

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, March 21, 1929.

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

Prayer by the Rev. Mr. McWhorter of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

(S. P. 686) (S. D. 357) Resolve in favor of the Passamaquoddy Tribe of Indians for the general care, maintenance and education thereof.

(S. P. 688) (S. D. 359) Resolve in favor of the Central Maine Sanatorium for construction and equipment of an additional building for patients.

(S. P. 689) (S. D. 360) Resolve in favor of the Western Maine Sanatorium for the construction of a superintendent's home.

(S. P. 256) (S. D. 355) Resolve in favor of the towns of Sangerville and Guilford.

From the Senate: Report of the Committee on State Sanatoriums on resolve in favor of the Northern Maine Sanatorium for the construction and equipment of a Nurses' Home (S. P. 119) (S. D. 54) reporting same in a new draft (S. P. 687) (S. D. 358) under same title and that it "Ought to pass."

Comes from the Senate report read and accepted and the resolve passed to be engrossed as amended by Senate Amendment "A".

In the House, on motion by Mr. Daigle of Madawaska, the resolve was tabled pending acceptance of report in concurrence and specially assigned for tomorrow morning.

From the Senate: Report of the Committee on Towns on bill an act to reestablish the town line between the towns of Hancock and Lamoine (S. P. 247) (S. D. 103) reporting same in a new draft (S. P. 675) (S. D. 337) under same title and that it ought to pass.

Comes from the Senate report read and accepted and the resolve

passed to be engrossed as amended by Senate Amendment "A".

In the House, on motion by Mr. McCart of Eastport tabled pending acceptance of report in concurrence; and on motion by Mr. Sargent of Brewer, the bill and report were specially assigned for Wednesday, March 27.

From the Senate: Bill an act confirming the construction of the ferry wings at Peaks Island (H. P. 882) (H. D. 294) which was passed to be enacted in the House March 13th, and passed to be engrossed March 5th.

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

In the House, that body voted to reconsider its action whereby this bill was passed to be enacted; and on motion by Mr. Aldrich of Topham, the bill was tabled, pending reconsideration, to be taken up later under orders of the day.

From the Senate: Bill an act relating to the purposes of the Milo Water Company (H. P. 1507) (H. D. 537) which was passed to be enacted in the House March 13th and passed to be engrossed March 6th.

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

In the House that body voted to reconsider its action whereby this bill was passed to be enacted, and also reconsidered its action whereby it was passed to be engrossed.

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

From the Senate: Bill an act relating to wards in the city of Portland. (H. P. 855) (H. D. 278) which was passed to be engrossed in the House March 5th.

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

In the House, that body voted to reconsider its action whereby this bill was passed to be engrossed, and Senate Amendment A was read and adopted in concurrence, and

the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to pilots for the Port of Portland (H. P. 862) (H. D. 285) on which the House accepted the minority report of the Committee on Legal Affairs reporting ought not to pass.

Comes from the Senate the majority report reporting ought to pass accepted in non-concurrence and the bill passed to be engrossed.

In the House, on motion by Miss Laughlin the House voted to insist upon its former action and ask for a committee of conference.

The Chair appointed as such conferees the member from Portland, Miss Laughlin, the gentleman from Bath, Mr. Butler and the gentleman from Readfield Mr. Peacock.

From the Senate: Bill an act to validate the organization of Bangor Bridge District and continue its charter (H. P. 1505) (H. D. 535) which was passed to be engrossed in the House March 8th.

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

In the House, that body voted to reconsider its action whereby this bill was passed to be engrossed and Senate Amendment A was read and adopted in concurrence, and the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

From the Senate: Joint Order amending Joint Rules regarding bills and resolves carrying appropriations; which was passed as amended by House Amendment "A" in the House March 19th.

Comes from the Senate passed as amended by House Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House, that body voted to reconsider its action whereby this order was passed as amended by House Amendment A.

Senate Amendment A was read and adopted in concurrence and the order as so amended received passage in concurrence.

Reports of Committees

Mr. Holbrook from the Committee on Appropriations and Financial Affairs on the following Resolves:

Resolve in favor of Augusta General Hospital, Augusta (S. P. 261)

Resolve in favor of Bar Harbor Medical & Surgical Hospital (H. P. 114)

Resolve in favor of Bath City Hospital (H. P. 115)

Resolve in favor of Buxton & Hollis Hospital (H. P. 376)

Resolve in favor of Calais Hospital (H. P. 650)

Resolve in favor of Camden Community Hospital (S. P. 92)

Resolve in favor of Central Maine General Hospital, Lewiston, Me. (S. P. 32)

Resolve in favor of Children's Hospital, Portland, Me. (H. P. 116)

Resolve in favor of Damariscotta Memorial hospital (H. P. 754)

Resolve in favor of Chas. A. Dean Hospital, Greenville (H. P. 225)

Resolve in favor of Eastern Maine General Hospital, Bangor, Me., for medical and surgical treatment and care of certain children and adults (H. P. 112)

Resolve in favor of Franklin County Memorial Hospital (H. P. 502)

Resolve in favor of Gardiner General Hospital, for maintenance (H. P. 228)

Resolve in favor of Knox County General Hospital (S. P. 91)

Resolve in favor of Madigan Memorial Hospital (H. P. 647)

Resolve in favor of Maine Eye & Ear Infirmary (H. P. 649)

Resolve in favor of Maine General Hospital for medical and surgical treatment of certain persons (H. P. 756)

Resolve in favor of Northern Maine General Hospital at Eagle Lake, in the county of Aroostook (H. P. 47)

Resolve in favor of Penobscot General Hospital, at Old Town (H. P. 504)

Resolve in favor of Presque Isle General Hospital at Presque Isle (H. P. 76)

Resolve in favor of Rumford Community Hospital Association at Rumford (H. P. 503)

Resolve in favor of St. Mary's General Hospital (H. P. 13)

Resolve in favor of Sisters' Hospital, at Waterville (S. P. 13)

Resolve in favor of Trull Hospital Aid Association of Biddeford (H. P. 379)

Resolve in favor of Waldo County General Hospital, for maintenance (H. P. 226)

Resolve in favor of Webber Hospital Association at Biddeford (H. P. 377)

Resolve in favor of Winthrop Community Hospital at Winthrop (H. P. 375)

Resolve in favor of York Hospital, York Village (H. P. 283) reported that same ought not to pass, as the same have been taken care of by other legislation (Mitchell Bill).

Mr. Bisbee from same Committee reported ought not to pass on bill an act relating to fire protection (H. P. 1043) (H. D. 334)

Mr. Thatcher from same committee on petitions in favor of bonus to Spanish War Veterans (H. P. 750, 751, 752, 753) reported that same be placed on file.

Mr. Bisbee from same Committee reported same on petition of Edwin A. Palmer and others relating to fire protection (H. P. 1521)

Mr. Stone from the Committee on Claims reported ought not to pass on resolve in favor of Clarence W. Morse, compensating him for the loss of poultry (H. P. 286) (H. D. 83)

Same gentleman from same Committee reported same on resolve in favor of James E. Jackson, compensating him for the loss of poultry (H. P. 389) (H. D. 114)

Same gentleman from same Committee reported same on resolve in favor of the town of Thomaston (H. P. 1602) (H. D. 597)

Same gentleman from same Committee reported same on resolve in favor of John F. Booker of Somerville for poultry killed by foxes (H. P. 784) (H. D. 250)

Mr. Perkins from same Committee reported same on resolve in favor of Hazen V. Barrows (H. P. 633) (H. D. 185)

Same gentleman from same Committee reported same on resolve in favor of Mary E. Rogers, compensating her for the loss of a horse (H. P. 390) (H. D. 115)

Mr. Rounds from same Commit-

tee reported same on resolve to reimburse the town of Benton for expenses of a person in quarantine (H. P. 657) (H. D. 198)

Same gentleman from same Committee reported same on resolve in favor of Fred E. Peacock, compensating him for labor (H. P. 587) (H. D. 167)

Same gentleman from same Committee reported same on resolve in favor of Abbie M. Walker, compensation for chickens killed by foxes (H. P. 767) (H. D. 234)

Same gentleman from same Committee reported same on resolve in favor of Edwin F. Fowler for reimbursement for damage done his poultry by coons (H. P. 779) (H. D. 246)

Mr. Dudley from same Committee reported same on resolve in favor of payment for domestic animal killed by hunter. (H. P. 126) (H. D. 54)

Mr. Stone from same committee reported same on resolve in favor of Henry Soucie, of Township 14, Range 6, Aroostook County, Maine. (H. P. 787) (H. D. 253)

(Tabled by Mr. Burns of Eagle Lake pending acceptance, and specially assigned for Friday, March 22.)

Mr. King from same Committee reported same on resolve in favor of Mary S. Beattie, for reimbursement for sheep and lambs killed by dogs. (H. P. 720) (H. D. 210)

Mr. Dudley from same Committee reported same on resolve in favor of Charles W. Huff compensating him for damages. (H. P. 586) (H. D. 166)

Mr. Stone from same Committee reported same on resolve in favor of Stephen Beattie, for reimbursement for sheep killed and injured by dogs. (H. P. 719) (H. D. 209)

Mr. Farris from the Committee on Judiciary reported same on bill an act regarding registration and licensing. (H. P. 1549) (H. D. 566)

Mr. Peacock from the Committee on Legal Affairs reported same on bill an act to create the office of Commissioner of Decisions and Laws and to Abolish the office of Reporter of Decisions. (H. P. 1556) (H. D. 601)

Mr. Taylor from same Committee reported same on bill an act relating to the manufacture and sale of bedding and upholstered furniture. (H. P. 1055) (H. D. 339)

Mr. Blaisdell from same Committee reported same on bill an act relating to bowling alleys. (H. P. 1472) (H. D. 514)

Mr. Peacock from same Committee reported same on bill an act to authorize the Governor and Council to purchase or acquire land for the State and to sell land in certain instances. (H. P. 1473) (H. D. 515)

Mr. Sargent from same Committee reported same on bill an act relating to a system of uniform accounting in cities, towns and village corporations. (H. P. 608) (H. D. 179)

Mr. Holman from the Committee on Revision of Statutes reported same on bill an act relative to Director of Sea and Shore Fisheries. (H. P. 1483) (H. D. 519)

Mr. McCart from same Committee reported same on bill an act relative to the sale of real estate under license of the Probate Court. (H. P. 1578) (H. D. 581)

Same gentleman from same Committee reported same on bill an act relative to estates of absentees. (H. P. 1579) (H. D. 582)

Reports read and accepted and sent up for concurrence.

Mr. Rounds from the Committee on Claims on resolve in favor of the town of Howland (H. P. 929) reported same in a new draft (H. P. 1668) under same title and that it ought to pass.

Same gentleman from same Committee on resolve in favor of the town of Enfield (H. P. 129) (H. D. 57) reported same in a new draft (H. P. 1667) under same title and that it ought to pass.

Mr. McKnight from the Committee on Library on resolve in favor of a Maine State Library Building (H. P. 1022) (H. D. 326) reported same in a new draft (H. P. 1662) under title of resolve in favor of additional room for State Departments and that it ought to pass.

Mr. Holman from the Committee on Revision of Statutes on bill an act relative to Sea and Shore Fisheries Commission (H. P. 1485) (H. D. 542) reported same in a new draft (H. P. 1663) under same title and that it ought to pass.

Mr. McCart from same Committee on bill an act relating to the recovery of estates by writ of entry; mode of service (H. P. 1580) (H. D. 583) reported same in a

new draft (H. P. 1664) under same title and that it ought to pass.

Mr. Stone from same Committee on bill an act relative to recording certificates of decree, barring husband or wife of rights in real property (H. P. 1490) (H. D. 525) reported same in a new draft (H. P. 1665) under same title and that it ought to pass.

Mr. Kitchen from the Committee on Ways and Bridges on resolve in favor of a highway between Long Pond and Greenville (H. P. 454) (H. D. 217) reported same in a new draft (H. P. 1669) under title of resolve in favor of the Jackman-Rockwood Road and that it ought to pass.

Reports read and accepted and the bills and resolves ordered printed under the Joint Rules.

Mr. Holbrook from the Committee on Appropriations and Financial Affairs reported ought to pass on bill an act to amend Chapter 162 of the Public Laws of 1927, as applied to the war bond sinking fund. (H. P. 1523) (H. D. 546)

Mr. Stone from the Committee on Claims reported same on resolve to reimburse the Judge of the Caribou Municipal Court for clerk hire. (H. P. 770) (H. D. 237)

Same gentleman from same Committee reported same on resolve in favor of Lena F. Cummings, widow of Henry F. Cummings. (H. P. 772) (H. D. 239)

Mr. Burkett from the Committee on Legal Affairs reported same on bill an act to incorporate the town of Rumford School District. (H. P. 422) (H. D. 135)

Mr. Hurd from the committee on Towns reported same on bill an act to annex Cow Island to the town of Bremen.

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

Mr. Sturgis from the Committee on Temperance reported ought to pass on bill an act relating to the sale of intoxicating liquors. (H. P. 1587) (H. D. 590.)

Report read and accepted, and the bill read twice under suspension of the rules.

Mr. COMINS of Eddington: Mr. Speaker, I wish to offer House

Amendment A to H. P. 1587, and move its adoption.

The SPEAKER: The Clerk will read the amendment.

House Amendment A to bill an act relating to the sale of intoxicating liquors, H. P. 1587, H. D. 590.

Amend by striking out in the first line thereof the words "liquid or."

House Amendment A was adopted and the bill as so amended was assigned for third reading tomorrow morning.

First Reading of Printed Bills and Resolves

(H. P. 1659) (H. D. 690) An act relating to a State Geologist.

(H. P. 1660) (H. D. 695) An act to amend the charter of the city of Westbrook, in reference to reducing the number of its aldermen, and increasing the time of their office as well as that of the mayor and the board of assessors.

(Tabled by Mr. Robie of Westbrook pending second reading, and specially assigned for Wednesday, March 27.)

(H. P. 166) (H. D. 691) An act to extend the charter granted to the Sandy River and Rangeley Lakes Railroad Company.

(H. P. 867) (H. D. 689) Resolve providing for the purchase of "Minstrelsy of Maine."

On motion by Mrs. Gay of Waldoboro, the rules were suspended and the members allowed to smoke. (Applause.)

Passed to be Engrossed

(S. P. 152) (S. D. 68) An act to authorize the Treasurer and County Commissioners of York County to procure a loan and issue bonds.

(S. P. 254) (S. D. 106) An act to remove the limit of expenditure of third class highway funds upon a section of road where buildings are nearer than two hundred feet apart.

(S. P. 664) (S. D. 325) An act relating to dental hygienists.

(S. P. 683) (S. D. 351) An act to prohibit the erection of any dam on the public waters in the State unless and until all bushes, trees and stumps within the area to be flow-ed shall have been removed.

(S. P. 684) (S. D. 353) An act to amend and extend the charter of Kennebec Reservoir Company, said charter being Chapter 113 of the

Private and Special Acts of 1927.

(H. P. 578) (H. D. 160) An act relating to the apportionment of State aid and agricultural societies.

(H. P. 1632) (H. D. 655) An act to increase the salaries of the Judge and Recorder of the Bangor Municipal Court.

(H. P. 1650) (H. D. 682) An act to provide for the payment of a bounty on bears in towns where damage is being caused to valuable domestic animals.

(H. P. 1655) (H. D. 686) An act relating to the sterilization of milk utensils.

(S. P. 327) (S. D. 119) Resolve for the construction and equipment of an industrial building at the State Reformatory for Men

(S. P. 644) (S. D. 352) Resolve in favor of the town of Lyman.

(H. P. 192) (H. D. 676) Resolve in favor of the trustees of the bridge between East Machias and Machiasport.

(H. P. 479) (H. D. 377) Resolve in favor of the town of Kingman.

(H. P. 481) (H. D. 678) Resolve in favor of the town of Fort Fairfield.

(H. P. 533) (H. D. 679) Resolve in favor of the towns of Gardiner and Randolph.

(H. P. 709) (H. D. 680) Resolve in favor of the town of Dover-Foxcroft.

(H. P. 915) (H. D. 681) Resolve in favor of the town of Medway.

(H. P. 1651) (H. D. 683) Resolve providing for a State pension for Anna L. Gagan of Lewiston.

(H. P. 1652) (H. D. 684) Resolve to provide for a State pension for Mary W. Chamberlain of Portland.

(H. P. 1653) (H. D. 675) Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance and education thereof.

(H. P. 1654) (H. D. 685) Resolve in favor of Caratunk Plantation.

The following papers from the Senate were taken up out of order under suspension of the rules:

Bill an act abolishing the office of coroner. (S. P. 695)

Bill an act to amend Chapter 68 of the Revised Statutes relative to executors and administrators. (S. P. 696)

Bill an act relative to order of court prohibiting restraint of wife pending libel. (S. P. 697)

Bill an act to re-enact Chapter 132 Public Laws 1913, relating to the title of islands belonging to the State, repealed through an error by the General Repealing Act of the 1916 Revised Statutes. (S. P. 698)

Bill an act relative to dissolution of attachments and release of attachments. (S. P. 699)

Bill an act relative to jurisdiction of Prison Commissioners in matter of parole. (S. P. 700)

Bill an act relative to State School for Girls. (S. P. 701)

Bill an act relative to appropriation for Normal Training Schools. (S. P. 702)

Bill an act relative to motions to set aside verdicts on report to law. (S. P. 703)

Bill an act relative to historical documents. (S. P. 704)

Bill an act relative to the validation of defective deeds and records. (S. P. 705)

Bill an act to repeal Section 53 of Chapter 127 relative to publication of disposition of appealed cases and indictments in intoxicating liquor prosecutions. (S. P. 706)

Bill an act relative to the Department of Education. (S. P. 707)

Bill an act relative to lien on real estate, for succession taxes. (S. P. 708)

Bill an act relative to alimony and other provisions for wife in case of divorce for husband's fault. (S. P. 709)

Bill an act relative to hearings and judgments in vacation. (S. P. 710)

Bill an act to repeal Section 10, 11 and 12 of Chapter 8 of the Revised Statutes, relating to the Forestry District. (S. P. 711)

Bill an act relative to penalty for making false affidavit of application for pension for the blind. (S. P. 712)

Bill an act relative to malicious injuries to certain public property. (S. P. 713)

Bill an act relative to the share of a child or his issue having no devise under a will. (S. P. 714)

Bill an act relative to the sale of intoxicating liquors, definition. (S. P. 715)

Bill an act relative to affidavits of plaintiffs in actions in account annexed. (S. P. 716)

Comes from the Senate referred to the Committee on Revision of Statutes.

In the House: Referred to the Committee on Revision of Statutes in concurrence, and on motion by Mr. Kitchen of Presque Isle 500 copies of each ordered printed.

Passed to be Enacted

(S. P. 156) (S. D. 334) An act relating to the salary of the Sheriff of Washington County.

(S. P. 368) (S. D. 218) An act to incorporate the Big Black River Dam Company.

(S. P. 459) (S. D. 186) An act relating to rules and regulations governing the issuance of teachers' pensions.

(H. P. 510) (H. D. 650) An act relating to the Bucksport Seminary.

(H. P. 842) (H. D. 268) An act relating to the establishing of a municipal court for the city of Lewiston.

(H. P. 1214) (H. D. 405) An act relating to procedure before Public Utilities Commission.

(H. P. 1406) (H. D. 468) An act providing for committee of visitors to Pownal State School.

(H. P. 1407) (H. D. 469) An act relating to certain reports to the Commissioner of Labor and Industry.

(H. P. 1595) (H. D. 593) An act regarding disposition of motor vehicle fees.

(H. P. 1627) (H. D. 645) An act to regulate water flowage in North East Pond.

(H. P. 1629) (H. D. 648) An act relating to the relicensing and registration of undertakers.

An act to set off certain land from the town of Hudson to be annexed to the city of Old Town (H. P. 1635) (H. D. 659)

An act to prohibit lobster fishing in certain waters in Winter Harbor and Gouldsboro (H. P. 1635) (H. D. 658)

Finally Passed

Resolve in favor of Philip T. Carroll (S. P. 33) (S. D. 323)

Resolve in favor of the Pownal State School for maintenance (S. P. 71) (S. D. 41)

Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment (S. P. 164) (S. D. 74)

Resolve in favor of the Northern Maine Sanatorium for maintenance, personal services, repairs and equipment (S. P. 165) (S. D. 75)

Resolve in favor of Department of Maine Grand Army of the Republic (S. P. 190) (S. D. 326)

Resolve in favor of the Bangor State Hospital for additional equipment and renovations (S. P. 455) (S. D. 174)

Resolve in favor of the Augusta State Hospital (S. P. 527) (S. D. 335)

Resolve in favor of the Augusta State Hospital for maintenance and other purposes for the fiscal years 1930 and 1931 (S. P. 672) (S. D. 336)

Resolve for the purchase of 100 Copies of "The Beginnings of Education in Maine" (H. P. 1609) (H. D. 651)

Resolve for the purchase of 100 Copies of "Sketches of Brooks History" (H. P. 1610) (H. D. 652)

Resolve for the purchase of "Embsden Town of Yore" (H. P. 1614) (H. D. 653)

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair presents the unfinished business of yesterday, action upon the House report, ought to pass in new draft from the committee on Public Utilities on bill an act granting the right of eminent domain to electric power companies doing a public utility business, the pending question being the acceptance of the report.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, the committee on Public Utilities has reported unanimously that this bill ought to pass. I move the acceptance of the report of the committee. I have nothing whatever to add to what was said yesterday in discussion of this measure.

The SPEAKER: The gentleman from Cape Elizabeth (Mr. Chase) moves the acceptance of the report.

Mr. PEACOCK of Readfield: Mr. Speaker and Members of the Legislature: I just want to comment briefly on a few things that have been said in connection with this bill. This bill provides the right of eminent domain to electrical companies where the lines cannot pass nearer than three hundred feet to an inhabited dwelling. It excludes corporation lands and prohibits them from coming within

three hundred feet of a water power, either used or unused.

I want to thank the gentleman from Cape Elizabeth, Mr. Chase, for calling my attention to the fact that inadvertently I stated that this bill in the Eighty-third Legislature was indefinitely postponed. I have no intention of making, to this body or any other body, an intentional mistake or stating a thing that is wrong. I understand the bill did pass and was vetoed by the Governor, for which I wish to compliment him.

Eminent domain gives the right to this company to use the property of the citizens of the State for its particular purpose. Now just what is the significance of this bill. It can pass within three hundred feet of an inhabited dwelling house. How near can it go to a summer cottage which might be worth ten or twenty thousand dollars? What interpretation will the court put upon this bill if it is ever placed before it? Now I will quote from the Standard dictionary, and if that is incorrect, the gentleman from Cape Elizabeth will correct me, just what "inhabited" means. "To live or dwell in; to occupy as a home or remain in a permanent home or place of fixed abode." Now the question is whether the court's interpretation of a valuable summer cottage would be "a fixed home" or "an inhabited place," and, if so, if it did not become a residence, then they might find themselves in the unpleasant position of having a large power line very close to their summer residence, which would be unfortunate.

I also wish to address myself briefly to the provision made for changes by the County Commissioners. It is true that the County Commissioners approve the location and assess the damages. It is also true that either side, if dissatisfied, may appeal to the Supreme Court; and in case of an appeal you will find there the corporation represented by the able attorneys whom we have seen about this building ever since this Legislature convened, and the property owners must go to the expense of hiring attorneys at an expense which may exceed all that he would get in damages. If an

appeal is taken to the Supreme Court, only two questions can be considered. One is the rules and regulations laid down by the Commissioners and the other the damages. I have had a little experience in working before County Commissioners. Only last year, or it might have been the year before, there was a case in Waldo county, where one of the County Commissioners was an eminent gentleman, member of the present House, the gentleman from Freedom, Mr. Small, and upon an appeal from a tax question the man was granted relief. The town took its appeal, as it had a right to do, to the Supreme Court. The appeal was based on the fact, as the County Commissioners understood it, that all property in the State of Maine should be taxed equally according to its fair valuation; but on the appeal to the Supreme Court, and by the decision laid down by that Court, the man had no redress for the reason that unless he could show that his property was valued for more than its fair market value, it made no difference how much his neighbor paid, if it was only on a half valuation, even though his property was valued twice as much as the property of his neighbor, identically like it, because his property was not valued on the assessment books at more than its fair market value. The result was that this man had to pay not only his attorney fees—by the way I was not the attorney when he first started—but costs amounting to about one hundred dollars. This is just why the rural people fear to be linked up in any kind of a lawsuit against the large corporate interests, because they have the highest paid attorney, the best that can be found, and the private individual does not feel that he stands any show. Therefore, I trust that you will not sustain the motion of the gentleman just made because I believe, and I believe it honestly, that this is a piece of vicious legislation; and I want to say to you that I am interested in a corporation myself, that I have some stock in it, that I am an attorney, but I consider my duty to the people I represent much higher than my own personal interests. (Applause)

Mr. TAYLOR of Belfast: Mr. Speaker, this matter is not primarily a rural electrification measure; but as that point has been brought up in argument, I feel it proper to consider it at this time.

Public corporations serving the public under the public utility laws are organized for the purpose of reaching out and serving the greatest number of people in the State or community. The country at large has advanced in progress, during the development of the public utility organizations which have been growing all the time, and these public utilities or corporations are the proper outcome of the progress of the country because no individual can carry on alone the work which these companies do. Public utilities, like the railroads, water districts, gas districts all may not particularly serve each individual alike. For instance a railroad has powers and eminent domain, perhaps passes by certain farms with its trunk line, paying damages in cases taken by eminent domain where there is not agreement between the parties and the corporation itself, and would not serve that particular community or particular farm that it passes by with this very trunk line, and which yet would serve those within a mile or two miles from the station or terminal to much better advantage. That seems to be the situation in this particular case. Public utilities, like electric power companies, can be of great service to the people. It is not necessarily true that because they do not serve every particular individual or person alike, or every particular community alike, that we should class them as outlaws. It is better that they should be encouraged to function as a public servant than that they should be suppressed by legislation.

I will further say this: The law as enacted cannot serve every particular individual or fit every particular situation that may arise. These laws should be passed for the greatest number of people. Now it is true that public utility corporations are organized on a business basis; in fact every successful business is organized on a business basis whether it be an individual

or corporation; and if that were not so it would cease to function after a while. Therefore we find that public corporations, whether they be public utilities or otherwise, are always seeking, through research and other effort, to reduce the cost of functioning in their service to the public in order that they may reach out more and more to increase their service to the people. Therefore I ask that we support this measure for the benefit that might accrue therefrom.

There is another point to be considered: In all the arguments that have taken place, there has been very little shown as to the use of eminent domain power. There are situations that may arise that have not been taken to court. It is true that there will always be expense of legal proceedings, but the foundation of this government is equal rights to all, and a corporation is nothing more than an individual existing in contemplation of law and subject to the same rights, and should be subject to the same privileges, so far as legislation is concerned for its growth and betterment that it may properly serve the people in its best capacity. I move that we accept the bill granting the right of eminent domain.

Mr. CLIFFORD of Garland: Mr. Speaker, as one of the two men who opposed this measure in committee meetings, perhaps it is only fitting that I should express my views in regard to it.

As the gentleman from Cape Elizabeth, Mr. Chase, objects to a layman taking the legal side of a question, although I am standing between two lawyers and might be considered within the law, I will not take up that side of the question. The question that I raise is the question of justice. The right to own property and the exclusive use thereof is an inherent right to the people of this country. This right should not be interfered with except as necessity and the use of the public demands, and I claim that public necessity does not exist in this case. It is simply a private privilege to a corporation, and therefore I oppose the measure and I move that when the vote is taken it be by a ye and nay vote.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the report of the committee, ought to pass, be accepted. The gentleman from Garland, Mr. Clifford, has moved that when the vote is taken, it be taken by the yeas and nays. As many as support the motion of the gentleman from Garland, Mr. Clifford, will rise and stand in their places until counted and the monitors will return the count.

A sufficient number arose, and the gentleman's motion prevailed.

The SPEAKER: The Chair will explain that the situation is the reverse of that of yesterday. A vote of "yes" is a vote for the bill and a vote of "no" is a vote against the bill. The Chair recognizes the gentleman from Westbrook, Mr. Robie.

Mr. ROBIE: Mr. Speaker, the gentleman from Sanford, Mr. Tucker, went home ill yesterday. He has requested that his vote be paired. I agreed to pair with him, and I ask permission of the House that I be excused from voting.

Thereupon Mr. Robie was excused from voting.

Mr. BACHELDER of St. George: Mr. Speaker, I ask leave to be excused from voting when my name is called. I have arranged to pair with Mr. Blodgett of Bucksport who is unavoidably absent this morning on account of sickness. Mr. Blodgett if present would vote "yes," and I would vote "no."

Thereupon Mr. Bachelder was excused from voting for the reason stated.

Mr. DAIGLE of Madawaska: Mr. Speaker, do I understand that a vote of "yes" today would be equivalent to a vote of "no" yesterday?

The SPEAKER: Any gentleman who voted "no" yesterday will vote "yes" today unless he has changed his mind. (Laughter) The Clerk will call the roll.

YEA—Adams, Allen of Camden, Allen of Sanford, Bishop, Bissett, Blaisdell, Blanchard, Boston, Bove, Burkett of Portland, Burkett of Union, Carleton of Portland, Chase, Clark, Comins, Daigle, Eaton, Farris, Folsom, Ford, Foster, Friend, Gay, Gillespie, Hamel (George), Hammond, Hathaway, Heath, Hill, Hol-

brook, Holman, Hubbard, Hughes, Jackson of Bath, Jackson of Portland, Jacobs of Wells, Jones of Waterville, Jones of Winthrop, Kane, King, Laughlin, Libby, Locke, Mansfield, McCart, McLean, Melcher, Merrill, Milliken, Morse of Rumford, Palmer, Perham, Quint, Rackliff, Rogers of Greenville, Rumill, St. Clair, Sargent, Seavey, Small of Freedom, Small of East Machias, Stanley, Sterling of Caratunk Pl., Stuart, Sturtevant, Taylor, Thatcher Towne, Webster of Auburn, White of Dyer Brook, Williamson, Wing, Wright—73.

NAY—Aldrich, Anderson of New Sweden, Anderson of South Portland, Angell, Ashby, Bailey, Belleau, Bissbee, Boynton, Briggs, Burns, Burr, Butler, Buzzell, Campbell, Carleton of Wintertport, Clifford, Couture, Crawford, Day, Dudley, Fogg, Gagne, Hamel (Rodolphe), Harrington, Hatch, Hawkes of Richmond; Hawkes of Standish, Hunt, Hurd, Ingraham, Jack, Jacobs of Auburn, Jones of Corinna, Jones of Windsor, Kitchen, Lenfest, Leonard, Lewis, Littlefield of Farmingdale, Littlefield of Monroe, Lombard, Lowell, McKnight, Morin, Morse of Oakland, O'Connell, Patterson, Peacock Perkins, Picher, Potter, Powers, Rea, Richardson, Roach, Rogers of Yarmouth, Roy, Saucier, Sterling of Kittery, Stelson, Stone, Sturgis, Varnum, Vose, Ward, Webster of Buxton, Wight of Newry—68.

ABSENT—MacKinnon, Pike, Pratt, Rounds—4

PAIRED—Bachelder, Blodgett Robie, Tucker—4.

The SPEAKER: Seventy-three having voted in favor of the acceptance of the report and 68 in the negative, the motion that the report be accepted prevailed.

On motion by Mr. Chase of Cape Elizabeth, this being a printed bill, the rules were suspended and the bill had its two several readings and tomorrow assigned.

The SPEAKER: The Chair presents the second matter of unfinished business of yesterday, bill an act relating to fusible plugs in steam boilers, H. P. 1637, H. D. 661, tabled on March 15th by Mr. Picher of Waterville, the pending question being second reading; and the Chair recognizes that gentleman.

Mr. PICHER: Mr. Speaker, I would like to inquire if this would be the proper time to offer an amendment?

Mr. SPEAKER: If the gentleman will allow the bill to be given its second reading, he may then offer an amendment.

Thereupon, on motion by Mr.

Picher, the bill had its second reading, and that gentleman offered House Amendment A and moved its adoption as follows:

House Amendment A to House Paper 1637, entitled bill an act relating to fusible plugs in steam boilers.

Amend Section 25 by adding at the end of sub-section u the following: "nor to cast iron boilers carrying less than fifteen pounds pressure."

House Amendment A was adopted and tomorrow assigned for the third reading of the bill, as amended.

The SPEAKER: The Chair presents the first matter tabled and today assigned House report, ought to pass, from the committee on Ways and Bridges on bill an act to provide for the building of a highway bridge across the Kennebec river between the towns of Richmond and Dresden, H. P. 716, H. D. 208, tabled on March 18th by the gentleman from Freeport, Mr. Patterson, the pending question being the acceptance of the ought to pass report; and the Chair recognizes that gentleman.

On motion by Mr. Patterson the bill was recommitted to the committee on Ways and Bridges for corrections and changes.

The SPEAKER: The Chair presents the second matter today assigned House Paper 1643, H. D. 668 bill an act to incorporate Madawaska Water Company, tabled on March 18th by the gentleman from Madawaska, Mr. Daigle, the pending question being second reading; and the Chair recognizes that gentleman.

On motion by Mr. Daigle, the bill had its second reading and tomorrow assigned.

The SPEAKER: The Chair presents the third matter today assigned, Senate Paper 666, Senate Document 332, bill an act relating to the jurisdiction of the Supreme Judicial and Superior Courts, tabled on March 19th by the gentleman from Portland, Mr. Rounds, the pending question being its passage to be enacted; and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair presents the fourth matter today assigned, being House report, ought not to pass, of the committee on

Ways and Bridges on bill an act relating to the mill tax highway fund, H. P. 1095, H. D. 353, tabled on March 18th by the gentleman from Kingfield, Mr. Wing, the pending question being the acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Wing, the bill was retabled and specially assigned for Tuesday, March 26th.

The SPEAKER: The Chair presents the fifth matter today assigned, House report ought not to pass, committee on Judiciary, on bill an act relating to the Police Commission of Lewiston requiring the Commissioners to be appointed by the Mayor, and providing a Referendum to the Electors of Lewiston, H. P. 850, H. D. 276, tabled on March 20th by the gentleman from Lewiston, Mr. Roy, the pending question being acceptance of report, and the Chair recognizes the gentleman.

Mr. ROY: Mr. Speaker, with your kind permission, I would like to say a few words on this subject Mr. Speaker and Members of the House, we have before us a bill that is down but not out. You may beat it and pound it and thrash it as long as you will but you can never knock it out. It will come up at all future Legislatures so long as the people of Lewiston have not been treated fairly as other cities are.

To pass a special law for one town or one city that you would not tolerate in your own town, is certainly unfair if it is not outrageous. The so-called Police Commission Bill that this act would modify was passed through this Legislature in 1917 in a cowardly, shameful manner. It cast a shadow of doubt on the reputation of our citizens. It creates a feeling of subordination so humiliating to self-respecting, liberty-loving, free American people.

In 1917, nearly the end of the World War, the whole country, as you know, was in a rather chaotic situation. Here in Maine, as elsewhere, people in general seemed rather inclined to disregard the laws pertaining to the minor offenses, such as Sunday amusements, gambling, and the sale of intoxicating liquors.

In Lewiston there were open places selling liquor the same as we had

when we had the Fernald Law in the State, and the Police seemed inclined to disobey or disregard the laws pertaining to that. But while they failed to enforce the laws on the liquor question, it is untrue that life and property in Lewiston has ever been in danger through lack of police protection. In the homes as well as on the street, in all parts of Lewiston, citizens were as secure then as they are now.

Now what about the other cities? This liquor question was about the same throughout the State. In Portland, for instance, where business often calls me, on Commercial Street, there were rum holes; on Congress Street the hotels and most of the drug stores sold it over the counter. On the cross streets and side streets I saw there bars that rivalled the best bars in cities where there was open license. You entered some of these places, and polished counters extended the whole length of the room; large plate mirrors covered the walls, before which were displayed choice grades of ales, wines and liquors. I am told that in other cities,—Bangor and Bath—that they were far ahead of Portland and Lewiston in the sale of intoxicating liquors.

Now why did we jump with all fours on Lewiston, and let the other cities go unmolested? One reason, I believe, is that Lewiston had for a long time a Democratic administration, and you know where one party remains in power a long time that it brings a big flock of lame ducks, and that is what we have in Lewiston, and a few of these, with a few Republicans, started a campaign against the City Treasurer and the police force. This attracted the attention of religious authorities. Pastors, in disguise, made the rounds of these places, and the war started in earnest. From the pulpit, in the newspapers, in religious circles and temperance unions, the topic of the hour was the terrible conditions in Lewiston. The police officers, of course, were the ones that were aimed at.

Now to prove that Lewiston was no more disgraceful than than it is now, you have the criminal record of all the cities of the nation, and you will find in all kinds of manufacturing cities Lewiston is one that has the lowest criminal record

of any in Maine or anywhere in the United States.

I do not wish to say that the Pastors who investigated this matter bore false witnesses, but they certainly did make slight errors look like mountains of wrong.

A bill was drafted and introduced into this Legislature and it took the regular course of other bills to the committee, but when it came out of the committee, it was reported in a new draft, and what was the new draft? It was an entirely new bill, with very few exceptions. The referendum had been taken off. A commission of two Republicans and one Democrat was to be appointed by the Governor, and in the place of the referendum an emergency clause was attached, and it was shot through this Legislature like a bullet. Lewiston did not have a chance to say one word on the subject.

Now why a commission of two Republicans and one Democrat for a city that is overwhelmingly Democratic? Would you gentlemen stand for that in your town? Supposing Washington named a commission of two Democrats and one Republican to run your Highway Department—what would you say about it? We are in the same position. The cowardly manner by which the bill passed through the Legislature was reflected in the editorials of the Lewiston Sun. I will read you a few of them: March 5th, 1927, the Editor said: "It would be too good to hope for if Mr. Morey gets that tyrannical Police Commission bill before the Supreme Judicial Court and gets a decision that it is unconstitutional."

And the next day he says "Our new spring suit of policemen, will it be the old-fashioned home-made brand whittled out by a Democratic mayor and the board of aldermen? Or will it be a made-in-Germany manufactured with an unconstitutional commission machined through the Legislature on the order of the Chamber of Commerce?"

Now let me say it is not true that the Chamber of Commerce acted officially in this matter. Just two weeks ago I went through the records of the Lewiston Chamber of Commerce for 1916, 1917 and 1918, and not one word appears on their record relating to this Police Commission, and members have told me that nothing was done until a few members of that commission came in here and pre-

tended they were the Lewiston Chamber of Commerce.

On March 7th, 1917, the Lewiston Sun said: "Is today the date of the commitment of Lewiston to the home of the feeble minded?"

"It would be a pleasure to believe that Governor Milliken's mind is so constituted that as a result of that conference with the pastor of Pine Street church, if there were such a conference yesterday, he decides to hold up the Police Commission bill until he has learned at first hand the real condition in Lewiston."

He says again, later: "The Maine Legislature took home rule away from Lewiston. Lloyd George, you will notice, though his speech was so unsatisfactory that Redmonites left the House, yet even Lloyd George promised home rule to any part of Ireland that wanted it. The House of Representatives of Maine voted home rule away from Lewiston, and did not give Lewiston a chance to say whether she desired that humiliation or not. Right here in Maine the same devilish spirit-tyranny."

Then again he says: "Lewiston is in disgrace every day she is in the hands of a Governor-appointed commission."

And later, four years ago, when they attempted to pass a measure to put Lewiston under guardianship, he says: "Lewiston going over to Augusta to parade her little dirty inefficiency as a respectable, self-governing community! Was it in 1917 that respectful Lewiston people showed such cruel disloyalty to Lewiston that they went to Augusta and got the non-compos uniform put into Lewiston?"

Now, gentlemen, the Editor of the Lewiston Daily Sun is one of our most respected citizens. Do you believe that he would stand for corruption against our city? I think not.

Now this commission was named. It immediately reorganized the police force, and the police force, with two exceptions, was exactly the same as the old police officers that were there at the time. Now those men who before the hearing had been branded as grafters, low-down scoundrels, suddenly became respectable, honest gentlemen. This act is not only humiliating but it puts us in a rather awkward position. For instance, if we want to add a patrolman to the force, we have to come

to the Legislature, drop a bill in the hopper, and have it go to the committee, and the committee advertises it in the newspapers, to tell the people of Lewiston to come here and show why they should be permitted to add another police officer to the force. Then that bill comes back where it started and maybe Bill Jones from the northern part of Maine will discuss the matter with Peter Smith from the southern part of Maine, then Joe Baptiste from Quebec will probably have a spat with Pat Holligan from Cork, and then we are asked: "Is it the pleasure of the House that this bill have passage?" In other words is it the pleasure of the House that Lewiston be permitted to have an adequate police force? If we modify or change the salaries in any way, we have to stage that same thing.

Now the same committee was prejudiced; I don't know what to make of it—I do not think there is a word in the dictionary that really expresses it. How many of you gentlemen here would stand for that? We have a referendum on this bill, but when you refer to a referendum they say there is no use in referring that to the people,—they do not understand it. Is there any reason why we people—live men—cannot understand this just as well as anybody here?

At the hearing one of the opponents asked me: "Do you really want a change?" "I certainly do," says I. "Then," said he, "you are in the position of the man who took patent medicine, and on his tombstone was written—'I was well. I wanted to be better, and here I am.')" (Laughter.)

Now this gives the impression that we should leave well enough alone. I do not believe progress is accomplished only when you find something new. If we had not had a blind fool, America would not be honored with a Lindbergh today. I say to you gentlemen, if his ancestors way back had stopped at leaving well enough alone, he undoubtedly would still be in a tree with a monkey's tail behind him.

Progress is only accomplished by trying something new. Now, gentlemen, I cannot see why you should leave one city in a class by itself. I do not object to the way we are doing, if you take the whole

of the State and treat them the same, but when you treat one city differently from what you do the other cities, it certainly looks bad for us, and I hope you will support my motion to accept the bill for the report.

The SPEAKER: The gentleman from Lewiston, Mr. Roy, moves to substitute the bill for the ought not to pass report. Is the House ready for the question?

Mr. FARRIS of Augusta: Mr. Speaker, I wish to say a few words before the action is taken. I signed the report of the committee, which was unanimous. We heard all the evidence presented in favor of this bill. The only man who appeared for the bill was Mr. Roy. Mr. Roy introduced the bill, and he appeared for the bill. There were several reputable citizens of Lewiston who appeared against the passage of this bill. After due consideration and deliberation we reported this bill out ought not to pass.

We heard the evidence of the condition of the Lewiston Police Force before this law went into effect which this act seeks to repeal. It seems that offices over there were bartered and sold. For officers and patrolmen, there was a price on those small offices.

This bill tends to put the Lewiston Police Force back into Democratic politics in the city of Lewiston. The law under which the Police Commission is now functioning has been working very well, and they have an efficient police force in the city of Lewiston. Their captains and lieutenants and their patrolmen are of a very high class.

I trust and hope that the motion of the gentleman from Lewiston (Mr. Roy) will not prevail.

The SPEAKER: Is the House ready for the question?

Mr. WEBSTER of Auburn: Mr. Speaker, I rise in protest against the gentleman's motion. I am not a citizen of Lewiston, although I was formerly, and served two years in the City Government. I am now a merchant in Lewiston, however, and I do know and realize some of the conditions that existed previous to this Police Commission.

It seems the gentleman from Lewiston (Mr. Roy) wishes to impress

the House with the fact that the Chamber was not interested. I can say conclusively and sincerely that I was a member of that Chamber of Commerce, and they were very much interested in the matter at the time.

Now this seems to me a good deal of much ado about nothing. I am reluctant to rehearse the conditions which brought about this bill or brought about a Police Commission, I do not care to speak illy of the city of Lewiston. The gentleman from Lewiston (Mr. Roy) has already relieved me of that. In other words, he has acknowledged the conditions that did exist.

The city of Lewiston was in distress, and we came to the Legislature for relief, and it was granted. Under that relief we have a Police Commission which provides policemen in quality and service second to none in the State, and if there is anything which the city of Lewiston is proud of, it is their police department. I have here records which I will not take the time to read because I do not think it is necessary.

This bill simply calls for a referendum. In 1925 there was a referendum given to the city of Lewiston upon the question of police salaries. Out of 11,580 registered voters in the city of Lewiston, 1701 voted, showing that 16 per cent of the voters expressed their interest in this matter, which goes to demonstrate the lack of interest and the indifference on the part of the voters. It indicates that the overwhelming majority do not care to register their opinions, and are willing to allow their Representatives to enact the laws of government.

There are many precedents to which this bill is comparable. The State of Massachusetts appoints the police commissioners of Boston; the State of New Hampshire appoints the police commissioners of Manchester.

There is another phase which has not been brought out, which is very important to me, and must be, necessarily, to you. The laws of the State have to be protected and enforced. The State has a big interest in our police force in Lewiston, so they are interested.

At the hearing, as stated by the gentleman from Augusta, (Mr.

Farris) the only proponent was the gentleman from Lewiston, Mr. Roy, who introduced the bill. There was not another single citizen. The Mayor of Lewiston was not there, and there was no petition in favor of this bill or remonstrance against it. I say to you candidly that this commission has worked efficiently; it has justified its existence, and there is no logical reason why it should be changed.

Mr. RODOLPH HAMEL of Lewiston: Mr. Speaker, I want to be very brief, and I believe the membership of the House will enjoy that? The matter before us this morning is one that has been before every Legislature since 1917. It seems to me that there must be something behind this measure, or the proponents of the measure who have been licked every two years since 1917 would stay licked.

I will not go back of 1917 and tell you what Lewiston was. I do not think that is necessary. Lewiston, previous to 1917, was like every other city of its size in the country. It was an American city, policed by Americans, and I think we could live and walk on the street and not be molested by anyone. Therefore the measure before us does not relate to anything beyond 1917, and I will not discuss that.

My friend, the gentleman from Auburn, Mr. Webster, just said to you there has been a great change since 1917. There may have been. He also told us he moved from Lewiston in 1917. Perhaps that is the reason. (Laughter).

The only thing I want to say to the members of this House is: There is one appealing feature in the bill and that is the referendum, and I sincerely trust and hope you will grant the voters of Lewiston a referendum.

Now I have no grievance against the Executive of the State who makes our appointments for police commissioners. I have no grievance against the police commissioners. I know them—they are all friends of mine. I have no grievance against the officers or the men of the police force. They are all good men. But I think you will recognize that we have a right to ask for a referendum, and I pray sincerely and hope you will grant the voters of Lewiston that referendum.

Mr. BELLEAU of Lewiston: Mr. Speaker and gentlemen of the House:

I do not think that the real point has been touched. I am sorry to see people coming from all over the State asking the Legislature to grant them a charter for their town where it will be managed by a manager. I am sorry. The best government that New England has given to the world is the home rule, the town government. The gentleman from Auburn (Mr. Webster) has spoken. A splendid city—Auburn, with a population of 20,000 people, and they had to send abroad for a manager; they had to be put under guardianship. (Laughter). And we in Lewiston are not here to wash any dirty linen, but we are after that thing that was so dear, the town system, that Jefferson wanted to give Virginia. It is the home rule we are after.

Now there are two questions in Lewiston. There are two camps. One camp wants to domineer, whether they are in a majority or not—they want to domineer. There is another camp that will give you perhaps more light than any light that has been thrown on the situation.

The Lewiston Sun is edited by a splendid American, and here is what he said during this controversy:

"If any of our citizens are disposed to put something over on the majority of us, the majority of us should get together and make it hot for such betrayers.

"The Lewiston citizen who should accept membership in the commission appointed by the Governor to domineer Lewiston should find Lewiston too hot a place to enjoy life."

It is not an Irishman that speaks, it is not an Irishman—we are all Americans—when it comes to certain questions where there is something underneath. But the man that speaks to you now is a splendid American, the Editor of the Lewiston Sun, one of the best papers published in New England:

"Such a citizen should be looked upon with as much distrust and dislike as if Maine had been invaded during the World War and a Hun led in military control of us.

"When the talk is about large taxpayers being in favor of such a surrender"—the gentleman from Auburn (Mr. Webster) has alluded to the fact that nobody appeared before the committee to promote this bill. The promoters are small taxpayers. They are at home, and they are not running to the Legislature to secure a referendum.—"it is enough to say

that government in Maine is not yet put into the choice of large taxpayers. Whatever were the merits of property qualification for voters, that property qualification does not decide in Maine.

"When you talk about big taxpayers, consider the long list of small taxpayers.

"And consider that after all, the accepted theory in this country is manhood suffrage. In Lewiston the vote of one voter is as good as the vote of another voter; every voter is entitled to consideration.

"Public spirit and self-respect.

"One more condition. No plan should be adopted that is not adopted by a single simple straight large vote of the voters of Lewiston.

"There ought to be in Lewiston by this time enough of local pride to make it impossible to put over on us another humiliation like the Police Commission. It ought to be impossible to find in Lewiston one citizen with so little pride in Lewiston that he will accept an appointment from the Governor to lord it over Lewiston.

"There is no sufficient reason for believing that Lewiston will be saved by a commission of any sort.

"There is already too much commission—too much committee method, with its fatal dissipation of responsibility.

"The new plan that will give us better administration for our taxes is to be looked for in concentration of responsibility in a single head. Call him whatever pretty name you please. Mayor is as good as any. But one man. Supreme in control. Responsibility which he has the power to misuse."

Now, the Journal last night came out and said: Lewiston has \$69,000 in cash in its coffers, and the school board has \$10,000 in cash in its coffers. Is there any town or city better administered? The Mayor re-elected five times, with the confidence of the people, the confidence of the Lewiston Journal, the confidence of everybody, but when it comes to giving him the right to appoint the Police Commission, he is not the right kind of a man!

Governor Fuller recently said "It is true that this bill"—this was a bill imposing something similar on some city in Massachusetts—"would first be submitted to the municipality for acceptance, but this is

an insidious substitute for local self-government where no substitute is required or desired. Furthermore conditions change, but the home government is given no power under this bill to change its action once taken." Are we in Lewiston going to be put in the position where we cannot pay our police men a dollar more or a dollar less without coming here? "No Legislature can ever know as well as do the home folks the financial capacity of the local community and the wages that there prevail. The town meeting is New England's best political contribution and should be allowed to function freely without undue interference by the State.

"There is widespread opposition to this legislation. Public officials and citizens in different walks of life, including those of modest incomes, have sent their protests to the executive department."

"I want to read you a couple of things more. We have here in Maine, and have had in Maine, great men, but none greater than General Chamberlain whom you all will remember. General Chamberlain spoke on this question. He said: "It is not an unreasonable theory that the State should secure the even and impartial execution of her laws throughout her jurisdiction. So far probably all good citizens would agree; but the erection of a special police for the purpose mainly of enforcing the liquor law beyond, certainly, if not against the wishes of the municipalities, has been urged by some as a proper measure, and proclaimed by a few as a test of allegiance to the cause of Temperance. But in a government like ours one of the most delicate things which a State could be called upon to do, is to invade the ancient rights and dignities of towns, which the historian and statesman know are at the foundation of our liberties. It is still difficult when the issue is upon a contested question of social ethics, or public morals, on which even good men might be divided, and bad men find pretext for giving the most dangerous passions way."

"Gentlemen, I will not tax the patience of any member of the House any further. As I said at the beginning, I say at the end, it is a question of home rule. If you take home rule from Lewiston, take it

from all the rest of the towns. I was in this House some few years ago when the same question came up over giving Biddeford a Police Commission. I stood in one of these seats, and I warned the State that it was wrong, that it was not American, that it was not good policy. They put the Commission through. Within three or four or five years they came back, and that commission was withdrawn. However, my brother Roy is not wrong. All the police forces throughout the State in all the towns should be under a commission appointed by the Governor, or no one should. We feel humiliated, and we should not feel humiliated; we should be proud of Lewiston. We are paying our debts fast; we are well administered, and we are just as capable of giving our city a splendid police force as any other city in the State. I thank you."

Mr. ROY: Mr. Speaker, I wish to add just a few words further to what has been said. Now the issue is not the efficiency or the inefficiency of the police department or commission. We desire no change. Our police are as intelligent as any others throughout the State. We have bootleggers doing a thriving business but the little fellows are roped in. It is quite impossible for the police to wipe all those out. All we ask for is that the Mayor name the commission when it becomes necessary. The commission is there for as long as they wish to remain.

Now we heard yesterday that if it does not work, repeal it in two years, and I should be one of the first to want to do so. I am positive that things will go along just as well as today.

Now they said they had no representation at the hearing. Is it necessary to bring the whole city of Lewiston there to tell you that it is desired to have our city run by this Legislature—by Tom, Dick and Harry who know nothing about Lewiston? Have you heard in this House one man from Lewiston that was against this bill? No, it is people outside—our neighbors. There is a gentleman here who is doing business in Lewiston, whom I am sure would say, if you should ask him, that his business is better today than it was in 1917. It is unfair to compare conditions today with conditions in 1917. It is just

as unfair as it would be to compare our living conditions today with the dark ages of Biblical days or the Middle Ages. It would be just as unfair to compare Lewiston today with 1917 when this country was in a chaotic situation.

In reference to the hearing: Now the representatives of the opponents were mostly police officers, and the clerk of courts, who gets \$3 from the police officer for every case that is bailed out, \$3 in the daytime and \$5 in the evening. Of course he is interested. He probably would not be otherwise.

Now in the remonstrance there were eighty-one who claimed they were business and professional men, and it was the police officers themselves who solicited those signatures. I looked over those letters very carefully and read the most of them. Those letters were mostly dictated or written by one and the same person. I am a very poor politician. If I had been a better politician, I could have gotten a thousand such letters.

According to the annual register of Maine we have nearly 1,200 business and professional men in Lewiston. They had 81 that signed; 470 merchants, and they had 51 merchants that signed. We have 64 doctors and nine signed. Manufacturers, eight out of 125; druggists, three out of 16; bakers, one out of 12; lawyers, three out of 44; and the policemen covered the territory pretty well.

I was in a drug store when one police officer came in. I was sitting down waiting for a prescription to be filled. He said "Are you satisfied with the police force?" The proprietor said "I surely am." "Are you satisfied with the commission?" "Why, certainly." Then he said, "Do you know there is a bill in the Legislature to make a change, and if you are not in favor of the change, will you kindly sign," and the proprietor did. Now out of curiosity I thought I would go around and see what argument they had used. I have been there forty years and my business brings me in contact with the business men, and I know them all. I went in different places, and practically the same argument was used. I went into one where I was well acquainted, and I said "Did the police

officers come in here with a paper for you to sign?" He said "Yes." "Did you sign it?" "Sure." I said, "Do you know that they want Mussolini to come here and run Lewiston?" He said "I don't care, as long as business is good." (Laughter).

I could have had letters enough and people enough up here if that is what the committee had desired. But, gentlemen, I won't keep you any longer because I do not see how, if it were reversed—I do not see how I could support a measure that would keep your people in another class than myself.

Mr. STURGIS of Auburn: May I ask the gentleman from Lewiston, (Mr. Roy), one question?

The SPEAKER: The gentleman from Auburn, Mr. Sturgis, desires to propound an inquiry to the gentleman from Lewiston, Mr. Roy, which the gentleman may answer if he wishes to.

Mr. STURGIS: Has the mayor changed his mind since two years ago?

Mr. ROY: He did not understand the question two years ago and he would say so today I am positive.

The SPEAKER: Is the House ready for the question?

The question was called for.

Mr. STURGIS: Mr. Speaker, I move that we adjourn.

The SPEAKER: The gentleman from Auburn, Mr. Sturgis, moves that the House now adjourn. As many as are in favor of the motion will say aye; those opposed no.

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

Mr. HOLMAN of Farmington: Mr. Speaker, ladies and gentlemen, members of this House: I think by the discussion of this question that perhaps the real issue is lost sight of here. I want to defend the committee to this extent and say that I believe the motion of the gentleman from Lewiston, Mr. Roy, should not prevail for this reason: In that committee hearing, as my brother Farris has said, Mr. Roy was the only proponent of the measure; but in opposition to the measure was the Chamber of Commerce of the city of Lewiston, practically all the large business interests of that city, and, further, a third element, which I think this

House should respect, namely, the ministers of the city of Lewiston; and I want to say to the ladies and gentlemen of this House that they were not only the ministers from the Protestant churches but there were a lot of communications from the Catholics. So I believe that the clergy of the city of Lewiston was in favor of the report of this committee that this bill ought not to pass.

I want to go further and say this: The gentleman from Lewiston, Mr. Roy, in his remarks has kindly brought out the situation that existed in Lewiston before this bill was wished upon its citizens. He has brought out the fact, directly and indirectly, that Lewiston at that time was the center of the rum traffic of the State of Maine, and that is the only issue in this bill. If you accept Mr. Roy's motion and substitute the bill for the report, you will have the same conditions in Lewiston as before and Lewiston will be the rum center of the State of Maine. That is the real issue; it is not the home rule issue at all; and it was the issue that was brought out by the opponents of this measure at the time of hearing. I hope, ladies and gentlemen of this House, that you will accept the report of the committee, which is the pending question, and that you will respect the element of Lewiston that wants to see law and order prevail.

Mr. ROY: Mr. Speaker--

The SPEAKER: The gentleman from Lewiston, Mr. Roy, asks leave of the House to speak on this question a third time.

Mr. ROY: Mr. Speaker, I merely

want to ask the gentleman a question if it is in order.

The SPEAKER: The gentleman from Lewiston, Mr. Roy, may make the inquiry if he desires.

Mr. ROY: Would the gentleman kindly state how Lewiston would go back to the conditions of 1917 if the mayor named the Commission?

The SPEAKER: The gentleman from Farmington, Mr. Holman, may reply to the inquiry if he desires.

Mr. HOLMAN: Mr. Speaker, I will answer the gentleman through the Chair and say this that I took the word of the opponents of this measure before our committee hearing that my statement is correct.

The SPEAKER: Is the House ready for the question?

The question was called for.

The SPEAKER: The question is on the motion of the gentleman from Lewiston, Mr. Roy, that the bill, House Paper 850, House Document 276, an act relating to the Police Commission of Lewiston requiring the Commissioners to be appointed by the mayor, and providing a referendum to the electors of Lewiston, be substituted for the ought not to pass report. As many as are in favor of the gentleman's motion will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the bill for the report failed of passage.

On motion by Mr. Farris of Augusta the report was accepted and sent up for concurrence.

On motion by Mr. Kitchen of Presque Isle,

Adjourned until ten o'clock tomorrow morning.