

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, February 27, 1929.

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

Prayer by the Rev. Mr. Clark of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve, authorizing the Forest Commissioner to convey to the Gould Electric Company a certain piece of land on the Public Lot of Township 10, Range 4, West of the East Line of the State, Aroostook County (H. P. 735) (H. D. 383) which was passed to be engrossed in the House February 20th.

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

In the House: Senate Amendment A read; and the vote was reconsidered whereby this resolve was passed to be engrossed.

Thereupon, Senate Amendment A was adopted in concurrence; and the resolve as amended by Senate Amendment A was passed to be engrossed in concurrence.

From the Senate: Report of the committee on Education reporting ought to pass on resolve in favor of the Trustees of the University of Maine (S. P. 25) (S. D. 17.)

Comes from the Senate, report read and accepted and the resolve passed to be engrossed.

In the House, on motion by Mr. Chase of Cape Elizabeth, a viva voce vote being taken, tabled pending acceptance of the report in concurrence.

Senate Bills In First Reading

S. P. 210, S. D. 217: An act to change the name of Birch Island in Sebago Lake to Grey Boulder Island.

S. P. 322 S. D. 117: An act relating to the location of ways crossing railroad tracks and station grounds.

S. P. 543, S. D. 216: An act relating to appropriations for public and private hospitals.

S. P. 544, S. D. 215: Resolve providing for an honorarium for Otis

O. Roberts of Dexter, one of two surviving holders in Maine of the Congressional Medal of Honor, for services rendered in the Civil War.

Communication From the Department of State

STATE OF MAINE

Department of State

Augusta, February 12, 1929.

To the President of the Senate and the Speaker of the House of Representatives of the Eighty-fourth Legislature:

I have the honor to transmit herewith petitions of remonstrances against levying any additional gasoline tax, which have been filed in this office.

Respectfully,

(Signed) EDGAR C. SMITH,
Secretary of State.

Was read, referred to the Committee on Taxation and Ways and Bridges jointly and sent up for concurrence.

The following bills, petitions and remonstrances were received and upon recommendation of the committee on reference of bills were referred to the following committees:

Agriculture and Inland Fisheries and Game

By Mr. Rogers of Greenville: Petition in favor of an act placing a bounty on bear in towns and plantations where damage is being done to valuable domestic animals. (H. P. 1420.)

By Mr. Hatch of Lovell: Petition in favor of same (H. P. 1421.)

By Mr. Powers of Caribou: Petition in favor of same (H. P. 1422.)

Mr. Mr. Clark of Winslow: Petition in favor of same (H. P. 1423.)

By Mr. Webster of Buxton: Petition in favor of same (H. P. 1424.)

By Mr. Kitchen of Presque Isle: Petition in favor of same (H. P. 1425.)

My Mr. Perham of Paris: Petition in favor of same (H. P. 1426.)

By the same gentleman: Petition in favor of same (H. P. 1427.)

By Mr. Burr of Mattawamkeag: Petition in favor of same (H. P. 1428.)

By the same gentleman: Petition in favor of same (H. P. 1429.)

By Mr. Foster of Ellsworth:

Petition in favor of same (H. P. 1430.)

By the same gentleman: Petition in favor of same (H. P. 1431.)

Inland Fisheries and Game

By Mr. Vose of Cushing: Remonstrance of J. L. Pinkerton and 23 others against any change in the Sunday law to permit the hunting of games on Sunday (H. P. 1432.)

Legal Affairs

By Mr. Farris of Augusta: An act defining the crime of burglary with explosives and providing the punishment therefor (H. P. 1433.)

(500 copies ordered printed.)

By the same gentleman: An act to punish derogatory statements affecting banks or trust companies (H. P. 1434.)

(500 copies ordered printed.)

By the same gentleman: An act to require the investment in permanent securities of school funds and other trust funds held by city, town, quasi municipal corporations and State officers (H. P. 1435.)

(500 copies ordered printed.)

Military Affairs

By Mr. Mansfield of Jonesport: An act amending the Military Law (H. P. 1436.)

(500 copies ordered printed.)

Public Health

By Mr. Littlefield of Farmingdale: An act relating to vaccination of persons employed in any mill, factory, workshop or other manufacturing establishment. (H. P. 1437)

(500 copies ordered printed)

By the same gentleman: An act relating to vaccination of teachers, employees and pupils in schools. (H. P. 1438)

(500 copies ordered printed)

Public Utilities, Judiciary and Interior Waters

By Mr. White of Dyer Brook: Petition of Clarence P. Small and 24 others in favor of granting a charter to the Fish River Power and Storage Company. (H. P. 1439)

By the same gentleman: Petition of George Hoar and 14 others in favor of same. (H. P. 1440)

Salaries and Fees

By Mr. Taylor of Belfast: An act increasing the salary of the county attorney of Waldo County. (H. P. 1441)

Taxation

By Mr. Heath of Gullford: An act relating to the assessment of taxes on personal property. (H. P. 1442)

(500 copies ordered printed)

Ways and Bridges

By Mr. Williamson of Augusta: An act relative to snow removal from State and State aid highways in unincorporated townships and plantations, and declaring Chapter 227 of the Public Laws of 1927 to be a part of Chapter 25 of the Revised Statutes entitled State Highways. (H. P. 1443)

(500 copies ordered printed)

By Mr. Kitchen of Presque Isle: An act relating to State and State aid highways. (H. P. 1444)

(500 copies ordered printed)

By the same gentleman: An act to revise, arrange and simplify the mill tax highway fund laws. (H. P. 1445)

(500 copies ordered printed)

By the same gentleman: An act relating to continuous roads through three or more towns. (H. P. 1446)

(500 copies ordered printed)

Taxation and Ways and Bridges

By Mr. Roy of Lewiston: Remonstrance against increase in gasoline tax. (H. P. 1097)

By Mr. Hubbard of Plymouth: Remonstrance against same. (H. P. 1098)

By Mr. Palmer of Bangor: Remonstrance against same. (H. P. 1099)

By Mr. Jacobs of Auburn: Remonstrance against same. (H. P. 1100)

By Mrs. Day of Gorham: Remonstrances against same. (H. P. 1101)

By Mr. Thatcher of Bangor: Remonstrance against same. (H. P. 1102)

By Mr. Perkins of Madison: Remonstrance against same. (H. P. 1103)

By the same gentleman: Remonstrance against same. (H. P. 1104)

By Mr. Bachelder of St. George: Remonstrance against same. (H. P. 1105)

By Mr. Ford of Brooklin: Remonstrance against same. (H. P. 1106)

By the same gentleman: Remonstrance against same. (H. P. 1107)

By Mr. Robie of Westbrook: Remonstrance against same. (H. P. 1108)

By Mr. Angell of Saco: Remonstrance against same. (H. P. 1109)

By Mr. Vose of Cushing: Remonstrance against same. (H. P. 1110)

By Mr. Angell of Saco: Remonstrance against same. (H. P. 1111)

By Mr. Thatcher of Bangor: Remonstrance against same. (H. P. 1112)

By Mr. Hurd of Berwick: Remonstrance against same. (H. P. 1113)

By Mr. Boynton of South Portland: Remonstrance of A. J. McLean of So. Portland and 38 others against same. (H. P. 1114).

By Mr. Jackson of Portland: Remonstrance against same. (H. P. 1115)

By the same gentleman: Remonstrance against same. (H. P. 1116)

By Mr. Vose of Cushing: Remonstrance of R. A. Carroll of Thomaston and 62 others against same. (H. P. 1117)

By Mr. Rodolphe Hamel of Lewiston: Remonstrance of F. G. Raymond and 89 others against same. (H. P. 1118)

By the same gentleman: Remonstrance of Carl L. Curtis and 44 others against same. (H. P. 1119)

By Mr. Sargent of Brewer: Remonstrance of W. L. Ring and others against same. (H. P. 1120)

By Mr. Thatcher of Bangor: Remonstrance of Horace B. Cunningham and 18 others against same. (H. P. 1121)

By Mr. Sargent of Brewer: Remonstrance of J. Harold Smith and others against same. (H. P. 1122)

By Mr. Burr of Mattawamkeag: Remonstrance of H. A. Reed and others against same. (H. P. 1123)

By the same gentleman: Remonstrance of George C. Foss and others against same. (H. P. 1124)

By the same gentleman: Remonstrance of Eugene Lobley and others against same. (H. P. 1125)

By Mr. Rea of La Grange: Remonstrance of Nettie R. Moore and others against same. (H. P. 1126)

By the same gentleman: Remon-

strance of E. G. Pratt and others against same. (H. P. 1127)

By the same gentleman: Remonstrance of Abram T. Brown and others against same. (H. P. 1128)

By the same gentleman: Remonstrance of Earl Foster and others against same. (H. P. 1129)

By Mr. Sargent of Brewer: Remonstrance of L. W. Marsh and others against same. (H. P. 1130)

By Mr. Boston of Gardiner: Remonstrance against same. (H. P. 1304)

By Mr. Leonard of Hampden: Remonstrance against same. (H. P. 1305)

By Mr. Stanley of Porter: Remonstrance against same. (H. P. 1306)

By the same gentleman: Remonstrance against same. (H. P. 1307)

By the same gentleman: Remonstrance against same. (H. P. 1308)

By the same gentleman: Remonstrance against same. (H. P. 1309)

By the same gentleman: Remonstrance against same. (H. P. 1310)

By the same gentleman: Remonstrance against same. (H. P. 1311)

By the same gentleman: Remonstrance against same. (H. P. 1312)

By Mr. Rounds of Portland: Remonstrance against same. (H. P. 1313)

By Mr. McLean of Bar Harbor: Remonstrance against same. (H. P. 1314)

By Mr. Burkett of Portland: Remonstrance against same. (H. P. 1315)

By the same gentleman: Remonstrance against same. (H. P. 1316)

By the same gentleman: Remonstrance against same. (H. P. 1317)

By Mr. Allen of Sanford: Remonstrance against same. (H. P. 1318)

By Mr. Heath of Guilford: Remonstrance against same. (H. P. 1319)

By Mr. Jones of Corinna: Remonstrance against same. (H. P. 1320)

By the same gentleman: Remonstrance against same. (H. P. 1321)

By the same gentleman: Remonstrance against same. (H. P. 1322)

By the same gentleman: Remonstrance against same. (H. P. 1323)

By the same gentleman: Remonstrance against same. (H. P. 1324)

By the same gentleman: Remonstrance against same. (H. P. 1325)

By the same gentleman: Remonstrance against same. (H. P. 1326)

By Mr. Hathaway of Milo: Re-

monstrance against same. (H. P. 1327)

By the same gentleman: Remonstrance against same. (H. P. 1328)

By the same gentleman: Remonstrance against same. (H. P. 1329)

By Mr. Merrill of Dover-Foxcroft: Remonstrance against same. (H. P. 1330)

By Mr. Bachelder of St. George: Remonstrance against same. (H. P. 1331)

By Mr. Lombard of Bridgton: Remonstrance against same. (H. P. 1332)

By Mr. Jackson of Portland: Remonstrance against same. (H. P. 1333)

By Mr. Rumill of Tremont: Remonstrance against same. (H. P. 1334)

By the same gentleman: Remonstrance against same. (H. P. 1335)

By the same gentleman: Remonstrance against same. (H. P. 1336)

By the same gentleman: Remonstrance against same. (H. P. 1337)

By Mr. Leonard of Hampden: Remonstrance against same. (H. P. 1338)

By Mr. Holbrook of Vanceboro: Remonstrance against same. (H. P. 1339)

By the same gentleman: Remonstrance against same. (H. P. 1340)

By Mr. Bissett of Portland: Remonstrance against same. (H. P. 1341)

By Mr. Williamson of Augusta: Remonstrance against same. (H. P. 1342)

By the same gentleman: Remonstrance against same. (H. P. 1343)

By Mr. Hunt of Brunswick: Remonstrance against same. (H. P. 1344)

By Mr. Tucker of Sanford: Remonstrance against same. (H. P. 1345)

By Mr. Roach of New Gloucester: Remonstrance against same. (H. P. 1346)

By Mr. Daigle of Madawaska: Remonstrance against same. (H. P. 1347)

By Mr. Campbell of Leeds: Remonstrance against same. (H. P. 1348)

By Mr. Chase of Cape Elizabeth: Remonstrance against same. (H. P. 1349)

By the same gentleman: Remonstrance against same. (H. P. 1350)

By Mr. Ingraham of Bangor: Remonstrance against same. (H. P. 1351)

By Mr. Sargent of Brewer: Re-

monstrance against same. (H. P. 1352)

By the same gentleman: Remonstrance against same. (H. P. 1353)

By the same gentleman: Remonstrance against same. (H. P. 1354)

By Mrs. Day of Gorham: Remonstrance against same. (H. P. 1355)

By Mr. Hatch of Lovell: Remonstrance against same. (H. P. 1356)

By Mr. McKnight of Poland: Remonstrance against same. (H. P. 1357)

By Mr. Angell of Saco: Remonstrance against same. (H. P. 1358)

By Mr. Roach of New Gloucester: Remonstrance against same. (H. P. 1359)

By Mr. Rackliff of Old Town: Remonstrance against same. (H. P. 1360)

By the same gentleman: Remonstrance against same. (H. P. 1361)

By the same gentleman: Remonstrance against same. (H. P. 1362)

By the same gentleman: Remonstrance against same. (H. P. 1363)

By the same gentleman: Remonstrance against same. (H. P. 1364)

By the same gentleman: Remonstrance against same. (H. P. 1365)

By same gentleman: Remonstrance against same (H. P. 1366)

By same gentleman: Remonstrance against same (H. P. 1367)

By same gentleman: Remonstrance against same (H. P. 1368)

By same gentleman: Remonstrance against same (H. P. 1369)

By Mr. St. Clair of Rockland: Remonstrance against same (H. P. 1370)

By same gentleman: Remonstrance against same (H. P. 1371)

By same gentleman: Remonstrance against same (H. P. 1372)

By same gentleman: Remonstrance against same (H. P. 1373)

By Mr. Comins of Eddington: Remonstrance against same (H. P. 1374)

By same gentleman: Remonstrance against same (H. P. 1375)

By same gentleman: Remonstrance against same (H. P. 1376)

By same gentleman: Remonstrance against same (H. P. 1377)

By Mr. Thatcher of Bangor: Remonstrance against same (H. P. 1410)

By Mr. Stetson of Sumner: Remonstrance against same (H. P. 1411)

By same gentleman: Remon-

strance against same (H. P. 1412)

By same gentleman: Remonstrance against same (H. P. 1413)

By same gentleman: Remonstrance against same (H. P. 1414)

By Mr. Stone of Biddeford: Remonstrance against same (H. P. 1415)

By Mr. Varnum of Westbrook: Remonstrance against same (H. P. 1416)

By same gentleman: Remonstrance against same (H. P. 1417)

By same gentleman: Remonstrance against same (H. P. 1418)

By same gentleman: Remonstrance against same (H. P. 1419)

Orders

On motion by Mr. Varnum of Westbrook, it was

Ordered, that there be forwarded to each member and officer of the House one copy of the Revised Statutes of 1929, when printed.

Reports of Committees

Mr. Crawford from the Committee on Agriculture reported ought not to pass on bill an act to define pasteurized milk (H. P. 748) (H. D. 222)

Report read and accepted and sent up for concurrence.

Miss Laughlin from the Committee on Judiciary on bill an act to incorporate the Sanford Water District (H. P. 5) (H. D. 1) reported in a new draft (H. P. 1447) under same title and that it ought to pass.

Report read and accepted and the new draft ordered printed under the Joint Rules.

Mr. Sturgis from the Committee on Agriculture reported ought to pass on bill an act increasing the amount paid by the State for condemned cattle (H. P. 950) (H. D. 309)

Mr. Sturgis from same committee reported same on bill an act relating to the quarantine of cattle (H. P. 949) (H. D. 310)

Mr. McLean from the Committee on Inland Fisheries and Game reported same on bill an act establishing Moosehead Lake Game Preserve, in the county of Piscataquis (H. P. 394) (H. D. 117)

Mr. Aldrich from the Committee on Judiciary reported same on bill an act to increase the jurisdiction

of the Auburn Municipal Court (H. P. 841) (H. D. 267)

Same gentleman from same committee reported same on bill an act relating to the establishment of the Lewiston Municipal Court (H. P. 842) (H. D. 268)

Miss Laughlin from same committee reported same on bill an act providing for the attesting of records of city and town clerks by volume (H. P. 847) (H. D. 273)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

Passed to Be Engrossed

(S. P. 162) (S. D. 72) An act relating to the employment of convicts in the State Prison.

(S. P. 288) (S. D. 122) An act to change the name of Ward Pond in the town of Sidney, Maine to Ward Lake.

(S. P. 304) (S. D. 112) An act additional to Chapter 242 of the Private and Special Laws of 1895, entitled "An act to incorporate the City of South Portland."

(Tabled by Mr. Varnum of Westbrook pending third reading and specially assigned for Thursday, March 7)

(H. P. 63) (H. D. 30) An act relating to a tax upon gasoline.

(Tabled by Mr. Boynton of South Portland pending third reading and specially assigned for tomorrow morning.)

(H. P. 180) (H. D. 449) An act to increase amount paid for clerk hire in office of Clerk of Courts for Cumberland County.

(H. P. 237) (H. D. 78) An act to regulate fishing in Bent's Pond in New Sharon and Vienna.

(H. P. 299) (H. D. 88) An act for the better protection of trout in Lake Cobbosseecontee in the county of Kennebec.

(H. P. 335) (H. D. 450) An act relative to the salary of the Judge of the Ellsworth Municipal Court.

(H. P. 338) (H. D. 451) An act regulating the taking of shad in the Nonesuch River in Scarborough.

(H. P. 680) (H. D. 452) An act to regulate the taking of clams in the town of Phippsburg.

(H. P. 727) (H. D. 453) An act to empower the Westfield Electric Co. to sell its property to Gould

Electric Co., and for other purposes.

(H. P. 738) (H. D. 454) An act relating to the salary of the Treasurer of Kennebec County.

(H. P. 739) (H. D. 455) An act relating to Deputy Clerk of Courts of Kennebec County.

(H. P. 894) (H. D. 456) An act relating to the digging of clams in Biddeford, in the county of York.

(H. P. 1379) (H. D. 457) An act relating to the lobster industry within two miles of the Shore of Monhegan Island.

(H. P. 450) (H. D. 458) Resolve authorizing the Forest Commissioner as Land Agent to convey a certain lot of land to Asahel Darling.

(H. P. 1378) (H. D. 459) Resolve in favor of C. J. Thomas, compensating him for the loss of a cow.

(H. P. 1380) (H. D. 460) Resolve authorizing the Forest Commissioner to release the State's interest in Lots numbered 3, 4 and 6 in township 15, range 6, W. E. L. S., Aroostook County, Maine, to Clara E. Hodgkins of Farmington, Maine.

Passed to be Enacted

An act authorizing the erection of a bridge or roadway across tide-waters between Harbor Island in the town of Phippsburg in the county of Sagadahoc and the mainland of said Town.

An act to amend the Banking Laws of this State.

An act relating to Portland Gas Light Company. (S. P. 239) (S. D. 101)

(Tabled by Mr. Chase of Cape Elizabeth pending passage to be enacted).

An act to fix the salary of the Judge of Probate for the county of Somerset.

An act relating to the salary of the Register of Probate of Somerset County.

An act relating to the inspection of buildings and the authority and duty to remedy fire hazards.

An act relating to the expenses of the State Historian.

An act to incorporate the Union River Railway Company.

An act relating to increases in capital stock of railroad corporations

An act to extend the charter

granted to the Union Terminal Company.

An act relating to the Presque Isle Sewer District.

An act relating to the Presque Isle Sewer District.

An act to increase the salary of the Sheriff of Franklin County.

An act increasing the amount allowed for clerk hire in the office of the Clerk of Courts of Androscoggin county.

An act increasing the salary of the Clerk of Courts of Androscoggin County.

An act to empower and direct the Governor and Council to sell and convey certain property in Bath to the City of Bath.

An act to amend the charter of the Mutual Fire Insurance Company of Saco, Maine.

Finally Passed

Resolve in favor of Silas L. Barrows of Waterville, to compensate him for personal injuries and property damage, occasioned by his being shot by Hollis Spear, a State Ward.

Resolve for the purchase of "A History of Pemaquid". (H. P. 175) (H. D. 362)

(Tabled by Mr. Bishop of Boothbay Harbor pending final passage)

Resolve for the purchase of one hundred copies of the "History of the Town of Lincoln". (H. P. 245) (H. D. 363)

(Tabled by Mr. Bisbee of Damarscott pending final passage.)

Resolve providing for a State pension for Eliza F. Withee of Vassalboro.

(EMERGENCY MEASURE)

Resolve in favor of the Central Maine Sanatorium for the laying of a six inch water main from the county highway to the Sanatorium buildings.

The SPEAKER: This being an emergency measure, it is necessary under the Constitution that it have the affirmative vote of two thirds the entire membership of this body. 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.

One hundred and twenty-nine voting in the affirmative and none in the negative the resolve was finally passed.

Orders of the Day

The SPEAKER: Under orders of the day the Chair presents the first matter specially assigned for today, H. P. 59, H. D. 28, bill an act providing for retirement of court stenographers and their compensation, tabled on February 21 by Mr. Williamson of Augusta, the pending question being the motion of the gentleman from Auburn, Mr. Sturgis, for indefinite postponement; and the Chair recognizes the gentleman from Augusta, Mr. Williamson.

Mr. WILLIAMSON: Mr. Speaker, this matter was continued on the table from Thursday last in accordance with an understanding with the gentleman from Auburn, Mr. Sturgis, in order that another member of the House, then absent, might have an opportunity to speak upon the matter. Accordingly I now yield the floor to the gentleman from Auburn, Mr. Sturgis.

Mr. STURGIS of Auburn: Mr. Speaker, I would let the bill take its regular course.

The SPEAKER: The gentleman wishes to withdraw the motion for indefinite postponement?

Mr. STURGIS of Auburn: No, sir. I am not up on parliamentary usage, but I stand in the gap to be counted. I was not prepared for this, but I will say that I was reading in the Digest the other day in regard to a letter written to the Secretary of Labor, James J. Davis, to the effect that we are not all rich in this country; there are some poor people, and some working on a small salary in this country regardless of what some people will tell you. Eighty six per cent of our people are poor. One per cent own fifty-nine per cent of our wealth; thirteen per cent own ninety per cent, and eighty-seven per cent own ten per cent. I will get back to my point after a while. Nowhere in all the land is there any evidence of a single industry in which the annual income of the average wage earner can enable him to support a wife and three small children in accordance with the law submitted by the Bureau of Employees. Do you wonder some people advocate birth control? Their income is not sufficient to support a small family as it should be supported.

I will go further; these stenographers are friends of mine; they are a high class of citizen; we will admit that. If they are not sufficiently paid, pay them more. I am against the idea of pensions. I will stand on that. A party told me this morning that these stenographers are working at a very small salary—only \$2500—and they are putting their whole time and energy into it.

On an average—I think I am correct—in getting out briefs they also get from \$1000 to \$1500 a year together with the \$2500, which, as I reckon, is \$3500 or \$4000. I got this from a very authentic source—that they only work in the courts about sixty days in a year. Some of us poor old farmers work three hundred and sixty-five days—don't even get a Sunday off. I have never heard, and I have been here several times, the poor old farmers stand up here and advocate that they had worked and delved and struggled for fifty years, climbing over stone walls and holding the plow where the rocks were pretty thick. A man cannot get out and hold a plow today without a little experience; but then, to get back to my story, when the time comes that you pension the farmer away back in the country,—I live back quite a way myself and some are back farther than I am where there are no facilities. They do not have electric lights; they do not have heat by electricity, as they do up in Ontario. This is a hard life. Why, in Name's sake, don't we pension them off? If we do, who pays the pension? If the farmer today pays more than his share for every Tom, Dick and Harry, according to their efficiency, someone is going to have a pretty hard job to pay the pensions later on.

The SPEAKER: The question is on the motion of the gentleman from Auburn, Mr. Sturgis, for the indefinite postponement of this bill. Is the House ready for the question?

Mr. ALDRICH of Topsham: Mr. Speaker, I feel it is due the membership of the House that it should understand the reason of the Judiciary Committee in having unanimously reported that this bill ought to pass.

I have been somewhat interested

in the rather appealing statistics which have been submitted to us by the gentleman from Auburn (Mr. Sturgis) as to the poverty which prevails in this country, but I cannot overlook the fact that those statistics also show that if I understand correctly, one in every three or four people in the entire United States, men, women and children, are the owners of and operating an automobile today.

This question involved in the bill before us is a question simply, in my judgment, of treating fairly and in conformity with the thought of the day a class of men who unquestionably are not receiving and have not been receiving the compensation to which they have been entitled.

I do not need to call the attention of this House to the fact that a public servant should receive at the time the service is being rendered compensation adequate to the service required of him. I do not need to point out to you that a court stenographer, I had almost said, is more important in your judicial system than the Judge himself. As to trying a case before an incompetent stenographer or an incompetent judge, I say give me the competent stenographer because it is of the utmost importance that the records be absolutely correct, and the only way that we can have them correct is to have efficient service. Now permit me to say that there are only a dozen of these men in the State. This bill would apply to only twelve men and at no time is there any reason to believe that more than one or two of them would have to receive the benefits of this bill. I started to say that the ability that is required of these men in our larger cities, in positions like secretaries, calls for salaries of from four to five thousand dollars a year, and also permit me to say that the ability required in those positions does not compare with the ability which is required by us of the men who are assisting in this important portion of our judicial work.

As I recall it, we have not increased the salaries of the stenographers of our courts, I think, since 1901. I may be mistaken in that, but that is what I believe. If \$2500 a year was proper and correct in 1901, I do not need to indicate to you that for the last fifteen

years at least, these men have been working along on a salary which is entirely inadequate, and so I say to you that as provided for in this bill, if you allow these men who have been working for twenty-five years for this inadequate salary,—if you allow them a pension, you will simply be restoring to them a portion of what you failed to pay them in the last fifteen years, that is all there is to it.

Now we have on our statute books today a law which permits these same men to receive a pension. What I was about to say, it is shameful, shameful for us to have such a bill on the books. What is it? It requires these men to go before the Governor and Council like suppliants and ask, beg and implore that they receive a pension. Now they could get a pension under the law today. This law simply gives them a pension as a matter of right. It simply recognizes that they are entitled to it, and they do not have to go to anyone and ask that it be given to them. Now this idea of a pension, my friends, is nothing new. Go to anyone and ask that it be given to them. We know that it is becoming quite usual and customary to pension our soldiers, to pension public servants, regular letter-carriers, policemen and firemen. When you get higher up—I won't say higher up—but when you get up to the stage where such ability as these men possess is required, shall we go another step and say that we draw the line there when, as I have shown you, for the last fifteen years you have not been adequately compensating them.

Now, my friend from Auburn (Mr. Sturgis) is wrong, and I should like to correct him—that these men receive \$1000 or \$1500 a year in addition to their salaries in getting out transcripts of testimony. As a matter of fact, the oldest man in this service who is ill in the hospital having undergone an operation, and for whom I had hoped that this bill might be of some benefit, told me recently that the average which he received from copying stenographic minutes and furnishing transcripts is from two to three hundred dollars a year and he has to pay out of that his office rent and assistance he requires to get out these papers when

he is engaged in court. He has to pay for a telephone and all expenses in connection with his work so that you should not be misled into believing that court stenographers today are receiving much more than the salary given to him of \$2500 a year.

Now as to his working sixty days a year, permit me to say that I believe the gentleman must be in error there because a Judge in our Court is working more than sixty days and the stenographers are working with those judges. I simply leave with you the idea that in granting this measure you are, as it were, granting it to such of these men as may retire. My judgment is that not one of them will ever retire until he is forced by ill health to do so. They are not the type of men who retire. You are simply providing by this measure that such of them as may retire under the provisions of this act shall receive somewhere near compensation to make up to them what they have not been paid in the last fifteen years.

I wish to call your attention to the fact that the motion before you here is the motion of the gentleman from Auburn, (Mr. Sturgis) to indefinitely postpone; and if you are in favor of this measure, of course I hope that you will vote with me no on his motion to indefinitely postpone. I leave the matter with you.

Mr. JACOBS of Auburn: I perhaps, Mr. Speaker, cannot answer

A communication was received from the Senate, through its Secretary, proposing a Joint Convention of both branches of the Legislature forthwith in the hall of the House for the purpose of inviting His Excellency, the Governor, to attend and make such communication as he may be pleased to make.

The SPEAKER: The House hears the message.

Mr. JACOBS continuing: Mr. Speaker, in the affairs of men, in the every day life of us all, it is impossible for us all to agree upon any one subject. If we did, we would not need to send but one person here to make the laws for our State under which we live.

The last speaker in behalf of this bill which he has presented to this

Legislature has made an able plea for its passage, believing, as he says, that it is right; but I believe, Mr. Speaker, that the principle is wrong. I believe that this group of individuals who are working on a salary of \$2500 are compensated for the time expended upon that work, which is an elevated work to be sure, but no better and no higher than thousands of positions occupied by similar men in other walks of life. The average wage of the clerks of our houses in the State of Maine—banking houses and mercantile establishments, is \$1250, and yet this group of citizens receive \$2500 for working not over three months in the year, and that we can prove, and they get other compensation for their labor in the courts of Maine. I believe it is time, Mr. Speaker, that we call a halt in this pension program. Where are we drifting? We are simply drifting to old age pensions, the latter predicted before this House in years back. I believe we should stop here if this group of citizens is not adequately paid, let them receive more salary. The average life of a business in this country today is only seven to eight years, and only one in ten makes a success of his business; and where do these ninety percent come. They fall back upon their children or someone to support them. I believe it is time for us to consider these things on their merits and I believe the principle of this thing is wrong.

As the last speaker has said, the State of Maine has passed a law, and it is in the hands of the Governor and Council to pension any person working for the State who needs a pension, and I do not believe that we should pass this today. I believe we should indefinitely postpone it. (Applause)

Mr. LOWELL of Lincoln: Mr. Speaker, I wish to go on record at this time as opposing this bill, and my reasons for it are these: I do not believe it to be a worthy bill. I believe that the purpose of this bill creates unfair conditions and places a burden upon the majority of the citizens of this State for the benefit of a few.

Those of you who were members of the Eighty-third Legislature remember the stand that I

took at that time in regard to increasing the salaries of various officials over our State—retirement salaries and pensions—and I feel today exactly as I did at that time that there must be some check on this habit of coming to the Legislature every two years with a request for increased salaries, retirement pensions and pensions in general. Now is there any good and sufficient reason why this Legislature should give a retirement salary to court stenographers? The proponents of this bill tell us that this bill should pass by reason of the fact that they are so very efficient, and that there are only a few of them, and should anything happen to them, should they be called away, there are none others to take their place. Now we do not believe that. We do not believe that any of us are of such great importance that there is not someone who can fill the position. If this job was compulsory, we might feel different about this retirement salary, but it is not compulsory. They aspire to the office. It was their chosen vocation. They were eager to obtain it and they knew full well the salary of that office. Now I believe it to be an imposition upon the hard working taxpayers of this State, who are making an honest effort to support their families and maintain their little homes, to be asked or required to contribute to the support of those who have been given steady employment for twenty-five years, and who are no doubt amply able to take care of themselves. I hope the motion to indefinitely postpone this bill will prevail.

Mr. LOCKE of Biddford: Mr. Speaker, we were told this morning by the reverend gentleman who offered prayer here to render to Caesar the things that are Caesar's and that is what we are asking for in the attempt that this bill be not indefinitely postponed. Much has been said this morning here in reference to court stenographers, but the speakers, to my mind, Mr. Speaker, have not gone into the matter deeply enough, have not ascertained to the fullest extent just what these men are called upon to do; and therefore I take it that I can answer the questions that have

been asked here this morning. When you compare a court stenographer to a clerk in a store, you are evading the issue or creating a smoke screen, because the court stenographer is in a profession by himself. It goes to show you that where this great State of Maine, about which much has been said in regard to publicity, and great amounts have been asked to be expended for publicity throughout the length and breadth of this land,—when you realize that only twelve in this State are court stenographers, and as the gentlemen have said, pay them more. I will agree to that, Mr. Speaker and gentlemen of this assembly, but I will say this: What are you going to do to compensate them for what they have done up to the present time when you admit now that they are underpaid?

The survey made by Secretary of Labor Davis is a survey of industrial conditions in the United States. It is not a survey of the professions. The senior member of the court reporters has been in service forty seven years, nearly one-half a century; and now owing to the exacting duties of that work, he is probably breathing his last in a hospital. I am not mentioning this fact in order to create sympathy. We are not asking for sympathy in this measure. We are asking you to take the measure home to yourselves. This is an age of service. Is the State of Maine so unfaithful that it will not afford compensation sufficient to the men who have borne the brunt of the exacting duty of transcribing the decisions of our courts into permanent records?

It was nearly two thousand years ago when the greatest Law Giver of all times inscribed upon two tablets of stone the law upon which all law is based. That law has been handed down from generation to generation, and, although it has not been transcribed on tablets of stone, through the efforts of the court stenographers it has been such a record, an exact record, a complete record, so good in fact that the decisions of our court which have been exactly transcribed have been upheld in the

courts of England. That it why, I say, that the court stenographer is above the ordinary clerk. The business colleges turn out year after year hundreds of stenographers, among whom probably not one is qualified to perform the duties of a court stenographer or fulfill any of those requirements; and in accordance with the admonition of the reverend gentleman this morning I ask you in all fairness to yourselves, in all fairness to the State of Maine, to give this matter consideration and vote against its indefinite postponement,—because, why? Do you, when a man has so served his State that he is decrepit and old,—do you want him in a wheel chair at the corner of your public streets with a bunch of shoe strings in one hand and a bunch of pencils in the other? That is what you are coming at, and then all the publicity that this State may have will be wafted away to the four winds of heaven and those who come here will read the sign which will be emblazoned all over this State,—“The State of Maine is ungrateful.” Gentlemen, let that not be said of this great State of Maine.

Mr. STURGIS of Auburn: Mr. Speaker, according to my best information, the gentleman that stands on the end of the bridge and sells shoestrings and pencils, if he has got a little home, has to help pay the taxes to give the pension to the big fellows. Take that for whatever it is worth.

Another thing, if we have got business colleges in this land that are not capable of turning out one man in three years that is capable and brainy enough to do that work, for pity's sake, God help the business colleges.

Mr. LITTLEFIELD of Farmingdale: Mr. Speaker, we have listened to lawyers and farmers, and being an executive in an industrial plant, I would like to give my views. Perhaps it may be a little hard-hearted, but the only way I look at this proposition is from a cold, hard, business proposition. Every one of us here have a trust. We are handling the State's finances, and if we open the door to what I call class legislation, we are getting into a very serious position.

I agree with the gentleman from Auburn, Mr. Jacobs, that it is the principle here, if the State was going to spend ten dollars, I would feel just the same. Let us look at it in a business way, and I think, after our joint session, some of you perhaps will have changed your minds on State finances.

Mr. WHITE of Dyer Brook: Mr. Speaker, I move the previous question.

The SPEAKER: All those in favor of the Chair entertaining the previous question will rise and stand in their places until counted, and the monitors will return the count.

A sufficient number arose.

The SPEAKER: A sufficient number having arisen the question now is: Shall the main question be put now? As many as are in favor will rise and stand until counted, and the monitors will return the count. This is debatable but no person may speak to this question for more than five minutes. Is the House ready for the question?

The main question was called for.

The SPEAKER: The main question is on the motion of the gentleman from Auburn, Mr. Sturgis, that this bill providing a pension for retirement of court stenographers be indefinitely postponed, and the gentleman from Auburn, Mr. Sturgis, has moved that when the vote be taken it be taken by the yeas and nays. This motion must be supported by one-fifth of those present in the House. As many as are in favor of taking the vote by the yeas and nays will rise and stand in their places until counted, and the monitors have returned the count.

A sufficient number arose.

The SPEAKER: A sufficient number obviously having arisen, the Clerk will call the roll. A vote of yes will be for the indefinite postponement of the bill, and a vote of no will be against its indefinite postponement and will be in favor of the bill and in favor of the pension.

YEA—Adams, Allen of Camden, Anderson of South Portland, Ashby, Bachelder, Bailey, Bisbee, Blanchard, Blodgett, Briggs Burkett of Union, Burr, Butler, Campbell, Carleton of Portland, Clark, Clifford, Comins, Couture, Crawford, Daigle, Dudley, Eaton, Fogg, Friend, Gagne, Hamel (Rodolphe), Harrington, Hatch, Hawkes of Richmond, Hawkes of Standish, Heath, Hill, Holbrook, Hubbard, Hughes, Hunt, Hurd, Ingraham,

Jackson of Bath, Jackson of Portland, Jacobs of Auburn, Jones of Corinna, Jones of Windsor, Kane, Lenfest, Leonard, Lewis, Libby, Littlefield of Farmingdale, Littlefield of Monroe, Lowell, MacKinnon, Mansfield, McKnight, McLean, Morin, Morse of Oakland, Morse of Rumford, Palmer, Patterson, Perham, Perkins, Picher, Potter, Powers, Rackliff, Rea, Richardson, Roach, Rogers of Greenville, Rogers of Yarmouth, Saucier, Seavey, Small of Freedom, Small of East Machias, Sterling of Kittery, Stetson, Stuart, Sturgis, Vose, Ward, White of Dyer Brook, Wight of Newry—85.

NAY—Aldrich, Allen of Sanford, Belleau, Bishop, Bissett, Blaisdell, Bove, Boynton, Burkett of Portland, Burns, Carleton of Winterport, Chase, Day, Farris, Folsom, Ford, Foster, Gay, Gillespie, Hamel (George), Hathaway, Holman, Jack, Jacobs of Wells, Jones of Waterville, King, Kitchen, Laughlin, Locke, McCart, Melcher, Merrill, Milliken, O'Connell, Pencoek, Quint, Robie, Rounds, Roy, Rumill, St. Clair, Sargent, Stanley, Sterling of Caratunk Plantation, Stone, Sturtevant, Taylor, Thatcher, Towne, Tucker, Varnum, Webster of Auburn, Webster of Buxton, Williamson, Wright—56.

ABSENT—Anderson of New Sweden, Boston, Buzzell, Farrington, Jones of Winthrop, Lombard, Pike, Pratt, Wing—9.

The SPEAKER: Eighty-five having voted in the affirmative and 56 in the negative, the motion for indefinite postponement prevails.

Mr. STURGIS: Mr. Speaker, I move that we reconsider the vote whereby we voted to indefinitely postpone, and hope that it will not have passage.

The SPEAKER: The gentleman from Auburn, Mr. Sturgis, moves that we reconsider the vote just taken and expresses the hope that his motion will not prevail. The Chair will explain, inasmuch as this is the first time that such a motion has been made, that if the motion for reconsideration fails, no further motion for reconsideration can be made under the rules; and the result of defeating the motion for reconsideration is to make more certain the vote just taken. As many as are in favor of the motion of the gentleman from Auburn for reconsideration will say aye; those opposed will say no.

A viva voce vote being taken the motion for reconsideration failed of passage.

On motion by Mr. Kitchen of Presque Isle, it was voted that the

House signify to the Senate its concurrence in the proposal of the Senate in the Joint Convention of both Houses to listen to a message from His Excellency, the Governor, and that the House through its Clerk signify to the Senate such concurrence.

Thereupon, the Clerk conveyed to the Senate the concurrence of the House as above, subsequently reporting that he had performed the duty with which he was charged, which report was accepted.

At this point the Senate came in and a Joint Convention was formed.

In Convention

The President of the Senate in the Chair.

On motion by Senator Spear of Cumberland, it was ordered that a committee be appointed to wait upon Honorable William Tudor Gardiner, Governor, and inform him that the two branches of the Legislature are in convention assembled in the hall of the House of Representatives, and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman thereupon appointed as members of that committee on the part of the Senate: Senators Spear of Cumberland, Mitchell of Aroostook and Wheeler of Oxford; and on the part of the House: Representatives Foster of Ellsworth, Bisbee of Damariscotta, Carleton of Portland, Holbrook of Vanceboro, Thatcher of Bangor, Littlefield of Farmingdale, and Jacobs of Wells.

Subsequently Senator Spear, for the committee, reported that the committee had discharged the duty assigned it, and that the Governor was pleased to say that he would attend forthwith.

The report was accepted.

Thereupon the Honorable William Tudor Gardiner, Governor, and suite entered the hall, amid applause, the audience rising, and the Governor addressed the Convention as follows:

Members of the 84th Legislature:

My inaugural address indicated further discussion of state finances. I want to present such information as may be of value to you in considering appropriations.

The report of the Committee on

Budget gives the foundation for an estimate as to revenues, expenditures and possible tax rates for the next two fiscal periods. At the time the budget report was made it was estimated that there would be in the Sinking Fund Reserve and the State Contingent Fund the amount of \$1,288,257.04 on July 1, 1929, the beginning of the next fiscal year. A revision reduced this estimate nearly \$300,000 and the Auditor has furnished you with a report, printed as H. D. 42, estimating the sum of these funds at \$992,646.50 on July 1, 1929.

The Budget Committee listed certain obligations on the part of the State which were not provided for by the previous Legislature. The total of the estimated deficiencies exceeded the amount left in the Contingent Fund the first of this year. In accordance with the recommendation of the Budget Committee an emergency deficiency appropriation bill has been introduced which is printed as S. D. 214. The total amount \$169,177.35 is somewhat smaller than recommended but seems sufficient to cover the needs. The passage of this resolve of course will operate to reduce the balance that we may expect to find in the Sinking Fund Reserve and the State Contingent Fund next July to the amount of \$823,469.15, of which \$300,000 would be reserved for the contingencies of the ensuing fiscal year.

There has been some suggestion that certain large appropriations might be made out of the Sinking Fund Reserve.

It would seem unwise at this time to deplete further the Sinking Fund Reserve which represents the ultimate cash resources of the State, but which includes certain deferred assets. For instance, this estimate for next July first shows \$523,000 apparently available to meet Legislative appropriations, but probably \$200,000 of this amount would be in the nature of assets of such a deferred character that we could not count on the possibility of their expenditure. Not only must a working balance be maintained but it is only common prudence to have some funds in reserve; \$300,000 in quick assets in reserve would seem to be about the minimum. Again, if the trust funds with which the State is charged as Trustee were to be set

up in cash it will be seen that there would be a deficiency. The Auditor has prepared a history of these trust funds together with a statement of their amounts as of January 1, 1929. This is published as S. D. 149. The amount with which the State is charged as Trustee and against which there is no specific fund or investment was on that date \$937,665.09. Views may differ as to how these trust funds should be regarded but it would seem prudent, either to plan to keep, except for short periods of time when withdrawals are heavy and revenue is expected but not due, a sufficient amount of cash to cover this sum, or to provide some means whereby these funds may gradually be restored in investments.

The Sinking Fund Reserve is not to be regarded as a source from which money may be regularly drawn. During the summers of 1927 and 1928 extraordinary amounts were withdrawn and assisted in maintaining the execution of a highway program. This was possible partly because rigid economy had been practiced for the two preceding years, no very large amounts having been withdrawn from this fund, and partly also because extraordinary receipts were received, particularly in the way of collateral inheritance taxes. If prudence be exercised in our expenditures and if fortune favors us in unexpected indirect revenue, this fund may again be built up and be subject to use. From its inception in July, 1925 to December 31, 1928 this fund was credited with \$3,574,810.36 and \$2,902,593.90 was spent therefrom.

The tax rates for the last ten years have been: 7 1-2, 7 1-4, 5 1-2, 6, 7 1-4, 6 3-4, 7, 7, 6 1-2, 6 1-2 mills, an average of about 6 3-4. The Budget recommendations are summarized on the last page of the Committee's report for the purpose of showing a proposed tax rate for the next two fiscal periods. It is noted that these recommendations include no allowance for new construction, and several of the larger items are based not upon recommendations for the future but upon past expenditures. With these reservations, an estimated tax rate is shown of 6 1-2 mills for the first

period and 6 3-4 mills for the second period. This estimate for the second period leaves an overlay of only \$81,000 which is obviously sailing too close to the wind. It should be borne in mind that in the estimate of indirect revenue \$1,000,000 for each fiscal period is counted on as receipts from collateral inheritance taxes. I do not think that this amount of revenue from this source may be safely counted upon.

There is a note on Page 35 of the Budget Report which deserves explanation. It appears there as though there would be under the heading for "War Bond Sinking Fund" approximately \$250,000 for each period applicable to general expenses of the State. This would be so if the full mill tax for war purposes were assessed, but in recapitulating the figures for the purpose of estimating future tax rates the amount represented by a full mill tax has not been carried forward. If the statement on Page 35 of the report, that there will be applicable to general expenses of the State the amounts there given, is to be taken literally the tax rates as stated on Page 48 should each be increased approximately 1-3 of a mill.

If we continue the policy adopted in 1921 and take no action in altering Chap. 162, P. L. 1927, there will be continued a policy of assessing a tax of one mill to raise money for the War Bond Sinking Fund. As indicated in the Budget Report the revenue from this mill tax will be greater than is required to meet the current demands on this fund. If no change is made in the 1927 law the practical effect will be this: There will be an over-assessment for each year of about \$250,000. Eighteen months after the beginning of the fiscal year when this appropriation is set up this excess must lapse, and it may be caused to lapse six months earlier, into the Sinking Fund Reserve. That means that under the guise of a special tax for War purposes we are increasing the Sinking Fund Reserve. This practice would be desirable in making revenue available for such construction as the Legislature might plan conditioned upon the appearance of funds, but it appears

to be a very indirect way of doing business. One alternative would be to modify the 1927 law so that the revenue in excess of the amounts required for the purposes named in the law would be available as general revenue. This result was accomplished by special provisions in the tax acts of 1927.

The last clause of the 1927 law defers until 1933 the reservation of funds to meet the last of the War Loan bonds issued in 1917. \$500,000 of this 1917 issue of \$1,000,000 are being retired at the rate of \$50,000 a year. In this way, half of the issue will be retired in 1932. \$500,000 of the issue are redeemable at par on any interest date after May 1, 1927. \$86,000 of the issue were called December 1, 1928. If our financial situation permits, it would seem a desirable and sound financial policy to continue the mill tax for War purposes but to use the excess revenue thus obtained in calling and paying off these War Loan Bonds of 1917. It seems to me that the situation presented by the 1927 law should be corrected by following one or the other of the courses indicated.

It will be observed that the Budget Committee, with the limitations noted and the estimates as commented upon, provides for no increase in the tax rate for the first fiscal period and for an increase of one-fourth of a mill in the second fiscal period. It must be obvious that any increase whatsoever in the appropriations proposed in the Budget, unless a corresponding decrease be made elsewhere, makes imperative an increased tax rate for the first fiscal period. In a practical way it seems fair to state that any request for increase over past appropriations must mean a request for an increase in the tax rate. I am willing to concede that we must face an increased tax rate. This is partly due to what appears to be a legitimate demand for increased appropriations. It is also partly due to the fact that provisions for departments and institutions during the last four years were cut to the minimum. In the management of a state as of a business, a period of rigid economy may be exercised for a time but may not be too long sustained. Also, in the

last two years new construction at various State institutions afforded the opportunity for housing increased numbers of inmates. The addition of about three hundred inmates will materially increase the provisions that must be made for maintenance.

Provided that an increase in the tax rate is necessary, it must be our effort to see that that increase is as small as may be consistent with the proper conduct of public affairs. It is natural that various departments and institutions should biennially present requests for increased appropriations; with the natural growth of the business of the State some of these requests must be granted. But unless we are to face the situation of an ever increasing rate of taxation, and unless new forms of revenue are found, the normal increase in appropriations must not exceed the normal increase in revenue.

A normal increase in the State revenue may be expected from two sources—increased indirect revenue and increased State valuation on which the State tax is levied. The State valuation has increased in healthy amounts, partly due to new taxable property and partly due to the marking up of valuations. But the rate of increase has declined sharply over the last ten years. The increases in the State valuation over the five biennial periods since 1918 have been in round figures of millions, 60, 35, 28, 24, and for the last period slightly under 19 million dollars. This decline is not encouraging, but let us be optimistic in the hope that development may give an upward turn to our valuations. If the tax rate were stabilized at seven mills and the State valuation should continue to increase at a rate of twenty million each biennial period, we could be prepared to meet increasing demands to the extent of \$140,000 every two years, or an average of seventy thousand dollars a year from this source. The fact that 5 1-3 out of the 7 mills of the tax rate is already pledged to definite uses reduces the increased revenue from this source which is available for general appropriation purposes to less than \$17,000 a year. Further demands

could be met only by an increase in indirect revenue, at best an uncertain source. Omit the extremely variable item of inheritance tax and omit the railroad tax, and it would not be safe to estimate the normal increase in indirect revenue applicable to the general appropriation act at much more than \$250,000 a year, an estimate that would hold good as an average only over a long period of years.

Thus we might normally expect to be obliged to confine increases in appropriation to a total of around \$270,000 a year. I think it well to bear such a figure in mind in consideration of requested increases, though particular and closer estimates must be made for each year. Certain increases must be granted; we must provide for those in our institutions or turn them out. For such work as is carried on by the Banking department we must either provide funds so that the law providing for bank examinations can be carried out or repeal the law.

To illustrate the point that receipts from indirect revenue fluctuate considerably, it is found that in the period of the last ten years the annual change in the amount of indirect revenue, omitting the tax on railroad companies and the tax on collateral inheritance taxes, has varied from an increase in 1919 of \$1,141,815.48 (an increase for that year of nearly 25%) to a decrease in 1922 of over \$700,000.

I have indicated that the Budget estimate of inheritance tax which we may receive for the next two fiscal periods seems too large.

It is estimated that the revenue for the next fiscal period from the tax on railroad companies will decrease \$280,000. This presents a situation to which we must readjust ourselves and which affords ample justification for an increase in tax rate. This item alone offsets the estimated normal increase in revenues.

It must be evident that the variations from year to year in the tax rate are due in part to different policies of different administrations. If we were running the State upon purely business lines, it would be desirable to stabilize this tax rate instead of allowing it to fluctuate. Such a policy would re-

quire the carrying over of funds from a prosperous period to help make provision for a lean year, calling for considerable self-restraint on the part of those holding political office. But beyond a certain point it is not prudent management for any given administration to endeavor to make a record for itself regardless of the situation of those who follow. It is more or less by accident of fate that we are at this time in charge of State affairs, and it seems to me we should order the government, not with ourselves too much in mind, but with the realization that we are continuing on a system of management that must be fair to all for years to come. Under present conditions, and realizing some of the new problems before you, it would seem a real accomplishment if the tax rate could be stabilized at seven mills. This might be a fairly low rate for some years, but with continuity in effort for economy it might be possible. Had it been unnecessary last season to call upon the Sinking Fund Reserve for over a million dollars for highway purposes, the State now would be in a very strong financial position and we would have been able to face easily the difficulties before us, but we must accept things as they are. My point is this—that we can be of added service to the State if we make such financial plans as will not only “get by” for a short time, but as will establish the likelihood of a sound and fair financial policy.

If we are to follow the policy of the last Legislature of providing for new construction, conditionally upon the appearance of funds, we will reduce the possibility of being faced with a deficiency of appropriations and we will set up the possibility of affording new construction in whatever order the Legislature may designate, if revenue appears in amounts larger than would be safe to count upon at the present time.

My specific recommendations for consideration in adopting a financial policy for the next two fiscal periods are as follows.

First: We must give consideration to those appropriations which cover the regular operation of our institutions and agencies of government. The greatest care should be used in keeping these appropri-

ations down to what is strictly necessary, but if we are to undertake work of any sort we must have enough money to do it well. Our regular expenses must be carefully budgeted and we must be certain of revenue to meet them. The Contingent Fund is limited to \$300,000 and if the Legislature were not now in session to pass the deficiency bill which has been introduced, an embarrassing situation would be presented.

Second: There is little room for appropriations either in the way of new undertakings or for such matters as appropriation from general funds either for special or general road or bridge work. I have already urged the abolishment of special road and bridge resolves under the special fund for that purpose. I urge you to form the policy and stick to the policy of no special appropriations from general funds for special roads or bridges. Any other course jeopardizes the financial program and disturbs the orderly execution of a considered highway and bridge program.

Third: New construction may be provided for in any order designated in the event that revenue exceeds our estimates. My criticism of this policy is that it leaves too much duty of a legislative nature in the hands of the Governor and Council. But it is a practical policy and if you give us the responsibility we will assume it to the best of our ability. (Applause, the audience rising.)

The Governor and suite then retired.

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved and the Senate retired to the Senate Chamber, amid the applause of the House.

In The House

The Speaker in the Chair.

The SPEAKER: The Chair presents the second matter today assigned, resolve in favor of Roselthe Shaver of Readfield, H. P. 424, H. D. 129, tabled on February 21 by Mr. Bissett of Portland, the pending question being the motion of the gentleman from Bath, Mr. Jackson, for indefinite postponement; and the Chair recognizes the gentleman from Portland, Mr. Bissett.

Mr. BISSETT: Mr. Speaker, I yield to Mr. Jackson of Bath.

Mr. JACKSON: Mr. Speaker, I think it is entirely unnecessary for me to further trespass on the time of this House in this matter. I think the stand I took on this matter on the 21st is fairly well remembered. It is unnecessary for me to reiterate the reasons for moving the indefinite postponement of this matter. We have been admonished by the Governor in his inaugural, by the Speaker of the House in his introductory remarks, to use the same care and discretion in transacting the State's business as we would apply to our own private affairs. I cannot conceive any member of this House willingly assuming obligations that he believes rightly belong to another, and that is just the position I take in this matter. I trust the motion for indefinite postponement will prevail.

Mr. PEACOCK of Readfield: Mr. Speaker and Members of the Eighty-fourth Legislature: It was my privilege last week to present to you this simple matter and to tell you the story as I know it. There are one or two things that I wish to call to your attention because it is my desire in all matters of this kind to be absolutely fair to everyone concerned. I stated to you at that time that this poor lady was eighty-three years of age. I have since looked up her birth record and I find that she is in her eighty-seventh year.

I was pleased last week at the spirit which this House manifested toward an unfortunate citizen of our State, and I regretted it when the gentleman from Bath (Mr. Jackson) the next day arose and suggested that I had placed a spell over this House. I told you the story, and if it moved your hearts, it simply showed that you, as Representatives of the State of Maine, that most of you, had not left your hearts at home. It is true that we should practice economy, but I ask you, members of this House, should we select one of the least of us, one who has been unfortunate and begin there? This small appropriation was asked, the sum of six dollars a week, for the comfort of this old lady. I am sorry that there is any individual

in the State of Maine and especially in this House who is so out of step with things that are right that their minds should be solely directed to only the material things of life. What have we done for our poor people of the State of Maine? We have two kinds of poor, the poor who wish to be poor because they have no ambition to be otherwise, and I shall not mention that class. I wish to discuss for a few minutes the worthy poor who are rendered poor not because they wish to be poor, but because they cannot help being poor. As we look in our statute books, we find there is nothing upon them for the benefit of the worthy poor, excepting the poor house, and that is the one place for them. The only law that we have is the law which provides that when one is poor and his kin will not provide for him, you may take court procedure and compel his or her relatives to do so if they are so able to. In this particular case, you cannot do so. This poor lady is left as I stated, and then my brother, who represents the town of Freeport, said that he would be very glad to give a contribution. I did not come down here to pass an individual contribution box. I came here to present this simple matter to you and then he said there are many poor people in the State of Maine from the north to the south and from the east to the west. It occurs to me that if that be true that the State of Maine ought to take a little notice of its worthy poor.

There is one picture which has stood with me all my life, the picture which I first saw hanging up in my humble home. It is a picture of a boat starting out from the shore laden with people, and in the bow are the children playing; then someone rowing; then the younger generation of men looking out; and in the stern, with bowed head, the husband leaning upon his cane; and the wife, with the wrinkles upon her face, is looking back toward the shore. Life is just as sweet to the old as it is to the young, and that picture which I have carried through all these years in my memory is entitled "From Shore to Shore."

In CHILDHOOD'S hour with care-
less joy,

Upon the stream we glide;
With YOUTH'S bright hopes we
gaily speed

To reach the other side.

MANHOOD looks forth with care-
ful glance,

TIME steadily plies the oar,
While OLD AGE calmly waits to
hear,

The keel upon the shore.

At the beginning of this Legis-
lature we heard from that platform
one of the finest addresses I ever
heard by Commander McNutt, and
in it he said one of the chief things
we are trying to do today is to
"pass the buck," and I wish to
know whether this House is so out
of sympathy with this needy,
worthy poor woman as to pass the
buck to somebody else.

It was my privilege this morning
to visit in that little home, which
this little woman calls home, and
I wish you could have been with
me for only a minute, when I took
those little hands in mine and said
"Good-bye"—I wish you could have
seen those little hands; the fingers
turned around almost in a half
circle, and she said as I left her,
"I hope that the kind men and
women of the State of Maine will
remember me. It means an awful
lot to me as I sit here unable to
see." In that little home, just wait-
ing, waiting, waiting for that keel
to touch the other shore.

We ask for only the paltry sum
of six dollars a week, and I wonder
when we are called to go to that
Great Beyond that if you will be
unanimous in this expression that
when Saint Peter asks you some
thing that you have done, and you
will say "We would not give a poor
woman, without a friend, hardly
any home, the little sum of six
dollars a week to last her on her
way." Precedent! There is no
precedent only in the human heart,
and I believe that in the hearts of
the people of the State of Maine
whom you represent, that your
thoughts should not be centered
upon only the big things but the
small things of Maine, and at least
the old people.

A man stood by a painting and
said "What a beautiful painting

it is!" That may be true because
the master had done it, but I say to
you, as I see these old people in
their homes, and upon the street,
the hand of the master painter ap-
pears upon their faces and to me
those wrinkles, those tottering
limbs, speak far more eloquently
than anything which can be done
by the painter with his brush.
Members of this House, let your
hearts be with you this morning so
that I can take back to that little
woman that message that means
so much to her because it is all she
has.

Mr. BISSETT of Portland: Mr.
Speaker, I have listened to the gen-
tleman from Readfield (Mr. Pea-
cock) and the plea he just made
for this unfortunate woman. There
are lots of unfortunate people in
this State and if this resolve is
passed which is presented, you are
opening the door, gentlemen, that
you, never, never, never can close,
and I hope that the motion of the
gentleman from Bath (Mr. Jack-
son) to indefinitely postpone this
resolve will prevail. (Applause.)

Mr. BOYNTON of South Port-
land: Mr. Speaker, I move that the
House adjourn until two o'clock
this afternoon. Cries of "No, No."

The SPEAKER: The motion is
not debatable. The gentleman from
South Portland, Mr. Boynton,
moves that we adjourn until two
o'clock this afternoon. As many as
are in favor say aye; those opposed
no.

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

Mr. FARRIS of Augusta: Mr.
Speaker, I move the previous ques-
tion.

The SPEAKER: The gentleman
from Augusta, Mr. Farris, moves
the previous question on the mo-
tion of the gentleman from Bath,
Mr. Jackson, for indefinite post-
ponement. As many as are in fa-
vor of the Chair entertaining the
previous question will rise and
stand in their places until counted
and the monitors will return the
count.

A sufficient number arose.

The SPEAKER: A sufficient
number obviously having arisen,
the question before the House is
shall the main question be put
now? As many as are in favor will
say aye; those opposed no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The Chair will now put the main question which is the motion of the gentleman from Bath, Mr. Jackson, to indefinitely postpone the resolve to pay a pension to Roselthe Shaver of Readfield. All those in favor of indefinite postponement will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the resolve was indefinitely postponed.

The SPEAKER: The Chair presents to the House the third matter today assigned House Report ought to pass of the committee on Sea and Shore Fisheries on bill an act regulating the catching of smelts in the waters of Casco Bay and the mouth of Presumpscot River in Cumberland county, H. P. 336, H. D. 99, tabled February 21 by Mr. Boynton of South Portland, the pending question being the acceptance of the report; and the Chair recognizes the gentleman.

Mr. BOYNTON: Mr. Speaker, I would like the indulgence of the House to retable that bill until tomorrow morning because an amendment is in process.

Thereupon, the bill was retabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair presents to the House the fourth matter today assigned being the Senate report, ought to pass, from the committee on Education on bill an act relating to the appointment of trustees of Normal Schools, S. P. 46, S. D. 26, tabled by the gentleman from Sanford, Mr. Allen, February 26th, the pending question being the acceptance of the report in concurrence; and the Chair recognizes the gentleman.

On motion by Mr. Allen of Sanford, the House voted to accept the report of the committee in concurrence, and on further motion by the same gentleman, the rules were

suspended and the bill had its two several readings and tomorrow assigned.

The SPEAKER: The Chair presents the first unassigned matter under the Joint Order, an act relating to the taking of additional land by railroad corporations; proceedings before Public Utilities Commission, H. P. 428, H. D. 128, tabled on February 19 by the gentlemen from Portland, Mr. Rounds, the pending question being third reading; and the Chair recognizes the gentleman.

On motion by Mr. Rounds, the bill had its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents the second unassigned matter arising under the order, resolve in favor of the Bangor State hospital for maintenance, S. P. 48, S. D. 28, tabled on February 21 by the gentleman from Farmingdale, Mr. Littlefield, the pending question being passage to be engrossed; and the Chair recognizes the gentleman.

On motion by Mr. Littlefield of Farmingdale, the bill was retabled and specially assigned for Tuesday, March 5.

The SPEAKER: The Chair presents the third unassigned matter, bill an act relating to the Eastport Municipal Court, H. P. 726, H. D. 429, tabled on February 22 by the member from Portland, Miss Laughlin, the pending question being the third reading; and the Chair recognizes the member from Portland.

Miss LAUGHLIN: Mr. Speaker, I yield the floor to the gentleman from Eastport, Mr. McCart.

On motion by Mr. McCart the bill had its third reading and was passed to be engrossed.

On motion by Mr. Angell of Saco Adjourned until ten o'clock tomorrow morning.