soldiers of the Civil War. That day in the past has been made a national holiday, the same as the fourth of July, or Labor day. For several years the Grand Army have tried to make it what it was meant to be, but of late years as I say, it has become more of a day for national sports. The question in my mind is, do we owe, during the last years of their lives, there being very few of the Grand Army men left, do we owe them anything? Isn't it possible that we could make it a day of respect for them and also for some seventy odd soldiers who made the "supreme sacrifice" in the late war. In many towns throughout the State the Grand Army men have been obliged to go to the committees in those towns who handled the sports and see whether they could have their exercises in the forenoon or whether they could have them in the afternoon. And out of the 365 days in the year, it certainly seems to me as though we could willingly give one day over to these old veterans in order that they may have their exercises when they want them, and they should have plenty of time to decorate the graves of their comrades. Another feature which occurs to me is this: It has been impossible in late years to get the children to take part in the exercises of that day for the reason that the sports came first in their minds, as would naturally be the case, and I am asking that the majority report of this committee be accepted. (Applause.)

On motion by Mr. Eastman, under a suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed.

On further motion by the same gentleman, Senate Amendment "A" was adopted, in concurrence.

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

From the Senate: Memorial to Congress urging favorable consideration of the principles embodied in the Smith-Towner bill.

This resolve was passed to be engrossed in the House and now comes from the Senate indefinitely postponed in that branch, in non-concurrence.

Mr. Murchie of Calais moved that the House recede from its former position and concur with the Senate in the indefinite postponement of the resolve.

Mr. BARWISE of Bangor: Mr. Speaker, there is just as good a reason today to favor the Smith-Towner bill as there was the day we voted, and I hope this House will insist upon its former action and ask for a committee of conference.

The question being on the motion to recede and concur with the Senate in the indefinite postponement of the resolve,

A viva voce vote being doubted, A division was had, and a sufficient number voting in the affirmative, the motion was lost.

The question being on the motion by Mr. Barwise that the House insist upon its former action and call for a committee of conference,

The motion was agreed to.

The SPEAKER: The Chair will appoint a committee of conference later.

From the Senate: Report of the Committee on Interior Waters reporting "ought to pass" on Resolve in aid of navigation on Sebec lake in Piscataquis county.

This comes from the Senate with the resolve indefinitely postponed.

On motion by Mr. Buzzell of Belfast, the House voted to concur with the Senate in the indefinite postponement of the resolve.

From the Senate: Report of the committee on salaries and fees on Bill, An Act to amend Section 15 of Chapter 117 of the Revised Statutes, relative to the salary of the Secretary of State.

In the House the report of the committee was accepted.

It now comes from the Senate with the bill substituted for the report in that branch and the bill passed to be engrossed as amended by Senate Amendment "B".

On motion by Mr. Rounds of Portland, the vote was reconsidered whereby the report of the committee, reporting "ought not to pass" was accepted.

On further motion by the same gentleman, the bill was substituted for the report.

On further motion by the same gentleman, Senate Amendment "B" was adopted in concurrence.

On further motion by the same gentleman, under a suspension of the rules, the bill received its three several readings and was passed to be engrossed as amended by Senate Amendment "B".

Mr. HINCKLEY of South Portland: Mr. Speaker, if I may be permitted to interrupt for a few moments the regular deliberations of this House, I wish to say a few words. On Sunday last in the city of Portland on the western promenade, I gazed upon as beautiful a landscape as the world affords. There, stretching for miles was a great level country, and beyond that the foothills breaking here and there, and still further beyond, I found that range of mountains known as the Presidential range, with peak after peak towering above the foothills, and then beyond those peaks against the horizon, towering above them all with its silvery crest sparkling in the sunlight, towered that mighty Mount Washington, a colossus among the others, a sentinel, as it were, guarding the great eastern country. Through what struggles and what trials and what evolutions the old world must have

passed in the eons of the dark ages to bring these things about.

And as I looked upon that landscape, I thought how like the great human family, stretching out before us on every hand the great common mass of humanity, those great common people of whom Lincoln said, "God must have loved them best, because he made the most of them." And then we find here and there, rising above the others, those who have made successes in life, and then beyond we find the giants of professional and industrial life; but once in a generation a colossus appears, one who towers above the others, one who stands as a sentinel to those about him. And, Mr. Speaker, the members of this House have during the past weeks recognized in you one who has risen above his fellowmen to that extent that he has become a colossus among us. We have learned to admire your great ability; we have admired your wit; we have been charmed by your wisdom; we have cringed under your sarcasm, but we have learned to love you for your own sterling self. And the members of this House in recognition of the regard they have for you, and the love and esteem we have for you, and recognizing that you are the peer of any of the great men who have preceded you, wish as a token of that affection and esteem, to present to you this watch and chain; and we hope, Mr. Speaker, that your career will be continued, and as this watch ticks out the days and the hours and the years, and your life continues to go on working for the great cause of humanity, that you may ever think of the boys of the Eightieth Legislature who love you. (Long and uproarious applause.)

Speaker BARNES: Gentlemen of the House, for nearly twenty years I have worn in my pocket a watch that was given to me when I was a school-master, purchased by the sum total of the contribution of pennies of a lot of little children. It is going to be replaced now by a watch contributed by another bunch

of boys to the irascible old school-master.

Does it seem possible to you, gentlemen, that this session began in the dead of a Maine winter? I wonder if the opening day of this session seems to you as long ago as it does to me. You remember how we assembled, each one full of enthusiasm and desire to accomplish something for the State of Maine. Do you remember that first day here, when, eager to get the word and go, you sat in your seats and a man as full of vigor and fire as any boy, stood here for half an hour and charmed you and enjoyed the glory of an inauguration day? And you remember now what followed, so well expressed by a brother member of the Bar of Maine, Ruel Robinson, Esquire, of Camden, Maine, a day or two afterwards:

"Hats off! The Governor goes by—  
The Governor who last September  
Was hailed the chief of State with  
joyful cry:  
Who with his well earned laurels  
humbly worn,  
Reaching his goal and his triumphant  
hour  
By valiant battle in the hard campaign  
Was chosen to be first in place and  
power.  
The honored ruler of his well-loved  
Maine!

Heads bowed! The Governor goes by—  
He who upon that august yesterday  
With noble purpose and with flashing  
eye,  
Stepped bravely forth on Honor's  
radiant way.  
Today with solemn pomp out through  
the gate  
And down the highway passing by  
his troops  
The court, the senate, councillors of  
State;  
While overhead the starry banner  
droops!

Hats off and bowed be every head!  
And press not back the ready spring-  
ing tear;  
The Governor who now goes by is  
dead  
And lies majestic on the flag-draped  
bier!  
The solemn music throbs; the sad bells  
peal  
Their requiem; the snow-flakes round  
him lie!  
Hats off! Heads bowed! In reverent  
posture kneel!  
A brave and gallant gentleman  
goes by!

And oh, it seems so long ago! And we who assembled with full purpose, as one united body, to carry out the policies which we presumed would be wise for the State, after that awful blow, prostrate, reached forth blindly like men just recovering consciousness, and for days and weeks we hardly knew which way to turn or whither to take our steps. And much has happened in these few past weeks. We assembled, one of our membership in far-distant Florida, fighting alone down there, the fight that returned George Savage to us almost recovered just the other day. (Applause).

And, gentlemen, we saw during those first weeks moving about with us and sitting with us and counseling with us, that lovable gentleman from Pittsfield, Doctor Porter, who today is making the last grim fight in a hospital in Massachusetts. Did ever a legislature have occasion more solemnly to think that "Man proposes, but God disposes." It is hard to require much of a family in the first few days after a great bereavement, and in common life we do not require much. It may be said after we have gone that the Eightieth Legislature of Maine did not accomplish much, but let it be our boast that we did not enact much that was harmful and the minimum of that which was needless.

Somebody had a picture made of the House of Representatives. I am glad the picture was made because it is nice to have to show to someone else, but as I have sat here through these three months a picture has been indelibly stamped into my consciousness that needs no poor imitation of the photographer's art. If I were to close my eyes, I would see the gentlemen in the first section, the gentlemen in the second section, the gentlemen in the third section and the gentlemen in the fourth section. Do any of us go away disappointed? It is as certain in political life as it is in our physical life, that we brought nothing with us, and we will carry nothing back. (Laughter). And since the superintendent of public buildings

has a pass key to the lockers, and since he has done his duty, there is a good deal less going to be carried back. (Laughter).

Time moves on. We will soon bid adieu to each other. It really goes to my heart that all this morning men have been saying "Did I hear that you said we could go on Saturday?" We all seem so anxious to disband. At the beginning of the session, I think I tried to say that you had highly honored me. To be made moderator of such a perfectly peaceful assembly as the House of Representatives of the Eightieth Legislature, was something that I did not really comprehend before. Seriously, I see no reason why you could not employ a phonograph to say, "Tomorrow morning at ten o'clock," and that the rules are suspended and this vote is reconsidered, but really, once in a while you would have to put in a new reel in order that the phonograph after taking up a bill which said that the title was, "An Act to make a bigger, busier and better Maine," might be changed so as to have that phonograph say "I am now about to read to you the title, Bill, An Act to render all municipalities in the State of Maine bankrupt." (Laughter).

You see, gentlemen, the office of moderator is something that you never have pondered over very much, but as I understand the office of moderator, the mere spokesman of the House, I have done my very best to be an absolutely impartial moderator, even though the gentleman from Portland, Mr. Brewster, who, in his extreme modesty is now practically insisting that these are speaking hands, and that sometimes when the call was made "all those in favor will say aye; all those opposed will say no." that the phonograph had forgotten itself and become a cheer leader. (Applause).

Now, gentlemen, these are mere pleasantries, and it has never disturbed me in the least for long, long ago I learned by experience because my hair was wet it was seriously questioned whether I had been in swimming Sunday afternoon or not,



and I learned never to deny any allegations, and I am not disturbed. Gentlemen, I trust that you have enjoyed the session. It has been to me, it goes without saying, the most enjoyable of the few sessions which I have been privileged to attend. At times the work of the Speaker may be hard, but there is this one truth, with such a clerk as we have had in this House, the work of the Speaker is an absolute minimum. (Applause.) And the team work that the House has exhibited, when the House has seen fit to exhibit any, has been splendid. Now, in the words of the immortal Joe Jefferson, "Here's to your good health; may you live long and prosper." (Long and continued applause.)

Mr. SMITH of Skowhegan: Mr. Speaker and fellow members, we are all pleased to concede all the good things that have been said about our able and distinguished Speaker, but we cannot believe that he could have attained his great and remarkable success had it not been for the unconquerable love and devotion of that faithful helpmate; and as a token of our high regard for such love and devotion, it gives me pleasure in behalf of the members of this House to present to Mrs. Barnes this small token. And there comes from the heart and wish and belief of every member of this House that her life may continue to be as rosy and as pure as this little token indicates. (Applause.)

(At this point Mr. Smith presented a basket of roses to Mrs. Barnes.)

Mrs. BARNES: Brothers of the Eightieth Legislature, I feel like calling you that, you come from all over this grand old State of Maine, and I have thought of you and thought of us all as one great family, and I have felt the warmth and the cordiality of your greeting. The warm hand-clasp, the friendly eye, and the cordial smile have made a deep impression upon my heart, and I hope that as we all go to our several homes we shall not forget the brotherhood and sisterhood of the Eightieth Legislature. I thank

you. (Long applause with all the members of the House rising.)

(At this point the House took a recess for fifteen minutes.)

#### AFTER RECESS

From the Senate: Report of the committee on ways and bridges reporting "ought not to pass" on Bill, An Act providing for State maintenance of all highway bridges over six hundred feet in length. (Senate Document No. 57.)

This comes from the Senate with the bill substituted for the report in that branch and passed to be engrossed.

Mr. Moody of York moved that the bill be substituted for the report in concurrence with the Senate.

The motion was agreed to.

Mr. Granville of Parsonsfield then moved that the bill be indefinitely postponed.

Mr. GRANVILLE: Mr. Speaker, I would like to make a little explanation for making this motion. Your committee is in sympathy with the idea that is indicated by the passage of this bill. It is practically taking over all the bridges over six hundred feet in length. The proponents of this bill stated that the bill is merely a start in the program of State control of all bridges. This was due to the financial pressure being brought to bear on the towns in the maintenance and care of bridges and particularly those bridges that are on trunk lines of the State, aid highways where the State and the towns are constructing routes to them and forcing traffic, not only local traffic, but also traffic from out of the State over them. The committee, as I say, feels that the towns should have some relief along this line, but under this bill, all the information we can gather there are something like 21 bridges in the State that would come under the provisions of this bill. Now some five or six of those bridges are in a bad state of repair, and the State has assisted them and is assisting this year in pending legislation toward the maintenance and care of those bridges.

Your committee were afraid that it would be throwing a financial burden upon the State that it is not prepared to meet if this bill should have a passage, because under the present provisions of the bridge bill, the municipalities and the counties and the State participate in the building of a bridge. The State Highway Commission and the county commissioners and the municipal officers decide whether a bridge should be built, and the type and construction and the cost and length of contract. If this bill is passed, it will remain entirely with the State to say whether the bridge should be built or not. It is in the interest of local authorities concerned under the present bill, that a bridge should be kept in repair as long as possible to avoid the expense, but you can readily see that if this should pass they could have any of these bridges condemned and then the State would be obliged to build them, and this would involve the expenditure in the next few years of a great many million dollars. Your committee tried to answer this need of the towns by the passage of another bill which I think has gone through both branches of this legislature, recognizing the need of the towns for relief, but applying that relief not according to the length of the bridge, but by the financial burden of the town. It provides that whenever the repair or rebuilding of bridges in towns imposes a financial burden upon that town of five mills or more for that year, then the State should come to their relief financially. Now that recognizes the need of the town for assistance and will afford relief to towns not only having 600-foot bridges, but three or four or five hundred-foot bridges, and we did not feel that we could recommend the passage of this measure.

Mr. ORAM of Bristol: Mr. Speaker, we have in my community a bridge that needs rebuilding, and it is in a dangerous condition. I want to say here that I have no particular interest, so far as the bridge matter is concerned, but for the in-

terest of the whole State. Now this bridge that I am referring to is the longest bridge in the State of Maine, being 5,330 feet long, and we have built that bridge in Lincoln county. Now we are not a rich county but I am not pleading poverty for Lincoln county, but I do plead for the safety of those who are obliged to travel over this bridge. It was said at the hearing, if I remember correctly, that 600 automobiles passed over that bridge in a day. Now, you people in Augusta are deeply interested in that bridge. Squirrel Island is practically owned by the people of this county, and when you go over that bridge, I should feel very badly as one of the members of this legislature to know that I have sat quietly by and acquiesced in not endeavoring to have some provision made for the safety of that bridge. I wouldn't dare to drive in an automobile over that bridge today. Some of you people don't understand the condition of that bridge.

Now, gentlemen, I am for economy, and you know by my vote when I voted against my own salary that I stood for the principle of economy. Is it economy to let that bridge go down when life after life might be carried down in the stream, and the bodies never be found? Let us be economical, but let us not use that economy where the lives of our citizens are concerned, for the sake of an eighth or a sixteenth of a mill. What is money compared with life? What is money in ships and stocks and bonds compared with the life of your child or your wife or yourself? Lincoln County is not asking the State for anything that would embarrass any man who had a fair amount of money. I want to do everything that is for the best interest of the whole State, but this bridge is on one of our regular thoroughfares leading from the Atlantic to the Pacific, and everybody knows that we have beautiful scenery along the coast of Maine. Now, I am asking this, not for myself and not for Lincoln county, but for the whole State of Maine, that you concur with the Senate, and don't be carried away by a few

paltry dollars that you may think will come out of the people of this State. Life first, property next.

Mr. GRANVILLE: Mr. Speaker, I will say for the information of the gentleman from Bristol, Mr. Oram, that this House yesterday passed a resolve appropriating 35,000 for the Wiscasset bridge.

Mr. CASE of Lubec: Mr. Speaker, the committee firmly considered this bill, and while the bridge bill may not be perfectly right, we think it is unfair to pick out particular bridges; it is unfair to the towns who have smaller bridges. The gentleman from Dresden came to us and asked assistance for three bridges in his town, and they got that assistance, and is it fair for us to pass a law that will take care of the 600-foot bridges while the town of Dresden must support their own bridges and help pay for the 600-foot bridges? I hope the motion will prevail.

The question being on the motion to indefinitely postpone the bill,

The motion was agreed to and the bill was indefinitely postponed.

From the Senate: An Act to increase salaries of certain county officers and amount of money allowed for clerk hire in certain county offices.

In the House, this bill was passed to be engrossed as amended by House Amendment "A."

It now comes from the Senate, passed to be engrossed as amended by House Amendment "A" and as amended by Senate Amendments "A" and "B" in non-concurrence.

The SPEAKER: The Chair will say that Senate Amendments "A" and "B" are simply to correct errors in the copying of the pay-roll of county clerks, the pay-roll of 1917 in many of the counties being copied instead of the pay-roll of 1919.

On motion by Mr. Gagne of Lewiston, under a suspension of the rules the vote was reconsidered whereby this bill was passed to be engrossed.

On further motions by the same

gentleman, Senate Amendments "A" and "B" were adopted;

The bill was then passed to be engrossed as amended by House Amendment "A" and by Senate Amendments "A" and "B".

From the Senate: Report of the committee on appropriations and financial affairs on the following resolves:

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

Resolve in favor of William W. Gallagher for services as clerk of the committee on judiciary.

Resolve in favor of stenographer of judiciary committee.

Resolve in favor of Kenneth F. Lee for services as messenger to committee on judiciary.

Resolve in favor of Lawrence P. Barton for services as clerk to the committee on legal affairs.

Resolve in favor of Faith A. Tryon, for services as stenographer to the committee on legal affairs.

Resolve in favor of George H. Chick for services as messenger to the committee on legal affairs.

Resolve in favor of clerk and stenographer to public utilities committee.

Resolve in favor of George T. Hinchcliffe.

Resolve in favor of Louis A. McGowan for services as clerk to the committee on mercantile affairs and insurance.

Resolve in favor of Carolyn L. Sparks for services rendered to the committee on counties.

Resolve in favor of the clerk of the committee on ways and bridges.

Resolve in favor of clerk and stenographer for committee on salaries and fees.

Resolve in favor of Olive M. Dutton for services as clerk of the committee on library.

Resolve in favor of the clerk of the committee on taxation.

Resolve in favor of Benjamin A. Swasey, clerk to the committee on State sanatoriums.

Resolve in favor of Ralph W. Farris for services rendered as clerk of the senate committee on bills in the second reading.

Resolve in favor of Arthur F. Tiffin for services as clerk of the committee on bills in the third reading.

Resolve in favor of Brooks Brown for services as clerk to committee on agriculture.

Resolve in favor of Julian K. Croxford for services as clerk on the committee on claims.

Resolve in favor of Kenneth Lee for services as stenographer to committee on claims.

Resolve in favor of Kenneth F. Lee for services as clerk to the committee on State lands and forest preservation.

Resolve in favor of Kenneth F. Lee for services as clerk to committee on insane hospitals.

Resolve in favor of Julian K. Croxford for services as clerk and stenographer for the committee on public health.

Resolve in favor of Nellie S. Lord for services as clerk and stenographer to the committee on pensions.

Resolve in favor of S. D. Lord for services as clerk to the committee on towns.

Resolve in favor of Bernice E. Bates for services as clerk of the committee on education.

Resolve in favor of Edith B. Wilson for services rendered to the House and Senate committee on engrossed bills.

Resolve appropriating money to pay the clerk and stenographer to the committee on interior waters.

Resolve in favor of Faith A. Tryon for services as stenographer to the committee on military affairs.

Reporting same in a new draft under title of Resolve in favor of clerks, stenographers, and messengers to the several committees of the Eightieth

Legislature, and that it ought to pass.

In the Senate, the report was read and accepted and the resolve passed to be engrossed.

On motion by Mr. Holley of North Anson, under a suspension of the rules, the resolve received its two readings and was passed to be engrossed.

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From the Senate: An Act to authorize the promulgation of rules and regulations of the Commissioner of Inland Fisheries and Game.

This comes from the Senate, passed to be engrossed in that branch.

On motion by Mr. Crafts of Greenville, the rules were suspended and the bill received its two several readings.

On motion by Mr. McIlheron of Lewiston, the bill was tabled pending its third reading.

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THE SPEAKER: The Chair will present at this time out of order, An Act to amend Chapter 319 of the Public Laws of 1915, and acts amendatory thereof providing State and county aid in the construction of highway bridges.

In the House, this bill was passed to be enacted.

On motion by Mr. Gerrish of Lisbon, the vote was reconsidered whereby this bill was passed to be enacted.

On further motion by Mr. Gerrish, the bill was indefinitely postponed, because provision is made in another measure.

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From the Senate: Ordered, the House concurring, that the Commissioner of Inland Fisheries and Game within sixty days from the adjournment of this Legislature, promulgate and continue in effect, not exceeding four years, such rules and regulations of the fish and game department, relative to the protection and preservation of fish and game.

In the Senate this order was introduced, read and indefinitely postponed.

On motion by Mr. Farnsworth of

Caribou, the order was indefinitely postponed in concurrence with the Senate.

From the Senate: Order relative to the compilation of the inland fish and game laws, being amended in the Senate by Senate Amendment "A."

On motion by Mr. O'Connell of Millinocket, the House voted to adopt Senate Amendment "A," and on further motion by the same gentleman, the order received a passage in concurrence.

On motion by Mr. McIlheron of Lewiston, bill, An Act to authorize the promulgation of rules and regulations of the commissioner of inland fisheries and game, was taken from the table.

On further motion by Mr. McIlheron, under a suspension of the rules, the bill received its third reading, and was passed to be engrossed.

Mr. Willard of Sanford presented remonstrance of E. F. Clark and others against the liquor bill. (Ordered placed on file.)

Mr. Teague of Waterboro presented petition of Chester Brenner and 104 others of Waldoboro and vicinity asking for change in law governing the taking of smelts.

On motion by Mr. Baker of Steuben, the petition was referred to the next legislature.

Mr. Holley of North Anson, presented out of order under suspension of the rules, Resolve in favor of the chaplains of the House of the Eightieth Legislature.

On further motion by Mr. Holley, under a suspension of the rules, the Resolve received its two readings and was passed to be engrossed.

The SPEAKER: On the committee of conference on Memorial to Congress urging favorable consideration of the principles of the Smith-Towner bill, the Chair will now appoint as members of that committee, Messrs. Barwise of Bangor, Cram of Portland and Roberts of Lyman.

On motion by Mr. Holley of North Anson, it was ordered, that the resolve in favor of the Bangor State Hospital be recalled from the Governor.

The SPEAKER: The Chair at this time presents Resolve in favor of the Bangor State Hospital. This resolve was finally passed in the House.

On motion by Mr. Holley, the vote was reconsidered whereby this resolve was finally passed, and on further motion by the same gentleman the vote was reconsidered whereby this resolve was passed to be engrossed.

Mr. Holley then offered House Amendment "A" to amend by striking out the last clause on page 2 of the engrossed resolve beginning with the word "provided" and ending with the words "may exist in any other".

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

#### Reports of Committees

Mr. Dodge from the committee on appropriations and financial affairs reported "ought to pass" on resolve in favor of H. G. Smallidge for extra services as assistant messenger to the House of Representatives of the Eightieth Legislature.

The report was accepted.

On motion by Mr. Holley, under a suspension of the rules, the resolve then received its first reading.

On motion by Mr. Wadsworth of Winthrop the rules were suspended and the resolve received its second reading and was passed to be engrossed.

Mr. Dodge from the committee on appropriations and financial affairs, reported "ought to pass" on resolve in favor of Benjamin A. Swasey, clerk to the committee on school for feeble-minded.

The report was accepted.

On motion by Mr. Wadsworth, under a suspension of the rules, the

resolve received its first reading, and on further motion by the same gentleman the rules were suspended and the resolve received its second reading and was passed to be engrossed.

Mr. Case from the committee on ways and bridges, reported in new draft and "ought to pass" on resolve in favor of the town of Winthrop.

The report was accepted.

On motion by Mr. Oram of Bristol the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman, the rules were suspended and the resolve received its second reading and was passed to be engrossed.

Mr. CRAM of Portland: Mr. Speaker, I move that the order of the House whereby no new matter should be introduced after the date of the passage of the order, be suspended in order that I may introduce at this time a bill.

The motion was agreed to.

Mr. Cram then introduced bill, An Act affecting the salaries of the probation officer and the assistant probation officer of the county of Cumberland.

On motion by Mr. Cram, the rules were suspended and the bill received its two several readings, and on further motion by the same gentleman, the bill received its third reading.

Mr. CRAM: Mr. Speaker and gentlemen, this is a matter which really should have been attended to before. This is a special matter which affects only Cumberland county and relates to the probation officer and his assistant. An Act was introduced into this House in February, asking for a rather radical change in the probation laws, and also asking for an assistant, to be a woman, in addition to the present assistant so that there would be three, a principal probation officer and two assistants in Cumberland County. This bill also stipulated that the salaries

be arranged for by the judges and the county commissioners. The matter was referred to a sub-committee of the Cumberland county delegation, and after long and careful consideration by them it was deemed expedient to make the changes asked for, and that committee reported to the Cumberland county delegation. The report came in here and was accepted by this House a few days ago "ought not to pass." It was the intention of the committee to do something in the way of increasing the salary of the probation officer and his assistants, but it was overlooked, and the matter was not reported in the new draft as it should have been. Now in this new draft, or in this proposed amendment to the act, the salary of the probation officer is increased from \$1200 to \$1500, and the assistant from \$900 to \$1000. The probation officers in that county are having a great deal of additional work, and they are very efficient in their work and we have felt that they have been underpaid for some time, and it is only a matter of justice that this should be granted as it has been asked for. This means for an additional amount to be paid only by the county of Cumberland of \$400. I have conferred with all the members of the Cumberland County delegation that I have been able to reach this morning, and I have also conferred with the county commissioners of Cumberland County by telephone, and I was assured by the commissioners that this increase will not in any way affect their budget or the county treasury, and I therefore ask that this matter be given its passage to be engrossed.

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

Mr. Murchie of Calais presented the following order:

Ordered, that from and after 11.30 A. M. Friday, April 8th, 1921, rule 25 of the House Rules be amended by striking out the word "prohibits" and inserting in place thereof the word "permits." This order shall be affective when ap-

proved by the gentleman from Portland, Mr. Rounds, but only for the balance of the present session.

The SPEAKER: The Chair will state that there is an ancient maxim to the effect that one should "Beware of the Greeks when they come bringing gifts." The Chair will further state that the clock is wrong, and that it is now 11.31. The gentleman from Portland, Mr. Rounds, will come to the desk and approve the order.

(Mr. Rounds approves the order at the Speaker's desk.)

Mr. ROUNDS: Mr. Speaker, I would like to amend that order by adding to it the stipulation "When the gentleman from Calais, Mr. Murchie, furnishes the cigars." (Laughter).

#### Passed to Be Enacted

An Act to amend Sections 3 and 9 of Chapter 35 of the Revised Statutes, increasing the amount paid by the State for cattle condemned.

An Act to provide for the payment of a bonus to Maine Soldiers and Sailors in the war with Spain.

An Act to amend Section 20 of Chapter 117 of the Revised Statutes as amended by Chapter 179 of the Public Laws of 1917 and by Chapter 147 of the Public Laws of 1919, relating to the salary of the State Superintendent of Public Schools.

An Act to establish the State School Fund and to provide for the apportionment of the same.

An Act to amend Chapter 188 of the Private and Special Laws of 1915 entitled "An Act to confer additional rights and powers upon the East Branch Improvement Company, a corporation incorporated by a Special Act of the Legislature, approved March 18th, 1903.

An Act to amend Chapter 238 of the Public Laws of 1919, relating to Workmen's Compensation.

An Act to provide for the jurisdiction of the Public Utilities Commission over certain motor vehicles.

An Act additional to Chapters 219 and 244 of the Public Laws of 1917, as

amended by Chapter 196 of the Public Laws of 1919, prohibiting fishing in the tributaries to Lake Annabessacook, in the county of Kennebec.

Resolve making an appropriation for the construction of a new building at the Northern Maine Sanatorium, Presque Isle, Aroostook county and for the purchase of equipment therefor and for maintenance.

#### Finally Passed

Resolve for a marker for Maine soldiers at Valley Forge.

Resolve appointing a committee of investigation to procure plans and estimates for a State library building.

Resolve in favor of aid of navigation of lakes and certain waters.

Resolve to reimburse the members of the special committee charged with the duty of investigating the desirability of enacting the Act introduced at the Seventy-ninth Legislature entitled "An Act to establish the State University of Maine and to provide for its maintenance.

Resolve to reimburse L. Ernest Thornton, Secretary of the Senate, for expenses incurred in connection with the lecture of William F. Dawson.

Resolve in favor of Faith A. Tryon, for services as stenographer to the committee on re-districting the State.

Resolve to reimburse the members of the taxation commission for expenses.

Resolve in favor of F. G. Farrington, chairman of the committee on insane hospitals.

Resolve in favor of Portland delegation.

Resolve in favor of Mildred L. Humphrey for services as clerk and stenographer to the special committee of the Eightieth Legislature for the investigation of agricultural conditions in Maine.

Resolve authorizing the payment of certain deficiencies.

Resolve dividing the State into senatorial districts.

### Emergency Measures

An Act to regulate the use of motor driven and animal drawn vehicles on highways.

The SPEAKER: This being an emergency measure, under the provisions of the constitution requires a vote of two-thirds of the entire membership of this House on its passage to be enacted. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted.

A division being had, one hundred and twenty-one voted and all in the affirmative, so the bill was passed to be enacted.

Resolve in favor of aid for navigation of lakes and certain waters for the fiscal period ending June 30, 1921.

The SPEAKER: This being an emergency measure, under the provisions of the constitution requires a vote of two-thirds of the entire membership of this House on its final passage. All those in favor of the final passage of this resolve will rise and stand until counted.

A division being had, one hundred and twenty voted and all in the affirmative, so the resolve was finally passed.

Resolve in favor of the Maine school for the feeble minded for maintenance and personal services.

The SPEAKER: This being an emergency measure, under the provisions of the constitution requires a vote of two-thirds of the entire membership of this House on its final passage. All those in favor of the final passage of this resolve will rise and stand until counted.

A division being had, one hundred and twenty-two voted and all in the affirmative, so the resolve was finally passed.

Resolve in favor of the Augusta State Hospital for maintenance during the years 1921, 1922 and 1923.

The SPEAKER: This being an emergency measure, under the pro-

visions of the constitution requires a vote of two-thirds of the entire membership of this House on its final passage. All those in favor of the final passage of the resolve will rise and stand until counted.

A division being had, one hundred and twenty-three voted and all in the affirmative, so the resolve was finally passed.

Resolve in favor of the University of Maine.

The SPEAKER: This being an emergency measure, under the provisions of the constitution requires a vote of two-thirds of the entire membership of this House on its final passage. All those in favor of the final passage of the resolve will rise and stand until counted.

A division being had, one hundred and twenty-five voted and all in the affirmative, so the resolve was finally passed.

On motion by Mr. Holley of North Anson, majority and minority reports on bill, An Act relating to taxation of steam railroads, House Document No. 370, was taken from the table.

The pending question being the acceptance of either report,

Mr. HOLLEY: Mr. Speaker and gentlemen of the House, my purpose in tabling this bill yesterday was to find out just what it meant in dollars and cents to the estimated revenue of the State of Maine in the closing days of this legislature. I wanted to know how much of a deficit this would create if the majority report "ought to pass" was accepted. I thought that there might be other members of the House who would be equally interested to know how much extra direct tax would be assessed on every piece of real estate and personal property in the various counties from which they came.

Endeavoring to be absolutely fair in figures, we got into communication with the proponents of the measure and with the attorney rep-



representing the proponents of the measure, and I am very glad to say that the committee are very glad to take their figures, because their figures show an even greater deficit by about \$140,000 than ours, and I will read now the agreed figures from both parties and I will assume they are more or less correct. I want to say just a word before I read these figures relative to what I call a rather good guess on the part of the disfranchised budget committee. We estimated the revenue from the railroads to be paid in 1921 on the calendar year earnings of 1920 to be \$2,000,000. That estimate was made in the last days of October or the first days of November. I admit that it was somewhat of a guess but founded more or less upon facts. The \$2,000,000 estimate was under what the actual commitment is by \$100,000. It was never the intention of the budget committee to over-estimate revenue nor to under-estimate appropriations. So I assume if we made a good guess in that case, we might be trusted to make a good guess relative to the revenue in 1922 and 1923, which was estimated at \$2,400,000. These are the figures. These figures show a deficit would be created, necessarily met by direct taxation against your home and against my home and against every piece of personal property and every farm in the State of Maine. The entire deficit created would be \$1,042,439.72, which was approximately one and one-third mills on the property of the State divided over two periods and in counties. These are the figures. These figures are what it would cost your county and my county more than it would if the bill did not pass. Androscoggin county would have to raise by direct taxation, \$88,515.32; and if I may be permitted, I will not go into the exact figures, but will just take the thousands. Aroostook county, \$97,000; Cumberland county \$219,000; Franklin county, \$27,000; Hancock county, \$40,000; Kennebec county, \$76,000; Knox county, \$29,000; Lincoln county, \$17,000; Oxford county, \$47,000; Penobscot county, \$115,000; Piscata-

quis county, \$43,000; Sagadahoc county, \$28,000; Somerset county, \$60,000; Waldo county, \$21,000; Washington county, \$36,000; York county, \$92,000. It seems to me that we could vote more intelligently when we have the figures in dollars and cents instead of in mills.

I think, Mr. Speaker, there is already a motion before the House, made by the gentleman from Winthrop, Mr. Wadsworth.

Mr. VILES of Augusta: Mr. Speaker, ---

The SPEAKER: Pardon the Chair for just a moment. The gentleman from Orrington, Mr. Phillips, moves that for the unfortunate adjective used by the gentleman from No. Anson (Mr. Holley) "disfranchised" before the words "budget committee", the House substitute the words, "conscientious and hard worked". (Applause).

Mr. VILES resuming: Mr. Speaker and gentlemen of the House: This question has been before this Legislature practically ever since we met here. It is not a new question brought up in the closing days of this Legislature. It is a situation that has become more acute and more alarming with each succeeding day of our session, and it has become so acute, Mr. Speaker, and so alarming, that it is today being investigated by the President and the Vice President of the United States, who are devoting their attention to the railroads of New England, and attempting by some method, not to prevent them from going into government control, but to prevent them from going into government ownership; and I ask the gentleman from No. Anson (Mr. Holley) how much revenue the State of Maine would derive from these railroads if they went into government ownership, because the revenue that we already receive now would then be wiped out and we would receive nothing. This question has claimed the attention of the governors of the New England States, and those governors have appointed representative citizen's committees to take up with the Interstate Commerce Commission

and with the public, and to advise and attempt to straighten out these matters.

During the consideration of this measure by the Legislature the railroads of Maine have maintained no lobbies at the State Capitol. They have come here, gentlemen, with free and open hands and have placed their case openly upon the table, and they ask us to well consider it and to render a true verdict thereon.

The method of taxation of railroads is undoubtedly familiar to you all. A railroad is taxed today not on its net earnings, it is taxed on its gross income; and I will say, and you probably are familiar with the fact, that a railroad today has nothing to say in regard to the amount which it pays its labor, a big and a most important item in the maintenance of a railroad system. I will say further that a railroad has no control over its income because its income is fixed by the Interstate Commerce Commission; and I ask you, gentlemen, with a railroad operating at a continual deficit, how can it be maintained and do its business?

Something has been said, gentlemen, in regard to the management of the State of Maine railroads; but on that question I want to state with ex-Governor Cobb, a man whose judgment is respected by every citizen of the State of Maine, I believe that their management has been wise and judicious and fair. They have in the past been successful, and along with the success of those railroads has gone the prosperity of the State of Maine, and today they find themselves unable to meet their obligations and they come to the Legislature of the State of Maine on their knees and ask us for relief.

Some question has been raised about the book-keeping of these railroads, but you and I know with the reports submitted to auditors, re-audited and submitted to various commissions, must be all right, and we must repose confidence therein.

The Governor of Maine appointed a committee of public citizens to work with the Interstate Commerce Com-

mission, and with the committees appointed by the other governors of the New England States, to work out a relief for the railroad situation; and, gentlemen, that committee has been before the committee of taxation of this Legislature, and the majority report of the committee is the report of that citizens' committee appointed by the Governor. They were asked at that hearing, that committee, headed by that respected citizen of Brunswick, Mr. Wheeler, and upon which there served and will serve other public citizens of Maine, what in their opinion this committee should recommend, and what in their opinion the Legislature should pass in this extreme emergency; and they recommended the bill which the committee reported ought to pass. But they even went further than the committee because they recommended this bill for the years 1921, 1922, and 1923, while the committee recommends only for the years 1921 and 1922.

This, gentlemen, is a great and fundamental proposition. It is a proposition that affects every interest of the State of Maine. It affects the State itself. It affects the shippers of Maine, it affects the laborers of Maine, and in the discussions which are to come up in the future, I believe that the State of Maine should say to this committee that the State of Maine has taken the first step to alleviate the present situation. Then we can ask the public to assume their part and the employees of the railroad to assume theirs; but what argument, Mr. Speaker, will this committee have if they go there and say that the State of Maine refuses to do a single thing to alleviate this situation? Taxes on railroads today in the State of Maine are higher than in any other state east of the Mississippi. They are equalled alone in the country by the taxes in California; and I will say to the gentleman from No. Anson (Mr. Holley) that you are not taking this money out of those counties because you have not received this money. I am basing the assessment on the railroads upon the gross earnings of the

year, 1919, which were the largest in the history of those roads. You might say that a poll tax is a good thing; we will make it one hundred dollars, and how much would Somerset county lose if it was not placed at one hundred dollars? There are some men in this Legislature who are familiar with the banking situation in Maine, and there are some things which I forbear to say, but they are familiar with the effects on the banks of Maine if these railroads are forced into government ownership, or if they are crippled and unable to function.

Now it will have an effect upon the tax rate if we do not take any more money than we have in the past, of course. It will have an effect on the tax rate if we do not take any more money from anybody else than we have in the past; but, gentlemen, this is a great, big public question, and I tell you that you cannot afford to pass this by at this time. The gentleman from Swanville, Mr. Nickerson, says, would we like to go back to our constituents and say that we have aided the railroads at this time; and I want to say to him that for one member of this Legislature, I would be ashamed to go back to my constituents and say that I refused so to do. And, gentlemen of the House, I do not speak as a stockholder or as one interested in any way in the Maine Central or in any other railroad in the State of Maine, I speak as a member of the Maine Legislature and as a citizen of the State of Maine, and I say to you that if it means extra taxation, as the gentleman from No. Anson (Mr. Holley) says upon other classes of property, it will also include my property, and I shall be glad to contribute my part.

We have taken a step in setting the due date of the taxes of railroads ahead so that if these taxes are paid on that due date, it makes a difference of thousands of dollars to the railroads of Maine.

I repeat that this is a great, big, fundamental question.

The prosperity of Maine has gone along with the prosperity of its

railroads, and we cannot honestly and conscientiously refuse to take action to alleviate this situation at the present time. I say, gentlemen, let's stand up and do our part, and then let's send a committee to labor and ask them to do their part. And then, if necessary, they can go to the shippers of the State of Maine and ask them to assume their part, but we hope this will not be necessary. I support the motion of the gentleman from Winthrop, Mr. Wadsworth, and trust that the majority report will prevail. (Applause).

Mr. WINTER of Auburn: Mr. Speaker and gentleman of the House: We have all been very much interested in the remarks of the gentleman from Augusta (Mr. Viles), and it is certainly pleasing to know that he has reduced the amount asked for in this bill from that asked for in the first bill by \$2,500,000.

Now, gentlemen, as to honest book-keeping, never since I first became interested in this railroad question have I questioned the correctness of the Maine Central books and such information as I have been able to obtain has been obtained from their own books. Now I hold in my hand the annual report of the Maine Central Railroad which, as acknowledged by Mr. McDonald himself and by nearly every speaker on this question in the various committee hearings, has been one of the most successful roads in the New England States. For years they have been building up a conservative surplus until today, gentlemen, the Maine Central Railroad by its own account has a surplus in round numbers of \$7,000,000, with only \$12,000,000 common stock, largely owned by Savings banks and institutions of that character. I say to you gentlemen that the Maine Central Railroad common stock is worth more than one hundred and fifty dollars per share; yet when Morris McDonald appeared in Washington on the 15th day of last December before the Interstate Commerce Commission, he said that they

were formerly a prosperous road, but had become almost bankrupt and were facing the danger of a receivership. He did not remember the various things he had said only a short time before when he came before this committee on the 9th day of February, where in answer to a question he admitted that the road had prospered all through government control, and that in round numbers three million dollars was sufficient to pay all the fixed charges, pay all the interest on the bonded indebtedness and return the ordinary dividends to the stockholders besides placing a handsome amount to the surplus. He also acknowledged a moment later in answer to a question, that there was a million, seven hundred thousand dollars due from the government at that moment under Federal control, and \$1,300,000 under the Federal Guaranty Act, substantially acknowledging that up to September 1st, 1920, the Maine Central Railroad had prospered; that they had been making money, been making the largest addition to the surplus that they have ever made in their history. Now, gentlemen, since September, according to reports which are not disputed, they are adding less of course, but during this period of reconstruction that is to be expected of any corporation or individual. Now, gentlemen, to go farther! For this long period of years during which the Maine Central Railroad has had such efficient and excellent management improvements have been largely made from the earnings of the road, for example this beautiful station that you have in this city, the various model stations all along the line, and these improvements have been made in normal times at normal expense. Going back to that question of book-keeping, I think that the capital charge against that corporation of \$42,000,000 is only a little more than half the actual intrinsic value.

Now, gentlemen, I have no wish to weary you with a lengthy speech. No man in Maine is more interested in the success of the State and the success of its industries than am I, and it is absolutely true that the

Maine Central Railroad is an institution upon the success of which depends the success of every business organization and of every individual in the State of Maine. I wish only the utmost fairness in regard to the question.

The Maine Central Railroad at the present moment is charging excessive rates, and notwithstanding the efficiency of the management in the past, I do not think it is wise for Morris McDonald to come to Augusta to attend the hearing before the committee by special train in grand style and pomp, and come into this House and get down on his knees begging for charity. I submit, gentlemen, that the Maine Central Railroad in common with every other railroad in New England, needs younger blood, needs men with a better vision and men who are willing to work and strive and be one of the common people in increasing and improving the morale of their associates. I have in mind, gentlemen, a little road only a few miles from this building running about forty-four miles into the Sheepscot valley. This road has had a very checkered career and eleven years ago was abandoned by its owner, who happened to be a wealthy New Yorker. He told his young general manager that he had paid the last dollar that he would pay for the support of that road. This young man gathered his force about him and said, "Boys, Mr. Peck has given this road in my hands, and the success of the road depends upon us. It is up to you, boys." Now during that eleven years not a dollar had been paid to that road from Federal government, and those boys under the gallant command of their general manager, Sam Sewall, have furnished efficient and satisfactory service to some seven or eight thousand people in this little valley east of you, and that road today has a small surplus which it has earned during those eleven years. I understand that this year they have made the magnificent sum of \$128 to pass to their surplus, but they are still serving those people. I submit, gentlemen, that if the roads of New

England will increase their morale as Sam Sewall has increased the morale of this little road, there will be no question of coming to State Legislatures and asking for charity. (Applause).

Mr. GARDINER of Gardiner: Mr. Speaker, I would like to ask through the Chair, a question of the gentleman from No. Anson, (Mr. Holley.) I note that the budget figures indicate an assumption that the State tax rate will be six mills, and the revenue upon which the finances of the State are estimated, is based upon that assumption. I would like to ask through the Chair if the gentleman from No. Anson (Mr. Holley) has now any knowledge whether or not the ultimate state rate will be lower than six mills.

The SPEAKER: The gentleman from No. Anson, Mr. Holley, may reply through the Chair.

Mr. HOLLEY: Mr. Speaker, replying to the gentleman from Gardiner (Mr. Gardiner) through the Chair, I must admit that the committee on appropriations and financial affairs finds itself in rather an embarrassing position. No one could know, no matter how much intelligence he had, just what was going to become of the various resolves carrying money, and I assume that we will not know until a few moments before adjournment. I could not answer that in definite figures, but I can answer it in this way: As I have already stated on the floor whatever concessions are made to those who pay the indirect tax into the State treasury, of which the railroads are one class of corporations,—whatever concession is made to those corporations must be made up by direct taxation upon every farm, home and personal piece of property in the State of Maine. If this bill passes, it is my best judgment that you will have an increase over six mills.

Mr. GARDINER: Would the gentleman state his idea of the rate if the bill does not pass?

Mr. HOLLEY: I have already stated, Mr. Speaker, in replying to the gentleman that there are no definite

figures available. No one knows what is going to become of the various resolves carrying money. A \$100,000 resolve may be vetoed or it may not, but it represents one-sixth of a mill. I cannot give figures that are definite. I do not care, Mr. Speaker, to commit myself until I can be sure of my position.

Mr. GARDINER: The purpose of my question was to support the estimate made by the budget committee, which committee has performed for us a great service in estimating expenditures and receipts. They have estimated a certain amount of revenue to be raised by the direct state tax. I wanted to ascertain if the passage of this resolve would increase that state tax rate as has been contemplated by the budget committee.

Mr. HOLLEY: Mr. Speaker, I think I can answer that. I have already answered it once, and I will say again that in my best judgment, it will increase the tax rate above six mills.

Mr. GARDINER: Mr. Speaker, I presume there is a new draft of a bill which accompanies the majority report, and if I am correct, in understanding that it has not been printed, I would request that it be read. This is the new draft as reported by the majority on taxation: "Provided, however, that during the year 1922 no annual excise tax shall be assessed against any such railroad in excess of the amount assessed against and paid by such railroad in the year 1920; and provided also that such annual excise tax received by the State from any such railroad during the year 1921, in excess of the amount of the annual excise tax assessed against and paid by such railroad in the year 1920, shall be paid by the State to the treasurer of such railroad." You will observe that the whole purport of this measure is not to give a rebate to the railroads, but to provide that for the years 1921 and 1922, the tax assessed on those railroads should not be increased over the tax of 1920. The substance of this bill then is to

provide that the method of figuring your tax shall not operate to raise the amount of tax over the tax of 1920.

I have no hesitation in saying that the method of taxation enforced against the railroads is wrong. I am glad to be able at last to take this floor and criticize a part of our tax laws in support of a majority report rather than in the face of a unanimous report against. The method of taxation, as you know, is on gross earnings and has nothing to do with whether the railroad is making or losing money. The situation at present is that the railroads are losing more and more money and your tax extracts a greater and greater tax. That is a system which I claim is unfair. The proposed remedy is merely to provide that for two years, the amount of that tax shall not be increased.

When this subject first came to my consideration, I must confess that I did not take it very seriously. It seemed to me from the headlines in the newspapers that the difficulty with the railroads was with reference to their wage schedules, such as the little item of whether the railroad ought to hire three station masters in one station office instead of one one-legged station master. That seemed to me to be the cause of the trouble with the railroads. The thing that prompted me to go into the matter a little more deeply were the observations of certain opponents against any relief to the railroad at the various hearings which were held on the matter. Those observations I can only characterize as absurd heckling. This is a matter that merits consideration, and constructive consideration, and nothing but helpful criticism. Now the situation is similar to this proposition: You have an existing law whereby, although the loss of the railroads may increase, the amount of tax you take from them will increase. The more they lose, the more you make. If this were a new question, if you were to pass a law as a new proposition and declare that you would increase the

tax upon the railroads only in the year 1920, do you think that the proposition would merit serious consideration? If you have an industry whose loss is increasing, how far would a proponent get with a bill to increase the tax upon that industry? As the ability to pay declines, how far would you go in increasing the demand that taxes be paid? At this present time your failure to act is equivalent to the passage of such a law. You will remember that sometimes in legal discussions there is a saying that an act of omission is equivalent to an act of commission. Here your failure to act, your failure to provide that these taxes shall not be increased, is substantially equivalent to your passing a law to increase those taxes. This is a measure affording but temporary relief for two years. Nevertheless, it is the only opportunity you have to correct an unfair situation.

Now labor can make no more concession to any great extent. The salaries and wages have been reduced. The salary cut became effective the first of this month. Doubtless a few adjustments can be made in wages, but the average railway employee does not receive on the average a better scale of wages than an industrial employee. They can make no further sacrifice. A few days ago it was the pleasure of this House to pass a bill which relinquished a certain amount of revenue that the State could get from the taxation of bank stock. I opposed that measure, partly because I considered it unconstitutional and partly because the money which you voted away accrued to the benefit of private individuals for the most part. On the other hand, there was merit in the measure in that it afforded relief to the banking situation in the State of Maine, and it was the pleasure of the House to consider that the banks were entitled to that relief and to relinquish a large amount of revenue that otherwise would have come into the State.

I have the greatest admiration for the budget committee and I have

the greatest admiration for anybody, a member of the Legislature, who wants to keep the State tax down; but I want you to remember at what price you would keep the State tax down by virtually passing a law that the more a corporation lost, the more tax you would extract from it. Certain gentlemen have appeared during this session of the Legislature before committees and before this House as the self-constituted apostles of the doctrine of the square deal. To those gentlemen I would say here is your opportunity; here is your chance for a square deal. You can now say whether you believe this tax situation is unfair. You can now say it is unfair and we will afford relief for a period of two years. That is my idea of a square deal. When a situation is unjust, exercise the utmost of your ability to correct it.

This matter is in your hands, the patient is on the table, and pretty well etherized. If you care to, you can extract the last pound of flesh from the railroads operating in this State. There will be no remonstrance. It is in your power, but in extracting that last pound of flesh, remember that you may interfere with the arteries that nourish this State and upon which we all rely. (Applause).

Mr. WINTER: Mr. Speaker, the gentleman from Gardiner (Mr. Gardiner) speaks about the square deal. I am sure that no member of this House wishes for anything else. I know that from personal experience and in conversation with the most of you, but you must not forget, gentlemen, that if you let this by, there is another act relating to the taxation of street railways, which, in justice to them, if we help the steam railroads, we must bring before this House. Also, under the same provision of the excise tax there are the telegraph and telephone companies, and some other public service corporations. Gentlemen, the farmers all over Maine are objecting to having the taxes increased. The distinguished gentleman, who is the father of all these bills, said that

the railroad officials told him that they would save \$1,300,000 in the purchase of coal and other operating expenses, which of course is a large item in their favor, and would go that far toward reducing the deficit. Now there was placed in the suspense account for the month of January almost a million dollars, so that they would be left some \$400,000 to the good for the year 1921. The Maine Central Railroad, gentlemen, is a very healthy patient and you need not worry about their being on the table in an etherized condition. They have been exceedingly alive at this session. They have always been in evidence at the Legislatures of Maine, and no doubt always will be. I have no fear that we will injure the Maine Central Railroad by not passing this bill. Since September there has been an increase of the tariff rate of forty per cent. They have already begun to reduce their expenses, and they will save during this current year over \$2,000,000 in labor alone. Last Sunday not a single freight train moved on the Maine Central Railroad. McDonald himself has accepted a reduction in salary, and at the last hearing here at Augusta, he came down in the common train with the common people and rode to the Augusta House in a common Augusta public Ford car; so that he has seen the handwriting on the wall and well knows that if he is to maintain his position as general manager of the Maine Central Railroad he must practice economy and develop efficiency. Now, gentlemen, with this increase of forty per cent in the rate, you may be sure that the Maine Central Railroad will continue to decrease its expenses, and they will not decrease the rate until the balance is on the right side of the ledger.

Mr. CHERRY of Eastport: Mr. Speaker, I hesitate at this time to enter into this discussion, but as one of the members of the committee who signed the minority report, I thought probably you might be interested to the extent of knowing, or caring to know why I signed the minority re-

port. This, as has been said, is a serious question, and calls for serious thought. It is time when we should be aware of the condition and not let sentiment usurp good judgment. This committee, of which I have the honor to be a member, listened to the evidence presented by the railroads with the kindest feeling toward them, without prejudice of any kind, and without hostile feeling. I listened to so many figures in connection with the hearings that they became a maze from which I could not extricate myself, and it took me a long line to get to the place where I could find a place on which to base an opinion whether I wished to sign the majority or the minority report. I do not care to weary you at this time after this lengthy discussion with any particular words of mine bearing on the subject; but I will simply call your attention to some of the lowest figures, that I was able to hear at any time during the hearing. They are vastly below any of the figures that have been named to you today and will give you some idea of why I signed the minority report. According to the figures submitted that I have here, the lowest that were named, if this bill were passed the Maine Central Railroad would receive \$176,000 a year, or \$352,000 during the period that this bill covers. The Boston and Maine Railroad would receive \$55,000 a year, or \$110,000 for the period. The Bangor and Aroostook Railroad would receive \$127,000 a year, or \$254,000 for the period. The other railroads of the State, coming under the provisions of this bill, would receive \$67,000, or \$134,000 for the period; making in all for the period, \$850,000. If the Maine Central Railroad were the only beneficiary under this bill, I am free to say to you now that I would gladly have voted for it; but in order for the State of Maine to make a concession to the Maine Central Railroad of \$352,000 for the period covered by the bill, it would be necessary for us to give the other railroads, who do not ask for it particularly, and some of them have said that they did not need it, \$498,000. Now, gentlemen, I submit

to you that that is not a reasonable proposition and for that reason, and that reason alone, I signed the minority report. (Applause.)

Mr. WADSWORTH of Winthrop: Mr. Speaker, I would like to say just a few words. It seems to me that this matter is resolving itself into the question of how much it was going to cost. Now when we get down to that proposition there is no way to figure. This subject, divided into counties for us by the gentleman from North Anson (Mr. Holley) sounds pretty large for a county. It is quite a lot of money; but the best way is to see what it will cost the man in taxes having a home valued at \$2,500. For the two years, it will cost him \$3.50—I think those figures are correct. That is the price of about two theater tickets. We will say that he pays that. Does he get it back? Are you a farmer? Do you raise potatoes and apples that you ship to Portland or Boston, from Aroostook county, perhaps? Now it was said at the hearing the other day that the Maine Central Railroad and the others were in a critical condition and that they need relief of some sort. If they do not get this, I do not know that the rates will be advanced, but there is a very great possibility that they will. Will you figure ten per cent as the advance which is recommended, or may be recommended as I understand it, on your freight rates, on your barrel of potatoes, or any produce off the farm, and see whether this will cost you more or less? That is the question that seems to be before the House in the minds of a lot of people,—how much this is going to cost us. I will admit that if you take a trip to Boston on a passenger train twice, or if you go with your wife, the increase in the rate will offset this increase that you are paying in taxation. I think that is a pretty important question. This applies not only to the farmer who ships a load of produce, but it applies to every shipper in the State in any industry, whether they are bringing stuff in or shipping it out. We want to think of that if we are thinking of what we are going to say.



In regard to the book-keeping and that sort of thing, of the Maine Central or any other railroad in the State, in the investigation which has been made by this committee, they have listened to their statements and they make these recommendations to you which you have had before you. Now what are you going to do? Are we going to chip in, are we going to help them out? If you had a neighbor in distress, you would give him more than \$3.50 or \$3.75. The people are disposed to help those in need. Now I believe that these railroads come to us in distress; that they are asking us to chip in, and, if we are going to figure how much it is going to cost us, I make a prediction that it will cost us less in taxes than it will in increased rates.

Mr. WING of Auburn: Mr. Speaker, I hesitate to say anything at this time on this matter, but I feel that in the interests of the common business of the State you gentlemen should consider this matter very carefully. There are some who seem to think that money flows from a railroad corporation by the law of gravitation. Now that is not so at all. Money comes from a railroad exactly as it comes from any other business.

You have heard some discussion here as to the method of taxing a railroad. I wish to go a little further on that point. Suppose you take a grocery store in the city of Auburn or in the city of Augusta, or in the city of Portland. We will say that it has a valuation of \$5,000. The tax rate is forty mills, the tax then is \$200. Supposing this grocery store has an annual turnover of \$50,000, and instead of paying the tax of forty mills, it pays the same kind of a tax that this State imposes on the railroad, namely, five and one-half per cent on its gross business, that grocery store would pay a tax of \$2,750; and is there a gentleman in this House who would not say and admit that a tax of \$2,750 on a grocery store in the city of Auburn, or in the city of Portland, was an outrageous tax, and that the

man who paid it would have a right to complain? Now continuing that just a moment! Supposing that man increases his annual turnover and his expenses to amounts that make his business possible, are you going to continue to bleed that merchant by that system of taxation? Now that is the system of taxation that exists on railroads today in the State of Maine, and I say that it is unfair; that it is unreasonable to make this great artery of commerce, upon which the industry of our State depends, upon which it passes in and out of our State,—I say it is too unreasonable to doom it to such a tax.

I am aware that I am not interesting, but, gentlemen of the House, I propose to persist because that which is right will become popular, while that which is wrong will soon lose the power of illusion and sink into oblivion. This leads me to ask the gentlemen of this House who owns the Maine Central Railroad, and the answer is, the citizens of Maine. You heard the distinguished gentleman from Augusta intimate certain difficulties with the banks of Maine. I trust, gentlemen, that you will consider the situation whether it is better to scale your deposits in your savings banks or to afford relief to a business corporation in a business way. We must meet this situation like men. This is not to be determined by what Mr. Morris McDonald eats or the brand of cigars that he smokes, or the method of conveyance that he uses. We are up against a very serious proposition in regard to the greatest industry that exists in our State today, and the one is worthless without the other. Now the owners of the Maine Central Railroad stock, including the savings banks of the State, are destined to go without a return on their investment for many years. That is the contribution they make to this problem. Labor may have to make its contribution to the problem, but it should be with fairness. You are aware, gentlemen, that the railroad has nothing to say relative to what it shall pay its em-

ployees. I heard it said in this room that there were but sixty people in the employ of the Maine Central Railroad over whom the railroad itself had the slightest control; so that the labor which produces this transportation, the cost of that, is fixed by law. On the other hand the price at which they shall sell this commodity—transportation—is likewise fixed by law. So, gentlemen, you have this great industry in the State of Maine, you have a strangle hold upon it from the standpoint of labor, from the standpoint of the banker who is to finance it, from the standpoint of the public who criticizes it.

Now, gentleman, I am aware that the temper of this House is such that such remarks as I have uttered will not meet with approval. It is not apparently the business of this Legislature to approach business propositions in a business way. While these railroad interests were on their knees in this room pleading the cause of common business at the hands of this Legislative committee, in the other end of this State House very distinguished gentlemen were glibly discussing and passing with great quickness increases of salary. I was struck by the contrast. The greatest corporation in this State bankrupt, its securities in every savings bank in this state owned by the citizens of the State, its stock selling for less than fifty cents on the dollar, on its knees before a committee of the Legislature in this House begging for relief, assuring the State that it wanted to perform the public service with which it was charged, and at the other end of this building that which is so prevalent in this Legislature of all others, the lavish expenditure of money raised by the public tax.

I think it was the great Justice Marshall who said that the power to tax was the power to destroy; and I have no hesitation in saying to you, gentlemen, that if you live and move and have your being a dozen years more, you will see the most complete expression of that old saying of that wise man, that you have

seen; the power of taxation eat up and destroy the common industry of this State, and industry owned by her citizens, built up by the judgment of her men of business ability, the securities of which are in every savings bank, every hamlet and in about every family in the State of Maine. Gentlemen, I hope that the motion of the gentleman from Winthrop (Mr. Wadsworth) will prevail. (Applause).

Mr. CRAM of Portland: Mr. Speaker, this is certainly a matter of very great importance, and I feel that there are other gentlemen who desire to speak on the subject and that they should have an opportunity. I therefore move that the matter be tabled until after recess.

(Cries of "no" and "question".)

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

Mr. WILSON of Presque Isle: Mr. Speaker and gentlemen of the House: I wish I had the power of oratory of Robert Ingersoll, but I have it not. I would like to ask the distinguished gentleman (Mr. Wing) what assurances we have that the small amount which would be granted by this relief of taxation would entirely relieve the Maine Central Railroad and that they would not come back for further relief. What assurance can they give us in that regard? What assurance have we that the relief so granted would be used in taking care of the deficit which has already occurred? What will they do toward reducing their expenses? If these questions can be answered to my satisfaction, I am ready to vote for it; otherwise I am not.

Mr. WING of Auburn: Mr. Speaker, I should like time to answer the gentleman, if possible. The railroad itself as I understand it, has already exercised the great ingenuity in reducing its own expenses. I believe I read in the press that last Sunday was the first Sunday in a great many years that the Maine Central Railroad kept the Sabbath. Now the proposition, as I understand it, as to why this railroad should have relief: If the

management of it is to go before the Labor Board seeking relief, it must say we come before you with the endorsement of the State of Maine, that Maine is trying to bear its share of the burden, therefore you must help us through labor. The State itself, the owner, has contributed its loss of income. It seems to be that that is the answer to the gentleman; and furthermore, I should like to say this, that the railroads, unlike other business, is controlled entirely by law. If I were to raise potatoes on my farm, I have the right to determine the kind of seed and how I shall plow it; but the railroad has no such privilege. It is fixed by law as to what it shall sell and how it shall sell it. It is fixed by law as to the prices they shall pay to produce it as it seems to me if I have made myself clear.

Mr. HOLLEY of North Anson: Mr. Speaker, there is no one who appreciates more than I the fine remarks made by the various gentlemen, and I have listened very closely. I can see only one question here to decide, and that is, whether we by our vote desire to change the burden of taxation from the corporation to the people; and I move the previous question. (Applause).

The SPEAKER: The gentleman from North Anson (Mr. Holley) moves the previous question. Shall the main question now be put. All those who are in favor will rise and stand until counted.

A sufficient number having arisen the main question was ordered.

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

The SPEAKER: All those who demand the yea and nay vote will rise and stand until they are counted.

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

Mr. ROGERS of Rockland: Will the Speaker state the question?

The SPEAKER: The Chair presents minority report that the taxation bill ought to pass. In a few words, a yea vote abates the tax to

the railroad; a nay vote extorts from the railroad, the tax prescribed by law.

Mr. WING of Auburn: Mr. Speaker, I thought the question was on the motion of the gentleman from Winthrop (Mr. Wadsworth) to accept the majority report.

The SPEAKER: If the Chair has made a misstatement, or there is any misapprehension, let's clear it up. The gentleman from Winthrop, Mr. Wadsworth, moved the adoption of the majority report, ought to pass. A yea vote abates the tax; a nay vote extorts the tax. The Clerk will call the roll.

YEA—Baker, Bartlett, Belliveau, Buzzell, Carroll, Case, Chalmers, Conant, Dodge, Doyle, Eastman, Farnsworth, Pinnell, Forbes, Gardiner, Hunton, Landers, Leighton, Luques, Maher, Mason, Owen, Peabody, Peaslee, Pennell, Phillips, Orrington; Phillips, Bar Harbor; Plummer, Ricker, Snipe, Spear, Limestone; Thomas, South Portland; Towne, Viles, Wadsworth, Washburn, Wing, Wood.—Total, 38.

NAY—Adams, Audibert, Austin, Barwise, Bean, Blanchard, Boothby, Bragdon, Perham; Bragdon, Westbrook; Bragdon, Franklin; Brewster, Orland; Brown, Carney, Chamberlain, Chandler, Chase, Cherry, Cordwell, Cole, Crafts, Cram, Croxford, Daigle, Dean, Downing, Downs, Dunning, Elmore, Emery, Fagan, Gagne, Gerrish, Gipson, Granville, Hammond, Harriman, Hayes, Heal, Hinckley, Hodgkins, Holley, Houghton, Hussey, Kerswell, Kimball, Lowe, Main, Masse, McGlauffin, McIlheron, Murray, Myrick, Nadeau, Newcomb, Scarborough; Newcomb, Newburg; Nickerson, O'Connell, Oram, Patterson, Perkins, Reed, Roberts, Vinalhaven; Roberts, Lyman; Rogers, Rockland; Rounds, Savage, Sawyer, Small, Smith, Ludlow; Spear, Rockport; Story, Teague, Tilden, Thomas, Chesterville; Trefethen, Varney, Jonesboro; Warren, Weatherbee, Weeks, Dresden; Weeks, Fairfield; Wentworth, Wight, Williams, Wilson, Winter, Witham, Woodruff.—Total 87.

ABSENT—Atherton, Barney, Belmore, Bennett, Brewster, Portland; Burns, Chadbourne, Clarke, Crabtree, Davis, Jordan, Larrabee, Maxwell, Moody, Morneau, Murchie, Poore, Porter, Rogers, Jonesport; Smith, Waterboro; Smith, Skowhegan; Twombly, Varney, Windham; Willard, Wiseman.—Total, 25.

The SPEAKER: Thirty-eight having voted in the affirmative and 87 in the negative, the motion to accept the majority report failed of passage.

On motion by Mr. Nickerson of Swanville, it was voted to accept the minority report, ought not to pass.

At this point recess was taken till 2:30 P. M.

### AFTER RECESS

Remonstrance of J. B. Cole of Kenduskeag and 41 others against the liquor bill. (Ordered placed on file.)

From the Senate: Resolve to authorize publication of 500 copies of public letters of John Fairfield.

This resolve was passed to be engrossed in the House, April 2nd and finally passed in the House on April 6th.

It now comes from the Senate passed to be engrossed as amended by Senate Amendment "A", in non-concurrence.

On motion by Mr. Moody of York, under a suspension of the rules, the vote was reconsidered whereby this resolve was finally passed.

On further motion by the same gentleman, under a suspension of the rules, the vote was reconsidered whereby this resolve was passed to be engrossed.

Senate Amendment "A" was then adopted, and on further motion by Mr. Moody, the resolve was passed to be engrossed as amended by Senate Amendment "A."

From the Senate: Resolve in favor of the National Conference of Commissioners on uniform State laws and of the Commissioners from Maine for the promotion of uniformity of legislation in the United States.

In the House this resolve was finally passed on April 6th.

It now comes from the Senate, amended by Senate Amendment "A".

On motion by Mr. Cram of Portland, under a suspension of the rules, the votes were reconsidered whereby this resolve was finally passed and whereby it was passed to be engrossed.

Senate Amendment "A" was then adopted in concurrence.

On further motion by Mr. Cram the resolve was then passed to be engrossed as amended by Senate Amendment "A."

From the Senate: Report of committee of conference on Bill, An Act increasing the salary of the treasurer of Androscoggin county, reporting that the Senate recede and concur with the House in the acceptance of the report of the committee, since this matter is covered by another act.

This comes from the Senate, the report read and accepted, and the report of the committee on salaries and fees, reporting "ought not to pass" read and accepted, in concurrence.

The report of the conference committee was accepted.

On motion by Mr. Small of Brewer, House Document No. 340, Resolve in aid of navigation on Schoodic Grand Lake, was taken from table, and on further motion by the same gentleman, the resolve was indefinitely postponed.

On motion by Mr. Small of Brewer, House Document No. 342, Resolve in aid of navigation on Moosehead Lake, was taken from the table, and on further motion by the same gentleman, the resolve was indefinitely postponed.

On motion by Mr. Small of Brewer, House Document No. 339, Resolve in aid of navigation on Lewy, Long and Big Lakes, was taken from the table, and on further motion by the same gentleman, the resolve was indefinitely postponed.

On motion by Mr. Small of Brewer, House Document No. 337, Resolve for lighting narrows between Upper and Lower Richardson Lakes, was taken from the table, and on further motion by the same gentleman, the resolve was indefinitely postponed.

On motion by Mr. Small of Brewer, House Document No. 338, Resolve in aid of navigation on the Lower Lakes, was taken from the table, and on further motion by the same gentleman, the resolve was indefinitely postponed.

On motion by Mr. Small of Brewer, Resolve in aid of navigation on Rangeley Lakes, was taken from the table and on further motion by the same gentleman, the resolve was indefinitely postponed.

On motion by Mr. Rounds of Portland, Bill, An Act relating to third class highways, was taken from the table.

The pending question being the passage of the bill to be engrossed.

On further motion by Mr. Rounds, the bill was passed to be engrossed.

Report of the committee of conference on Bill, An Act conferring certain additional powers on the city of Portland, namely, the power to establish a municipal ferry to Peaks Island in Portland Harbor, reporting that they are unable to agree.

The report was accepted.

On motion by Mr. McIlheron of Lewiston, the House voted to adhere to its former action.

Mr. MURCHIE of Calais: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: The gentleman from Calais, Mr. Murchie, will state his question of personal privilege.

Mr. MURCHIE: The gentleman from Portland, Mr. Rounds, has imposed upon me the burden of producing the cigars, and I now move that he be required to distribute them. (Laughter.)

On motion by Mr. Rounds of Portland, Senate Document No. 199, An Act to establish the commission of foreign and domestic commerce, was taken from the table.

The pending question being the motion to indefinitely postpone this bill,

Mr. Rounds then yielded to the gentleman from Auburn, Mr. Wing.

Mr. WING of Auburn: Mr. Speaker, this bill provides for a roving commission to solicit business, as I understand it, for a pier in Portland that has not yet been built and which is already the subject of a law-suit. Now, I have no particular interest in this matter. It will be urged, perhaps, that this commission has no pay and that it is in the interest of commerce. It seems to me that it is a bit ridiculous to create a roving commission and send a man anywhere he may wish to go for the purpose of soliciting commerce, to move over a bankrupt railroad, and to send out onto the ocean over a pier that is not yet built. I trust in this late day of this legislature that this bill will share the fate of many others which provide for commissions that have been sought to be formed here this winter, and that it will be indefinitely postponed.

The motion was agreed to and the bill was indefinitely postponed.

The SPEAKER: The Chair presents Resolve in favor of the State School for boys and accompanying veto message.

“STATE OF MAINE  
OFFICE OF THE GOVERNOR

Augusta, April 8, 1921.

To the Honorable House of Representatives:

I return herewith without my approval ‘Resolve in favor of the State School for Boys for the construction of a certain school building.’

The State School for Boys is an institution doing excellent work and its management is efficient. An appropriation of \$99,309 has already been made by this legislature for its maintenance. The appropriation asked for by the accompanying resolve would be used in the erection of a central school building, but in my opinion it is not necessary to construct this school house at the present time. It has already seemed wise to this legislature to postpone all new construction at the various state institutions for which there is not

an immediate need. The boys at the State School are being properly educated and the construction of the school house can safely be postponed. It is doubtful if the \$20,000 recommended would build up and equip this school, and once it was started it would be necessary to complete it regardless of cost. In the past appropriations have often been made whereby new construction was commenced and then, it being too late to stop, heavy demands were made upon the State Treasury to complete the work. I do not believe any buildings should be authorized by the legislature until it is definitely understood what it will cost, so that the legislature itself and not the Governor and Council may make provision for paying the bills. That is the only businesslike way to conduct the State's affairs.

Very respectfully,

Percival P. Baxter,  
Governor of Maine."

Mr. TILDEN of Hallowell: Mr. Speaker and gentlemen of the House, it has been fore-ordained that this resolve would be vetoed by a message from the Governor to the legislature, and that opinion of the committee has been confirmed in the various conferences which we have had with His Excellency in trying to harmonize our views with his in regard to appropriations. Nevertheless, this measure has seemed to the committee to possess such merit that we have not felt in duty bound to report adversely upon it. The Governor says that \$99,000 have already been appropriated for this institution. I want to call your attention to the fact that this sum of \$99,000 covers the period from January 1st, 1921 to July 1st, 1922, a period of 18 months. He does not state that there is a further appropriation of \$66,000 to carry it over the third fiscal period, that is for the year from July 1st, 1922 to June 30th, 1923. This would make an appropriation of \$165,000 for the total of maintenance, including salaries at this institution for the three fiscal periods.

The Governor in his message further says that this institution is well managed. In that your committee agreed, and I wish at this time to present to you the facts and conditions as your committee found them upon visiting this institution. At the present time there are approximately 160 inmates of the institution. They are housed in four buildings upon the cottage system. In each of these buildings there is one room set apart as a school room under the direction of a teacher for that particular building. This system is practically the old district school system in which the various grades from the lowest to the highest taught are all conferred in one room and under one teacher. In effect it quadruples the efforts of the teachers and the instruction given, and the superintendent informed us that it creates a great disadvantage, not only to the pupils, depriving them of the hours of tuition to which they are entitled, but it also works adversely with the teachers being in contact with the pupils throughout the day, and in fact at night also, hereby causing great dissatisfaction and inefficiency. To remedy this condition it has been proposed to erect a single school building, one story in height, containing four school rooms, in which the various grades can be sorted and education can be given as it should be in grade schools. The experience of the state school for girls confirmed the committee in the opinion that this change would be decidedly to the advantage of the pupils of the school for boys, and it was evident to them that this change should be made.

Now as to the statement that no plan has been made and no estimate as to the cost has been given. It appeared in the course of the hearing before the committee and in the conferences with His Excellency that the superintendent had quite definite plans upon this project. He based his figures upon the cost of a very similar building constructed for one of our towns prior to the war, and he stated that the cost of

that building was \$16,000. To this amount, owing to the increased cost of material and labor, the committee added \$9,000, making the amount asked for \$25,000. The committee in considering the project, and considering that since the estimate was made labor and materials had declined somewhat in price, reduced this to \$20,000, which appeared to be satisfactory to the superintendent, and that is the amount we have asked in this resolve.

The resolve was presented by the superintendent and trustees of this institution to the committee on budget, and it is recommended to this legislature by the committee on budget for an appropriation of \$25,000. The trustees and the superintendent advocated the measure, stating substantially what I have laid before you in favor of it, and no one appeared against the measure. In this connection, allow me to make known to this House that in accordance with the request of the Governor this committee has recommended to the legislature the total amount in the resolves for several institutions coming under their supervision of \$95,477.50, less than the amount recommended by the budget. This amount is after allowing the \$20,000 asked for this purpose.

This institution is unquestionably a State institution. It takes wayward boys from the streets from various communities and seeks by judicious methods to overcome their wayward tendencies and equip them for future respectable and decent citizenship. I claim that the State is morally responsible for their welfare and should give them every opportunity for equipping themselves for future useful life that it possibly can. The attention of the committee at the time of their visit to the institution was called to a Service Flag in the central building, and that flag represented 108 past inmates of that institution who had answered the call to the colors in their country's service, and the superintendent informed us that not one of them had proved delinquent. (Applause) Gentleman, I believe this to be a most

worthy object and one which merits your careful consideration, and I most sincerely hope that the vote on this resolve will not be sustained. (Applause).

The SPEAKER: The question before the House is, shall the resolve in favor of the State School for Boys for construction of central school building be now finally passed and become a law, notwithstanding the objections of the Governor. A vote yes sustains the resolve; and makes the money available; a vote no kills the resolve. The Clerk will call the roll.

(During the call of the roll, Mr. Davis of Freeport asked that unanimous consent be given that he be excused from voting, and unanimous consent was given and he was excused from voting).

YEA—Audibert, Austin, Barney, Bartlett, Barwise, Bean, Belliveau, Bennett, Blanchard, Boothby, Bragdon, Perham; Bragdon, Franklin; Brewster, Orland; Brown, Buzzell, Carroll, Carney, Chalmers, Chamberlain, Chandler, Chase, Cherry, Cordwell, Cole, Conant, Crafts, Cram, Croxford, Daigle, Dain, Dodge, Downing, Downs, Doyle, Dunning, Eastman, Elmore, Emery, Farnsworth, Pinnell, Forbes, Gagne, Gardiner, Gerrish, Gipson, Granville, Hammond, Harriman, Hayes, Heal, Hinckley, Hodgkins, Holley, Houghton, Huntton, Hussey, Jordan, Kerswell, Kimball, Landers, Larabee, Leighton, Lowe, Luques, Maher, Main, Masse, McGlauffin, McIlheron, Moody, Murchie, Murray, Myrick, Nadeau, Newcomb, Scarborough; Newcomb, Newburg; Nickerson, O'Connell, Oram, Owen, Patterson, Peabody, Peaslee, Pennell, Perkins, Phillips, Orrington, Plummer, P'ore, Ricker, Roberts, Vinalhaven; Roberts, Lyman; Rogers, Rockland; Savage, Sawyer, Small, Smith, Waterboro; Smith, Skowhegan; Snipe, Spear, Limestone; Spear, Rockport; Story, Teague, Tilden, Thomas, Chesterville; Thomas, South Portland; Towne, Trefethen, Varney, Windham; Viles, Warren, Washburn, Weatherbee, Weeks, Dresden; Weeks, Fairfield; Wentworth, Wight, Williams, Wilson, Wing, Winter, Witham, Wood, Woodruff.—Total, 123.

ABSENT—Adams, Atherton, Baker, Belmore, Bragdon, Westbrook; Brewster, Portland; Burns, Case, Chadbourne, Clarke, Crabtree, Fagan, Mason, Maxwell, Morneau, Phillips, Bar Harbor; Porter, Reed, Rogers, Jonesport; Rounds, Smith, Ludlow; Twombly, Varney, Jonesboro; Wadsworth, Willard, Wiseman.—Total, 26.

The SPEAKER: One hundred and twenty-three having voted and all in

the affirmative, the resolve has received a final passage. (Applause.)

On motion by Mr. Murchie of Calais, House Document No. 454, An Act to provide for a full time State Highway Commission, was taken from the table.

The SPEAKER: The pending question is the adoption of House Amendment "C", and that amendment adds Section 4, "This act takes effect January 1, 1922."

Mr. MURCHIE: Mr. Speaker, it seems to me it would be an unfortunate thing to start a new Highway Commission in the middle of July because, it seems to me, that with a commission going out on that day and another commission coming in on that day that no highway work would be accomplished during the year. I have talked with the proponents of the measure and they believe that the advantage of having the new commission come in three or four months before the snow flies would more than offset the disadvantages of which I speak. I move the adoption of this amendment for the reason that I believe that the disrupting of highway work will more than offset any advantage from such three months of service.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen of the House, I will say that I agree with part of what the gentleman from Calais, Mr. Murchie, has said, but the committee still thinks that the commission should take office in the natural course of events in 90 days from the passage of this act. I was pleased to see the emergency provision removed, because I thought the Governor and council should have a proper amount of time to consider the appointees, whoever they intended to appoint, and I also think the highway commission should have time to review the work during the summer and get acquainted with it, and make plans for the next year. In the work of the commission, it does not seem to me that there is any starting or leaving-off place during the year. This is a

man-sized job, and I have heard some that did not agree with that, and claimed that there would be portions of the year when they would be unemployed, and that perhaps the passage of this act would help somebody. I have taken off a few figures to show you something of what the highway commission will have to expend in the next two years. You provided for a bond issue of \$2,300,000 for State roads, \$700,000 for bridges, \$2,500,000 for State aid. The towns will meet the State with another \$2,000,000, according to past experience and ratio. There is due from the United States government in excess of \$1,800,000. There is a balance of unexpended bonds already issued of \$550,000, also \$250,000 of bridge bonds. To match the \$2,300,000 of bonds experience will show that we will get from the government \$1,500,000, and that makes a total of \$11,600,000 for the construction of roads that will be available for the next two years, or an average of \$5,800,000 a year. Besides that we have provided for a tax for maintenance of \$626,000. Registrations for the next two years will average \$1,000,000 a year. There will be due from the towns for their portion of maintenance about \$400,000, making to be expended by your highway commission each year \$7,836,000. Now, that looks to me like a man-sized job.

Now, gentlemen, that is not all going to be expended in one place. That is as much or more than all the other expenses of all your departments in this State, and that is not going to be expended in one place, but it is going to be expended throughout the State, in every town in the State, and I think the bill as it left this House on its way to be engrossed, conformed to the ideas of your joint committee as near as it could be made and I hope the amendment will be rejected.

Mr. HINCKLEY of South Portland: Mr. Speaker, I feel that this is the proper time to say a word in connection with this matter. It is evident that there are few members in this House and more who are not members of the House who are de-



terminated, if possible, to kill the State Highway bill. If they cannot do it, they want to put off the evil day as long as possible. All kinds of rumors are going about the corridors, activity is on every hand, and I, as a member of this House, want to protest against the great activity on behalf of the present State Highway department—and I am not speaking of the State Highway commissioners, but I specifically want to protest—and he is in this room now so that he can hear it, the highest salaried man in the State of Maine, the chief engineer of the State Highway department, getting a thousand dollars a year more than the Governor himself, instead of attending to his duties under the statute, spending his time as he has today and as he has been most of the winter, lobbying against these matters, together with other engineers and other officials connected with that department. I do not think that we are paying them for that business, and I want to seriously protest against these men devoting their time and effort and sending out their propaganda instead of attending to their business.

Another rumor that is going about, and they are trying to make a handle of it, that it is the intention of the present Governor to appoint a former governor as chairman of this commission if it becomes a law. Most absurd and most ridiculous, and I am in a position so that I know that the gentleman, who was a former governor of this State and who was referred to, would not accept any appointment or any political office; he has enough to do every day and he is contented with it. Now, it seems to me it is time the House understood these things and realized what they were up against, and I think if I know the temper of this House, they are not going to be fooled by these things or influenced by these men.

One more thing I wish to state. A telegram was received here this morning from one of the largest truck manufacturers in Boston urging that this bill be killed because

trucks of any size and any weight will not be permitted, under the provisions of this bill, to ruin our highways and smash through our bridges, and we are up against the truck lobby as well as the present highway lobby. Now, gentlemen, we have enough amendments on this bill. The committee has considered this matter seriously, and it should take effect whenever in the course of time, under the constitution and under the statutes of this State, it shall take effect, and I hope that this amendment and future amendments will not prevail.

Mr. VILES of Augusta: Mr. Speaker, I rather resent what the gentleman from South Portland, Mr. Hinckley, has said in regard to the lobby because I happen to be a personal friend of the gentleman mentioned, and I think perhaps he would mention it to me if he would to anyone in this House.

Mr. MURCHIE of Calais: Mr. Speaker, these remarks having been called forth by reason of an amendment introduced by me, I think perhaps it would be proper for me to state that at no time during this past winter has any member of the Highway Department, Commission, Chief Engineer or other employee asked me to vote against this bill or in any way mentioned the bill to me. I think it might also be proper to state that, so far as the truck lobby is concerned, the only thing the truck lobby could be interested in would be opposition to the motor vehicle law, and that, if I am not mistaken, was passed by this House this morning to be enacted and will not come into this House again. (Applause).

Mr. SMITH of Skowhegan: Mr. Speaker, I wish to join with the gentleman from Augusta in resenting the remarks of the previous speaker relative to the lobbying by Mr. Sargent. As a member of the committee of ways and bridges, it has been my pleasure and privilege to come in contact with him many times, and not once have I observed any indication on his part to do any lobbying; and I do not believe that a

member of this Legislature can be produced who will stand by the statement as uttered by the gentleman from South Portland.

Mr. McILHERON of Lewiston: Mr. Speaker, I regret very much that any reflection should be cast upon the gentleman. I had the pleasure of being introduced to him once at the beginning of this session, and I have heard both Republican and Democratic citizens of this State who are heavy taxpayers say that if Maine should lose such a man as Mr. Sargent, it would lose a valuable man, and that there are other states that would be glad to get his services. I think that the State of Maine is fortunate in having such a man. I have never met with him to talk with him five minutes in my life, but I have heard people not interested in the matter politically but interested in the efficiency of State officials give him a very high recommendation. I think it is an injustice to cast any reflections in that way on the gentleman. (Applause).

Mr. GERRISH of Lisbon: Mr. Speaker, as a member of the ways and bridges committee, I wish to say that the sentiments of the gentleman from Skowhegan (Mr. Smith) are my own sentiments.

Mr. CARROLL of Norway: Mr. Speaker, I would like to say a word to the members of this Legislature. I believe that we should be very careful at this time about passing this bill. I would rather see things remain as they are than appoint a new commission or have one appointed to gratify a personal spite. (Applause).

Mr. HINCKLEY of South Portland: Mr. Speaker, if there is any question of personal spite, it is not on the part of the gentleman from South Portland. My feelings have always been the most friendly and the most kindly toward the Chief Engineer and they are today; but my interests and my duty to the State of Maine rises higher than any personal feeling or gratification, and that is my position today. No man

has higher respect for the integrity and the ability of the Chief Highway Commissioner than I; but I say to you that every member of this House knows that from January to the present time, the daily newspapers of our State from one end to the other have been filled with propaganda, letters and interviews, most of which emanated from the State Highway Department.

Mr. WINTER of Auburn: Mr. Speaker, talking about the square deal, I will simply say that whenever I have approached Mr. Sargent for information I have found him very courteous.

The SPEAKER: The question before the House is the adoption of House Amendment C.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to say that we have spent a good deal of money teaching these men how to build roads, and therefore I would like to see them continue because I do not want to have to school another set of men to build roads properly. I think they have got now so they can build roads.

The SPEAKER: House amendment C to the bill about Highway Commission read as follows:

"This act shall take effect January 1, 1922."

All in favor of adoption of House amendment C will say aye, contrary minded, no.

A viva voce vote being doubted by the Chair,

A decision was had,

Forty-eight voting in the affirmative and 32 in the negative, the amendment was adopted.

Thereupon the bill having had its three several readings was passed to be engrossed as amended by House amendments B and C.

Mr. HUNTON of Oakland: Mr. Speaker, I move the indefinite postponement of the bill, and I would like to address the House.

The SPEAKER: You may do so.

Mr. HUNTON: Gentlemen of the House: I regret that I am compelled

in the twilight of the closing hours of the session of the Eightieth Legislature to be obliged to register my protest with such emphasis as I may be able to command against this monstrosity of legislation contained in House Document 455. I am glad that the proponents of this measure are in retreat. This measure as first drawn provided no referendum but in the flush of victory they came forth with boldness and showed their hands, presented an amendment for an emergency to be placed upon this bill to displace the present highway commission. I presume fearing their ability to carry that measure with the emergency, they withdrew their amendment. For eight years this State of Maine of ours and its roads have been under the management of the Highway Commission. At the commencement of that period the great expanse of territory extended from Eastport on the east to Kittery on the west, and from Fort Kent to the Sea was without survey or chart. There was no organization for the control of these roads. There then developed an organization that I believe is a credit to any state in this Union. With this great undertaking, with the building of roads and experiment and in its infancy, no man could tell at that time what the demands would be. On that commission is a single man who has served for the entire eight years, yes two. A third man has served for a less period. Can we profit by the experience of those servants? Let us examine for a few minutes the accomplishments of this Commission, and what they have learned by their experience. It appears from the records presented to us by this committee on highway, that they formulated a plan by which fourteen hundred miles of trunk line were constructed at State expense. These were to be the arteries by which communication could be established from one end of this State to the other. They established connecting lines as feeders through a system of state aid road comprising three thousand miles in length. What

have they accomplished? Their accomplishments have been belittled from time to time by paid advertisements in the State of Maine, commencing with the assembling of this Legislature in January and continuing constantly during the session, for the purpose of prejudicing the minds of the public and bringing an influence to bear upon the members of this Legislature to discredit that commission. Among the prominent advertisements displayed on the front pages of our public press was a statement that our highways were costing fifty thousand dollars per mile to construct. Gentlemen, I appeal to you whether that was an honest, true, fair statement to be put before the people of the State of Maine and for the members of this Legislature to consider, for I believe that every member of this highway committee knows that there is not a single mile of the road in the State of Maine that has cost \$50,000 to construct. I ask in fairness that this Commission be treated with the consideration which it merits at your hands.

Following along with the splendid organization that has been established by the State Highway Department under the direction of the Highway commissioners and that splendid official, capable and well reputed to the length and breadth of the United States as one of the most capable highway engineers in the country,—Paul Sargent,—I am proud of the fact that the State of Maine was able to secure the services of so capable a man, and it is with pride that I learned that his services have been sought in other states in this Union; and if the opponents of this measure succeed in enacting this vicious bill into a law, he will find employment elsewhere. I have no doubt that is aimed not only at the present highway commission, but indirectly to free the State of Maine from the services of Paul Sargent.

As to the present commission, gentlemen, I think that every member of this House has come in contact with the personnel of that com-

mission. It was selected for the capacity of the men which make it up. They are men of integrity and high standing in the communities in which they reside. They are men who command respect not only of the laboring man, the common people, and the financier as well, but because of their success in their respective business engagements. I have listened for some criticism of these gentlemen who comprise this commission. At the assembling of this Legislature in January, there was a flood of protest against this commission because it was reported that they had constructed a three hundred thousand dollar garage to the north of the State House. That protest is now silenced. You hear no more about it, and one of the proponents of this measure told me that they felt that the construction of that garage was justified, and had not that commission built it thus protecting the property that the commission had secured from the Federal Government, there would have been even more protest against them. The period of the World's War with its increased prices and demand for labor in order to sustain our armies across the water, placed burdens upon the Highway Commission of the State of Maine that were more than those placed upon ordinary industry. Those of you in business will recall how labor has jumped by leaps and bounds, until it has more than doubled in price.

Material has more than doubled in price, freight rates have grown likewise, and did you expect the State Highway Commission to construct your roads and keep them in repair on the same basis of cost that they did in pre-war times? I know you did not, and I wish to call your attention to the one particular wherein the cost of the construction of the roads by the Highway Commission has increased out of proportion with the cost of construction in other branches of building. What is the cause of this animus that is so developed against this commission? I have been unable to

ascertain it. I have tried with a firm determination to find out where it rested, and what it was. If this commission is inefficient, if it is not discharging its duties with capacity and efficiency, why not prefer charges against it and let it answer them and give it a fair trial, and, if the charges are well founded, remove the commissioners? Gentlemen, do you propose by the enactment of that vicious law to discredit these well-known business men and let it go out to our constituency and to the world that the Highway Commission of the State of Maine has been discredited and removed from office by the act of the Legislature of the State of Maine? In fairness to them I protest against such action.

As to the character of roads which this Commission has constructed, as I said in the opening the work was experimental. We expected mistakes and we expected that they would profit by their mistakes; and, gentlemen, highway construction has not yet emerged from the experimental stage. Neither will it for years to come nor is there such a thing as a permanent highway. Can we anticipate what the traffic requirements will be in the future? And where will you find the men to appoint upon this commission? I know not where they are. I do not know the proponents of this measure know where they are.

Now, gentlemen, when this law does take effect, what will be the effect upon the highways of the State of Maine? This law provides for the appointment of a new commission and that appointment cannot be made until the law is in effect and then it requires seven days after the nomination is made by the Governor for them to be confirmed by the Council; and where is your Highway administration during those seven days? The Chief engineer and every clerk in this department is removed by that act, and there will be no law whatever governing your highway during that period of seven days. Do you want that condition to exist? I said the

law was a monstrosity as drawn. It is; it is vicious in its conception and it is unjust to the commission for I believe that the excellent gentlemen who compose it are worthy of fairer and better treatment than the proponents of this measure are willing to accord them.

Of this system of trunk lines of roads, we find that this commission that is proposed to be removed from office has succeeded in constructing out of fourteen hundred miles, 744 miles, and at what cost? Is it \$50,000 per mile, gentlemen? No, it averages \$10,541.79 per mile, thereby refuting the advertisements that have been spread broadcast over the State of Maine in order to poison the minds of the public against this commission. Of the 3,000 miles of first aid roads, this commission has built 1,411 miles, completed them, gentlemen, and at an average cost of \$7,352 per mile. It may be said that some of these roads have not endured and stood up under the traffic. I admit it, and no commission could have constructed roads that would be enduring, but I believe, gentlemen, if you allow that measure to become a law that the memory of this Legislature will sink into oblivion with passing years the same as did the governments of Babylon, Greece and Rome, and that the roads that this Commission have established and constructed for the State of Maine will remain and endure as monuments to the memory of that commission as does the Appian Way to the Romans. I trust, gentlemen, that by your votes you will doom this measure to an indefinite postponement.

Mr. WING of Auburn: Mr. Speaker, I certainly hope that in this closing hour of the Legislature this House will not lose its poise and sense of proportion. We are here to legislate. There has already been read into the Record as to the business accomplishments of this commission by the distinguished gentleman from Portland, Mr. Dodge, in the early part of the session. Now, gentlemen, if there is one measure that the people are interested in from the part of the

State from whence I come it is that with reference to a full-time highway commission. I do not blame the gentleman from Oakland (Hr. Hunton) from rushing into an eloquent defense of his fellow townsman, that is natural, and it is a little by the question. He has asked for criticism of the present highway commission, and I am speaking of the highway commission, not its chief engineer. A goodly number of gentlemen from Androscoggin county last summer journeyed to this State House to attend a hearing appointed by this highway commission on a matter in which they were interested. They came here to be heard by this commission in this State House and they came in large numbers. After they had arrived and their business was placed before the commission, the commission immediately told those gentlemen from Androscoggin county that they could return home, that the matter was already decided, and they declined to hear them. Now these responsible men, taxpayers of Androscoggin county, resented and do resent any such treatment by a public commission in the capitol of the State. Now that is the criticism of this commission that I offer for the consideration of this House, and is it fair criticism? Is there anything unreasonable in asking a commission that they be heard on a matter that interests them, and is an affront to them—these gentlemen—to be told that the matter is already decided and that they can return to their respective homes. Now, gentlemen, do not let us be carried away; let us regain our poise and in our calm judgment I certainly hope that the motion of the gentleman from Oakland (Mr. Hunton) will not prevail.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I just want to briefly state that I think the argument and discourse of the last three-quarters of an hour perhaps has been well beside the question. There is nothing personal so far as I am concerned in this matter. This is not a bill to abolish or do away with any one's office or position. As I say there is:

nothing personal about it. Everyone in that department, including the chief engineer, have been very courteous and pleasant; but I am induced to take the position I do by reason of this fact. When this commission was organized and its duties were laid down, when we first began our road program, it was not so complicated a business as it is now. The business has developed and we have had increased amounts each year to be expended. The mileage of road has been increasing, and it seems to me we have arrived at a point where we should require of some commission its full attention and time. Certainly when a department is expending one-half of all the moneys expended by the State, when we have so many other departments and institutions for money to go to, it seems to me that it would be economy to have a full-time commission. The percentage of saving on the amount of money that they handle would indeed be very small having reference to the additional necessary expenditures in the way of salaries.

The SPEAKER: The question is on the motion of the gentleman from Oakland (Mr. Hunton) that this matter be indefinitely postponed. All in favor will say aye, contrary minded, no.

Mr. HUNTON: Mr. Speaker—

A viva voce vote being taken the motion to indefinitely postpone was lost.

Mr. HUNTON: Mr. Speaker, I was about to call for the yeas and nays.

The SPEAKER: Fortunately I did not hear.

Mr. BARWISE of Bangor: Mr. Speaker, I rise to ask if we voted on the main question? We voted on the indefinite postponement, we have not passed on the bill.

The SPEAKER: The Chair will state that we did vote that the bill be passed to be engrossed, and the record so shows.

Report of committee on conference on bill An Act granting charter to

the People's Ferry Company, reporting that the committee recommends the passage of said act in new draft, said new draft striking out all of Section one of said bill.

The report was accepted.

The SPEAKER: The measure will lie upon the table.

Mr. MURRAY of Portland: Mr. Speaker, I have a bill that I would like to introduce under suspension of the rules, being an act to amend Section 33 of Chapter 37 of the Revised Statutes, relative to the sale and disposal of milk bottles, cans, caps, etc.

The SPEAKER: Is it the pleasure of the House that the rules be suspended and this bill be received?

Mr. MURRAY: I will say, Mr. Speaker, that I have a further motion after the rules are suspended, which will dispose of this satisfactorily, I believe.

Thereupon the Chair announced that the vote of the House was to suspend the rules.

Mr. MURCHIE of Calais: Mr. Speaker, I should have to doubt the vote, unless I knew what the motion was to be.

The SPEAKER: It is either going to be indefinite postponement or reference to the next Legislature.

Mr. MURCHIE: I will say, Mr. Speaker, that if it is indefinite postponement I shall not doubt the ruling of the Chair; otherwise I shall.

The ruling of the Chair being doubted, a viva voce vote was taken, and the motion to suspend the rules and introduce the bill failed of passage.

The SPEAKER: The Chair takes from the table, the People's Ferry committee of conference report, recommending introduction of the bill in new draft, and the new draft strikes out section one.

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

Mr. Granville from the committee of ways and bridges reports "ought to pass" on bill An Act to confer upon the State Highway Commission and municipal officers the power of road commissioners in the removal of obstructions from highways.

Report was accepted, and on motion by Mr. Roberts of Lyman, the rules were suspended and the bill received its three several readings and was passed to be engrossed.

#### Passed to Be Enacted

An Act to amend Sections 4 and 6 of Chapter 262 of the Public Laws of 1917, relating to fees of city clerks.

An Act to grant a new charter to the city of Portland.

An Act to fix the salaries of justices of the Superior Courts, amending Section 5 of Chapter 117 of the Revised Statutes, Section 9 of Chapter 260 of the Public Laws of 1917, and Section 9 of Chapter 10 of the Public Laws of 1919.

An Act to amend Chapter two, Section 57 of the Revised Statutes, relating to bond of State Treasurer.

#### Finally Passed

Resolve appropriating money to aid in the screening of certain lakes and ponds.

Resolve in favor of E. W. Peaslee, Secretary of State Prison Committee, for expenses incurred in connection with visit of said committee to Thomaston on February 14, 1921.

Resolve in favor of Anne M. Clancy.

#### (Emergency Measures)

An Act to divide the town of South Thomaston.

Mr. DOWNS of Rome: Mr. Speaker, I offer House amendment A and move its adoption.

The SPEAKER: The gentleman from Rome, Mr. Downs, moves that the rules be suspended and that the action of this House heretofore taken, whereby this bill was passed to be engrossed be reconsidered. All those in favor will say aye, contrary minded, no.

A viva voce vote being taken, the motion to amend the act failed of passage.

The SPEAKER: This being an emergency measure, under the Constitution of the State, requires the affirmative vote of two-thirds the entire membership of this House. All those in favor of the passage of this bill to be enacted will rise and stand until counted, and the monitors will return the count.

A division being had, and only 74 voting, the measure failed of enactment.

An Act to amend Section 1 of Chapter 57, Public Laws of 1921, entitled An Act to provide funds for operating the fish hatcheries and feed stations for fish.

The SPEAKER: This being an emergency measure, under the Constitution of the State, requires the affirmative vote of two-thirds the entire membership of this House. All those in favor of the passage of this bill to be enacted will rise and stand until counted, and the monitors will return the count.

A division being had, 115 having voted and all in the affirmative, the bill was passed to be enacted.

Resolve in favor of the Western Maine Sanatorium.

The SPEAKER: This being an emergency measure, under the Constitution of the State, requires the affirmative vote of two-thirds the entire membership of this House. All those in favor of the final passage of this resolve will rise and stand until counted, and the monitors will return the count.

A division being had, 117 having voted and all in the affirmative the resolve was finally passed.

The SPEAKER: The Chair takes from the table, bill An Act to increase salaries of certain county officers and amount of money allowed for clerk hire in certain county offices. The last action on the part of the House was passing the bill to be engrossed as amended by Senate

amendments A and B and House amendment A.

On motion by Mr. Oram of Bristol, the rules were suspended, and the vote of this House whereby this bill was passed to be engrossed as amended by Senate amendments A and B was reconsidered. The same gentleman then moved the adoption of House amendment B as follows:

Amend Senate Document 210 by inserting after the word "them" in line number five on page five, the words "and the sum provided for the clerk in Lincoln county shall be in full for all such services, and also in full for services as clerk of Lincoln Municipal Court."

A viva voce vote on the adoption of House amendment B being doubted by Mr. Carney of Newcastle,

A division was had,

Fifty-one voting in favor of adopting and so few rising in opposition that they were not counted, amendment B was adopted.

Mr. Oram of Bristol offered House amendment C as follows:

Amend Senate Document No. 210 as amended by Senate Amendment B by striking out the words "twelve hundred dollars" at the end of the first paragraph of said amendment, and inserting in place thereof the words "one thousand dollars."

A viva voce vote being taken, the amendment was declared rejected.

The ruling of the Chair being doubted by Mr. Oram of Bristol,

A division was had, 32 voting in the affirmative and 45 in the negative, the amendment was rejected.

Thereupon the bill as amended by Senate Amendments A and B and House Amendments A and B was passed to be engrossed.

From the Senate: An Act to consolidate the library laws, Senate Document No. 183.

This bill was passed to be engrossed in the House April 2nd and passed to be enacted in the House April 5th.

It now comes from the Senate, passed to be engrossed as amended

by Senate Amendment "A," in non-concurrence.

On motion by Mr. Woodruff of Brunswick, under a suspension of the rules, the votes were reconsidered whereby this bill was passed to be enacted and whereby it was passed to be engrossed.

Senate Amendment "A" was adopted, and on further motion by Mr. Woodruff, the bill was passed to be engrossed as amended by Senate Amendment "A."

From the Senate: Resolve to reimburse the town of Prentiss for sheep and poultry killed by dogs and wild animals in 1919.

In the House this resolve was passed to be engrossed on April 5th and finally passed on April 7th.

It now comes from the Senate, passed to be engrossed as amended by Senate Amendment "A," in non-concurrence.

On motion by Mr. Holley of North Anson, under a suspension of the rules, the votes were reconsidered whereby this resolve was finally passed and whereby it was passed to be engrossed.

Senate Amendment "A" was adopted, and on further motion by Mr. Holley, the resolve was passed to be engrossed as amended by Senate Amendment "A."

On motion by Mr. Spear of Rockport, the vote was reconsidered whereby bill, An Act to divide the town of South Thomaston was refused its passage to be enacted.

Mr. Spear then moved that the bill be laid upon the table.

Mr. BRAGDON of Perham: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, will state his point of order.

Mr. BRAGDON: I would like to inquire, Mr. Speaker, if the gentleman from Rockport, Mr. Spear, voted with the prevailing side?

The SPEAKER: The Chair has no information.



Mr. SNIPE of Bath: Mr. Speaker, I voted on the prevailing side, and I will now move that the vote be reconsidered whereby this bill failed to be passed to be enacted.

The motion was agreed to.

Mr. Spear then moved that the bill be tabled until 5.15 o'clock this afternoon.

The motion was agreed to.

From the Senate: Resolve making an appropriation for the Passamaquoddy Tribe of Indians for half year from January 1, 1921, to June 30, 1921, and for the years from July 1, 1921, to June 30, 1923.

This resolve was passed to be engrossed in the House on April 4th and was finally passed in the House on April 7th.

It now comes from the Senate, passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Leighton of Dennysville, the votes were reconsidered whereby this resolve was finally passed, and whereby it was passed to be engrossed.

Senate amendment A was adopted, and on further motion by Mr. Leighton, under a suspension of the rules, the resolve was passed to be engrossed as amended by Senate amendment A.

The SPEAKER: The Chair will state the parliamentary situation with reference to bill, An Act to divide the town of South Thomaston. This bill is not an emergency measure. It is in an emergency jacket and was announced as an emergency measure by error. Constitutional provisions making it an emergency measure do not appear in the bill, and from the form in which it appears here as an engrossed bill, it could not by any means be construed to be an emergency measure. The only suggestion, other than the conditions applying to an ordinary act, is Section 7 which says, "This act shall take effect when approved." It is not an emergency measure, and the gentleman from Rockport (Mr. Spear) is entirely

within his rights and now moves that the bill be passed to be enacted.

A viva voce vote being taken,

The motion was agreed to, and the bill was passed to be enacted.

From the Senate: An Act providing for increase in the amount of tuition to be paid by towns for secondary school pupils and in the amount of State aid for same.

This bill comes from the Senate indefinitely postponed in that branch.

Mr. Bragdon of Perham moved that the House concur with the Senate in the indefinite postponement of the bill.

Mr. BARWISE of Bangor: Mr. Speaker, that bill was very carefully considered by our committee, and I think it is entirely meritorious, and I hope the motion will not prevail, and I trust that this House will call for a committee of conference.

Mr. HOLLEY of North Anson: Mr. Speaker, one argument that may be used in an effort to indefinitely postpone this bill will be that it increases the appropriation beyond that recommended by the budget committee, and it does this slightly for the first period, but we have enacted into law a certain mill tax or proportional part of a mill tax which will take care of this matter in future, after the first period; and it strikes me that this Legislature might very well hesitate before voting to indefinitely postpone a measure such as this that means so much to the children in the country districts in the State of Maine, and I hope that no such action will be taken at this time. (Applause.)

Mr. BRAGDON: Mr. Speaker, I have failed to understand the position taken by the gentleman from North Anson (Mr. Holley) in regard to what this means to the people of the smaller towns. I represent one of those small towns, and I know that we cannot, with a tuition at \$45 a year as at present, maintain a high school, and it seems to me that there is more or less of a scramble among

the towns maintaining high schools to get the children from our small towns to attend their respective institutions. While this raises the amount of reimbursement by the State in some institutions to partially offset the extra expense to be paid by the small towns for tuition, it does not actually increase them, as the limit is set so low that in most instances there will be no increase. The greater part of our small towns are paying an amount now so that the limit as allowed by the State will not affect them by the reimbursement proposed in this bill.

Mr. CONANT of Buckfield: Mr. Speaker, I represent a small town and we run a high school, and I want to say that our high school scholars have cost us \$88 a year, and we only receive from towns that have scholars there \$45 a year tuition, and we cannot support our high school in that way, and I certainly hope that this bill will not be passed.

Mr. LEIGHTON of Dennysville: Mr. Speaker, I represent just such a town, and we cannot run our high school on the rate which is paid at present, and I hope the motion will not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor (Mr. Barwise) that the House insist upon its action and call for a committee of conference.

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

The SPEAKER: The Chair will appoint as such committee of conference upon the part of the House, Messrs. Barwise of Bangor, Cordwell of Westbrook and Conant of Buckfield.

The SPEAKER: The Chair will present at this time the report from the committee on ways and bridges, on bill, An Act providing for the purchase or taking by process of law of toll bridge between the State of Maine and the State of New Hampshire, extending from South Berwick in said State of Maine and Dover in said State of New Hampshire, in conjunction with the State of New

Hampshire, reporting same in new draft, under similar title and that the same ought to pass.

The report was accepted.

On motion by Mr. Case of Lubec, the bill received its two several readings, and on further motion by the same gentleman the rules were suspended and the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair will at this time present the report of the committee on ways and bridges, on resolves for repairing various bridges, reporting same in new draft under title of "Resolve for the repair and construction of certain bridges and ferries for the fiscal year ending June 30, 1922, and for the fiscal period ending June 30, 1923," and that it ought to pass.

The report was accepted.

On motion by Mr. Granville of Parsonsfield, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Report of the committee on ways and bridges on various resolves, reporting same in new draft under title of, "Resolve for the construction, maintenance and repair of roads, bridges and ferries," and that it "ought to pass."

The report was accepted.

On motion by Mr. Brewster of Portland, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

On motion by Mr. Fagan of Portland,

The House voted to take a recess until 7.30 o'clock this evening.

#### AFTER RECESS

7.30 P. M.

#### Papers from the Senate, Out of Order

From the Senate: Bill, An Act to amend paragraph 13 of Section 51 of Chapter 82 of the Revised Statutes, relating to holding of trial

terms of the Supreme Judicial Court for the county of Sagadahoc. This was passed to be enacted in the House on April 4, and passed to be engrossed in the House on March 24.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Snipe of Bath, that body voted to concur with the Senate in the indefinite postponement of the bill.

From the Senate: An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to the protection of white perch in East Pond and in North Pond of the Belgrade chain of lakes, so-called, in Kennebec county, and in Somerset county. This was passed to be enacted in the House on April 6, and passed to be engrossed in the House on April 4.

Comes from the Senate passed to be engrossed as amended by Senate amendment A in non-concurrence.

In the House, on motion by Mr. Crafts of Greenville, the rules were suspended, and the action of that body whereby this bill was passed to be enacted and passed to be engrossed was reconsidered. On motion by the same gentleman Senate amendment A was adopted in concurrence, and on further motion by the same gentleman, the bill as amended by Senate amendment A was passed to be engrossed in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on Resolve in favor of the Assistant Secretary of the Senate, reporting ought to pass.

In the House the report was accepted in concurrence, and on motion by Mr. Holley of North Anson, the rules were suspended, and the resolve received its two several readings and was passed to be engrossed in concurrence.

From the Senate: Report of the committee on ways and bridges reporting ought not to pass on bill,

An Act to amend Section 1 of Chapter 177 of the Public Laws of 1915, and to repeal Section 2 of said Chapter, relating to removing trees, shrubs, bushes and weeds from the limits of the highway.

In the House the report was accepted in concurrence.

From the Senate: Resolve to apportion 151 representatives among the several counties, cities, towns, plantations and classes in the State of Maine. This was passed to be engrossed as amended by House amendment A in the House on April 6.

Comes from the Senate passed to be engrossed as amended by House amendment A and Senate amendment A in non-concurrence.

In the House, on motion by Mr. Buzzell of Belfast the rules were suspended, and the action of this House heretofore taken whereby this bill was passed to be engrossed was reconsidered. On motion by the same gentleman Senate amendment A was adopted in concurrence; and on further motion by the same gentleman, the resolve as amended by Senate amendment A and House amendment A was passed to be engrossed in concurrence.

From the Senate: Report of the committee of conference on the disagreeing action of the two branches, on bill An Act to authorize the division of towns having less than four thousand inhabitants into convenient polling places, reporting a new draft under title of "An Act to authorize the division of towns and wards of cities into convenient polling places," and that it ought to pass.

In the House the report was accepted in concurrence, and on motion by Mr. Cram of Portland, the rules were suspended and the bill received its two several readings.

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

Report of the committee of conference on the disagreeing action of the two branches on bill An Act to amend Section 8 of Chapter 6 of the Revised Statutes, relating to ballots in Primary elections and providing for the order of the names for candidates on said ballots to be determined by lot, report that they have had the same under consideration and ask leave to report that they are unable to agree.

The report was accepted and the committee discharged.

Report of the committee of conference on the disagreeing action of the two branches on bill An Act to establish game preserves or sanctuaries in the State of Maine, reporting that they are unable to agree.

Report was accepted and the committee discharged.

From the Senate: Bill, An Act providing for State maintenance of all highway bridges over six hundred feet in length. This was indefinitely postponed in the House on April 8th.

Comes from the Senate that body insisting on its former action whereby the bill was passed to be engrossed, and asking for a committee of conference with the following conferees on its part, Senators Emery of Washington, Folsom of Somerset, and Thompson of Knox.

In the House, on motion by Mr. Smith of Skowhegan, it was voted to insist, and join the Senate in the committee of conference.

The SPEAKER: The Chair appoints as conferees on the part of the House, Messrs. Case of Lubec, Granville of Parsonsfield, and Gerish of Lisbon.

Mr. Rounds of Portland introduced the following order out of order and moved its passage:

Ordered, that the Speaker of the House be presented with the Chair which he has filled at the present session of the Legislature with so

much credit to himself and the entire satisfaction of the members of the House. (Applause).

The CLERK: Gentlemen, you have heard the order as read. All those in favor of the passage of the order will rise and say aye; those opposed will pass out of the large door in the rear.

The order received unanimous passage.

Mr. Rounds of Portland introduced the following order out of order and moved its adoption:

Ordered, that the Superintendent of Buildings is hereby directed to prepare and deliver to the Clerk of the House the typewriter, desk and chair purchased for the office of the Clerk of the House.

The order received passage.

On motion by Mr. Patterson of Industry,

The House recessed until 10 this evening.

#### AFTER RECESS

##### Passed to Be Enacted

An Act to amend Chapter 164 of the Private and Special Laws of 1915, providing for the establishment of a Board of Recreation for the city of Portland.

An Act additional to Chapters 219 and 244 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to ice fishing in China Lake, including that portion of said lake known as Mud Pond.

An Act to amend Section 57 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, and Chapter 61 of the Public Laws of 1919, relating to the protection of wild birds.

An Act to apportion Representatives to Congress.

##### Finally Passed

Resolve authorizing Austin W. Jones Company to bring a suit at law against the State of Maine.

Resolve in favor of Charles J. Dain, secretary of committee on School for Feeble-Minded.

Resolve in favor of Richard T. Dunning, secretary to committee on State School for Boys, State School for Girls and State Reformatories.

Resolve in favor of certain officers of the House of Representatives of the Seventy-ninth Legislature for services at the organization of the House of the Eightieth Legislature.

Resolve in favor of Arthur E. Forbes, secretary of the committee on State sanatoriums, for expenses of committee.

Resolve in favor of James H. Burgess of Bangor, Penobscot County, State of Maine, for civil pension.

Resolve providing for the purchase of reports of the centennial celebration of the Maine State Bar Association.

Resolve in favor of George A. Dow and Francis C. Colburn, Document Clerks, for extra services in preparing weekly cumulative index to Senate and House Documents.

Resolve for the pay of the chaplains of the Senate of the Eightieth Legislature.

(Emergency Measure)

Resolve in favor of the Gardiner-Randolph draw bridge.

The SPEAKER: This being an emergency measure, and requiring under the constitution the affirmative vote of two-thirds of the entire membership of this House on its final passage, all those who are in favor of the final passage of the resolve will rise and stand in their places until counted.

A division being had, one hundred and twenty-six voted, and all in the affirmative, so the resolve was finally passed.

On motion by Mr. Murray of Portland,

Ordered, That the Governor be requested to return to the House, Bill relating to the Martin's Point bridge, so-called.

The SPEAKER: The Chair pre-

sents the bill to the House. This bill was passed to be enacted in the House on April 6th.

On motion by Mr. Murray, under a suspension of the rules, the votes were reconsidered whereby this bill was passed to be enacted and whereby it was passed to be engrossed.

Mr. Murray then offered House amendment "A," to amend by striking out the whole of Section 5 and inserting in place thereof the following: "Section 5. Section 2 of Chapter 89 of the private and special laws of 1919 is hereby repealed."

The amendment was adopted.

On further motion by Mr. Murray, the bill was then passed to be engrossed, as amended by House amendment "A."

On motion by Mr. Holley of North Anson, it was

Ordered, That Resolve authorizing the payment of certain deficiencies be recalled from the Governor.

The SPEAKER: The Chair now presents the bill to the House.

On further motion by Mr. Holley, under a suspension of the rules, the votes were reconsidered whereby this resolve was finally passed and whereby it was passed to be engrossed.

Mr. Holley then offered House amendment "A," to amend by adding at the end thereof the following: "In view of the emergency cited in the within preamble, this resolve shall take effect when approved."

The amendment was adopted.

On further motion by Mr. Holley, the resolve was passed to be engrossed as amended by House amendment "A."

On motion by Mr. Holley of North Anson, it was

Ordered, That Resolve in favor of the Augusta State Hospital for maintenance during the years 1921, 1922 and 1923 be recalled from the Governor.

The SPEAKER: The Chair presents the resolve.

On motion by Mr. Holley, under a suspension of the rules, the votes were reconsidered whereby this resolve was finally passed and whereby it was passed to be engrossed.

Mr. Holley offered House amendment "A," to amend said resolve by striking out the last paragraph on the third page beginning with the word "provided" and ending with the words "that may exist in any other," and by substituting therefor the following: "Provided that the Governor and Council may authorize the use of any unexpended balance in any of the items contained in the above appropriation to apply towards any deficiencies that may exist in any other."

The amendment was adopted.

On further motion by Mr. Holley, the resolve was passed to be engrossed as amended by House amendment "A."

From the Senate: Report of the committee on salaries and fees, reporting "ought not to pass" on bill. An Act relative to the salary of the commissioner of inland fisheries and game.

This report was read and accepted in the House on March 16th.

It now comes from the Senate, with the bill substituted for the report and passed to be engrossed in that branch as amended by Senate amendments "A" and "B."

On motion by Mr. Smith of Skowhegan, under a suspension of the rules, the vote was reconsidered whereby the report of the committee, reporting "ought not to pass," was accepted.

On further motion by Mr. Smith, under a suspension of the rules, the bill was substituted for the report.

The bill then received its first and second readings.

On motion by Mr. Crafts of Greenville, the rules were suspended and the bill received its third reading.

On further motion by the same gentleman, Senate amendments "A" and "B" were adopted.

The bill was then passed to be engrossed as amended by Senate amendments "A" and "B."

Mr. EASTMAN of Fryeburg: Mr. Speaker, as a member of the committee on salaries and fees, I wish to state that we had two hearings on this matter, and it was the unanimous report of that committee that there should be no increase in this salary, and I certainly hope the House will abide by the report of the committee.

Mr. SMITH of Skowhegan: Mr. Speaker, I had hoped that it would not be necessary to enter into any argument at this time in regard to this matter, and I trust that when the gentleman from Fryeburg (Mr. Eastman) understands the situation, he will not insist upon his motion. The Senate has unanimously adopted Amendment "B", and it is in accordance with the same increase that has already been given to the other State officials in each instance. For instance, the auditor from the year 1918 and 1919 has been increased from \$3,000 to \$4,000; industrial commissioner from \$2,500 to \$3,500; insurance commissioner from \$2,500 to \$3,000; labor commissioner from \$2,000 to \$3,000; commissioner of agriculture from \$2,000 to \$3,000; secretary of State, from \$3,000 to \$3,500; librarian, from \$2,100 to \$2,800; adjutant general from \$2,500 to \$3,000; State treasurer from \$2,500 to \$3,500; and I will say that it was simply an oversight on my part, after talking with the members of the committee, that I did not talk with the gentleman from Fryeburg (Mr. Eastman) that I endorsed this amendment, and I hope that he will withdraw his motion and allow the matter to go along.

Mr. EASTMAN: I will withdraw my motion.

The bill was then passed to be engrossed.

From the Senate: Resolve in favor of the town of Winthrop.

This resolve was passed to be engrossed in the House today.

It now comes from the Senate,

passed to be engrossed in that branch, as amended by Senate Amendment B.

On motion by Mr. Wadsworth of Winthrop, under a suspension of the rules, the vote was reconsidered whereby this resolve was passed to be engrossed.

Senate Amendment B was adopted, and on further motion by Mr. Wadsworth, the resolve was passed to be engrossed as amended by Senate Amendment B.

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From the Senate: Resolve in favor of Commissioners of Pharmacy.

This resolve was passed to be engrossed in the House, March 31st, and was finally passed on April 6th.

It now comes from the Senate indefinitely postponed in non-concurrence.

Mr. ROUNDS of Portland: Mr. Speaker, I have been a member of the committee on claims during three sessions of the legislature, and at every session a resolve has come in here before the committee on claims from the commissioners of pharmacy, and it seems to me that we ought to appropriate money enough to let them have enough to carry their department through. Their fees do not amount to enough to support the commissioners and every year they have asked for some amount. I think this year it was \$1342 which they required to make up their deficit, and it seems to me as though we ought to appropriate money enough so that they would not have to come here at the next legislature and ask for an appropriation. If this had been presented earlier in the session, I should surely have objected to it, but just now I do not want to delay this legislature one day longer.

On motion by Mr. Rounds, the House voted to recede and concur with the Senate in the indefinite postponement of the resolve.

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From the Senate: An Act to establish the commission on foreign and domestic commerce.

This bill was indefinitely postponed in this House today.

It now comes from the Senate, that body insisting on its former action whereby the bill was passed to be engrossed as amended by Senate amendment "A" and appointing a committee of conference.

On motion by Mr. Rounds of Portland, the House voted to insist upon its former action and join a committee of conference.

The Speaker thereupon appointed as such committee of conference on the part of the House Messrs. Wing of Auburn, Crafts of Greenville and Weeks of Fairfield.

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On motion by Mr. Holley of North Anson, the House voted to reconsider the vote whereby it voted to recede and concur with the Senate in the indefinite postponement of resolve in favor of the commissioners of pharmacy.

On further motion by Mr. Holley, the House voted to insist upon its former action and ask for a committee of conference.

The Speaker thereupon appointed as such committee of conference on the part of the House, Messrs. Holley of North Anson, Croxford of Newport and Snipe of Bath.

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On motion by Mr. Finnell of Biddeford,

The House adjourned until tomorrow morning at 9 o'clock.