

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

Page 154, column	1, line 17, for Chapter "199" read "198."
" 163, "	2, after order by Mr. Winter, read "Tabled on motion of Mr. Buzzell of Belfast."
" 174, "	1, line 8, for "Lewiston" read "Rockland."
" 194, "	1, " 24, for "Sewall" read "Newall."
" 197, "	2, " 50, for "insurance" read "issuance."
" 267, "	2, " second Act referred to Inland Fisheries and Game was referred to Judiciary Committee.
" 305, "	1, " 42, for "Boys" read "Girls."
" 305, "	1, " 45, "H. 169" should read "H. 165."
" 511, "	2, " 2, for "H. 106" read "H. 160."
" 586, "	1, " 13, for "St. Albans" read "St. Agatha."
" 591, "	2, " 23, for "1919" read "1909."
" 602, "	2, " 12, for "enacted" read "engrossed."
" 617, "	1, " 46, for "322" read "332."
" 650, "	2, " 31, for "H. 336" read "H. 366."
" 662, "	2, " 26, for "Barrington" read "Harrington."
" 692, "	2, " 35, for "H. 236" read "H. 336."
" 694, "	1, " 2, for "S. 154" read "S. 155."
" 716, "	2, " 3, for "Mr. Perham" read "Mr. Bragdon of Perham."
" 772, "	1, " 24, for "same" read "Committee on Appropriations and Financial Affairs."
" 869, "	1, " 50, insert "Finally passed."
" 902, "	1, " 24, for "Clark" read "Barton."
" 902, "	1, " 40, for "S. 185" read "S. 184."
" 928, "	1, " 51, for "343" read "243."
" 949, "	1, " 43, for "Merton's" read "Martin's."
" 954, "	1, " 44, insert "ought not to pass."
" 958, "	2, " 20, for "179" read "181."
" 958, "	2, " 28, for "178" read "179."
" 967, "	2, " 49, for "S. D. 198" read "S. D. 180."
" 981, "	2, " 10, for "\$300" read "\$300,000."
" 1000, "	2, " 47, for "Portland" read "Biddeford."
" 1005, "	2, " 42, for "salaries" read "selection."
" 1142, "	1, " 40, for "H. D. 465" read "H. D. 456."
" 1169, "	2, " 2, for "Fogg" read "Forbes."
" 1191, "	2, lines 3 and 11, for "engrossed" read "enacted."
" 1191, "	2, line 20, for "finally passed" read "passed to be enacted."
" 1191, "	2, lines 31, 40, 48, for "engrossed" read "finally passed."
" 1211, "	2, " 12 and 13, "National Guard" should read "Nash and Viles."
" 1280, "	1, line 14, for "bald" read "bomb."
" 1321, "	1, " 35, for "lighting Long and Big Lakes" read "Lewy, Long and Big Lakes."
" 1373, "	2, " 42, for "Arthur B. Forbes" read "Arthur E. Forbes."
" 1376, "	2, " 14, for "S. D. 161" read "S. D. 167."
" 1409, "	2, " 36, for "Chapter 178" read "Chapter 238."

HOUSE

Saturday, April 9, 1921.

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

Prayer by the Rev. Mr. Young of Hallowell.

Journal of previous session read and approved.

From the Senate: Communicatoin from the Secretary of State transmitting a list of public acts approved by the Governor. (Ordered placed on file in concurrence.)

Passed to be Entced

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

An Act to enable South Bristol to construct a State aid road to Christmas Cove.

An Act to amend Chapter 132 of the Public Laws of 1919 entitled, "An Act to create the Maine Water Power Commission."

An Act to amend Chapter 198 of the Private and Special Laws of 1915, entitled, "An Act to incorporate the Mutual Loan Society of Lewiston."

An Act to repeal Chapter 23 of the Public Laws of 1921 entitled, "An Act to amend Section 1 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing license fees."

Finally Passed

Resolve for maintenance and improvement of the State Park in Augusta.

Resolve offering a reward for the apprehension and conviction of those persons who perpetrated the bomb outrage in Madison on March 15, 1921.

Resolve in favor of the Northern Oxford Fish and Game Association for repairs and improvements of fish hatchery.

Resolve in favor of the Public Utilities Commission to take care of expenses provided for under Chapter 117, Section 31, Chapter 55, Section 1 and Chapter 24, Sections 34 and 38 of the Revised Statutes.

Resolve in favor of the clerks, stenographers and messengers of the several committees of the Eightieth Legislature.

(At this point a recess was taken.)

AFTER RECESS

Mr. Granville from the committee on ways and bridges reported "ought not to pass" on bill, An Act to amend Section 2 of Chapter 353 of the Private and Special Laws of 1905, relative to draw tender and repairs to the Wiscasset bridge.

The report was accepted and sent up for concurrence.

On motion by Mr. Holley of North Anson, under a suspension of the rules, permission was granted and that gentleman introduced out of order bill, An Act to appropriate moneys for the expenditures of government and for other purposes for the period from January 1, 1921, to June 30, 1921.

On motion by the same gentleman, under suspension of the rules, the bill received its two several readings.

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

Mr. Granville from the committee on ways and bridges reported "ought not to pass" on resolve for repair of roads in the city of Brewer and various towns and plantations throughout the State.

The report was accepted and sent up for concurrence.

(At this point a recess was taken.)

AFTER RECESS

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

Resolved, that the thanks of the House be tendered to Simmons & Hammond Mfg. Company of Portland for contribution of ice cream, to John J. Nissen Baking Company of Portland for fancy cakes and to Mr. Nissen for services in serving the same, to Representative Herbert L. Wadsworth of Winthrop for apples

and to Harold H. Murchie of Calais for cigars furnished for the mock session of this House on Friday evening, April 8th.

Resolved, that a copy of this resolution be sent to each of the above named contributors by the clerk of this House.

The resolution was adopted by a rising vote.

Mr. Rounds of Portland presented the following resolution out of order, and moved its passage:

Resolved, that the thanks of this House be expressed to Lida Hawthorne, Doris Paine, Winifred Clark, Beulah Jackson, Gertrude Walch, Annie M. Clancy, Mary Murphy, Mildred Humphrey and Effie Libby, for services contributed by them on the evening of Friday, April 8th, in assisting in the distribution of refreshments at the mock session.

Resolved, that a copy of this resolution be sent to each of the above named persons.

The resolution was adopted by a rising vote.

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

Ordered, that the State Librarian be and is hereby directed to mail to each member of the House of Representatives two copies of the balance of the Legislative Record when printed.

The order received passage.

From the Senate: Resolve providing for the purchase of reports of the Centennial Celebration of the Maine State Bar Association. This was finally passed in the House on April 8, and passed to be engrossed as amended by Senate amendment A on April 7.

Comes from the Senate, passed to be engrossed as amended by Senate amendments A and B in non-concurrence.

In the House, on motion by Mr. Woodruff of Brunswick, the rules were suspended, and the action of the House whereby this resolve was

finally passed and passed to be engrossed was reconsidered.

The same gentleman moved the adoption of Senate Amendment B by striking out the words "two hundred and fifty dollars" in the first line and inserting therein the words, "five hundred dollars."

The amendment was adopted in concurrence, and on further motion by the same gentleman, the resolve as amended by Senate Amendments A and B was passed to be engrossed in concurrence.

From the Senate: Resolve in favor of the Augusta State Hospital for maintenance during the years 1921, 1922 and 1923. This was passed to be engrossed in the House yesterday as amended by House amendment A.

Comes from the Senate House amendment A rejected and that body asking for a committee of conference, with the following conferees appointed on its part: Senators Farrington of Kennebec, Eaton of Oxford, and Emerson of Aroostook.

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

(Temporarily tabled by the Chair.)

(Emergency Measures)

Resolve in favor of the Maine School for the Deaf.

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, 123 voting in the affirmative and none in the negative, the resolve was finally passed.

Resolve in favor of the Maine School for Feeble Minded for additions and improvements.

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, 135 voting in the affirmative and none in the negative, the resolve was finally passed.

Resolve in favor of Wiscasset-Edgecomb bridge.

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, 132 voting in the affirmative, and none in the negative the resolve was finally passed.

The SPEAKER: The Clerk will now present a new matter, in re Wells and Ogunquit.

Report of the committee of conference on the disagreeing action of the two branches on bill, An Act to divide the town of Wells and incorporate the town of Ogunquit, reporting that the committee is unable to agree.

Comes from the Senate, the report read and accepted.

In the House, the report was accepted in concurrence and the committee discharged.

Mr. LUQUES of Kennebunkport: Mr. Speaker, if I am in order, I would move that the House reconsider its action taken on April 5th, whereby it moved to adhere.

Mr. WING of Auburn: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman will state his point of order.

Mr. WING: I understood the record was that the motion to reconsider failed.

The SPEAKER: Will the gentleman from Auburn (Mr. Wing) sus-

pend until the Clerk states the situation.

The CLERK: On April 5th the House voted to adhere, and subsequently a motion to reconsider that vote was lost.

The SPEAKER: The gentleman from Auburn, Mr. Wing, raises a point of order which the Chair sustains. The motion of the gentleman from Kennebunkport (Mr. Luques) is not maintainable.

Mr. HINCKLEY of So. Portland: Mr. Speaker, I move under suspension of the rules that we now reconsider—

The SPEAKER: The gentleman from So. Portland (Mr. Hinckley) will please frame the motion for the record.

Mr. HINCKLEY: I move, Mr. Speaker, that we suspend the rules at this time for the purpose of reconsideration.

The SPEAKER: The gentleman from So. Portland, Mr. Hinckley, moves that the House now suspend its rules in connection with the matter in hand.

Mr. CHAMBERLAIN of Winslow: Mr. Speaker, I rise for information. Does it not require two-thirds of the members of the House to suspend the rules?

The SPEAKER: The Chair will make a statement relative to that. The situation that confronts this body at this juncture, as the Chair understands it, and will undoubtedly rule, is as follows: Under the Rules of the House of Representatives of the Eightieth Legislature, no further action can be initiated on the Wells and Ogunquit matter save the introduction of the matter anew under the three days' notice; and the gentleman from So. Portland (Mr. Hinckley) moves now that this House, for the purpose of considering the Wells-Ogunquit matter only, suspend its rules. To do this, there must be the affirmative vote of two-thirds the members present. The monitors will now return the count of the members in the various sections.

The monitors reported 131 present.

The SPEAKER: Do the gentlemen of the House understand the question that is before them? If not, the Chair will state it again. (A pause.) All those who are in favor of suspending the rules of this Chamber for the further consideration of the Wells-Ogunquit matter will rise and stand until counted, and the monitors will return the count.

A division being had, 122 voting, 54 in the affirmative and 68 in the negative, the motion of Mr. Hinckley of So. Portland to suspend the rules failed of passage.

Mr. McILHERON of Lewiston: Mr. Speaker, I move you that the matter be indefinitely postponed.

Mr. HINCKLEY of So. Portland. Mr. Speaker, in order to raise the parliamentary question my understanding is that a committee of conference was appointed—

Mr. WING of Auburn: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Auburn, Mr. Wing, will state his point of order.

Mr. WING: It may be a matter of indifference to the House what the position of the gentleman from So. Portland (Mr. Hinckley) was, there being no matter of business before the House.

Mr. HINCKLEY: Mr. Speaker, I move that we recede, and now if I may get the situation before the indefinite postponement of the bill.

The SPEAKER: The Clerk will state the history of it.

The CLERK: Bill, An Act to divide the town of Wells and incorporate the town of Ogunquit. On March 24, there was a report from the committee on legal affairs, ought to pass, ordered printed under the joint rules. On March 26, the matter was tabled, pending first reading, and subsequently taken from the table. On March 30 was read once and House Amendment A adopted; read the second time, indefinitely postponed, and sent up for concurrence. In the Senate on March 31, House Amendment A was rejected and the bill read once. April 1 the bill was

passed to be engrossed without amendment. In the House on April 5 that body voted to adhere, and a motion to reconsider the vote was lost. In the Senate on April 6 that body insisted on its former action and asked for a committee of conference. On the same day in the House, the committee of conference was joined.

Mr. HINCKLEY: Mr. Speaker—

The SPEAKER: The gentleman from So. Portland (Mr. Hinckley) will make his motion.

Mr. HINCKLEY: I move that we recede and concur with the Senate, and just a word in addressing myself to that motion.

The SPEAKER: Just a moment! The gentleman from So. Portland will suspend for just a moment. The Chair will rule that having voted to adhere, and the motion to reconsider the adherence having been lost, the House will initiate no proceedings on the Wells-Ogunquit matter at this time. (Applause.)

Mr. HINCKLEY: Mr. Speaker, in order to raise the question still further, I wish to appeal from the ruling of the Chair, and I presume I may state my position on that.

The SPEAKER: The gentleman will suspend for a moment. The Chair has never seen nor read any precedent in the Maine Legislature on appeals. The Chair is ignorant of a good many matters of parliamentary law and will have to ask the gentleman to suspend at this time until he has some information as to how to proceed on appeal from the Chair.

(A short recess.)

The SPEAKER: The motion is debatable. The question will be simply this: Shall the decision of the Chair stand as the judgment of the House of Representatives of the Eightieth Legislature? The gentleman from So. Portland, Mr. Hinckley.

Mr. HINCKLEY: Mr. Speaker, that I may make my position plain in a few words: This matter, if I remember the procedure—this bill was passed to be enacted in the Sen-

ate, the House previously refusing the bill in some form, I do not remember just what, and it is immaterial for my purpose. The House then voted to adhere, later indefinitely postponed and refused to reconsider. So far as the House was concerned at that time, under parliamentary procedure, that bill was dead unless revived by some new proceeding. After the House indefinitely postponed, the matter went to the Senate and the Senate asked for a committee of conference. The bill returned from the Senate to the House, the House having, as I said before, indefinitely postponed it. Now, if the action of the House meant anything, it meant that when it appointed its committee of conference, it rescinded its indefinite postponement or its adherence automatically, otherwise the House had nothing to act on because the bill had been indefinitely postponed here. And I say, as a matter of parliamentary procedure, if this House has a right to appoint a committee of conference, it then by that act did rescind all former action. Now it has been the customary practice in this House, and the records will so show, when a report has come back, after adverse action by this House,—when a report has come back and that report made a recommendation, that recommendation has been adopted; so that my position is that the action of the House in insisting, and appointing the committee, revived the whole matter by automatically doing away with its previous adverse action; and for that reason I appeal from the decision of the Chair for the purpose of having this matter voted upon at this time.

Mr. CROXFORD of Newport: Mr. Speaker and gentlemen of the House: I am not going to enter into the parliamentary situation of this bill in its present form, but I am simply going to say this and nothing more,—that it reflects on the intelligence of this House, and our constituents who sent us here, to ask us to do the things that they are asking us to do here today; and if you gentlemen who voted knew your minds in the first place, are we to snap around at the

crack of the whip from the other side? If so, then it is time that we adjourn and go home. Gentlemen, stand by the fort!

Mr. DOWNS of Rome: Mr. Speaker, I will not attempt at this time to enter into the merits of the matter other than the merits of the matter which we are to decide.

Mr. HINCKLEY: Mr. Speaker, I rise to a question of order.

The SPEAKER: There are times when we are not held to procedure according to the strictest interpretation of the rules so long as the decision of the Chair is sustained from point to point; yet when the decision of the Chair is questioned, we will proceed according to the rules of a parliamentary and deliberative body.

The gentleman from South Portland rises to a point of order, and before the Chair recognizes him, it will state that any gentleman in this House has the right at any time to rise to a point of order! and the Chair will rule whether it is pertinent or not, and under the rules of parliamentary bodies will rule peremptorily. Discussion on the decision of the Chair is in order, nothing else. The gentleman from South Portland (Mr. Hinckley), rises to a point of order, and will state the point of order.

Mr. HINCKLEY: And my point is this: That the gentleman from Rome (Mr. Downs) stated that he wanted to discuss only the merits of the bill, and started to discuss it.

The SPEAKER: The Chair did not hear such a statement.

Mr. HINCKLEY: I would like to hear the record read.

The SPEAKER: The Chair rules that the gentleman from South Portland (Mr. Hinckley) is out of order. The gentleman from Rome, Mr. Downs, will proceed.

Mr. DOWNS: It is impossible for the laity to perfectly comprehend, possibly, the parliamentary situation that obtains at this time. I think it will suffice to say that since early in January it has been

the privilege and pleasure of the members of this House to abide by the judgment and rulings of the Chair; and I hope at this time no exception will be taken and that we shall sustain its ruling.

Mr. MURCHIE of Calais: Mr. Speaker—

The SPEAKER: The gentlemen of the House will recall the statement of the Chair yesterday that shouting the word "question" is out of order. Gentlemen will rise, as the gentleman from Calais (Mr. Murchie) has just done, pause until he is recognized, and then make any motion that he chooses. The gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Before this vote is taken, I wish to call the attention of the members of the House to one fact and one fact only. We are now asked to take an action which will be for all time a precedent in Maine Legislatures. We are asked to take that action as it seems to me in the interest of one particular matter. It is unquestionable that this bill has been in fact rejected. It is unquestionable that that is the end of it unless we stultify ourselves, Rule 14 of the joint rules providing that a matter rejected shall not be revived except by suspension of the rules and reconsideration. I am one of those who have questioned the advisability of dividing towns, but I think the question of town dividing pales into insignificance beside the question of whether or not this House shall establish a wrong precedent. I hope that the appeal will be lost. (Applause.)

Mr. WINTER of Auburn: Mr. Speaker, I move the previous question, and certainly hope that the decision of the Chair will be sustained.

The SPEAKER: The gentleman from Auburn, Mr. Winter, moves the previous question. Those who are in favor of putting now the main question will rise and stand until counted.

A sufficient number having arisen, the main question is now put: Shall the ruling of the Chair stand as the judgment of the House of Representatives of the Eightieth Maine Legislature? All those in favor will rise.

So many rose that the count was not taken.

The SPEAKER: It is a vote. (Applause.)

The SPEAKER: The Chair takes from the table (tabled a few moments ago) a Resolve in favor of the Augusta State Hospital for maintenance, and the Clerk will state the parliamentary situation.

The CLERK: In the House yesterday the action of the House whereby this resolve was finally passed and passed to be engrossed was reconsidered. House Amendment "A" was read and adopted, and the resolve was sent up for concurrence. In the Senate that body rejects House Amendment "A," insists on its former action and asks for a committee of conference, with the following conferees appointed on its part: Senators Farrington of Kennebec, Eaton of Oxford, and Emerson of Aroostook.

The SPEAKER: The Chair awaits the motion.

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

Recess.

AFTER RECESS

Mr. Murray of Portland presented out of order the following order:

ORDERED, That An Act to amend Chapter 178 of the Public Laws of 1919, relating to Workmen's Compensation, be recalled from the Governor.

The order received a passage.

The SPEAKER: The Chair lays before the House, Bill, An Act to amend Chapter 178 of the Public Laws of 1919, relating to Workmen's Compensation.

On motion by Mr. Murray, 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 "B", and subsequently withdrew the amendment.

On further motion by Mr. Murray, the bill was laid upon the table.

On motion by Mr. Holley of North Anson, permission was granted and that gentleman presented out of order, Bill, An Act to appropriate moneys for the expenditures of the government and for other purposes for the year from July 1, 1921 to June 30, 1922.

On further motion by Mr. Holley, under a suspension of the rules, the bill received its first and second readings without reference to a committee.

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

From the Senate: Report of the mittee on Ways and Bridges on that porting "ought not to pass" on Bill, An Act to amend Section 113 of Chapter 24 of the Revised Statutes, relating to regulation of advertising signs.

The report was accepted in concurrence.

From the Senate: Report of the committee on Ways and Bridges on that part of the Governor's message referring to ways and bridges, reporting that the same be placed on file, comes from the Senate with the report accepted and ordered placed on file.

The report was accepted in concurrence.

Report of the committee of conference on Bill, An Act to establish the commission of foreign and domestic commerce, reporting that the House recede and concur with the Senate in the passage of this act.

This comes from the Senate with the report read and accepted.

On motion by Mr. Cram of Portland, the report was accepted, and on further motion by the same gentleman the committee was discharged.

The SPEAKER: This bill was indefinitely postponed in the House on April 7th.

Mr. Rounds of Portland moved that the House recede and concur with the Senate.

Mr. HINCKLEY of South Portland: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, will state his point of order.

Mr. HINCKLEY: This House has just recently decided that a bill having been indefinitely postponed and coming back in this manner, that the House cannot recede and concur.

The SPEAKER: The Chair will inform the House in regard to the parliamentary situation of this measure. The question comes on the point of order raised by the gentleman from South Portland, Mr. Hinckley, on the motion of the gentleman from Portland, Mr. Rounds. This bill, after its two several readings was by the House indefinitely postponed on the 8th day of April. Upon its transmission to the other chamber, that body refused to concur with the action of the House and asked for a committee of conference, which committee was joined on the part of the House. The committee of conference then reported that the House recede and concur with the Senate, and the report of that committee has been received and accepted and the committee discharged. The Chair will rule now that the motion of the gentleman from Portland, Mr. Rounds, to recede and concur is not in order. The motion that would be in order would be the motion to reconsider the vote whereby this bill was indefinitely postponed.

Mr. Wing of Auburn then moved that the vote be reconsidered whereby this bill was indefinitely postponed.

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

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, will state his point of order.

Mr. HINCKLEY: When was the matter indefinitely postponed in the House?

The SPEAKER: The Chair will read the endorsements upon this bill. "In House of Representatives, Augusta, April 8th, 1921. On motion Mr.

Rounds of Portland, it was taken from the table and on further motion by Mr. Wing of Auburn was indefinitely postponed."

Mr. Hinckley then withdrew his point of order.

The pending question being on the motion by Mr. Wing of Auburn that the vote be reconsidered whereby this bill was indefinitely postponed.

Mr. BUZZELL of Belfast: Mr. Speaker and gentlemen of the House, I hope that that motion will not prevail, because I have a motion to make relative to this matter.

The SPEAKER: The question before the House is on the motion by the gentleman from Auburn, Mr. Wing, that the vote be reconsidered whereby this bill was indefinitely postponed. All those in favor will say yes; all those opposed will say no.

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

On motion by Mr. Buzzell of Belfast, the House then voted to adhere to its action already taken.

Report of the committee of conference on memorial to Congress urging favorable consideration of the principles embodied in the Smith-Towner bill, reporting that the House recede and concur with the Senate in the indefinite postponement of the memorial.

The report was accepted, and the committee was discharged.

The SPEAKER: All those who are in favor of the House receding and concurring with the Senate in the indefinite postponement of this resolve, will say yes; those opposed will say no.

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

Mr. COLE of Eliot: Mr. Speaker, I notice that the gentleman from Bangor, Mr. Barwise, who introduced this measure is not present in the House and it seems to me it would be better to defer action until he is present.

The SPEAKER: The Clerk informs the Chair that the gentleman from

Bangor, Mr. Barwise, left the matter personally in the Clerk's hands.

Report of the committee of conference on the disagreeing action of the two branches, on bill, An Act providing for an increase in the amount of tuition to be paid by towns for secondary school pupils and in the amount of State aid for the same, reporting that the House recede and concur with the Senate in the indefinite postponement of the bill.

Mr. VARNEY of Jonesboro: Mr. Speaker, I will say that the situation is taken care of in the general school fund bill which was signed yesterday by the Governor, and legislation along this line is unnecessary.

The SPEAKER: The Chair would inquire whether the chairman of the committee on education on the part of the House is satisfied that the matter is taken care of for the period from January 1, 1921, to June 30, 1922.

Mr. VARNEY: No, Mr. Speaker, it is not.

The SPEAKER: This is a matter of no great interest to cities, nor is it of great interest perhaps to the towns that maintain free high schools, but it is of great interest to young men and young women in the towns which cannot afford to maintain free high schools, and perhaps the gentleman from Jonesboro, Mr. Varney, will make his statement again.

Mr. VARNEY: The general school fund bill does not take effect until January 1, 1922, and the situation would not be taken care of until that time. If this bill now pending goes into effect, it would affect only the period from January 1, 1921, to January 1, 1922.

The SPEAKER: The Chair will inquire of the gentleman from Jonesboro, Mr. Varney, for the information of the House, whether it is true that if this bill does not have a passage, tuition fees of children from towns which do not maintain high schools, or had not maintained high schools

for the winter term last past and the spring term now on, would be payable as under the present law?

Mr. VARNEY: They would be.

The SPEAKER: For two-thirds of the present year?

Mr. VARNEY: As I understand it, yes.

The SPEAKER: The Chair understands that only two motions are proper at this time which would be of any effect. One would be to recede and concur with the Senate and the other would be to insist upon our former action and have a new committee of conference. The matter will lie upon the table, and the committee on education will later take the matter in charge.

Mr. Chalmers of Bangor presented out of order the following order:

Ordered, That the engrossing department be requested to return to the House, Resolve in favor of the Bangor State Hospital.

The order received a passage.

On motion by Mr. Hinckley, the House took a recess until 1:45 o'clock this afternoon.

AFTER RECESS

From the Senate: An Act to create the Kennebunk, Kennebunkport and Wells Water District.

This was passed to be engrossed in the House on March 31st.

It 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. Luques of Kennebunkport, under a suspension of the rules, the vote was reconsidered whereby this bill was passed to be engrossed.

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

From the Senate: An Act to provide for a sinking fund for the war

bonds and bonus bonds issued by the State of Maine.

This bill was passed to be engrossed in the House on March 15th.

It 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.

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

Report of committee of conference on the disagreeing action of the two branches on Bill, An Act providing for the maintenance of all highway bridges over 600 feet in length, reporting that the committee is unable to agree.

This comes from the Senate with the report read and accepted in that branch.

The report was accepted.

On motion by Mr. Granville of Parsonsfield, the House voted to adhere to its former action in the indefinite postponement of the bill.

Report of the committee of conference on Resolve in favor of the commissioners of pharmacy, reporting that the Senate recede and concur with the House.

The report was accepted.

Passed to be Enacted

An Act amending the Private and Special Laws of 1885, relating to the charter of the People's Ferry Company.

An Act to amend Section 15 of Chapter 117 of the Revised Statutes relative to the salary of the Secretary of State.

An Act to amend Section 85, of Chapter 2, of the Revised Statutes, relating to the State Contingent Fund.

An Act to amend Paragraph 22 of Section 5, of Chapter 118 of the Revised Statutes as amended by Chapters 222 and 244 of the Public Laws of 1919, relating to fees of Deputy Sheriffs in attendance upon the Courts.

An Act to amend Section 3 of Chapter 346 of the Private and Special Laws of 1905, as amended by Chapter 27 of the Private and Special Laws of 1915, as amended by Chapter 104 of the Private and Special Laws of 1915, providing for and fixing the salaries of Probation Officer and the Assistant Probation Officer for the County of Cumberland.

An Act to amend Section 7 of Chapter 117 of the Revised Statutes.

Finally Passed

Resolve in favor of the Assistant Secretary of the Senate.

Resolve in favor of the Chaplains of the House of the Eightieth Legislature.

Resolve in favor of Benjamin A. Swasey, Clerk to the Committee on School for Feeble-Minded.

Resolve in favor of H. C. Smallidge for extra services as Assistant Messenger of the House of Representatives of the Eightieth Legislature.

Emergency Measures

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

The SPEAKER: This being an emergency measure, under the provision of the constitution, requires a two-thirds vote 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, and one hundred and sixteen voting, and all in the affirmative, the bill was passed to be enacted.

An Act to repeal Chapter 57 of the Public Laws of 1921, entitled "An Act to provide funds for operating the

fish hatcheries and feeding stations for fish."

The SPEAKER: This being an emergency measure, under the provision of the constitution, requires a two-thirds vote 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, and one hundred and sixteen voting, and all in the affirmative, the bill was passed to be enacted.

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

The SPEAKER: This being an emergency measure, under the provision of the constitution, requires a two-thirds vote 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 in their places until counted.

A division being had, and one hundred and nineteen voting, and all in the affirmative, the resolve was finally passed.

The SPEAKER: The Chair at this time takes from the table, bill, An Act to amend Chapter 233 of the Public Laws of 1919, relating to workmen's compensation. This is the bill upon which earlier in the session, the votes of the House were reconsidered whereby it was passed to be enacted and passed to be engrossed.

Mr. Murray of Portland offered House Amendment "A", to amend by striking out sections two and three of said bill, and renumbering the sections of said bill as follows: "Section 4, Section 2; Section 5, Section 3; Section 6, Section 4; Section 7, Section 5; Section 8, Section 6; Section 9, Section 7; Section 10, Section 8; Section 11, Section 9; Section 12, Section 10; and Section 13, Section 11."

On further motion by Mr. Murray, House Amendment "A" was adopted.

Mr. CRAM of Portland: Mr. Speaker, I would like to know what the effect is of striking out those sections.

The SPEAKER: The new bill by Section 2 provided that Section 3 of Chapter 238 of the Public Laws of 1919, the workmen's compensation law, should be amended by adding after the word "hereof" at the end of said section the following sentence: "For the purpose of this act the operation, cutting, hauling, rafting or driving of logs of whatever shape or length, regardless of the use to be made of them, shall be considered a business separate and distinct from business of the manufacture thereof." Section 3 provides that Paragraph 1 of Section 6 of Chapter 238 is amended by inserting after the word "employer," in the second line thereof the words "As to any business or businesses in which he may be engaged", and by adding the words, "in order to bring persons engaged in the cutting, hauling, rafting or driving of logs within the written assent of the employer there must be an express statement to that effect." And by adding after the word "interim" in the last line of said paragraph the following sentence, "A binder or renewal of a policy already on file, issued by the insurance company writing the original policy and placed on file with the commission previous to the expiration of said policy shall, for thirty days after the expiration of said policy, have the same effect as regards the requirements of this act as a complete renewal and filing of said policy would have". The amendment strikes out those two paragraphs, and the gentleman from Portland, Mr. Murray, can give the information required as to the effect.

Mr. MURRAY: It is the purpose of these amendments to leave the compensation act as regards Section 2 and Section 3 and Paragraph 1 of Section 6 as it was before we ever started to amend it at this session. It was simply the purpose to leave those two matters covering the lum-

ber interest, in the matter of logging and hauling and rafting logs as they were when we came here in January, and nothing more.

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

From the Senate: Resolve providing for the erection and completion of a State School building for the State School for boys at South Portland.

This resolve was received in the Senate out of order, under a suspension of the rules, given two readings without reference to a committee, and passed to be engrossed.

Mr. TILDEN of Hallowell: Mr. Speaker and gentlemen of the House, you doubtless all remember that yesterday by a unanimous vote we passed a measure of this character providing for these same boys, and you know the vote that it received at the other end of the Capitol. Now I believe that you understand the conditions upon which this resolve is submitted. It is that the State shall provide one-half the cost of this school building, and by the generosity of Senator Gould of Aroostook the other half called for by the resolve for the completion of this work is to be provided by him. (Applause.)

Now, gentlemen, I know that there is a sentiment in this House that the passage of this resolve and the acceptance of this gift would be in one sense of the word a confession that the State of Maine is unable to adequately provide for these boys, and that consideration might possibly affect the vote whereby this resolve should receive a passage. I have, however, been in conference with the gentleman who proposes to make this donation, and I find that it is his earnest solicitation that the resolve should be passed and the gift should be accepted, and as a token of appreciation of his generous sentiment, and upon that ground alone, I move that this resolve be now received and that it

have its two several readings and be passed to be engrossed. (Applause.)

The SPEAKER: The gentleman from Hallowell, Mr. Tilden, now moves that the rules be suspended and that this resolve be now received and that it be given its two several readings without reference to a committee. Is that the pleasure of the House?

The motion was agreed to unanimously.

Mr. WING of Auburn: Mr. Speaker, I move, out of respect to Senator Gould, that the members of this House stand while the resolve receives its first reading.

The motion was agreed to.

The resolve then received its first reading with the members of the House all standing.

The resolve then received its second reading and was passed to be engrossed.

From the Senate: Resolve that the building to be erected and located at the State School for boys in South Portland in accordance with resolve providing for the erection and completion of a State School building for the State School for boys at South Portland, be named the Arthur R. Gould school. (Applause.)

In the Senate, this resolve was received out of order, under a suspension of the rules, and was passed to be engrossed without reference to a committee.

On motion by Mr. Wilson of Presque Isle, the rules were suspended and the resolve received its two several readings at this time, without reference to a committee, and was passed to be engrossed.

The SPEAKER: The Chair presents at this time resolve in favor of the Bangor State Hospital, for maintenance during the years 1921, 1922 and 1923. This resolve was passed to be engrossed, as amended by House Amendment "A", in the House on the seventh day of this

month. The Chair recognizes the gentleman from Bangor, Mr. Downing.

Mr. Downing then moved, under a suspension of the rules, that the vote be reconsidered whereby this resolve was passed to be engrossed as amended by House Amendment "A".

The motion was agreed to.

Mr. Downing then moved that the vote be reconsidered whereby House Amendment "A" was adopted.

The motion was agreed to.

On further motion by Mr. Downing, the resolve was then passed to be engrossed.

Mr. Granville of Parsonsfield presented out of order the following order:

Ordered, That the Governor be requested to return to the House Resolve in favor of the Gardiner-Randolph bridge.

The order received a passage.

The SPEAKER: The Chair presents to the House this resolve.

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

Mr. Granville then offered House Amendment "A," to amend by striking out of Section 1, in line 4, the following words, "Said sum to be payable from moneys not otherwise appropriated."

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

(At this point Mr. McIlheron of Lewiston assumed the Chair.)

Mr. McILHERON: Gentlemen of the House, during the present session, this gavel has been wielded as a token of authority. It is now the property of the State of Maine, and the gentleman who has presided over this body has used this gavel very efficiently and impartially in his conduct as presiding officer, but during

the last hours of the session, this House has become more like a school room on the eve of vacation time than a House of Representatives. I had in mind the idea of presenting him with a cane because he knows thoroughly how to use one, being a former school-master, but in token of the efficient manner in which he has performed his duties with this gavel, and because I have experienced its effect upon me personally in the House, and have submitted to its authority, and every other member has done likewise. Now, although this is the property of the State of Maine, I am going to make this motion as a member of this House, that this gavel be given to our beloved Speaker as a token of the esteem and respect which we hold for him in this Eightieth Legislature. (Applause.)

The SPEAKER: The Chair takes this occasion to thank the House through the gentleman who was not only born in Ireland, but must have traversed through that island, because he apparently has kissed the Blarney Stone.

The SPEAKER: The Chair presents An Act to re-enact Section 24 of Chapter 69 of the Revised Statutes, relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine corporations, together with a veto message from the acting Governor which the Clerk will read.

STATE OF MAINE
Office of the Governor

April 8th, 1921.

To the Honorable House of Representatives:

I hereby return without my approval "An Act to re-enact Section 24 of Chapter 69 of the Revised Statutes, relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine Corporations."

This act would make a radical change in our inheritance taxation laws. Many corporations come to Maine for the purpose of taking advantage of our laws. Under the present system, if a non-resident of the State of Maine owns stock in these

corporations, this stock is subject to our collateral inheritance taxation laws. Under this amendment non-residents would not be required to pay these taxes to the State of Maine. At present the State is receiving from the estates of non-residents an annual amount of \$165,136.35, which is an increase over the past year of \$79,636.15. The budget report relies upon this income to help meet the legislative appropriations. In January and February of 1921 the increase in this item over 1920, amounts to \$26,247.36.

The Legislature is under the obligation to provide a sufficient revenue to meet its appropriation bills, and in my opinion it is safer to hold fast to this source rather than to give it up and accept an increase in the corporation organization taxes, and franchise taxes which it is alleged would accrue to the State by reason of the proposed law. The reason advocated for the change of law is that estates of non-residents are put to expense and delay by reason of our present tax laws. Upon investigation I find that but few complaints have been made and that the Attorney General's office has handled this matter promptly and without unnecessary delay. In my opinion it would be unwise to change the present law.

Respectfully,

(Signed) PERCIVAL P. BAXTER,

Governor of Maine.

The SPEAKER: And the question before the House on reconsideration of this act is: Shall the act become a law notwithstanding the objections of the Governor. A vote yea enacts the law, a vote nay rejects the law and sustains the veto. The Clerk will call the roll.

Mr. CRAM of Portland: Mr. Speaker, I crave indulgence for just a very few minutes. It is believed by those familiar with the subject that the enactment of this law will increase the revenue of this State. Under the existing laws, we are not only having less corporations organized in this State which do busi-

ness in other states, but those which have previously organized here are withdrawing and perfecting their organization in other states which treats them better than does Maine in the matter of inheritance or succession taxes. It is true that for the past two or three years, the amount of these succession taxes has been increasing, but that is because the estates of stockholders having stock in these out-of-the-state corporations are being probated. We believe that this change which is asked for under this law will remedy the condition so that we will cease to lose corporations and there will be a large increase in the number of corporations organized under our State laws and which do business in other states. Not only are we as conditions now exist losing the organization taxes and franchise taxes, but we will lose more and more as the years go on in the way of inheritance taxes. As I have stated, we believe that the adoption of this law will remedy this condition and forward not only the organization of new corporations here, but prevent those now here from leaving.

This State derived a large income under its corporation laws and we hope that that will continue. I hope that the members of this House will see fit to vote yes on the pending question.

Mr. HINCKLEY of So. Portland: Mr. Speaker, I want to say just a word in seconding the propositions as advanced by the gentleman from Portland (Mr. Cram). This matter came before the Judiciary committee, it was considered very carefully by that committee and after due consideration we believe that it would mean much more money to the State of Maine instead of less. The distinguished Governor has evidently looked at just one side, the question of what we may lose on succession taxes; but he evidently, so far as the words in the veto message are concerned, has lost sight of the fact that the State of Maine for several years has been losing many of the large corporations that are being

formed in this country. One of the greatest sources of revenue that the State of Maine has today, and has had in years past, is from the fees received in organizing foreign corporations and from the franchise tax year after year in connection with them. Other states have made more liberal laws, and, as a result, year after year, sees the State of Maine getting fewer and fewer of these corporations; and, if it keeps on, we will not only lose our entire corporation business, but we will lose our succession tax as well because we will have no corporations to do business upon. That is the situation. The Judiciary committee considered the matter very carefully and the best legal minds of the State explained the matter in detail. It is not a selfish matter, it is a matter in the interest of the State and means dollars and cents to the State. The committee considered it carefully, and if I remember correctly—and I think I am correct—the committee voted nine in favor and one against. The Senator from Bangor, Senator Gillin, voted the minority report that it ought not to pass. Now that is the situation, and I believe if this House has in mind that it wants the State of Maine to make money and continue bringing these corporations here, which will continue to be a large source of revenue in years to come, this law should remain as we passed it originally, and we should sustain our action against the veto of the Governor.

The SPEAKER: The question before the House upon reconsideration of an act to re-enact Section 24 of Chapter 69 of the Revised Statutes relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine corporations is whether or not this act shall become a law despite the objections of the Governor. A vote yea will enact the law, a vote nay will reject the law and sustain the veto. The clerk will call the roll.

YEA—Austin, Baker, Barney, Bartlett, Barwise, Bean, Belliveau, Bennett, Blanchard, Boothby, Bragdon, Perham; Bragdon, Westbrook; Brewster, Or-

Jand; Brown, Buzzell, Carroll, Carney, Chadbourne, Chalmers, Chamberlain, Chandler, Chase, Cordwell, Cole, Conant, Crafts, Cram, Croxford, Dain, Dodge, Downing, Downs, Dunning, Eastman, Elmore, Emery, Fagan, Farnsworth, Finnell, Forbes, Gagne, Gardiner, Gerrish, Granville, Harriman, Hayes, Heal, Hinckley, Hodgkins, Holley, Houghton, Hunton, Hussey, Kerswell, Kimball, Landers, Larrabee, Leighton, Luques, Maher, Masse, Maxwell, McGlauffin, McIlheron, Murray, Myrick, Nadeau, Newcomb, Scarborough; Newcomb, Newburg; Nickerson, O'Connell, Oram, Owen, Peabody, Peaslee, Pennell, Perkins, Phillips, Orrington; Plummer, Poore, Ricker, Roberts, Vinalhaven; Roberts, Lyman; Savage, Sawyer, Small, Smith, Waterboro; Smith, Skowhegan; Smith, Ludlow; Snipe, Spear, Limestone; Spear, Rockport; Story, Tilden, Thomas, Chesterville; Thomas, South Portland; Trefethen, Varney, Jonesboro; Viles, Wadsworth, Warren, Washburn, Weatherbee, Weeks, Dresden; Weeks, Fairfield; Wight, Willard, Williams, Wilson, Wing, Wiseman, Witham.—Total, 112.

NAY—Audibert, Case, Daigle, Davis, Doyle, Jordan, Lowe, Main, Moody, Rogers, Rockland; Rounds, Teague, Towne, Wentworth, Winter, Woodruff.—Total, 16

ABSENT—Adams, Atherton, Belmore, Bragdon, Franklin; Brewster, Portland; Burns, Cherry, Clarke, Crabtree, Gerrish, Hammond, Mason, Morneau, Murchie, Patterson, Phillips, Bar Harbor; Porter; Reed, Rogers, Jonesport; Twombly, Varney, Windham; Wood.—Total, 22.

The SPEAKER: One hundred and twenty-eight having voted, 16 voting nay and 112 voting yea, the veto is not sustained.

The Chair presents out of order bill, an act to amend Section 85 of Chapter 16 of the Revised Statutes, as amended by Chapter 229 of the Public Laws of 1917 and by Chapter 96 of the Public Laws of 1919, increasing tuition paid by towns for secondary school pupils, passed to be enacted in this House April 6.

On motion by Mr. Hussey of Blaine, the rules were suspended and the action of this House whereby this bill was passed to be enacted and passed to be engrossed was reconsidered.

Thereupon Mr. Hussey of Blaine offered the following amendment.

House Amendment A to House Document 362.

House Document No. 362 is hereby amended by inserting before the enacting clause the following:

Emergency Preamble: Whereas, school terms of secondary schools in which tuition is by law payable in part by towns not maintaining such schools and before the date for the taking effect of general legislation and,

Whereas, in the judgment of the legislature such towns should pay a greater sum for secondary school tuition of youth who reside in those towns, and,

Whereas, the facts recited above create an emergency for the preservation of the public peace, health and safety, and constitute an emergency within the meaning of the constitution, now, therefore;

And by adding after Section 2 the following:

Section 3. Emergency Clause. In view of the emergency cited above in the preamble this act shall take effect when approved.

The amendment was adopted; and on further motion by Mr. Hussey of Blaine, the bill was passed to be engrossed as amended by House amendment A.

The SPEAKER: The Chair will present at this time a concurrent order introduced earlier in the session that a special committee of three on the part of the House, with as many as the Senate may join, be appointed to investigate all the legislative enactments relating to the expenditure of money by the various departments of the State and collate such expenditures over a period of years and report to the Governor and Council not later than April 1, 1922, with such recommendations as may seem proper. This in regular course passed the House and Senate long since and the Chair takes this occasion to appoint three members on the part of the House as follows: Messrs. Cole of Eliot,

Buzzell of Belfast, and Holley of No. Anson.

The SPEAKER: The Chair presents at this time out of order bills on their passage to be enacted.

Passed to Be Enacted

An Act to consolidate the Library Laws.

An Act to provide for a full time State Highway Commission amending Section 3 and Section 4 of Chapter 25 of the Revised Statutes, relative to State Highways, and also amending Section 34 of Chapter 117 of the Revised Statutes relating to salary of the State Highway Commission.

An Act authorizing the division of towns and wards of cities into convenient polling places.

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 the protection of white perch in East Pond and North Pond of the Belgrade Chain of Lakes, so-called, in Kennebec County and in Somerset County.

An Act to amend Section 5 of Chapter 244 of the Public Laws of 1917 relative to the salary of the Commissioner of Inland Fisheries and Game.

An Act relative to motor vehicles and the law of the road, and to revise and amend Chapter 26 of the Revised Statutes and Acts amendatory thereof and additional thereto.

Mr. Maher of Augusta presented the following order out of order and moved its passage:

Ordered, that House Document No. 448 relating to formation of corporations having stock without par value be recalled from the Executive Department.

The order received passage.

On motion by Mr. Maher of Augusta, under suspension of the rules, the House voted to reconsider its action whereby this bill was passed to be enacted and passed to be engrossed.

On further motion by the same gentleman, House Amendment B was offered as follows:

House amendment B to House Document No. 448, An Act to amend Chapter 51 of the Revised Statutes, as amended by Chapter 144 of the Public Laws of 1917, relating to the formation of corporations having stock without par value.

Amend House Document No. 448 by striking out the words "up to and including ten thousand shares" in the fifth and sixth lines of Section 1 in said House Document No. 448, and by striking out the words "and on all shares in excess of ten thousand shares five mills per share" in the seventh and eighth lines of said section as so set forth, and by striking out the words "up to and including ten thousand shares" in the eleventh line of said section as so set forth, and by striking out all of said section after the words "dollars" in the twelfth line thereof.

The amendment was accepted, and on further motion by Mr. Maher, under suspension of the rules, the bill was passed to be engrossed as amended by House amendments A and B.

Recess.

AFTER RECESS

The SPEAKER: The Chair presents out of order bills and resolves to be enacted.

Finally Passed

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

Passed to Be Enacted

An Act to confer upon the State Highway Commission and municipal officers the powers of road commissioners in removing obstructions from highways.

An Act providing for the purchase or taking by process of law the toll bridge between the State of Maine and the State of New Hampshire, extending from South Berwick in said State of Maine to Dover in said State of New Hampshire, in conjunction with the State of New Hampshire.

From the Senate: Resolve in favor of the Public Utilities Commission to take care of expenses provided for under Chapter 117, Section 31, Chapter 55, Section 1, and Chapter 24, Sections 34 and 38 of the Revised Statutes, which was finally passed in the House earlier in the day and passed to be engrossed as amended by House amendment A and Senate amendment A on April 7th.

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

In the House, on motion by Mr. Hutton of Oakland, the rules were suspended and the action of this House whereby this resolve was finally passed, and passed to be engrossed, was reconsidered.

(Senate amendment B read.)

On motion by Mr. Hutton of Oakland, Senate amendment B was adopted in concurrence; and on further motion by the same gentleman the resolve was passed to be engrossed as amended by House amendment A and Senate amendments A and B in concurrence.

From the Senate: Resolve for maintenance and improvement of the State Park at Augusta. This was finally passed in the House earlier in the day and passed to be engrossed in the House as amended by House amendment A on April 7.

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. Maher of Augusta, the rules were suspended and the votes of the House whereby this resolve was finally passed, and passed to be engrossed, were reconsidered.

(Senate Amendment A read.)

On further motion by Mr. Maher of Augusta, it was voted to adopt Senate Amendment A in concurrence; and on further motion by the same gentleman the resolve was passed to be engrossed as amended

by House amendment A and Senate Amendment A in concurrence.

The SPEAKER: The Chair presents resolve making 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, together with a veto message from the acting Governor, which the Clerk will read:

STATE OF MAINE

Office of the Governor

Augusta, April 8, 1921.

To the Honorable House of Representatives:

I return herewith without my approval 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.

This resolve was introduced in the House on April 5th, read three times under suspension of the rules and passed to be engrossed. On April 6th it was read twice in the Senate and passed to be engrossed, and an appropriation of \$100,000 is called for and it was not included in any of the recommendations in the budget. If this resolve is passed, it will make a substantial addition to the tax rate.

I am of the opinion that the new building called for by the resolve, to cost \$65,000 is not required at that institution at the present time. The Sanatorium at Presque Isle has been established two years, and I am informed has accommodated all of the persons who have applied for admission, so that there are no applications on the waiting list. This Legislature has decided that it is unwise to enter upon any extensive new construction at State institutions. The appropriations for new buildings at the Augusta State Hospital and Bangor State Hospital have been entirely eliminated, while the appropriation for new work at

the State School for Feeble Minded has been cut by fifty per cent. The new work at the State Reformatories for Women and for Men has also been reduced one half. The University of Maine, notwithstanding its splendid work, has withdrawn its request for a new dormitory.

In view of the above facts, in my opinion it would be unwise to make an expenditure in favor of an appropriation that was not recommended by the budget committee. I desire to call your attention to the fact that the Presque Isle Sanatorium has already received the appropriation for personal services and maintenance that is asked for, amounting to \$65,771.88, and the resolve which I return herewith would add an even \$100,000 to this item. In my opinion the Legislature by passing this resolve would place itself in the position of having favored this particular state institution.

Respectfully,

(Signed) Percival P. Baxter,
Governor of Maine.

The SPEAKER: The question comes on the reconsideration of the measure, notwithstanding the Governor's veto.

Mr. WILSON of Presque Isle: Mr. Speaker and Gentlemen of the House of the Eightieth Legislature: I will go somewhat further into the history of tuberculosis in Aroostook county. In the year 1913 the physicians of that county, recognizing the fact that tuberculosis was on the increase, found an anti-tuberculosis association. They asked of the larger towns an appropriation of five cents per capita for the employment of a nurse to travel the county from one end to the other to try and get the people to live in such a manner in the fresh air as to prevent this dread disease. The larger towns did all respond, and every year since the larger towns in the county have raised five cents per capita, and they employ a nurse known throughout the State as one

of the most capable district nurses in the State of Maine. She has a large territory to cover. In 1917 the Legislature granted an amount of money to build a Sanatorium in the town of Presque Isle in Aroostook county. Immediately the town of Presque Isle looked the matter up, a site was accepted by the trustees over all other sites in the county on account of its location, and after they had received a deed of it, it could have been sold for double the amount it cost. Nevertheless it was immediately deeded to the State.

I came to this Legislature in 1919 asking for an appropriation to build a building, and on the 28th of October, it was opened for the reception of patients. When the matter was called to the attention of the trustees they said it was necessary to have another building there to take care of the patients. It was unanimously agreed that the greatest necessity of the tubercular institution that there should be another building erected at Presque Isle. The Sanatorium committee went in a full body to Presque Isle, and every one of them agreed that it was an absolute necessity that there should be more room for patients there. At the time they went there they saw the necessity for this, but they wanted to keep the mill tax down.

I am going a little further and say something which I did not intend to say, that there have been three ex-service boys who have been to that sanatorium already. One of them, unfortunately, died there; one was transferred to Hebron. Let me give you a little of the history of the sanatoriums as they are maintained at the present time. The one at Fairfield and the one at Presque Isle are clearing houses for tubercular patients. Any patient going to either of those institutions and found curable will be transferred to Hebron. At Hebron they could not take any patients who are incurable, and therefore it is necessary to have the clearing houses. We have the statement in the veto message that there

is no existing waiting list, and at the time we appeared before the committee on appropriations and financial affairs, there were twelve on the waiting list at Presque Isle. There are eleven waiting there now for admission.

Two weeks ago today, I was at Fairfield and the chairman of the board of trustees was with me, and the doctor from Fairfield reckoned the waiting list at Fairfield and there were thirty-nine waiting for admission to that sanatorium. Now, gentlemen, the State has embarked in this business, and why shouldn't all be treated alike? You know, as everyone knows, that tubercular infection taken at its inception may be stayed and a cure made. If it is allowed to go along for four or five or six or eight or ten months, every day is lessening the chance of that man, or that woman or child, from being cured of the disease. There may be some men among you who probably have friends or relatives who have this disease. We know not from where it may have been received; it may come from food, or from contact with persons having it.

I want to say to you, gentlemen, that I consider the statement whereby it has been said that there never has been any waiting list, to be false. The cures in this institution have been 51½ percent in the State of Maine, and a great many patients have not been admitted until they were almost ready to die. Some have died in three days after they were admitted by reason of their being obliged to remain so long on the waiting list. Now, gentlemen of the House, believing that to be the case, and knowing the statement I have made to be true, that is, to the best of my knowledge and information, I would ask you not to sustain the veto of this resolve. This resolve calls for the sum of \$65,000 for a building of fifty beds and \$35,000 for the maintenance thereof for the year.

Mr. FORBES of Paris: Mr. Speaker, and gentlemen, I need to say very little because the gentleman from Presque Isle, Mr. Wilson, has covered the matter so fully. I merely

wish to say on behalf of the committee on State sanatoriums that the committee has visited the three sanatoriums in the State, and we are fully convinced that there is need of the additional building at Presque Isle from the conditions existing in that part of the State, and we were assured that there was quite a large waiting list at the time for admission to that institution. This resolve, it will also be noted, was not reported to the legislature from the committee on State sanatoriums, and those that were in favor of the additional building at Presque Isle, but this resolve came to this legislature from the committee on appropriations and financial affairs which represented the budget committee. This building is outside of the budget, but the committee on State sanatoriums felt that the need was so great there that they were convinced that this building should be built.

Mr. HOLLEY of North Anson: Mr. Speaker and gentlemen, when I hear the word "budget," I have a chill, but I think it is only fair on the part of the budget committee to state the attitude of the budget committee at the time this matter was before us. It seemed to be impossible to grant the appropriation asked for and keep inside of the six-mill tax rate. The committee on budget were very, very sympathetic with the measure, and nothing ever came nearer to being recommended and not be recommended than the resolve in favor of the Presque Isle sanatorium, and nothing but the fact that we have desired to present to this legislature a budget not exceeding a six-mill tax rate prevented it. And, gentlemen, if this resolve should be passed, it is my opinion that we will not exceed a six-mill tax rate. (Applause.)

Mr. HEAL of Weston: Mr. Speaker, I have had a sort of personal experience with the Presque Isle sanatorium. I have a boy who has been troubled with tuberculosis for three years, and last fall he went to bed, and he has been gaining steadily since that time, and about a month ago he was transferred to Hebron, and I know that there has been a

waiting list ever since the sanatorium was completed. I want to keep with-in this six-mill tax rate just as much as any man in this House. I think I pay taxes enough now to feel that way, but in this case I don't think we ought to consider the tax rate. This is a case of "my boy," and it may be your boy or your daughter next, and it is hard to tell which one will come next, and you don't have to save a great many young lives to cover that tax rate. (Applause).

The SPEAKER: The question comes on the reconsideration of the resolve making an appropriation for the construction of a new building at the Northern Maine sanatorium at Presque Isle, Aroostook county, and for the purchase of equipment therefor and for maintenance. The question before the House is this: Shall the resolve be now finally passed, notwithstanding the objections of the Governor? A vote "yes" passes the resolve; a vote "no" sustains the veto and kills the resolve. The Clerk will call the roll.

During the call of the roll, Mr. Davis of Freeport asked that he be excused from voting.

The SPEAKER: All those who are in favor of excusing the gentleman from Freeport, Mr. Davis, from voting will say yes; those opposed will say no.

A viva voce vote being taken.

The question was lost, and the gentleman was not excused from voting.

YEA—Audibert, Austin, Baker, Barney, Bartlett, Barwise, Bean, Belliveau, Bennett, Blanchard, Boothby, Bragdon, Perham; Bragdon, Westbrook; Brewster, Orland; Brown, Buzzell, Carroll, Case, Chadbourne, Chalmers, Chamberlain, Chandler, Chase, Cordwell, Cole, Conant, Crafts, Cram, Croxford, Daigle, Dain, Davis, Dodge, Downing, Downs, Dunning, Eastman, Elmire, Emery, Fagan, Farnsworth, Finnell, Forbes, Gagne, Gardiner, Gerrish, Gipson, Granville, Harriman, Hayes, Heal, Hinckley, Hodgkins, Holley, Houghton, Hunton, Hussey, Jordan, Kimball, Landers, Larrabee, Leighton, Lowe, Luques, Maher, Main, Mason, Masse, Maxwell, McGlauffin, McIlheron, Moody, Murray, Myrick, Nadeau, Newcomb, Scarborough; Newcomb, Newburg; Nickerson, O'Connell, Oram, Owen, Patterson, Peabody, Peaslee, Pennell, Perkins, Phillips, Orrington;

Plummer, Poore, Ricker, Roberts, Vinalhaven; Roberts, Lyman; Rogers, Rockland; Rounds, Savage, Sawyer, Small, Smith, Skowhegan; Smith, Ludlow; Snipe, Spear, Limestone; Spear, Rockport; Story, Teague, Tilden, Thomas, Chesterville; Thomas, South Portland; Towne, Trefethen, Varney, Jonesboro; Viles, Wadsworth, Warren, Washburn, Weeks, Dresden; Weeks, Fairfield; Wentworth, Wight, Williams, Wilson, Wing, Winter, Witham, Wood, Woodruff.—Total, 125.

ABSENT—Adams, Atherton, Belmore, Bragdon, Franklin; Brewster, Portland; Burns, Carney, Cherry, Clarke, Crabtree, Doyle, Hammond, Kerswell, Morneau, Murchie, Phillips, Bar Harbor; Porter, Reed, Rogers, Jonesport; Smith, Waterboro; Twombly, Varney, Windham; Weatherbee, Willard, Wiseman.—Total, 25.

The SPEAKER: One hundred and twenty-five having voted, and all in the affirmative, the resolve is finally passed. (Applause.)

From the Senate: Final reports from the joint standing committees on counties, education, inland fisheries and game, mines and mining, public buildings and grounds, and ways and bridges.

These came from the Senate read and accepted in that branch.

The report was accepted in concurrence.

From the Senate: An Act to amend Section 85 of Chapter 2 of the Revised Statutes, relating to the State contingent fund.

This was passed to be enacted in the House earlier during this day, and passed to be engrossed as amended by Senate Amendment "A", subsequent to that.

It now comes from the Senate, indefinitely postponed in that branch.

Mr. Cole of Eliot moved that the House recede and concur with the Senate.

Mr. ROUNDS of Portland: Do I understand, Mr. Speaker, that that takes off between \$500,000, not over that—am I right?

The SPEAKER: The Chair will attempt to answer the gentleman from Portland, Mr. Rounds. Under the law as it stands today, from three

several different sources funds lapse into the treasury, and may be small or large—

Mr. ROUNDS: To any amount?

The SPEAKER: To some amount—

Mr. ROUNDS: This bill was limited to \$500,000.

The SPEAKER: This bill provides that all above \$500,000 of the State contingent fund on January 1st of each year should be carried to other accounts in the treasury.

Mr. ROUNDS: I think, Mr. Speaker, that we have seen enough by what has transpired in the last two years to keep that contingent fund down. I do not believe it should be put up, so that somebody with a few men can go ahead and spend that money just as they have a mind to. We see what has been done in the last two years, and I think it is time we should limit it to some amount.

The SPEAKER: The question is upon the motion of the gentleman from Eliot, Mr. Cole, that the House recede and concur with the Senate. The Chair will state that if any suggestions of amendment are to be made, it would be fair to the House to so state now, because in that event different motions would have to be put.

Mr. Granville of Parsonsfield moved that the House adhere to its former action.

The SPEAKER: The Chair will state that the motion by the gentleman from Eliot, Mr. Cole, to recede and concur has precedence.

Mr. COLE: I understand, Mr. Speaker, that this has been partially and only partially taken care of by another matter which has come out of the attorney general's office. I have been informed by one of the heads of departments, that that is true. The Governor himself in a way objects to this, and I am perfectly willing to leave any squandering of money to the present Governor.

Mr. HINCKLEY of South Portland: Mr. Speaker, I think it is the feeling of a large majority of the members of this Legislature, both in the

Senate and the House, that \$500,000 should be the limit of a contingent fund to be used by the Governor and Council, and that anything over that should go some other way, and I hope that the motion of the gentleman from Eliot, Mr. Cole, will not prevail, but that later a committee may be appointed and that we insist and endeavor to hold this contingent fund down to at least half a million dollars.

Mr. Cole of Eliot withdrew his motion.

Mr. Granville of Parsonsfield moved that the House insist upon its former action and called for a committee of conference.

The motion was agreed to.

The Speaker thereupon appointed as such committee of conference on the part of the House, Messrs. Hinckley of South Portland, Wadsworth of Winthrop and Cordwell of Westbrook.

On motion by Mr. Holley of North Anson, the House voted to take a recess until 7 o'clock this evening.

AFTER RECESS

On motion by Mr. Holley of North Anson, permission was granted and that gentleman introduced out of order bill, An Act to appropriate moneys for the expenditures of the government and for other purposes for the year from July 1st, 1922 to June 30, 1923.

On motion by Mr. Bartlett of Waterville, the rules were suspended and the bill received its first and second readings without a reference to a committee.

On motion by Mr. Holley of North Anson, the rules were suspended and the bill received its third reading and was passed to be engrossed.

On motion by Mr. Holley of North Anson, permission was granted and that gentleman introduced out of order, bill, An Act for the assessment of a State tax for the year 1921.

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

bill received its first and second readings.

On further motion by the same gentleman, the rules were suspended and the bill received its third reading and was passed to be engrossed.

On motion by Mr. Holley of North Anson, permission was granted and that gentleman introduced out of order, under a suspension of the rules, Bill, An Act for the assessment of a State tax for the year 1922.

Mr. HOLLEY: Mr. Speaker and gentlemen, these tax bills are the basis of the State tax against the property in the State of Maine for the year 1921 and the year 1922. This legislature has been in rather an unusual predicament. We have to appropriate money for a period of thirty months, whereas all previous legislatures have only appropriated it for a period of twenty-four months. We also had passed to us to take care of, practically one mill for war purposes, part of which was placed in our hands by popular vote of the people and part of it is for the pensions of dependent soldiers and sailors and the interest on the million dollars of war bonds.

If this legislature had been appropriating money for a period of twenty-four months, the same as past legislatures, the comparison would have been this; we would have shown a reduction of thirty-eight per cent, and that is good enough for me. (Applause) The mill tax in the State of Maine, including the one mill for war purposes, for the first period is five and one-half mills as compared with seven and one-half mills in 1919. For the second period, including the war bonus of one mill, it is six mills as compared with seven mills and a quarter in 1920. Gentlemen, we are bringing to the people of the State of Maine, after having taken care of the soldiers' bonus and all of the war activities, we are bringing to them a thirty-eight

per cent reduction in the tax rate. (Applause.)

On motion by Mr. Holley, under a suspension of the rules, the bill received its first and second readings.

On motion by Mr. Audibert of Fort Kent, the rules were suspended and the bill received its third reading and was passed to be engrossed.

Mr. Granville of Parsonsfield presented out of order the following order:

Ordered, That the Governor be requested to return to the House, Resolve in favor of the Wiscasset-Edgecomb bridge.

The order received a passage.

THE SPEAKER: The Chair at this time presents Resolve in favor of the Wiscasset-Edgecomb bridge.

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

Mr. Case then offered House Amendment "A", to amend by striking out of the first section of said resolve in the first and fourth lines thereof the following: "Said sum to be payable from moneys not otherwise appropriated."

The amendment was adopted.

On motion by Mr. Gerrish of Lisbon, the resolve was then passed to be engrossed as amended by House Amendment "A."

Passed to Be Enacted

An Act to amend Sections 8, 22, 37, 53, 54, 55, 57, 63, 64 and '88 of Chapter 259 of the Public Laws of 1917, known as the military law.

Finally Passed

Resolve providing for purchase of public letters of John Fairfield.

Resolve in favor of the town of Winthrop.

Resolve providing for expenses in connection with the funeral of the late Governor Parkhurst.

Emergency Measures

An Act to appropriate moneys for the expenditures of the government and for other purposes for the period from January 1, 1921, to June 30, 1921.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 six voted, and all in the affirmative, so the bill was passed to be enacted.

An Act to amend Chapter 77 of the Resolves of 1921 entitled Resolve in favor of the several academies, institutes, seminaries and colleges for maintenance, repairs and improvements.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

An Act prohibiting public games and amusements on Memorial Day.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 fifteen voted, and all in the affirmative, so the bill was passed to be enacted.

Resolve in favor of the Bangor

State Hospital for maintenance during the years 1921, 1922 and 1923.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

The SPEAKER: The Chair presents at this time resolve in favor of the University of Maine with the accompanying veto message by the acting Governor. The Clerk will read the message.

OFFICE OF THE GOVERNOR STATE OF MAINE

Augusta, April 9, 1921.

To the Honorable House of Representatives:-

I return herewith without my approval "Resolve in Favor of the University of Maine."

Although the University of Maine strictly speaking is not a State Institution, the State has assumed a definite obligation to grant sufficient aid from the Public Treasury to help maintain the University on a reasonable and proper basis. The State first aided this institution in 1867 with an appropriation of \$20,000 and the institution has steadily grown, as has the State's appropriation, until the sum of \$170,000 was appropriated for each of the years 1919 and 1920. There is some opposition throughout the State to the granting of a large amount of aid to the University, but in my opinion a policy has been definitely fixed and the people of the State as a rule are in favor of that policy and desire its continuance. The University of Maine in my opinion is the only institution of higher education in the State that can reasonably expect to receive State aid.

The University began as an agricultural college. It now has 1311 students, of whom 257, or 19 3-5 per cent., are taking agricultural courses. The other 1054 students are in the Colleges or Arts and Sciences, and of Technology, the Law school having been abandoned during the past year. I am of the opinion that the State should make liberal provision for this institution and I desire to explain to you what, I believe, the State's appropriation for the coming fiscal period should be.

A few evenings ago I discussed the financial affairs of the University with its President and certain other gentlemen interested in the institution. The figures given me at this conference showed that the estimated expenditures required to properly maintain the University for the next 12 months amount to \$618,318. These figures include all that the authorities ask for, except certain new equipment for the Library and Laboratory which it was admitted can be dispensed with without interfering with the work of the institution. In this total sum of \$618,318 is included an annual increase of salaries to instructors of \$78,120 over the previous year, or a 47 per cent. increase over the actual expenditures under this single item. The salaries of officers are increased annually by \$6,408, or an increase of 64 per cent. The salaries of clerks and stenographers are increased \$2,600, or 29 per cent., while the item providing for the maintenance of buildings is increased \$6,400, or an increase of 34 per cent. The item for administration Expenses is increased \$7,221, or 28 per cent. The item of Maintenance of Property is increased \$18,997, or 121 per cent. The item of Power, Heat and Light is increased \$17,892, or 29 per cent. As an offset against these annual increases which total \$134,655 there are certain small decreases which total \$21,573, making a net increase over the year 1920 of \$116,071, or 27 per cent., and making a net increase over 1919 of \$168,000, or 43 per cent.

I am willing to approve the items specified and which comprise everything asked for by the University authorities in their estimates, and I have not cut any item, except that for new Laboratory and Library equipment already referred to. It can safely be assumed that those in charge of the University's affairs made their estimates sufficiently liberal to provide for all the needs of the institution.

The appropriation for State Aid called for by the Resolve which I am returning to you without my approval is \$620,000 for the 30 months' period. This \$620,000 appropriation represents a total increase of \$195,000 for a 30 month period, or an annual increase of \$78,000, more than annual appropriation of \$170,000 for each year 1919 and 1920.

The income of the institution as estimated by its President will amount to \$361,515 annually. It can properly be assumed that no items have been included in this estimate of income that cannot be safely counted upon. It is the intent of the University to increase its tuition fees to the regular students by \$30 per year, making a total increase of at least \$36,000. This will produce an income of \$397,515 a year. If the same increase is made in the special students' tuition this item will be \$39,330. De-

ducting \$397,515 from the estimated expenditures of \$618,318 leaves a balance of \$220,803, and \$220,000 is the annual amount I am willing to approve for State Aid to the University of Maine. In my financial message I estimated that \$200,000 a year would be adequate for the institution and I am still of that opinion. Not wishing however to hamper the University's work I am willing to approve an appropriation of \$220,000, which would total 550,000 for the fiscal period of 2 1-2 years.

According to Page 20 of the University's printed report there is a deficit of \$11,189.92 in 1920. The \$125,000 increase in the State's appropriation for the fiscal period, or the increase of \$50,000 per year which I recommend, will easily offset a deficit equal to that of 1920, by the ample margin of \$38,810.08 a year. In these figures no allowance is made for price reductions and it is safe to assume that a considerable saving will be made in this respect which will give the University an even wider margin of financial safety.

In view of the reduction in prices that has already begun I am convinced that under proper management the University can save at least \$50,000 out of this \$550,000 appropriation, and that it can do this without interfering in any way with the education of its 1311 students. If I believed that a larger appropriation actually was necessary to place the institution on a proper footing, I should approve of the State's making it, but the financial condition of the State under present conditions does not warrant appropriations that exceed what is adequate and liberal. An annual margin of \$38,810.08 over and above the 1920 requirements of the University, ought to be sufficient for its maintenance in 1921, 1922 and for six months of 1923 and this yearly balance will give the total amount of \$97,025.20 to go and come on for the opening fiscal period of 30 months.

The University has admitted all the boys who have applied, but it has refused admission to 35 girls. There are 165 students in Orono who come from outside our state, and it may prove advisable for the University authorities to admit all applicants who are residents of Maine before admitting those who live beyond our borders. The President of the University informs me that the institution is under neither legal nor moral obligations to take students from out of the State, and our home boys and girls may reasonably expect to be given the first chance. If the authorities should adopt this policy it could not be considered selfish, for Maine people are the ones who pay most of the bills of the institution.

The resolve before us calls for a total appropriation of \$620,000 for the fiscal period. It appears that during

the past years certain debts have been incurred and the president of the institution informs me these debts now amount to \$216,000 and they may total somewhat more than that. Some of the Trustees have endorsed the notes of the University and naturally are anxious to be relieved from such responsibility. The state however should look into the situation carefully, for the State must determine first; if it will assume these debts, and second; if it does assume them whether it will pay them now, or pay them later when the finances of the State and its people shall be in better condition.

The usual method in vogue in universities and colleges where debts have been created, is for the alumni of the University to help reduce these debts. An effort of this sort arouses a spirit of loyalty among the alumni, and the institution is benefited both directly and indirectly thereby. In my message to the Legislature, and in conversation with the president of the institution and the gentlemen I conferred with, I suggested that some effort be made to arouse the alumni of the University and to appeal to their loyalty and spirit, but the reply received was that the alumni of the University of Maine would not respond even though the call was sounded.

I believe the alumni of the University of Maine are loyal. I believe they are interested in their institution, and their united and earnest efforts to induce the Legislature to make a generous appropriation proves that they are alive to the situation and know how pressing is the need of funds. I do not believe that the alumni of the University of Maine will fail to respond if a proper appeal is made to them. At least I believe they should be put to the test.

Throughout the State there is a wide divergence of opinion as to whether or not this debt should be assumed by the State. There is some sentiment at the State Capitol in favor of the State's paying this debt. In my opinion a great majority of our citizens will be better satisfied if the State contributes liberally towards maintaining the institution, and they expect the institution itself to use every effort to effect proper economies, and to place its affairs upon a strictly business basis. If the University authorities will do this they will then be in a position to come to the next Legislature with a frank statement of their affairs, and doubtless will then be able to show a decided improvement in their financial condition. If some small reduction of its debt can be made by the University itself through its own efforts, considerable credit will be due to it and to its alumni.

It should not be necessary for the friends of the University to plead its cause so earnestly at every Legislative session. The people of Maine de-

side to do what is right and proper for this institution and they expect its Trustees and friends to co-operate.

In order that the two questions of maintenance and the payment of the debt might be presented to you as separate and distinct questions, I suggested to those in charge of these bills that two resolves be prepared, one covering each of the items referred to. However, as this was not done, I am obliged to disapprove this resolve, although I am glad and willing to approve of an appropriation of \$550,000 for maintenance.

If you gentlemen of the Legislature sustain this veto you can then introduce a resolve so that the needs of the University will be properly taken care of. The people of Maine expect you to act frankly and openly in the matter. The people want to know how much you appropriate for maintenance and how much for the payment of debts. I hope and believe that the Trustees during the next fiscal period will discard the non-essentials, will improve the system of accounting and will do all in their power to spend the public money judiciously. I desire to cooperate in making this institution a credit to the State and one worthy to bear the name of "Maine." During such time as I shall occupy the office of Chief Executive I shall have at heart the best interests of those boys and girls who are laying the foundations of their character at this University.

In disapproving a measure passed by both houses, the Executive if he cannot agree with the action of the Legislature, is but doing what is required of him by the Constitution of our State. A veto message expresses an honest difference of opinion. It is sometimes felt by legislators that the Executive's suggestion as to bills and resolves is an unwarranted interference with legislative prerogatives. The Executive is in duty bound to give his views to the Legislature and to disapprove what he considers unwise. The Legislature on the other hand is also in duty bound to advocate those measures that seem to be for the best interests of the State. If there is a disagreement it must be frank and honest.

If a veto is sustained it shows that the Legislature yields to the recommendations of the Executive, and that there is not sufficient merit in the bill to obtain a two-thirds vote in its favor. If a veto is over-ridden it indicates that in the opinion of the Legislature there is sufficient merit in the bill in question to justify its becoming law notwithstanding the veto of the Governor. In such cases there should never be any personal or partisan feelings, nor should it ever be allowed to appear that the Legislature and Executive are working at cross purposes.

I desire this Legislature to understand that I am of the opinion

1. That liberal aid be granted to

the University of Maine for its maintenance;

2. That \$550,000 is ample for its maintenance;

3. That at the present time it is unwise for the State to assume its debts;

4. That the University authorities should practice reasonable economy;

5. That an appropriation of \$50,000 a year more than the University has ever had before is ample for its needs;

6. That falling prices will greatly relieve its financial pressure;

7. That the alumni should be called upon to help pay the University's debt's and that they will help if asked to do so;

8. That preference be given Maine students who shall seek higher education at the University of Maine.

9. That the tax payers of Maine will approve your efforts to place the University's affairs on a business basis.

10. And that the University will continue to do good work for the boys and girls of our State of Maine.

Respectfully,

PERCIVAL P. BAXTER,
Governor of Maine.

The SPEAKER: The Chair presents for reconsideration resolve in favor of the University of Maine and the vote is by roll call.

Mr. HOUGHTON of Fort Fairfield: Mr. Speaker, I just want to give you a history of the resolve which is now before you. I do not intend to cuss it or discuss it. The officers of the institution who came before the budget committee last fall made a recommendation and this recommendation is the exact figure that is in the resolve now. Two hundred and twenty-five thousand dollars as recommended by the budget is for maintenance, and, as you have heard in this veto message, the Governor recommends \$220,000 per year. The committee on education simply asked that the \$45,000 instead of being used for new building be applied to the deficit. I am not going to discuss this, I think you know what it is, and I leave it with you. I think the institution deserves all that it asks for maintenance, and for goodness sake, let's appropriate \$45,000 to help pay some of those bills. (Applause.)

(Mr. Maher of Augusta assumes the Chair.)

Mr. PERKINS of Orono: Mr. Speaker and members of the Eightieth Legislature: The acting governor of the State of Maine has spoken, first to the Lewiston Journal and second to the members of the Maine Legislature. At this time I wish to discuss very briefly what appears to me to be some very vital facts concerning this case.

The necessary expense in maintaining the University of Maine has increased very greatly in the last five years. This increase is due to an increase in the number of students and to a very great decrease in the purchasing power of the dollar. Anyone who will look into the matter will be easily convinced that this increase has applied to all of the schools of the State. Reports from five of the leading cities of the State show that the expense for 1921 shows an increase over 1916 of from 90 to 115 per cent. In other words, the cost of the public schools of the State in the cities of Maine is almost double what it was five years ago. A little consideration of these facts ought to make it clear that if the University of Maine is to continue this work that it has been doing, it must have very much more money than it has had in the past.

An analysis of the weekly and monthly payroll at the University of Maine shows that in the five year period from December 1916 to December 1920 the monthly payroll had increased sixty-six and two-thirds per cent. In 1920 there were 21 1-2 per cent more persons on the payroll than in 1916.

In the last eleven years, the University has not expanded by the addition of new courses. Lack of money has made it necessary to abandon lines of work that were in demand and under way. The department of Pharmacy has been discontinued, the College of Law temporarily closed, and the Extension Work in the industries of the State suspended, and organized work in Journalism dropped. Additions have been made to the teaching force only when absolutely needed to car-

ry the load produced by increased attendance. Necessary repairs upon buildings and grounds have been omitted because it was thought much wiser to supply teaching facilities for the young men and women of the State who were seeking an education than to spend the money in paint, varnish, whitewash and plaster.

The increased appropriation asked from the State is not for the purpose of adding new departments or of increasing the salaries of professors. The amount asked is the minimum that will carry the present load, make necessary repairs and put the laboratories and library into proper modern condition.

The deficit has developed during the last seven years. Biennially the University has presented its needs fairly and honestly to the Legislature. The amount asked for has not been granted. As loyal citizens of the State, the University authorities have started inaugurating such curtailment and saving as to make it possible to live within the money available. The increased attendance and high cost of supplies of all sort have made it impossible to carry the load within the appropriations. The teaching force has been reduced as much as possible and as was consistent with good standards, and tuition has been increased twice during the period. Had the Legislature accepted the honest statement of facts presented by the institution and made appropriations accordingly, no deficit would have resulted. It is only fair to say that with the crisis of war over, the trustees have now decided that whatever hardship may be entailed, they propose to keep the expenditures absolutely within the income. They still believe, however, that it was wise, during the last five years, to meet the demands made upon the institution even though it involved the piling up of the deficit which now exists.

I do not believe that it is necessary for the University of Maine to come before every Legislature and

make an appeal for its very existence. I believe that the people of the State of Maine desire to support that institution, as they always have desired to do in the past, and I think that one of the greatest testimonials in regard to the feeling by the people of the State of Maine for the University, was when they elected the late Governor Parkhurst by the handsomest majority that ever was known in this State.

I believe, gentlemen, that the report of that committee was plain, open, and above-board. I do not think that there was any camouflaging as has been insinuated in that message, nor do I believe that there was anything which any man or woman in this State could not comprehend. It was simply presented to this House as the honest opinion of twenty men, who I will say are of the average intelligence as compared with other people in this State. They passed on this resolve both fully and well, and gave it more consideration than any other matter which was brought before them. And now, gentlemen, after a public hearing has been held, and after this resolve has been aired through the press for the past four months, the Governor comes before us in the dying hours of this House and tells us that we should accept his opinion in preference to the opinion of the Maine House of Representatives and of the Senate. Gentlemen, I could stand here and talk from now until that 1.50 train leaves for Bangor; but I know that you have heard enough, and I am about to leave it in your hands, and I sincerely hope that when the vote is taken, the word will go down to the other end of the corridor that the Maine Legislature intends to stand pat, and that they consider that their judgment is equal to that of any one man, whoever occupies that section of the building. Gentlemen, I thank you. (Applause and cheers.)

The SPEAKER pro tem: Is the House ready for the question? The question is: Shall this resolve be passed notwithstanding the action of the Governor? A vote will be taken

by roll call. As the names are called, they will respond yea or nay. A yea vote is for the passage of the resolve, a nay vote is for the sustaining of the veto.

Mr. BUZZELL of Belfast: Mr. Speaker, I, for one member of this House, want to openly and frankly say a word upon this question. The Governor in his message has said that he would like to have us discuss this proposition and in that way I accept the responsibility. I do not feel like voting against an institution that has been in existence for fifty odd years in this State. I believe it is our child, and it is the duty of loyal parents to take care of their children. I have been looking over this budget, and it starts in as follows: "To the Honorable Senate and House of Representatives: As required by Chapter 102 of the Public Laws of 1919, the budget committee, under a law made by the last Legislature, having received written statements from the heads of departments, State institutions, commissions and boards of trustees who are entrusted with the expenditure of public money," and then it goes on to say, "It will be seen from this table in this budget report, that the State tax of six mills for each of the years, 1921 and 1922 will provide for the expenditures recommended, including the University of Maine."

As I understand it, gentlemen, we are not enlarging upon this budget. As I understand it, this is the only budget there is provided by law. The committee have done their duty, performed their work faithfully and well, and they have signed their report. Our State tax has been gradually growing larger in this State. The first state tax was one mill and nine-tenths. That has continued until 1919 when it became seven mills and a half, and in 1920, it was seven mills and a quarter. And it is the purpose of this budget committee to see that in these days of retrenchment that we reduce that rate to six mills, a commendable action on their part, and at the same time take care of our children, and not at the expense

of any of our charitable or benevolent institutions or any of our colleges or schools. The budget committee told me that they could do even better than that, and that at this time our next tax rate will be five and a half mills for one year and six mills for the next year. (Applause.)

My friends, it does not seem to me that money is all there is in this world; it seems to me as if our constituents have sent us here with a real responsibility. As I have said before, this institution is our child; and as I think of myself, not having the opportunity and the advantage of having a college education, and as I think of my family, I can only say this, that the best money that ever has been in the possession of myself is the money that I have spent. I believe, my friends, that we can safely spend the amount of money that the University asks for in this budget. As I understand it, there is no difference whatever. Within a few hours, I sat here in this House and witnessed the vote of Representative Davis of Freeport, and this House looked upon him as he left this room, and smiled, and incidentally some of us fired spit balls. But, my friends, I think I can tell you what was in that man's mind. If you remember, within a few hours he stood here and advocated the repeal of a law that means the expenditure of millions, or at least one million, and the Lord knows how many more. We cannot afford to advocate water power commissions, Katahdin parks, itinerant commissions of every kind, and above all, resolves providing for constitutional amendments that will dam up the brooks and rivers in the State of Maine, to say nothing about trying to change the sunrise, at the expense of the young girls and the young boys and the tubercular patients of the State of Maine. I say, we should not do it. I believe that the water powers of Maine and that Katahdin Park will sink into insignificance, as compared with a case like this. Those of us who look back and see lost opportunities can weigh and measure this proposition in its

true light. Something has been said here in this room within a few hours about vagaries. It makes me think of what Milton said: "They changed their minds, flew off and into strange vagaries fell."

My friends, we should meet the conditions as we see them. I believe if ever there was a time in the State of Maine when people of this State are demanding the action of real men, when they are demanding the appearance of a man of men who will give us a sound policy in this State, a policy that we can look forward to, one that will lead us on to prosperity in this State, one that will see that our agricultural interests are properly cared for and our charitable and benevolent institutions are looked after as they should be, and our schools and colleges cared for as they should be, then Maine will sink down to that splendid workable condition that she is entitled to sink into. My friends, in closing I wish to say simply this, twice this Legislature has given us a batting average of 1000; I hope she will do it again. (Applause.)

Mr. McILHERON of Lewiston: Mr. Speaker and gentlemen, in the closing hours of this session I do not want to take up the time of this House, but I want to tell you that things have changed greatly in this Legislature and I am very much pleased with it. When we started in, my friend from Belfast, Mr. Buzzell, would follow me in discussion; now I have fixed it with him so that I may follow him. He has accused me of making a grandstand speech and I have told him that I would give him permission to finish it up, and I talked with him in the corridor about that matter and I have him all fixed, and I know just how he is going to vote, and I hope the members of this House are all going to vote with us because we are all great friends of the University of Maine, and that is all I wish to say and I thank you, gentlemen. (Applause.)

Mr. BARWISE of Bangor: Mr. Speaker, there are so many things

in the veto message of His Excellency that would be ludicrous if they were not so serious, that I cannot comment upon many of them, but first, I wish to comment upon the fact that as one member of this House, I resent the fact that this veto message was printed in the Portland Evening Express as well as the Lewiston Journal before it was sent to this House. We are constitutionally a third part of the government of Maine, and any communication from one branch of our government to the other should be given confidentially and not to the newspapers first.

I do not think it is necessary to go into the figures. These figures, from the way they are handled in this message, remind us of the railroad figures we have been listening to. It is enough for us to know that the unanimous report, or the unanimous opinion, I should have said, of the committee on education was that the University of Maine should have a larger sum, after studying into all the facts, than what this resolve calls for, but in deference to the gentleman from North Anson, Mr. Holley, and the other financial experts, we reduced our report so as to exactly match the budget figures. The only deviation was—not in the amount,—but in marking the \$45,000, which the budget allowed for a dormitory to be used on the deficit. The amount remains precisely the same, \$575,000 for maintenance, which is \$125,000 less than was asked for, and what was actually needed, and \$45,000 for deficit. The deficit now is about \$235,000. This will make a beginning on paying that deficit. And mark you, that with this figured just exactly as it stands, you have been assured by the gentleman from North Anson, Mr. Holley, that figuring in this \$620,000, we are still reducing our tax rate thirty-five percent. No reasonable man ought to expect the State of Maine in the next two or three years to reduce its tax rate more than thirty-five percent without crippling all of our public in-

stitutions. There is such a thing, gentlemen, as false economy. If the roof is leaking and the water is coming down through, it is not economical not to shingle; otherwise, your building is ruined; it is not economical in the broad and general sense to pare down the amount of money for our institutions so that all the boys and girls in the State of Maine who wish to go there may not have a fair and equal chance.

Gentlemen, this is a State institution, His Excellency notwithstanding. When the Senator who drew the original Morrill Act providing for the establishment of State colleges, he thought it was to be a State institution; when the legislature that accepted the terms of the Morrill Act accepted them, they thought it was a State institution, and during all these years that Congress has been appropriating money for us under the first and second Morrill Acts and under the special appropriations, Washington has thought always that it was a State institution. If this idea gets abroad and reaches Washington that this is not a State institution, we may be asked to return this two million and a half that they have been giving us all these years.

Gentlemen, there is no one thing under Heavens that has so great an asset to a State as a large body of well-educated men and women, and I appeal to you to pass this resolve unanimously, as you did this afternoon, over this ludicrous veto. (Applause.)

Mr. DODGE of Portland: Mr. Speaker and gentlemen, it has not been my intention to take any time in the twilight hours of this Legislature on this subject, but I have been very much interested in it this winter, and in order to get more or less posted on the conditions at the University of Maine, I thought it was my duty to say just a word.

It seems to me what we are discussing here tonight at the present time is whether or not the State

will appropriate \$45,000 toward the payment of the deficit that exists at the University of Maine, amounting to approximately \$250,000. This deficit is not a new item; it began at least as far back as 1914, at that time amounting to something like \$8,000, and it has gradually increased until it now amounts to approximately \$250,000.

The only question in my mind in this resolve, and the only objection I have is this item of \$45,000. Of course, it occurs to me that if we appropriate \$45,000 this year, we have committed the State of Maine to the policy of paying the entire \$250,000.

Now, as to this being a State institution, I think we might take issue with the statement made by the gentleman from Bangor, Mr. Barwise. If it is a State institution, I don't understand why, during the present session of this legislature, two bills have been submitted declaring it to be a State institution, both of which have been unfavorably reported upon. As far as I am concerned, I want to see the University of Maine well provided for. In their original request they ask for \$1,150,000 approximately. At the present time this resolve provides for \$575,000 for maintenance and \$45,000 towards the deficit. I have been over these figures very carefully, and I have conferred with the various authorities of the University of Maine, and they assure me that \$575,000 will adequately take care of their needs during the next 35 months, and they hope to save a reasonable amount which they can apply towards the deficit. I merely mention that to show the wide variance between the original request and the present amount asked for. I have not opposed the \$575,000, but I am going on record as being opposed to the State establishing the policy of paying this entire debt.

There is one other thing to which I wish to call your attention. It has been suggested that it might not

be out of place for the alumni and the constituency of the University of Maine to attempt to do something for themselves in a financial way, and the answer has been that it is not the policy of the University of Maine constituency to raise one nickel toward the general purposes of the University, and that notice was served on this legislature at the time of the original hearing before the committee on education, and it was again repeated by the president himself. I simply take this opportunity to straighten out that point because I think we ought to keep clearly in mind that we are not discussing whether or not the University shall be adequately supported, but whether or not the State shall assume the entire amount of that debt of \$250,000.

Mr. ROUNDS of Portland: Mr. Speaker, I come from a city that will be obliged to pay one-seventh of this entire amount, and I for one am willing to put myself on record as being in favor of paying this bill, and I wish the thing had come in here earlier, and in that case I would have moved to reconsider and give them more instead of less. (Applause.)

Mr. PERKINS of Orono moved the previous question.

The SPEAKER pro tem: The Chair will state the question again. Shall this resolve become a law, notwithstanding the objections of the Governor? The Clerk will call the roll, and no member will leave the hall after the roll call starts.

YEA—Audibert, Austin, Baker, Barney, Bartlett, Barwise, Bean, Bennett, Blanchard, Boothby, Bragdon, Perham; Bragdon, Westbrook; Brewster, Orland; Brown, Buzzell, Carroll, Case, Chadbourne, Chalmers, Chamberlain, Chandler, Chase, Cordwell, Cole, Conant, Crafts, Cram, Croxford, Daigle, Dain, Downing, Downs, Dunning, Eastman, Elmore, Emery, Fagan, Farnsworth, Finnell, Forbes, Gagne, Gardner, Gerrish, Gipson, Granville, Harriman, Hayes, Heal, Hinckley, Hodgkins, Holley, Houghton, Hunton, Hussey, Jordan, Kimball, Landers, Leighton, Lowe, Luques, Maher, Main, Mason, Masse, Maxwell, McGuffin, McIlheron, Moody, Morneau, Murray, Myrick, Nadeau, Newcomb, Scarboro;

Newcomb, Newburg; Nickerson, O'Connell, Oram, Owen, Patterson, Peabody, Pennell, Perkins, Phillips, Orrington; Plummer, Poore, Ricker, Roberts, Vinalhaven; Roberts, Lyman; Rogers, Rockland; Rounds, Savage, Small, Smith, Waterboro; Smith, Skowhegan; Smith, Ludlow; Snipe, Spear, Limestone; Spear, Rockport; Story, Teague, Tilden, Thomas, Chesterville; Thomas, South Portland; Towne, Trefethen, Varney, Jonesboro; Viles, Wadsworth, Washburn, Weeks, Dresden; Weeks, Fairfield; Wight, Williams, Wilson, Wing, Winter, Witham, Wood, Woodruff.—Total, 119.

NAY—Dodge, Wentworth.—Total, 2.

ABSENT—Adams, Atherton, Belmore, Belliveau, Bragdon, Franklin, Brewster, Portland; Burns, Carney, Cherry, Clarke, Crabtree, Davis, Doyle, Hammond, Kerswell, Larrabee, Murchie, Peaslee, Phillips, Bar Harbor, Porter, Reed, Rogers, Jonesport; Sawyer, Twombly, Varney, Windham; Warren, Weatherbee, Willard, Wiseman.—Total, 29.

The SPEAKER pro tem: One hundred and twenty-one have voted, one hundred and nineteen in the affirmative and two in the negative, this resolve becomes a law, notwithstanding the objections of the Governor. (Applause.)

(At this point the Speaker resumed the Chair.)

Mr. Buzzell of Belfast presented out of order the following order:

Ordered, That there be printed under the supervision of the Clerk of the House, two hundred and fifty copies of the Journal of the House. The order received a passage.

(At this point, a recess was taken.)

AFTER RECESS

On motion by Mr. Holley of No. Anson the rules were suspended and that gentleman introduced out of order an act to appropriate moneys for the expenditures of the government for the year from July 1, 1921 to June 30, 1922. On further motion by the same gentleman, the bill had its three several readings under suspension of the rules and was passed to be engrossed.

For the purpose of considering an amendment to an act providing for an increase in the amount of

tuition to be paid by towns for secondary school pupils, and in the amount of state aid for the same, on motion by Mr. Hussey of Blaine, the action of the House taken this day whereby this bill was passed to be engrossed was reconsidered. On motion by the same gentleman the action of the House whereby House amendment A was today adopted was also reconsidered.

On motion by Mr. Barwise of Bangor, the action of the House today whereby the report of the committee on conference was accepted was reconsidered.

On motion by Mr. Maher of Augusta, it was voted that the House insist upon its action and request a committee of conference.

The Chair appointed as conferees on the part of the House: Messrs. Maher of Augusta, Barwise of Bangor, and Hussey of Blaine.

Report of the committee of conference on the disagreeing action of the two branches on bill, an act to amend Section 85 of Chapter 2 of the Revised Statutes, relating to the State Contingent Fund, reporting that the House recede and concur in the indefinite postponement of the bill.

On motion by Mr. Cole of Eliot, it was voted to accept the report of the conference committee.

(At this point a recess was taken.)

AFTER RECESS

Passed to Be Enacted

An Act to amend Section 7 of Chapter 263 of the Public Laws of 1919, relating to third class highways.

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

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

An Act to appropriate moneys for

the expenditures of the government and for other purposes for the year from July first, 1921 to June 30, 1922.

An Act to amend Section 110 of Chapter 4 of the Revised Statutes, relating to payment of damages done by dogs and wild animals to domestic animals.

Finally Passed

Resolve to apportion 151 Representatives among the several counties, cities, towns, plantations and classes in the State of Maine.

Resolve for maintenance and improvement of the State Park at Augusta.

Resolve providing for the naming of the new school building to be erected at the State School for Boys in South Portland.

Resolve on the pay roll of the Senate of the Eightieth legislature.

Emergency Measures

An Act relating to Martin's Point Bridge, so-called, in the county of Cumberland, and amending Section 2 of Chapter 89 of the Private and Special Laws of 1919.

The SPEAKER: This being an emergency measure, under the provision of the Constitution, requires the affirmative vote of two-thirds of the entire membership of the 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, and stand until counted.

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

An Act to provide for a sinking fund for the War bonds and bonus bonds issued by the State of Maine.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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, and stand until counted.

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

Resolve in favor of the Randolph-Gardiner draw bridge.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

Resolve making appropriations for the Passamaquoddy Tribe of Indians for the half year from January first, 1921, to June 30, 1921, and the years July first, 1921, to June 30, 1923.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

Resolve authorizing the payment of certain deficiencies.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

Resolve providing for the erection and completion of a State School Building for the State School for Boys at South Portland.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

From the Senate: The following communication was received from the Senate:

"State of Maine
Senate Chamber
Office of the Secretary

April 9, 1921.

To the Clerk of the Honorable House of Representatives of the Eightieth Legislature.

Sir:—

The Governor of the State having returned to the Senate 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 protection of wild birds, with his objections to the same, the Senate proceeded to vote on the question, "Shall the bill become a law, notwithstanding the objections of the Governor?" A yeay and nay vote was taken. One Senator voted in the affirmative and twenty-five in the negative, and accordingly the bill failed of a passage.

Respectfully,
L. ERNEST THORNTON,
Secretary."

The communication was ordered placed on file.

(At this point the House voted to take a recess.)

AFTER RECESS

Passed to Be Enacted

An Act to appropriate moneys for the expenditures of the Government

and for other purposes for the year from July 1, 1922, to June 30, 1923.

An Act to appropriate moneys for the expenditures of the Government for the year from July 1, 1921, to June 30, 1922.

An Act for the assessment of a State tax for 1922.

Finally Passed

Resolve on the pay roll of the House of Representatives of the Eightieth Legislature.

Passed to Be Enacted

An Act to incorporate the Kennebunk, Kennebunkport and Wells Water District.

An Act to amend Chapter 51 of the Revised Statutes, as amended by Chapter 144 of the Public Laws of 1917, relating to the formation of Corporations having stock without par value.

Finally Passed

Resolve for the construction, maintenance and repair of roads, bridges and ferries.

Resolve for the repair and construction of certain bridges and ferries for the fiscal period ending June 30, 1922, and for the fiscal period ending June 30, 1923.

Resolve providing for the purchase of reports of the Centennial Celebration of the Maine State Bar Association.

(Emergency Measures)

Resolve in favor of the Public Utilities Commission to take care of expenses provided for under Chapter 117, Section 31, Chapter 55, Section 1, and Chapter 24, Sections 34 and 38 of the Revised Statutes.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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 in their places until counted.

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

An Act for the assessment of a State tax for the year 1921.

The SPEAKER: This being an emergency measure, under the provisions of the constitution, requires a two-thirds vote 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-four voted, and all in the affirmative, so the bill was passed to be enacted.

Resolve in favor of Wiscasset-Edgecomb bridge.

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

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

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.

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

A division being had, one hundred and thirty-one having voted and all in the affirmative, the resolve was finally passed.

RECESS

After Recess

A message was received from the Senate, through Senator Farrington of Kennebec informing the House

that the Senate had transacted all business before it and was ready to adjourn without day.

The SPEAKER: The gentleman from Augusta, Mr. Maher, is charged by the Chair with the duty of conveying a message to the Senate that the House has acted on all business before it and is ready to adjourn without day.

Mr. Maher thereupon conveyed the message to the Senate, and returning announced that he had performed the duty assigned him.

Mr. CROXFORD of Newport: Mr. Speaker, I rise to a special privilege. I wish to leave a thought with the members of this Legislature.

Some are eager to be famous,
Some are striving to be great,
Some are toiling to become leaders
Of their Nation and their State.

And in that man's ambition
If we only understood,
There's much that's fine and splendid
Every thought is mostly good.

And so I cling unto this notion,
That contented I will be
If the men upon life's highway
Find a needed friend in me.

I rather like to putter round
The walks and yards of life
To spray at night the roses,
That are burned and brown with
strife.

To eat a frugal dinner,
But always have a chair
For the unexpected stranger
Who my simple meal would share.

I don't care to be a traveler,
I'd rather be the one,
Sitting calmly by the roadside
Helping weary travelers on.

I'd like to be a neighbor
In the good old-fashioned way,
Finding much to do for others
But not over much to say.

I like to read the papers
Yet I don't yearn to see
What the morning Journal
Has been moved to say of me.

In silence and in shadow,
I live my life and die
And depend for fond remembrance
On some grateful passers by.

I guess I wasn't fashioned
For the brilliant things of earth,
Wasn't gifted with much talent
Or designed for special worth.

But was just placed here to putter
With life's little odds and ends
And keep a simple corner
Where the stirring highway bends.
(Applause).

The following order was received from the Senate.

Ordered, the House concurring that a committee of three on the part of the Senate with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication he may be pleased to make.

The Senate appointed on that committee, Senators Baxter of Sagadahoc, Gillin of Penobscot and Eaton of Oxford.

The order received passage in concurrence.

The Speaker joined on said committee on the part of the House, Messrs. Buzzell of Belfast, Wing of Auburn, Crafts of Greenville, Gardiner of Gardiner, Hussey of Blaine, Tilden of Hallowell and Elmore of Camden.

Subsequently Mr. Buzzell for the committee reported that the committee had attended to the duty assigned it and that the Governor would at once communicate to this body through his Secretary of State, Honorable Frank W. Ball.

The Speaker laid before the House a communication from the Governor, as follows:

STATE OF MAINE
Office of the Governor

Augusta, April 9, 1921.

To the President of the Senate and Speaker of the House:

I herewith transmit a list of the acts and resolves passed by the present session of the Legislature. The

late Governor, Frederic Hale Parkhurst, approved one act and one resolve. I have approved 333 acts and 154 resolves. Three resolves were passed without my approval. This makes the total of 384 acts and 158 resolves.

I have no further communication to make.

Respectfully,

(Signed)

PERCIVAL P. BAXTER,
Governor of Maine.

In the Senate read and sent to the House.

The communication was accepted in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Industry, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker, being the oldest member of the House, it is a great pleasure to me to rise and move you, sir, that this House do now adjourn without day.

The SPEAKER: And on the motion of the gentleman from Industry, Mr. Patterson, this House of the Eightieth Legislature, I now declare adjourned without day. (Applause.)