

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

Wednesday, April 3, 1929.

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

Prayer by the Rev. Mr. Greeman of Augusta.

Journal of the previous session read and approved.

Orders

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

Ordered, that when the House rises this morning, it recess until four o'clock this afternoon.

Reports of Committees

Mr. Taylor from the committee on Legal Affairs on bill an act relating to the investment in permanent securities of school funds and other trust funds held by city, town, quasi-municipal corporations and state officers (H. P. 1642) (H. D. 667) reported same in a new draft (H. P. 1740) under same title and that it ought to pass.

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

(H. P. 1732) (H. D. 805) An act relating to the Board of State Assessors.

(H. P. 1733) (H. D. 806) An act relating to amusements on Memorial Day.

(H. P. 1559) (H. D. 807) An act naming the bridge at Bath.

(H. P. 1736) (H. D. 808) An act to exempt certain non-resident motor vehicles from registration while in the State exclusively for display or demonstration purposes; also non-resident passenger busses chartered and used exclusively for private conveyance of non-residents.

Passed to Be Engrossed

(S. P. 31) (S. D. 23) An act concerning the licensing of airmen and aircraft, concerning air traffic rules, and to make uniform the law with reference thereto.

(S. P. 272) (S. D. 402) An act relating to hunting with dogs in Verona.

(H. P. 1285) (H. D. 442) An act relative to guardians and conservators.

(S. P. 649) (S. D. 300) An act relating to license fees for small loan agencies.

(Tabled by Mr. Jackson of Portland pending third reading.)

(S. P. 725) (S. D. 386) An act relating to the protection of children.

H. P. 735) (S. D. 388) An act relating to marriage licenses.

(S. P. 743) (S. D. 396) An act to authorize the County Commissioners for the county of Washington to create a sinking fund for the purpose of retiring bonds issued in accordance with the terms of Chapter 88 of the Private and Special Laws of 1927.

(S. P. 744) (S. D. 397) An act relative to certification of cases to the Law Court.

(S. P. 745) (S. D. 398) An act relating to exemptions from taxation.

(S. P. 754) (S. D. 407) An act to provide for an issue of State highway and bridge bonds and for authorizing transfer of a portion of the tax on internal combustion engine fuel.

(H. P. 1670) (H. D. 736) An act for the better protection of lobsters and crabs in the Georges River.

(S. P. 183) (S. D. 385) Resolve to aid in rebuilding the road in Township No. 10, Hancock County.

(S. P. 318) (S. D. 393) Resolve providing for a State pension for Eva J. Rundlette of Augusta.

(S. P. 730) (S. D. 387) Resolve proposing an amendment to Article IX of the Constitution authorizing the issuing of bonds to be used for the purpose of building a bridge across the Penobscot River, to be known as the Waldo-Hancock Bridge.

(Tabled by Mr. Wing of Kingfield pending third reading, and specially assigned for tomorrow morning.)

(S. P. 738) (S. D. 391) Resolve proposing amendment to Constitution to provide for filling councillor vacancies.

(Tabled by Mr. Wing of Kingfield pending third reading, and specially assigned for tomorrow morning.)

(H. P. 1731) (H. D. 803) Resolve providing for erection of a statue at Gettysburg in memory of Major-General Oliver Otis Howard.

(S. P. 137) (S. D. 400) Resolve in favor of establishing a feeding station or rearing pools for fish at, or near, Houlton, in the county of Aroostook.

(S. P. 271) (S. D. 401) Resolve appropriating money to aid in the

screening of the outlet of Lake Webb, in Franklin county.

(S. P. 741) (S. D. 395) Resolve in favor of Charles F. Boober of Norway, to compensate him for damages sustained in the construction of a certain State aid highway.

(S. P. 749) (S. D. 404) Resolve in favor of James H. Kerr of Rumford.

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

Orders of the Day

The SPEAKER: Under Orders of the Day the House will take up the unfinished business of yesterday, and the Chair presents the first item of unfinished business, H. P. 1534, H. D. 555, bill an act relating to fishing in Kewayden Lake in the town of Stoneham, tabled on March 26th by the gentleman from Winslow, Mr. Clark, the pending question being its passage to be enacted; and the Chair recognizes the gentleman.

On motion by Mr. Clark re-tabled, and specially assigned for Tuesday, April 9.

The SPEAKER: The Chair presents the second item of unfinished business, House report ought to pass from the committee on Inland Fisheries and Game on bill an act relating to bounty on porcupines or hedgehogs, H. P. 135, H. D. 60, tabled on March 26th by the gentleman from Newry, Mr. Wight, the pending question being acceptance of the report; and the Chair recognizes the gentleman.

On motion by Mr. Wight, re-tabled and specially assigned for Tuesday, April 9.

The SPEAKER: The Chair presents the third item of unfinished business House report of legislation inexpedient from the committees on Public Utilities, Judiciary and Interior Waters jointly on bill an act to provide for the use of surplus power, H. P. 1390, H. D. 461, tabled on March 27 by the gentleman from Readfield, Mr. Peacock, the pending question being acceptance of the report; and the Chair recognizes the gentleman.

On motion by Mr. Peacock the report was accepted.

The SPEAKER: The Chair presents the fourth item of unfinished business, majority report ought to pass in new draft, minority report ought not to pass, from the committee on Judiciary on bill an act to modify the practice on pleas in abatement, new draft being H. P. 1688, H. D. 758, tabled on March 27 by the gentleman from Eastport, Mr. McCart, pending the acceptance of either report; and the Chair recognizes the gentleman.

Mr. McCART: Mr. Speaker, I yield to the gentleman from Augusta, Mr. Williamson.

On motion by Mr. Williamson the majority report was accepted; and on further motion by the same gentleman, this being a printed bill, the rules were suspended, the bill had its two several readings and tomorrow assigned.

The SPEAKER: The Chair presents the fifth item of unfinished business, majority report ought to pass in new draft, minority report ought not to pass, from the committee on Legal Affairs on bill an act to regulate the manufacture of bedding and upholstery, the new draft being H. P. 1689, H. D. 759, the reports having been tabled on March 27th by the gentleman from Portland, Mr. Carleton, pending the acceptance of either, and the Chair recognizes that gentleman.

On motion by Mr. Carleton the majority report ought to pass in new draft was accepted; and on further motion by the same gentleman, this being a printed bill, the rules were suspended, and the bill received its two several readings.

Mr. CARLETON: Mr. Speaker, I now offer House Amendment A to H. P. 1689 and move its adoption.

House Amendment A.

Amend Section 5 by adding the words "and shall not include the executors and administrators of estates of decedents."

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

The SPEAKER: The Chair presents the sixth item of unfinished business, majority report ought not to pass, minority report ought to pass from the committees on Public Utilities, Judiciary and

Interior Waters jointly on Joint Order relative to Water Power investigation, (H. D. 11) tabled on March 27th by the gentleman from Topsham, Mr. Aldrich, the pending question being acceptance of either report; and the Chair recognizes that gentleman.

Mr. ALDRICH: Mr. Speaker, inasmuch as this matter may be affected by another matter which we are to consider today, and inasmuch if the time ever comes when we shall want to consider this particular order, I may desire to offer an amendment, I would ask the indulgence of the House to be permitted to retable this matter and have it specially assigned for Friday morning.

The motion prevailed, and the matter was retabled until Friday, April 5.

The SPEAKER: The Chair presents the seventh matter of unfinished business Senate report ought to pass from the committee on Ways and Bridges on bill an act to provide for building a bridge across the Penobscot river, at or near Bucksport, (S. P. 541) (S. D. 364) which came from the Senate report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A (H. D. 739) tabled on March 27th by the gentleman from Naples, Mr. Bove, the pending question being the acceptance of the ought to pass report in concurrence with the Senate; and the Chair recognizes that gentleman.

Mr. BOVE: Mr. Speaker, I now yield to the gentleman from Eastport, Mr. McCart.

On motion by Mr. McCart the report ought to pass was accepted in concurrence; and on further motion by the same gentleman the bill had its two several readings.

Senate Amendment A read.

Mr. McCART: Mr. Speaker, as the passage of this bill depends on the passage of a resolve, tabled earlier this morning by the gentleman from Kingfield, Mr. Wing, I move that this bill be tabled.

Thereupon Senate Amendment A was adopted in concurrence, and on motion by Mr. McCart, the bill was tabled pending assignment for third reading.

The SPEAKER: The Chair presents the eighth item of unfinished business House report ought to pass in new draft from the committee on Judiciary on bill an act relating to licensing operators of motor vehicles after their conviction of operating the same while under the influence of intoxicating liquor, the new draft being numbered (H. P. 1699) tabled on March 27th by the gentleman from Kingfield, Mr. Wing, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. WING: Mr. Speaker, I move that this lie on the table until Friday next, or until such time as a bill which embodies the general revision of the motor laws now on the table in the Senate, has been taken therefrom.

The motion prevailed, and the matter was tabled until Friday, April 5th.

The SPEAKER: The Chair presents the ninth item of unfinished business, House report ought not to pass from the committee on Appropriations and Financial Affairs on resolve in favor of an appropriation for the promotion of the welfare and hygiene of maternity and childhood, (H. P. 1147) (H. D. 366) tabled on March 28th by the member from Portland, Miss Laughlin, the pending question being acceptance of the report; and the Chair recognizes the member.

Miss LAUGHLIN: Mr. Speaker, it is with considerable reluctance that I ask for any delay, but because of certain conferences which are being held bearing upon the subject matter of this bill, I move that it be retabled and specially assigned for Friday morning.

The motion prevailed.

The SPEAKER: The Chair presents the tenth item of unfinished business House report ought not to pass from the committee on Pensions on bill an act to provide an old age pension, (H. P. 1570) (H. D. 576) tabled on March 28 by the gentleman from Readfield, Mr. Peacock, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. PEACOCK: Mr. Speaker and Members of the House: This bill, (H. D. 576), is the one under discussion, and I move you that the

bill be substituted for the report, and in support of that motion I wish to call the attention of the members of the House to what the bill provides. The title is an old age pension. It might be termed an act to assist the distressed worthy poor, meaning those people who have gone down the pathway of life to a period beyond their power to earn, and not having property upon which to depend for their support, being largely dependent upon the charity of their friends or the poorhouse.

This act is intended to reach a class of people who have lived in the State of Maine continuously for the past ten years, have reached the age of 75 years and are classified as worthy poor, distressed worthy poor; and in that act distressed worthy poor is defined as meaning those who have lived a life of sobriety and rectitude,—in other words meaning those people who have been loyal and decent citizens of the State of Maine.

The committee heard my presentation of this matter very carefully, agreed that the bill ought to pass, talked with me after the report was made, but said it seemed inexpedient at this time. It seems to me that the State of Maine owes something to the distressed worthy poor, and if this is now killed it means for the next two years that there are many distressed worthy poor who should receive the benefit of this act who will go to their long rest without it.

An old age pension is not an unknown quantity. There are two kinds of them, roughly speaking. One is defined as a pension the aim of which is to substitute limited assistance in the homes for support in poorhouse or workhouse, through a pension system financed by the State. The larger aim is to work out, if possible, a larger scheme under which, in conjunction with the State of Maine, a man or a woman can in his productive years assure himself of an income for his old age. In the Literary Digest of March 30 there is an article of considerable length in regard to this subject matter, but I am not going to weary you with very much of a quotation. I will simply read you two or three brief extracts, as follows:

"The only great industrial nation in the world without an old age pension system, declares the New York World, is the United States. This fact, probably unknown to the majority of us, is, however, gradually getting under the skins of legislators at the various State capitols and now and then a Governor comes out strongly in a special message in favor of old age pension legislation. The latest State Executive to do this is Gov. Franklin D. Roosevelt, of New York," who says 'No greater tragedy in modern civilization than the aged, wornout worker who, after a life of ceaseless effort and useful productivity, must look forward for his declining years to a poorhouse. A more modern social consciousness demands a more humane and efficient arrangement.'"

We have sat here in this House until we are now on our fourteenth week, I believe. The reason why this bill was recommended ought not to pass was because the new draft which I submitted to the Pension committee carried an appropriation of the sum of thirty thousand dollars. We have sat here during these weeks and have been besieged by office holders who have sought and have been granted increased salaries. We have been besieged by claims more or less just, many of which have been allowed. It seems to me that a thirty thousand dollars appropriation is a small sum for the State of Maine to utilize for a beneficent purpose like this.

The bill provides that any person who has reached the prescribed age limit, and complied with the other terms, shall receive not less than three hundred dollars nor more than three hundred and sixty-five dollars a year, meaning and intending to give enough so that a person may live a reasonably comfortable life. To me that seems a small sum, but the cry has been raised that it will take a larger sum. The new draft which I proposed would limit the expenditure of the money to thirty thousand dollars, and, when that is gone, there would be no more for that year; but it seems to me that that estimate of thirty thousand dollars is a fair thing for

trial. This Legislature might appoint a commission to investigate and determine whether or no such a venture would be beneficial or not; but if we did that it would cost some money and it would put off the pension act for another two years. It seemed to me wise in drafting this act not to ask for overmuch but to ask for something that would make a start that would be a benefit to these old people who are living in the State of Maine almost in poverty. It would forestall any sort of a commission. The applications that would be received would indicate to the State of Maine the number of those who desired this aid.

There are within the State of Maine at the present time as members of the Three-Quarter Century Club, as I have gathered it from the Secretary, something over fourteen thousand people. Now out of that fourteen thousand, there would not be a large percentage that would receive the benefits of this act because a great many of them are in their own homes or in the homes of their relatives who are caring for them. It is for the poor people who have not those homes that I am standing here and pleading in their behalf, with no expectation for reward for anything that I do except to do some service to my fellowmen.

You have raised an appropriation for \$500,000 to be used for the repair or building up of your Library to take care of your books. Those books are laid upon the shelves. They suffer no harm, they suffer no pain because they are there. I am simply asking in this pension bill for the appropriation of thirty thousand dollars to take care of men and women of blood and flesh who have hearts and sensibilities, and who do not wish to be shelved like those books because they feel the pain and the discomfort of poverty.

Since that bill was introduced I have received letters from different parts of the State from people who would be assisted by this act. I will not read them to you, but I will say in substance that one woman says "I am eighty-four years old and I am living in a garret. I am depending on a little charity from my neighbors. I have never been in the poorhouse and I don't want to go there." This is only one

of the cases which have come to me,—these letters have not come in large numbers because I do not believe there is such a large number, but in sufficiently large numbers to force me to believe that there is just cause to pass a bill like this.

I notice in your records here an appropriation for a statue to one of the heroes of the Civil War, costing about twenty thousand dollars. It is nice to have those statues in memory of men who gave their lives in the service of our country, but just think how much more good that twenty thousand would do if given to the flesh and blood of the living. They may not have been heroes of the Civil War, but they are citizens of our State who have been honest and decent citizens and who have reached the time when they can labor no more. It seems to me unwise not to do something for them. What have we done for them? We have taken care of the porcupine by placing a bounty on them, and we have taken care of the bears in the same way. We have taken care of our fish and game. We have taken care of the hoard of office holders who want increased pay. We have taken care of the enormous demands upon the pork barrel, but I ask the members of this House what have we done for the poor men and the poor women of the State of Maine who have reached the point of inactivity and who have not the wherewithal to pay for their support?

It seems to me that in asking for for this appropriation, and urging that the bill be substituted for the report, I am only asking that which is humane, which is just and which is right. We came here and when we entered upon our duties we stood in the presence of this House with an upraised right hand, and swore before God that we would do our duty to our State and to our fellowman, and I ask you if, in this time of need, when these people are asking only for a pittance, asking for only the widow's mite, when compared with the large sums that have been appropriated for other purposes, are we doing right by these citizens of the State of Maine by accepting the report of that committee and postponing it for two more years? Seventy-five years is a long time along the road of life and they haven't many years more to live. I trust, members of the

House, that you will have in your hearts such a love of humanity, such a regard for those who have done their bit in this world and are about ready to go, that you will say to them in substituting the bill for the report that you do have their welfare in your hearts and have them upon your minds, and this because they have been some of the best people and the most decent citizens of the State of Maine. I trust when you vote you will consider this. Forget that paltry thirty thousand dollars when we have done so much in other ways! Let's put this Legislature on record as standing for that which is just. Already Montana, Wyoming, Nevada, Colorado, Wisconsin and Kentucky have passed this legislation, and 25 other states have it as subject matter introduced into their legislatures since January first. Members of this House, you are the jury and I leave the decision in your hands.

Mr. CAMPBELL of Leeds: Mr. Speaker, and members of the House: I will not take but just a moment of your time, but as I happen to be a member of that committee, I deem it my duty and privilege to reply to the gentleman from Readfield (Mr. Peacock).

The bill itself appears to be a very carefully drawn affair and has many meritorious features; but it is estimated that it would require some fifty thousand dollars to care for that measure if it passed. There are at this time some sixteen hundred people who might come under that age limit. I do not care at this time to go on record as strictly opposed to an old age pension if we could take care of it, but at this time we have no facilities for taking care of such a bill. This measure was before the committee some two weeks and they gave it very careful consideration and returned it ought not to pass, and I hope the motion of the gentleman from Readfield (Mr. Peacock) will not prevail.

The SPEAKER: Is the House ready for the question?

Mr. PEACOCK: Mr. Speaker, I have a great deal of respect for the gentleman from Leeds, Mr. Campbell, but wish to call the attention of the House to this: There is one measure which has been presented to this Legislature where a contractor asked for \$183,000 damages.

Two years ago that man appeared before this Legislature and asked permission to sue the State of Maine. He received that permission, brought suit in court and obtained a verdict of two thousand dollars. Today he is back here again before the Claims committee asking for \$179,000 or \$180,000 and that committee has allowed him \$50,000. That man took the contract and claims he lost money, but if he had made ten thousand dollars would he have returned that to the State of Maine. It seems to me that here is where we can save something and give the money for the benefit of those who will be benefited by this bill. It seems to me that instead of granting these claims to private individuals because they are strenuously pushed, something should be done for these poor people represented by this bill and that we have an opportunity to do a humane thing by passing this law and afford them some recognition of the lives that they have lived.

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 Readfield, Mr. Peacock, that the bill which is printed as House Document 576, be substituted for the ought not to pass report of the committee on Pensions. As many as are in favor will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the bill for the report failed of passage; and on motion by Mr. Campbell of Leeds, the House voted to accept the report ought not to pass.

The SPEAKER: The Chair presents the eleventh item of unfinished business House report ought not to pass from the committee on Taxation on bill an act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes, H. P. 1492, H. D. 527, tabled on March 28th by the gentleman from Lisbon Falls, Mr. Jack, the pending question being the acceptance of the report; and the Chair recognizes that gentleman.

Mr. JACK: Mr. Speaker and fellow members of the Eighty-fourth Legislature: We have before us an act to raise an excise tax on corporation organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes. You have all had the bill and it simply means this. We find that section three reads: "The said tax shall be computed at four per cent of the gross income as reported under the provisions of this act and the tax against each public service corporation herein described shall be four per cent of the gross income received by said public service corporation during the preceding twelve months."

In order that you may have the legal situation before you, I will cite some law. Under definition and nature of tax, it is said by legal authority that it is generally understood to mean imposition of duty or impost for support of government. The burden or charge imposed by Legislature on persons or property to raise money for public purpose or to accomplish some governmental end.

Now that is the legal definition, or at least one of them, for the nature of the tax.

Now the right to tax: Never to be suspended or surrendered by Legislature. That is a part of the State constitution, Article IX, Section 9.

Equality and uniformity: Constitution of Maine, Article IX, Section 8. Essential to validity of all taxation that it be assessed and apportioned with equality and uniformity.

Now there are corporations in Maine that are paying a franchise tax, and I will read to you from the Tax assessors report the amounts paid in:

Railroads, in 1928	\$1,897,629.87
Street railroads	90,059.31
Telephone companies ..	323,055.88
Telegraph companies ..	27,330.44
Express companies	43,582.04
Parlor Car companies	2,866.82
General franchise taxes	498,749.60
Savings banks	238,769.07
Trust and banking companies	258,249.76
Insurance companies ..	450,364.62
Loan and building associations	1,862.27

Railroad workers' credit union	4.44
Telephone workers' credit union	20.33
National Bank stock ..	141,101.44
Trust & Banking Co's stock	119,230.15

Grand total\$4,092,876.04

Now in 1907, the Supreme Court of Maine was asked an opinion and I will read it, or at least a portion of it: "Nor does the constitutional provision prohibit the Legislature from imposing other taxes than those on real and personal property. The Legislature is left free to impose other taxes, such as poll taxes, excise taxes, license taxes, etc. It can impose such taxes in addition to, or instead of, taxes on property. It can subject persons and corporations to both or either kind of taxation, or except them from either kind."

We find that the hydro-electric companies do not pay an excise tax. Take one for illustration. According to the report of the Central Maine Power Company for the fiscal year ending December 31, 1928. Page 12, it shows assets of \$42,472,-340.98. The same report, page 10, shows State and municipal taxes paid, \$422,548.89; and I think if you apply the old rule of arithmetic you will find that they pay less than a cent on a dollar in taxes.

There appeared before the taxation committee four parties. I appeared in favor of the bill, Mr. Merrill of Skowhegan appeared in opposition, Mr. Shumway, I think of Bangor, appeared in opposition, as well as Mr. Cleaves. Mr. Merrill's argument was that it would raise the rates. I think the last report from Mr. Wyman was that the Central Maine was paying 15 per cent on its common. I think the report of the fact-finding committee showed that Maine stood 39 in rates. In other words there were 38 under Maine according to that report as supplemented by the report of Mr. Morse. If a corporation will not reduce its rates there is another way to get reduction and that is by taxation. Mr. Merrill stated that it would cost his company \$176,000 in taxes. Mr. Shumway stated that it would cost his company \$63,000 in taxes. I have not been able to reconcile the posi-

tion of Mr. Cleaves in the matter, but he argued against it; but the fundamental reasoning for his argument is still a mystery to me. As I understand his position, he is the Secretary of the Associated Industries, which may amount to 300 corporations, 400, 500, or even 1000, I do not know; but I can say this that if he represents 500 corporations that do pay a tax for their proportionate part and here is one that does not pay its proportionate part of the taxes, I cannot see how in justice to the 500 he could oppose a proposition which would even the burden which we as individuals expect to share, and I see no reason why honest corporations should not expect to share equally in the tax burdens of the State of Maine.

Now we find that the cotton mills, the woolen mills, the paper mills, city residences, town residences pay a local tax at the local tax rate which in my town is somewhere around 30 mills. We are a fortunate town and we have three mills or three corporations in that town. We work together. We try to keep the rate down for their benefit. They are perfectly willing to pay their part of the taxes; but when we go out into the country, we find a town, say like Readfield, with a rate last year of 55 mills and the year before sixty and some of the towns in Aroostook have a rate of 84 mills. If you have a cow, it is taxed, and if you have a horse, it is taxed and they are trying to get a tax on radio now. As a matter of fact, everything you have is taxed, practically, if you are small, but if you grow and grow large enough, there may come a time when the rate is lower. In other words, what is 10 mills on a dollar as compared with farmers over this state who are paying sixty and even as high as eighty-four, with bankruptcy staring them in the face instead of dividends of thirteen per cent and the several layers of cake with frosting on top, which Mr. Wyman says if properly managed may pay 75 per cent.

The Governor came in here and said that we were losing \$280,000 in taxes, and in addition he said this: "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 appropri-

tions must not exceed the normal increase in revenue." I assume by that that was a petition practically to find new property to tax. It was denied out in the committee room. Perhaps they could read that which I could not read.

In view of the fact of the action of the body at the other end of this House known as the Senate on a similar proposition, in view of the fact that the report of this committee was unanimously against the proposition, I will now move to accept the report of the majority of the committee.

The SPEAKER: The gentleman from Lisbon Falls, Mr. Jack now moves the acceptance of the committee report, ought not to pass. Is it the pleasure of the House to accept the report?

Mr. JACKSON of Portland: Mr. Speaker, in view of the very able address of the gentleman from Lisbon Falls (Mr. Jack) in support of this motion, I think that enough has been said on behalf of the committee, so I rise to second the motion.

Thereupon the House voted to accept the ought not to pass report.

The SPEAKER: The Chair presents the twelfth item of unfinished business of yesterday, resolve in favor of State School for Girls, S. P. 414, S. D. 166, tabled on March 28th by the same gentleman from Farmingdale Mr. Littlefield, pending its final passage; and the Chair recognizes that gentleman.

On motion by Mr. Littlefield, the resolve was retabled.

The SPEAKER: The Chair presents the thirteenth item of unfinished business, majority report ought not to pass and minority report ought to pass from the committee on Ways and Bridges and Taxation jointly on bill an act relating to a tax on gasoline, H. P. 1234, H. D. 412, tabled on March 28th by the gentleman from Naples, Mr. Bove, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. BOVE: Mr. Speaker, I now yield to the gentleman from Presque Isle, Mr. Kitchen.

Mr. KITCHEN: Mr. Speaker I do not think that the members of this House are at this time in a position to intelligently discuss anything relative to the financing of

the highways. You all know the present situation and for that reason I ask that this bill be retabbed.

The SPEAKER: Does the gentleman suggest any date for assignment?

Mr. KITCHEN: Mr. Speaker, I cannot give any definite assignment. It will depend upon the report of the investigating committee. We can assign it from day to day and have it retabbed if the House will permit.

Thereupon, the matter was retabbed.

The SPEAKER: The Chair presents the fourteenth item of unfinished business majority report, ought to pass in new draft, and the minority report, ought not to pass, from the committee on Legal Affairs on bill an act to grant a new charter to the city of Portland, the new draft being printed as House Document 785. The report was tabled on March 28th by the gentleman from Portland, Mr. Rounds, pending the acceptance of either report; and the Chair recognizes that gentleman.

Mr. ROUNDS: Mr. Speaker and members of this House: I am not going to ask you to table this again because it is getting late in the session and I want to get through some time before haying time. (Laughter)

So I am going to start in and try in my feeble way to say something in favor of this bill. Six years ago I stood in this House against changing the charter of the city of Portland. It was changed four years ago and I voted for a referendum on it because I thought the people would uphold the old charter. Today I stand here, after six years, and ask you to give us a referendum again, although I voted for it six years ago. I am now for it at the present time. Two years ago we came to this Legislature with over 1200 legal voters of the city of Portland and presented our claim. It was turned down by the committee on Legal Affairs. We come here this year without any petition. We come here as representatives of the city of Portland and ask you to give us a chance to vote on it again after six years.

Now what is the consequence? They did reduce the taxes about

two dollars a thousand, but what is the consequence? One man paid two hundred dollars to bring a group up here from Portland to appear before the committee on Legal Affairs against it, and the men who spoke for this bill were members of the city government of the city of Portland. We did not have many with us because we had no money to bring a crowd, but we came with 1200 legal voters of the city of Portland on our petition. Today we come here without any petition.

I will say that when it came before the committee on Legal Affairs there was a petition, said to be of 1700 persons, not voters, put in here, but I never could see it and I tried my best to find that petition after the hearing and I could not even see it.

We would like a chance to vote on it again. We were told in 1923, as I said, on the floor of this House that we would have a lot of nuisance taxes. We have got them today on most everything. If you start any little game—not of chance, but anything in the city of Portland—you have to pay a tax on it. If you want to build a house they charge you so much per cent on the house and you pay the State of Maine taxes but you have got to pay so much. Going over to the city of South Portland which is growing very fast, they cannot keep up with the valuation while Portland is standing still practically. If you want to live on the corner of a street, you have got to give them sixteen feet of land on the corner of the street before you can build. It is time the people had a chance to vote on this and that is all we ask for in the city of Portland, and we are not afraid but what it will go as we want it to. I hope the majority report will be accepted.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves the acceptance of the majority report, ought to pass in new draft. Is the House ready for the question? As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion to accept the majority report prevailed; and on further motion by the same gentleman, this being a printed bill, the rules were

suspended and the bill had its two several readings.

Mr. ROUNDS: Mr. Speaker, I move under suspension of the rules that it receive its third reading at the present time.

The SPEAKER: The Chair will state with reference to the practice of giving a bill three readings at once that it eliminates the usefulness of the committee on bills in the third reading as it gives them no opportunity to scrutinize the draft before it goes to the engrossing department, and the practice is more likely to lead to delay than to expedition.

Thereupon the bill had its third reading and was passed to be engrossed.

Passed to be Enacted

(Out of order and under suspension of the rules.)

An act relative to the sales of real estate by license of probate court.

An act relative to affidavits of plaintiffs in actions on account annexed.

An act relative to order of court prohibiting restraint of wife pending libel.

An act granting the right of eminent domain to electric power companies doing a public utility business.

The SPEAKER: The Chair presents the fifteenth matter of unfinished business majority report ought to pass in new draft and minority report ought not to pass from the committee on Ways and Bridges on bill an act to authorize the Treasurer of State under the direction of the Governor and Council, to issue bonds for State highway and bridge construction, conditional on the adoption by the people of a constitutional amendment authorizing such bond, the new draft being House paper 1728, H. D. 801, the reports having been tabled on March 29 by the gentleman from Dover-Foxcroft, Mr. Merrill, pending the acceptance of either; and the Chair recognizes the gentleman;

On motion by Mr. Merrill retabled.

On motion by Mr. Kitchen of Presque Isle the majority report, ought not to pass, and the minority report, ought to pass, from the com-

mittee on Ways and Bridges, on bill an act to provide funds for the construction of State highways, H. P. 1225, H. D. 409, tabled by that gentleman, April 1st, pending acceptance of either report, was taken from the table; and on further motion by the same gentleman, the matter was retabled.

The SPEAKER: The next item of business is the first item today assigned, being Senate Paper 720, S. D. 371, bill an act relating to optometry, tabled on March 28th by the gentleman from Lewiston, Mr. Rodolphe Hamel, pending its passage to be engrossed; and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair presents the second matter today assigned, majority report ought to pass, minority report ought not to pass, committees on Public Utilities, Judiciary and Interior Waters jointly, on bill an act to provide for the exportation of surplus power, S. P. 81, S. D. 44, the reports having been tabled yesterday by the gentleman from Eddington, Mr. Comins, pending acceptance of either report; and the Chair recognizes the gentleman.

Mr. COMINS of Eddington: Mr. Speaker, I yield to the gentleman from Farmingdale, Mr. Littlefield.

Mr. LITTLEFIELD of Farmingdale: Mr. Speaker, and members of the House of the 84th Legislature: I want to ask your indulgence in confining myself strictly to notes, as I do it not to take any more of your time than necessary, as I realize there are quite a number of members just "raring to go" here, and, furthermore, when I get to telling stories I get away from the substance.

In discussing this bill providing for the export of surplus hydro-electric power—the Smith-Carlton bill so-called—I wish to state at the start that I am in favor of the passage of this act, and I do now make a motion that the House concur with the Senate in accepting the majority report on the same. In view of the newspaper reports and the opinions gathered by some members of this House by my vote on the eminent domain bill, that I was against any power bill of any sort calls for some explanation at this time.

I think every member who has the

courage of his convictions and votes, and reasons for not only the benefit of his constituents, but, what is more and of vital importance, what he honestly and conscientiously thinks will benefit the State as a whole, is far more respected and listened to for an opinion than the fellow who trades his vote here and there, no matter if such a fellow is 100% right in his political shrewdness and guesses. For this reason I stand by my own actions and am fearless and can go to my constituents without shame or excuse in asking you to listen to a few brief reasons I have which are in favor of the Carlton bill now before us, whereas I am decidedly opposed to giving unqualified right of eminent domain to any private corporation.

Let me state right here that I am strongly opposed to any unrestricted repeal of the Fernald Law.

I am an even stronger supporter of rural electrification, therefore in supporting the Smith-Carlton bill, so-called, I do so for the reason that it decidedly restricts and is fair and just to all parties interested.

I do not want to argue the constitutionality or legality of this bill, as I am speaking as a layman and rural representative wholly, but let me say right here that the best legal advice I can get is to the effect that if the Fernald Law is constitutional, then the Smith-Carlton bill is constitutional also.

There is no question in any of our minds but what hundreds of thousands of kilowatt hours of undeveloped electricity is going out to sea. It is time something was done, and when we get a piece of constructive legislation, such as this bill, I say it is time we took this power question out of politics and settled it for years to come.

In calling your attention to the following facts I am doing so briefly but advising you volumes can be quoted about each subject mentioned. I am leaving them to your own good judgment—when I say fair and just to all concerned. I mean just that—fair to owners of undeveloped and idle water power resources, for it gives them their market; fair to the State for immediate improvements and enormous developments mean valuable assets and taxes in great volume; fair to the communities and consumers for the development of electricity on a large scale in large units means a lowering of costs,

enabling the making of lower rates; fair to industry as a whole, for it will allow the power companies to give Maine large blocks of cheap power, thereby fostering those industries already established and also make our State attractive for power using industries looking for locations. We bottle up the power in our State now and tell them to come and use it. Have they done it for the past twenty years? No. It is still going out to sea. It is not on record that the present law has brought a single industry to Maine. It has caused the loss of a large industry in one instance. Let me emphasize this fact—developed power will draw far, far better than undeveloped—developed power is all ready to start machinery—undeveloped power will never start machinery. Fair to the rural people, regardless of arguments to the contrary. I sincerely believe that this is a fine start toward accomplishing the thing nearest our hearts—rural electrification. What I would like to see and what I would consider ideal would be 100% electrification of all rural districts, so that every rural resident could have the privilege of electricity in their homes the same as you and I have in the thickly settled districts, and at a reasonable cost, thereby obtaining their full inherent rights in these great natural resources of our State.

Now can the most ardent supporter of this rural electrification ask an expenditure sufficient for three hundred miles of rural electrification with its high cost of construction to be financed and started at once without a power company seeing in the future some source of revenue and capital to justify this action? Under our present law we cannot do it and get reasonable rates, while under the Smith-Carlton Bill we can get a start and in ten years I honestly feel we will have our object practically realized.

I have made a study of this bill from several viewpoints, and it particularly appeals to me for the result which I think will be ultimate—the lowering of present electric rates—the fostering of incoming industry to whom we in Maine, on account of geographical position causing a handicap by transportation charges, must give some unusual advantage, and this will be materially offset by the extreme

cheap power which can be offered in large blocks, next the rural provision, and finally by the referendum. The power of control in every one of these subjects mentioned is in the Public Utilities Commission as set up by the bill. Your Legislatures also control by power of repeal. What will we as Legislators do with this most constructive piece of legislation that has come before us this session? I will tell you. Give it to the people who have been asking for it for years. They are the Judge and Jury in the last analysis. If it goes to the people, as I sincerely hope it will, right will prevail and I acquiesce in the final result. I, for one, am willing to go on record as favoring the Carlton Bill in its present draft as passed by the Senate. I thank you. (Applause)

Mr. WILLIAMSON of Augusta: Mr. Speaker and members of the House: In speaking this morning in favor of the Carlton bill and in favor of the modification of the Fernald Law, I believe I will express, awkwardly perhaps, the viewpoint of the younger men and women of the State. I mean those of us who have not been engaged in the bitter disputes of the past few years. I mean those of us to whom the events of fifteen or ten or even five years ago are known by hearsay and not through participation. We are as earnest in our desire to do well for the State of Maine as our elders, and our devotion to our State is just as strong.

Although the electrical industry has grown from nothing in the last thirty years to its present proportion, to many of us the more common uses of electricity have always been familiar, and the large power corporation presents neither an unusual nor an unnatural creation. We see these large companies performing essential services under public regulation. We believe them to be servants of the public, and we insist that their officers act as trustees for our service.

Now one more word before I discuss the act itself. We have heard much about the Insulls and the great companies controlled by them. I know little about them or about their companies, but I do know, and the people of our city

and of our county and of our State know Walter Wyman. I approach the Carlton bill confident that he would not knowingly urge a measure against the interests of this State. I know further that he would seek the truth and that he would not present a measure to us that he did not affirmatively believe was for the best welfare of our State. I mention these things to give you a picture of my approach to this bill.

I know nothing about electricity. A billion kilowatts is undoubtedly more than a million kilowatts, but just what it means, I am sure I could not tell. But I do know these things; first, our water powers can produce more energy than can be profitably used in Maine at this time; second, a development of these water powers is desirable and can be accomplished if an available market is provided; third, Massachusetts, southern New England, and New Hampshire, perhaps are available markets; fourth, electricity will always be cheaper at the waterfall than at a distance; and fifth, insofar and only insofar as low cost power attracts industry ready available power will serve as a much better drawing card than our rivers running idle to the sea.

The real question, as I see it, is how can we obtain the desired development and at the same time secure to Maine the power that it needs now and will need in the future, and also obtain this power at fair rates? This is the proposition: Can Maine buy the power she needs for all purposes at fair rates? Circumscribe this with proper protection and we will not lose control of the life-blood of our industry. Do these things and the surplus or balance of the power can go to Concord or Boston, I care not where.

The Carlton bill defines surplus power as hydro-electric power in excess of power required to supply reasonable demands in Maine. Under this bill, what I will term the Carlton bill, a company can be organized, and such company can transmit and sell electricity outside of Maine. It has no corporate power to generate this energy, either directly or indirectly. The company obviously must purchase its power, and it has two sources

for it: First, the public utilities of Maine and secondly, the private plant. Under the act such a company can purchase only from sellers who have a permit from the Public Utilities Commission of this State. This permit is under the control of our Commission. It will be obtained only when the Commission determines that surplus power is available. The rates at which the surplus power will be sold to the transmitting company must be approved by the Commission. And lastly, the permit continues only so long as the seller meets all demands in the Maine market. There are provisions providing a heavy penalty in case the Carlton bill company should attempt to purchase or accept energy from a seller not permitted to deliver energy to it.

For a moment I will discuss the constitutionality or authority of the act. The last shot in this phase of the question will be fired by nine men, or perhaps five out of nine, in the Supreme Court at Washington. All we can do is hazard a guess. There are three situations to my mind: First, if the Fernald Law is constitutional, then the Carlton bill is valid. Surely there is no such a drastic interference, whether legal or not, I will not discuss, with interstate commerce under the Carlton bill as is found in our present Fernald Law. Secondly, if the Fernald Law is unconstitutional, I submit that the Carlton bill is probably good.

Corporations are but creatures of the State. We speak of them as being soulless. Indeed they are lifeless unless we can give them the very spark of existence. We not only create, but we mould them. They have only certain powers and rights and they are subject to such duties as we give to them in their charters.

Now the Carlton bill company cannot buy electricity except from a seller permitted by the Public Utilities Commission. That is the reason why the Carlton bill, assuming the Fernald Law is unconstitutional, would probably be good. The Carlton bill company, engaged in selling electricity in Massachusetts, for example, is, of course, engaged in interstate commerce. Electricity is a commodity like gas and is subject to interstate commerce, the Supreme Court has said within the last two years.

But this does not mean that the

Federal Government, however, would or could control a corporation which did not have the power to so act to purchase electricity from a seller not legally permitted to sell it.

The third situation, as I see it, is this: Let us assume the Fernald Law is unconstitutional and that the Carlton bill also is unconstitutional. Where do we stand? We then have had an invalid law on our books for twenty years. The Fernald Law is not a law, it is a policy. I suggest that the Carlton bill, under these facts, would give us greater protection than we now enjoy. For the last twenty years, so far as I know, the public utility companies of this State have acquiesced in the policy of the Fernald Law and have not tested the legal validity of it. They have shown good faith. We must give them the benefit of any doubt that they will continue to exercise that good faith and furthermore, good faith alone demands the strict observance of this new charter for their industry. It is their policy; they urged the Carlton bill upon us, and they should and would submit to it.

One important feature of the act is the effect it will have upon the extension of electric lines in the country districts. There is no magic in the section, and the lines will not be built overnight. The act provides that these public utility companies shall expend annually \$250,000 for the next ten years for rural lines, where it is not distinctly against public interests. The income from surplus power will make these extensions possible. I wished to get from the power company a complete statement of its position as I was somewhat confused as to its position. Yesterday I conferred with Mr. Walter Wyman, President of the Central Maine Power Company, and at my request he has written me a letter stating what he told me in that meeting. The letter is upon the stationery of the Central Maine Power Company, and is dated April 2, 1929. I think it expresses better than anything could the position of the power company upon this matter. With your indulgence, I will read it:

"You ask me to state briefly the position of the Central Maine Power Company in regard to rural electrification, having particular reference to the provisions of the Carlton bill now before the Maine Legislature.

"The great hindrance to rural electrification is the cost of getting lines

built to serve customers in the sparsely settled portions of each community. Our company, and I think I may safely say all of the companies doing business in Maine, are extremely anxious to increase business and to sell more electricity. It is necessary, however, for the whole operation of any public utility company to show sufficient profit to pay a return on its investment. If this profit is not earned, then the company cannot secure the money each year to make the necessary additions to its property to furnish the public with the service which it demands.

"The light and power business differs from many other kinds of business in this respect. The ordinary merchandising business is able to turn over its investment anywhere from three to five times a year, while the light and power companies only turn their invested capital over once in five or seven years. This means that while the ordinary business can furnish from its profits the capital necessary for a large increase in business, the light and power company, on the other hand, must secure very nearly all of its new capital by issuing additional securities and selling them to the public. In order that it may successfully continue to do this and so be ready to meet the demands made upon it, it must at all times keep itself from having too many lines of any kind that operate at a loss.

"In the past where we have been anxious to make all the extensions and get all the new customers that we could, yet it has been necessary to curtail the number made each year in order to keep our whole operation on a right basis. In the case of the ordinary village or city customer, distribution of the energy to residences costs on the average around 80% to 85% of the total expense, while the generation of the energy and its delivery to the switchboard make up only 15% to 20% of such expense. When we get out into the sparsely settled rural communities, this cost of distribution runs much higher in proportion to the amount received from the customer.

"It is evident that if any light and power company is to have a reasonable income from its whole property, then the more thickly settled portions of the State must make up for the losses incurred in

the thinly settled sections, unless some other source of revenue can be found to make up this loss. The Carlton bill provides for such another source of income. It enables our company to earn money each year from power which now goes to waste. This makes it possible to carry a larger amount of unprofitable lines in the rural sections of the State without putting an additional burden on the towns and cities. Such a possibility was one of the underlying reasons for seeking the export of our waste power and this provisions in the Carlton bill was placed there to vividly express that reason. In my judgment, it will be possible for us to do very substantially more in the way of rural electrification if the Carlton bill becomes a law than if it does not. Signed, Walter S. Wyman, President."

In closing: I believe that the Carlton bill presents a new policy which our State should follow. The power will be developed, and the incidental benefits gained from the new construction and increase in taxable property will be ours. Extensions of line in rural sections will be facilitated, Maine power needs will be protected, and, I believe, under this bill, the State of Maine, with the public utilities subject to public regulation, will go forward and onward to a new and better day. (Applause)

Mr. JACK of Lisbon Falls: Mr. Speaker and Fellow Members of the Eighty-fourth Legislature: I am, like many of you, serving my first term as a legislator. I was much interested in the organization of the Legislature and State Government. After the officiating officer had sworn in some 182 legislators, the Governor and Council and other members of the State necessary for it to function, there still lingered a doubt in his mind, apparently, because he closed his undertaking with these words: "God Save the State of Maine!" Just what he had in mind I do not know. If he were looking back into the history of the State, he could find many instances of legislative error, the most glaring of which perhaps was known as the "State Steal," when the Legislature and the Governor and Council of Maine voted to deed away and did deed

away 2,700,000 acres of Maine's timberlands to the European and North American Railroad Company, the said company building twelve miles of track, retaining title to the same, and the only consideration that the State of Maine received was a right to use this great railroad to move its troops and equipment in time of war, embarking them at Bangor, Maine, and disembarking them at Vanceboro, Maine.

Now if that was the mental picture that the official had in mind, I do not blame him for saying "God Save the State of Maine." But if, on the other hand, he was looking at the present, trying to peer into the future, looking to the West, seeing creep into Maine those gigantic hydraulic octopuses known as the Insull interests which have admitted they are not only in business but in politics as well,—they have admitted that they contributed both to the Democratic and Republican nominations for United States Senator in the State of Illinois at the time that the Republican candidate was chairman of the Utilities Commission, before whom the Insull interests were trying their case. They have admitted that they have used thousands and thousands of dollars spreading this propaganda through the schools, colleges, and other educational institutions in this country for the purpose of building up propaganda in their favor.

We can all see that it and its allied interests own and control some 20 or more of Maine's banking institutions, and we can see that its allied interests control a good part of Maine's newspapers, and we must also admit it has had in its employ and at its command some of the brightest legal lights and business minds in the State and Nation. All of this wealth, all of this great capital, all of these years of experience are pitted against a Legislature summonsed in here for three months, confronted by every kind of bill conceivable to the minds of men, with no time or no means to carefully study or consider the same. And with such a one-sided proposition as this, is it any wonder that he should have feared the results and said "God Save the State of Maine?"

Now one of the pet arguments

of the exponents of exportation is that we have had the Fernald Law twenty years, and what has Maine benefited by it? My answer to that is, that the law has kept Maine from being bled white by interests more interested in their own financial welfare than the financial welfare of the citizens of the State of Maine. Another pet argument is "I am sick of seeing this proposition in politics." I ask you, gentlemen, who is it that drags out into legislative daylight every two years the water power corpse, if it is not the electrical companies themselves? Legislature after Legislature has buried it, only to have it dug up and re-presented for reconsideration; and if I can sense the true judgment of this House, I think at this time, instead of burying it face up, we will bury it face down, so that if it digs, it will get down finally where it belongs. (Applause)

Now they would have us understand that there was no limit to the electrical energy. I will quote you as an authority on that proposition the Honorable Charles E. Hughes in his answer to Governor Smith: "In his speech at Boston Governor Smith said: 'Throughout the length and breadth of this country today great valuable, natural waterpower resources are running to waste, capable of generating electric energy to take care of the needs for fuel, power and light for the whole country.'

"I am informed that in stationary and railway power alone we are using today about 190,000,000 horsepower and of this only a little over 12,000,000 horsepower, or about six per cent, comes from waterpower. I understand that, according to the geological survey, the total potential waterpower resources of this country on the basis of availability 90 per cent of the time amount to only 38,000,000 horsepower. So that if all of the waterpower of the country were developed, it would amount to only 20 per cent of our present stationary and railway power needs. But our power requirements are increasing most rapidly. It is estimated that in thirty years our total power requirements for these purposes will reach the enormous total of 400,000,000 horsepower. And further it is estimated that the maximum of hydro-electric power that we can

hope to develop within the next thirty years would bring the total power from this source to only about 25,000,000 horsepower, or about six per cent of our stationary and railway power needs at that time. It is manifest that the statement that we have enough waterpower running to waste to take care of all our needs for heat, power and light is very extravagant. It appears to be about 93 per cent wrong.

Now they would give us to understand that the State of Maine has power enough to furnish all of New England, perhaps, but it has not, and we are headed into a proposition to starve ourselves to provide electrical energy for the rest of New England.

"Now they would give us to understand to the town of Wayne as a local proposition. I see some of my friends smiling, and the rest of us will smile when we hear it.

"The towns of Winthrop and Wayne serve as excellent examples of water power retained and water power exported. Forty or more years ago the Sturtevant family acquired a power site in Winthrop, built a small mill and gave employment to local people. Homes multiplied, prosperity came. From modest beginnings the plant expanded, and today is without a peer. Its woolen blankets are unequaled in the markets of the world. Winthrop is made prosperous through water power; it is a thriving town, second to none in our state, and one has but to enter its streets to sense its cheerful atmosphere.

"In contrast, the nearby village of South Wayne contained a water power even finer than that of Winthrop. It was owned by the Johnson Brothers; a mill was erected, men and women employed, and the future bright. Suddenly the Central Maine Water Company came to town, bought the power and shipped it away. Except for one man, that payroll has vanished. From a population of 1,367 in 1850, Wayne has withered to 458 in 1920.

"Now I will read a little on electric finances: The issuing and sale of securities based upon electric properties should be scrutinized by the public, not only by those who seek investment opportunities, but by the consumer who pays the

bills. Each combination of public utilities means additional stocks and bonds, additional dividends and interest to be earned, and the underlying company, absorbed and amalgamated with several others, often becomes so thoroughly scrambled that the original eggs lose all trace of their identity.

"Professor William Z. Ripley of Harvard, has a statement here that I wish to read. He describes what happened to the Boothbay Harbor Electric Light Company, a locally owned concern serving a Maine small town.

"The story runs as follows: The Boothbay Company was absorbed by the Central Maine Power Company, which itself was taken over by the Middle West Securities Company. The Central Maine was made part of an intermediate corporation known as the New England Public Service Company, with power to issue about 800,000 shares of stock, and which, through the Manchester Traction Light and Power Company and the National Light and Power Company, which latter itself owned the Twin State Power Company and the Vermont Hydro-Electric Company, covered all northern New England, the main office of which had been moved to Chicago, the annual meeting being held in Delaware.

"Prof. Ripley's little Boothbay Harbor Company thus became bound up with five others in Illinois, three in Indiana, three in Kentucky, two in Oklahoma, one in Texas, one in Missouri, one in Michigan, two in Nebraska, two in Virginia, one in Wisconsin, one in Tennessee, and so on until thirty-nine subsidiaries in some mysterious way were joined in what I term unholy wedlock.

"Now I don't know but we have only one man in this House to whom a proposition of that kind is as simple as two times two and A. B. C.

"The Republican party at Bangor took steps to embody in its platform a plank for the purpose of calling for an investigation of the situation and making a report. It might be better to have an investigation from some other source.

"I wish to call your attention to a few things which happen once you get over here. To begin with, your reading matter is all laid out for

you. You are only supposed to read certain things; and if there is to be an investigation, that is all done for you. In other words, it was conceived in somebody's brain that it would be a good deal better to have this proposition investigated, by friends of the proposition to the extent that they could not and would not and perhaps did not care to be neutral, with the result that we receive before us for consideration, I will call it a fake report, at a cost to the State of \$15,000.

"Now they will tell us about low rates. There was some criticism that these were rates of about eight or ten years ago. Here is one that is a little nearer up to date: Holyoke, Mass. This city, which already claims one of the lowest, if not the lowest, electric light and power rates in the State is to receive a still lower rate May 1, it is announced by the municipal gas and electric department.

"It is estimated that the reduction will mean a total saving of about \$80,000 per year. The new light rates will be five cents for the first 100 K. W. H. per month, and for all above that figure four and a half cents. A discount for prompt payment brings the rate one cent lower."

"Now Mr. Wyman stated right here that Maine was better situated to develop electrical power from water power sources than Massachusetts, and certainly we can develop power as cheaply by steam process as Massachusetts, and yet we are paying ten cents—at least I am—and then down to seven; perhaps that is the next step for power here; and yet they are petitioning for permission to sell a ten cent article down into a five cent market. Perhaps you can dope that out; I cannot.

"Something was said about Mr. Insull at that gathering here that night. Let me read you what Mr. Taft says: 'The most disturbing element in our national life may be characterized as the materialistic philosophy which places wealth and worldly success ahead of other considerations in life. What can it profit a man to have accumulated millions if he has not at the same time maintained a clear conscience and acquired the good will and esteem of his fellow citizens?'

"Now I call your attention to the history of the individuals presenting themselves here for our consideration. You have the statement of Mr. Taft's viewpoint that it is not the old-fashioned, patriotic idea of service to State and Nation that governs today; it is more the accumulation of money for wealth and wealth alone; and they are asking us to cast aside caution, and blind ourselves by jumping in and not knowing where we are going to land.

"There was something said—I think I asked Mr. Wyman about the effect of the exportation of power. I did not have my figures then, but I have them now. The exporting states of Vermont and New Hampshire,—I will call your attention to the effect on population. The population of New Hampshire in 1900 was 411,588; in 1920, twenty years afterward, it was 443,083, an increase in twenty years of 31,495. In Vermont in 1900 the population was 343,641; in 1910 it was 355,956, an increase of 8,789; in 1920 it was 352,428, a decrease in population of 3,528 in the last ten years.

"Now Massachusetts—as they say there she stands, and there she will stand—and she will have the right to stand if she can get our rivers or the benefit of our rivers. God Almighty placed no coal or no oil in the State of Maine, so far as we know. He did place three rivers or four rivers or perhaps five or more, and if he had wanted them in Massachusetts, Connecticut, or Rhode Island, He would have put them there. He placed them up here for the benefit of the citizenship of the State of Maine, I believe, and unless we see fit to thwart His intention, we will leave them there and use them there up to the amount that the citizenship of Maine will need them, not only today but in future generations.

"Let us take up Massachusetts and see what the gain was there: In 1900 the population was 2,805,346; in 1920, 3,852,356, an increase of 1,047,010. Rhode Island in 1900 had a population of 428,556; in 1920 a population of 604,397, an increase of 175,841.

There are a lot of speakers who are going to interest themselves, probably, in this proposition. This

proposition is large enough so that it should be thoroughly discussed before any action is taken. This is the most serious thing confronting this Legislature, and I hope that it will be thoroughly discussed, therefore I do not intend to go much further in discussing it, but here is a proposition I want to tell you:

"United States Senator, Hiram W. Johnson, in a recent address, delivered in Modesto, California, reported by the Sacramento Bee, had this to say about the public utility situation in this country as revealed by the findings of the Federal Trade Commission.

"This investigation has disclosed a condition that is more perilous than anything else in life, a condition that means the end of democracy itself.

"It is shown that the public service corporations have banded together with a great combination of wealth, representing seventeen billions of dollars, and have entered into a campaign of propaganda that has respected not even the schools and the churches.

"These corporations have the right to band together. They have the right to use legitimate propaganda. But when an organization seeks to buy legislation, to buy newspapers and public opinion; when an organization puts preachers in the pulpits at so much per speech, when it hires the leaders of women's organizations, buys school teachers and controls text books, then that is a new kind of propaganda that arouses the wrath of every man who has a drop of red blood in him.

"Now my brother Williamson here says probably—with the accent on the probably—that the Carlton law is good. Now as an attorney, having practiced law twenty-five years and being somewhat of a student of human conditions, with the legal haze that is surrounding this proposition, it shows that we do not know,—and the proponents coming in here to make out a case have not made out their case. They should prove to us beyond a reasonable doubt that what goes out may come back if Maine sees fit to recall it. They talk about a surplus. Why shouldn't there be a surplus, with Maine thirty-ninth? It has kept us from having reductions. If the rate was lower, I would use twice as much and so would you,

which would reduce that surplus. And if they make an immediate development it is all surplus, and if it crosses that border and cannot be recalled, where is Maine?

"Now, gentlemen, this is a time for mature and deliberate consideration. We love this old State with its ever changing scenes from snow to flower, and flower to snow. Men have shed their blood to protect its rights and interests. Can we do more than to say that we will not go into this matter blindfolded, even to please the Insults of Illinois or New York or any other concern? I thank you. (Applause)

Mr. LENFEST of Manchester: Mr. Speaker, I wish to make a statement in regard to my voting on this question so that the people will not misunderstand me.

I have been opposed to the export of hydro-electricity, but I received a letter from West Gardiner Grange, signed by the Master there, instructing me to vote for it. I also just received from a delegation of citizens from Hallowell—and I hold in my hand—the signatures of 75 per cent of the polls of Hallowell, and I feel, under these circumstances, that I must vote to represent the people who sent me here.

Mr. ALDRICH of Topsham: Mr. Speaker, in my judgment this is an eventful day in the history of the State of Maine. We shall decide here today a question which I believe every one in this House will concede will have most far-reaching results, and a most far-reaching effect on the interests of this State. It is well, therefore, in that situation that we recognize at the outset that we have had in this State since 1909 an established policy prohibiting the export of power by corporations from this State. And permit me to say in this connection, that prior to 1925, unless I am greatly mistaken, the public utility companies of this State had never expressed any very keen desire to be permitted to export hydro-electric power from this State. In fact, if you will go back to the year 1911, when some men came up here from either New York or Massachusetts and desired to secure the right to export power from this State, those who are now here asking the same permission violently opposed it, as did the newspapers of the State which today are asking that you allow the power to go out. I simply refer to that in order

that we may get a proper perspective.

The first bill for the export of power, with the exception of a bill in 1915 which I think was not very seriously considered, was introduced in this Legislature two years ago. Before we consider the possible effect of this bill we should get clearly in our mind what is proposed here.

I sat in the Legislature two years ago when this matter first came before me. We at that time were told that by surplus power was meant the power that is going to waste over dams, and that they were losing revenue because they could not sell that power. Permit me to say that I was foolish enough at that time, although I opposed the bill, to think that was what that bill provided for, and that that was all we were going to allow to be exported, water going over the dam. But if you will examine this bill, if you will read the report of this fact-finding committee, and if you will likewise read what Mr. Wyman tells you at the power hearing, you will recognize what this bill contemplates.

It is not confined to water that is going over the dam. The proposal is that all the powers in the State may be developed, and that when developed, if there is then no demand for the use of that power in this State, it may all be exported to Massachusetts. That is what you have before you. That is what this bill means, and if we take the statement of the President of the Central Maine Power Company made at the hearing here, the proposition is, although, my friends, except as we get it by piecemeal, we do not know what the proposal is—but taking his words, the proposal is—as soon as he gets through with Bingham he says we will move the shovels on and develop the rest of the power. You and I know as well as we sit in our seat that if that is done, when it is done, there will be no demand for that power in the State of Maine; and therefore what you are asked to do by this act is to consent that that power shall go to others than the people of the State of Maine—all of it—all of it may go under this bill. There is no question about it.

Now to whom is this privilege to be accorded? I hope that in anything I may say no one here will gather the impression that I have any objection to gentlemen of wealth, nor have I any objection to men of wealth who

have shown their ability in giving a fair and reasonable opportunity to develop, in the interests of the people of the State or otherwise, the resources of the State. But I wish to impress upon you that we should not blind ourselves to facts, and therefore for a moment I am going to consider with you to whom it is that this privilege will be granted.

I mentioned the year 1925. That was an eventful year in Maine. In that year the Middle West Utilities Company of Chicago, known as the Insull interests, purchased the common stock of the Central Maine Power Company. They immediately organized another corporation known as the New England Public Service Company, to which they transferred the common stock of the Central Maine Power Company, so that to all intents and purposes the New England Public Service Company thereby became the controlling operating company in this State. I may say, in order to carry it further and in order that you may appreciate the situation, that the stock of the New England Public Service Company is controlled by the National Electric Power Company, which stock is, in turn, controlled by the Middle West Utilities Company, and I understand that there are still two other holding companies above the latter. So that when we are asked to permit the export of power, let us understand fully that the consent is to be given to the gentlemen who control those holding companies, and I may say I think the record shows that a Mr. Insull—I have forgotten whether it was Martin or Samuel—is the chairman of every one of these companies I mention. So that the proposition before you is not to decide whether you will grant this to Walter Wyman, but whether you will grant this to the Insull interests.

Now let me say in that connection that the Insull interests have extended their control and power, so the record shows, until they control operating companies in thirty-one states; and if any of you have been following the record in Congress, you must know the disturbance which the growth of this type of company and the control by it of these public utilities is occasioning all over this Nation—and I would say to you that it is to these oper-

ators it is proposed that we issue this privilege.

What will be the effect of export on the State of Maine? Do any of you know whether or not the Carlton bill will repeal the Fernald Law? Is there a man in this House who can say with certainty that if the Carlton bill is passed or electricity becomes an article entering into interstate commerce, that there is any power in the State of Maine which can thereafter control it? If there is anybody in this House who can with certainty answer that question, I will be glad to hear from him. I say that if there is uncertainty about that one proposition, the whole argument in connection with granting export of power fails. I will go further and say that the probabilities are that if this power once gets into interstate commerce with a conditional permit such as is mentioned—and let me say to you, if you will look at the record of the power hearing, the attorney for the power company admitted that the contract which will be made by the transmission company with the Massachusetts concern would contain no conditions at all. I submit to you, in all probability, in my judgment it will be held that if a contract is made between the transmission company and someone in Massachusetts, that the company in Massachusetts will be protected under this contract, permit or no permit, and if that is so, your control of the export of hydro-electric power is gone. That is one thing I would like to know. The only way you can get it, inasmuch as we cannot get the decision of the Supreme Court of the United States, is to go to as high an authority as possible and find out. Why not find out before you say "Let this power go?"

Now what will be the effect in Maine? It is a matter of record that at a hearing, I think at Hartford, two years ago, at which either Mr. Insull was present or he was represented, and at which this question of export was considered, that Mr. Insull or his representative said that if power is to be exported from Maine, it should be under long-term contracts, it being my understanding that a contract of fifteen to forty years was suggested. Now how will that effect the State

of Maine? Let us suppose that they develop all the undeveloped water powers which they now control, and let us suppose there is no market, as there will not be any market in the State of Maine, and let us suppose they come to the Public Utilities Commission under that situation and say that the only way they can sell it in Massachusetts is under a long-term contract of from fifteen to forty years—what do you think will happen? They will get that contract, because they will have the tremendous investment that has been made to transmit that power. I ask you if such a contract of from fifteen to forty years is entered into, how will Maine ever get any of the power back during that period of time if she needs it? I say, in my opinion under such a contract the power thus contracted for will be absolutely lost to the State of Maine for the period covered by that contract.

It has been said that if we allow the export of power that the effect of it will be to reduce rates in Maine. Let us look at that. You understand that you are to have a transmission company organized under this bill; and the President of the Central Maine Power Company at the hearing said that the only transmission company which we would deal with would be the one in Maine, and that probably that transmission company would, in turn, turn the power over to another transmission company in another state, and so on through the various transmission companies until it reached the ultimate consumer.

Now what is likely to happen? Undoubtedly, either through the New England Public Service Company or some other Insull subsidiary, all of these transmission companies which will convey this power to Massachusetts will be controlled. You can see that if the Central Maine Power Company in Maine is to sell power to the first transmission company at a price which will enable profits to be taken by two or three or four other transmission companies and still compete with the price in Massachusetts, there is not likely to be any great profit received up here in Maine; and if there is none, will

you tell me how Maine will get any benefit in the way of reducing rates?

Now we have been told—I haven't heard so much about it at this session—but two years ago we were told that there was great danger if we did not pass that bill that production of energy by steam in Massachusetts would be at such a low cost that our opportunity would be gone. It is said, and I think it is suggested in this report, that now energy is being produced by steam at such a low figure that it is difficult for hydro-electric energy to compete with it in price and, mark you, all of these engineers say that the process of producing by steam is constantly being improved and the cost lessened.

Let us see what would happen. I call your attention to this fact—and to my mind it is one of the things of greatest value in the report, because it indicates clearly the extent of the business that is going to be carried on. This report says that the transmission lines and trunk lines to carry this to Massachusetts will cost \$40,000,000. That shows you the extent to which they are prepared to go into this business.

Now let us assume that steam, by reason of its refinements and improvements, can produce electricity cheaper than we can deliver it in Massachusetts. What do you think is going to happen? Do you suppose that they are going to abandon this transmission line? We have always been told when they talked about waste energy,—we have always been told everything they can get is so much to the good, and I believe you would be told the same thing then, and so far as I can see, if that situation confronted us, you will have us selling hydro-electric energy in Massachusetts in competition with steam for less than it is costing them. And who do you think, under those circumstances, will bear the loss? There is only one aggregation of people who can and that is the people up here in the State of Maine. So I can conceive that instead of lower rates, you might have a situation where it will increase rates.

Now what is the effect, my friends, of these holding companies

upon your generating and transmission companies? In this bill they have carefully separated the two, and the transmission company cannot own anything in a generating company. No—but the New England Public Service Company, which owns the generating company, and which will own the transmission company, which will own both, will be regulating and directing both of them, and I say to you, so far as I can see, you will have the result—and you will have it now—of Mr. Insull making contracts with himself, for himself and by himself. (Applause.) You cannot get away from it. That is the pernicious effect of these holding companies—the same men are making the contracts with themselves for themselves.

Let us see what is the distinction between the two classes of companies. Your utility companies have been given a monopoly. Why? They have been given a monopoly in this State in order and for the sole purpose that they shall serve the people of this State. The holding company has no such obligation. If you will turn to the report—Mr. Wyman's kind explanation to us of how they operate where he told us a holding company might make 75 per cent—you find how the matter is conducted. He says the holding company is a big gamble, and it is that company which is a gamble, to use his words, that is controlling your Public Utilities which is required by law to serve the people of the State. You must see that the holding company, which has no such obligation, has only one thought, namely to operate the generating company in a manner that will enable it to make money. That is the relation, and that is the perniciousness of these two types of organizations.

If you read this report, you will find in there the suggestion that Maine, if it develops normally, based on what it has done in the immediate past, will not need this power for sixty years or eighty years, I am not sure which.

Now let me call your attention to this: everyone is agreed that we are at the threshold of what will probably be called the electrical age. No one knew better than that engineer what the probabilities

are for the immediate future. Why? It is not beyond the scope of our imagination to think that in another twenty-five years every kilowatt hour of electricity that can be generated in Maine can be used here. If that is so, are you going to take a chance of allowing this last great resource of Maine to possibly get beyond your grasp when there is a grave question as to whether you will be able to get it back?

As a business proposition, I ask you, gentlemen, to search your minds and your consciences and tell me whether you know much about it. Can you tell me whether Maine can recall the power after it has once gone? Can you tell me what are the terms of the contracts which will be made, or the length of the same? Do you know how many companies will figure in contract, Do you know anything about it?

Now may I ask, in the consideration of this matter, where does the State of Maine come in? Is there anything in that bill which offers anything to the State of Maine? There is just one thing. They are kind enough to intimate a promise that if we allow power to go out and we ever need it, they will let us have it. That is the only thing there is outside of this rural electrification.

Now I am not going to talk much on rural electrification, except to say this: That if any of you can figure out how, under the terms of that bill, the present situation is changed in the slightest degree, I will be glad to know it. Permit me further to say to you that under the terms of this bill there is no obligation on the part of this company to use the gross income for ten years. They might use the gross income of \$250,000 the first year, but if you will turn over to page 11, they can issue securities the next year on the investment of \$250,000 and build some more lines, and the next year do the same so that the only thing there could be any assurance about would be the first \$250,000.

I will say to you, if you will examine that bill carefully, you will come to the conclusion that it does not offer to do any more for the rural sections than they are doing today, because the question which will decide whether that will be

done is whether or not it is a profitable enterprise. And they say today that it is not.

Now if I might, in closing, just read you an excerpt from the report of the Federal Power Commission: "The Federal Power Commission would recommend the passage by the States of laws under which the States would take a far greater part than any of them are now taking in the control and regulation of water power development and use. The Commission has no desire to enter the field of rate or security regulation in any cases where the States can act. It will give its fullest co-operation in working out with the State a mutual program of power development in the public interests. It finds, however, but few States in a position to do this, and it therefore urges the passage of comprehensive State water power laws based on the policy of full public control over this most important of natural resources."

I think I am creditably informed that Maine is the only State in the Union which still retains the right to prohibit the export of power.

In closing, I wish again to call you attention to the position which we occupy in this House. This is not a matter personal to you or to me. We sit here—I do not need to remind you—as trustees of practically 800,000 people. I say to you that these people can speak only in this matter as we speak. In that connection permit me to say that if you and I do not know about this, what an unfairness it would be for us to take advantage of the referendum clause in this bill and ask the people who do not know as much about it as we do to pass upon it! Now I ask you to keep in mind the position which we occupy. Let us keep in mind the duty that we owe to 800,000 people in a State which has for twenty years promulgated a definite policy that it would retain its hydro-electric energy. None of you—I cannot conceive that any of you—can fail to have a doubt in your minds as to whether or not Maine will be able to control this under this bill, and if that is so, then I say to you that in conformity to our duty, not only to the citizens of this State, but to ourselves, we cannot vote unknowingly, without knowledge, to give this vast privilege to interests outside of this State which are gener-

ally recognized, because of the character of the corporate structures, to be inimical to the interests of the country. I therefore ask you to consider it well and I trust that you will vote to oppose that bill. (Applause)

Mr. ROY of Lewiston: Mr. Speaker, I do not wish to discuss this case in detail, because it has already been pretty well discussed, but I wish to add to what the gentleman from Topsham (Mr. Aldrich) said in reference to the referendum.

Now I believe in the referendum if anyone does, but in this case I think it is too one-sided. The judgment that the first speaker has expressed is on the fact that it is to be left to the people and the people would be the Judge and Jury. Now this case is what you might say the State vs. Power Companies. In all cases before Judge and Jury there are witnesses, and the witnesses would come before the people in the form of propaganda. Now the power companies have all the money at their disposal for propaganda. Who is going to oppose it? The State has no provision for that and where will the power company get its money for propaganda? It takes it out of those who use electricity. They will have to put their right hand in their right-hand pocket to get the money. And where will the opponents get their money? They will have to dig down in their pockets too. So the opponents have to do it with both hands and the power company with one. They say—how will they get the money out of the people? Can they do it without raising the rates? They claim the rates are coming down. Well, they will delay reductions of the rates until that money is paid. But State-wide propaganda costs money. I doubt if they can go through that referendum for less than \$50,000; and you know there are no opponents who can put the money out to meet it. So I say the referendum on this bill will be of no avail whatever. That is all I have to say.

Mr. BISSETT of Portland: Mr. Speaker, I sat in this Legislature two years ago until I was water-logged and almost electrocuted. I have sat in this Legislature and I have heard the same both pro and con. Before we started our argu-

ments this morning I certainly believed that every member of this House knew how he was going to vote, before we listened to the eloquence on both sides. We trust the people of the State who put us here, and why should we not trust the people of the State to settle this question? Now, Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Portland, Mr. Bissett, moves the previous question. As many as are 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 division was had.

The SPEAKER: Forty-seven having voted in the affirmative—

The monitors will return the count of those present. The Chair will explain that it is necessary to have one-third of the members present.

The monitors returned the count of those present as being 142.

The SPEAKER: An insufficient number having arisen, the motion for the previous question will not be entertained.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I appreciate that the House is at least nearly ready to vote upon this proposition, and I do not want to take up very much time in going into the statistics of it.

In 1909, when the Fernald Law was passed, I was a page in the Senate, and stood then near to the spot where I am standing now, up in the old State House. I watched this controversy from the beginning. I was here in 1917, when Baxter had his campaign on charter amendments. I was here in the last session.

For the last nine years I have been engaged in this State in the distribution of securities, specializing in the securities of Maine corporations, not necessarily power companies, but all companies, and since I have gone into business for myself, that policy has been continued. My companies and my clients are knit into the industrial backbone of the State of Maine through ownership in practically every corporation doing business in this State—railroads, public utilities and industrials, and if I thought that the export of surplus power was going to do anyone any harm, was going to make any less clients for me, or was going to hurt

these companies in which I own and my clients own, it would be ridiculous for me to stand here and advocate to you the passage of this bill.

The force of tradition upon public opinion is very strong. Going back into history we see the development of Maine along our rivers. We recall the time when the cost of power in the manufacture of commodities which are now and have been produced in this State was a very important factor. In those days the price of the commodity itself was less, the construction cost was less, labor costs were less, and power costs were high, and at that time, fifty to eighty years ago, when many of these industries in Maine were being developed, power, hydro-electric power, cost about one-sixth of the cost of steam power; and that tradition coming down through time, with the idea that the water power of Maine would somehow and some time make Maine a great industrial center, is present in the minds of these people through tradition who today oppose this export. That was the fundamental reason for the passage of the Fernald Law, that it was felt that it would retain control in the State of Maine, and that if Maine retained control of these water powers, industries would come here to use them, and power would not be transmitted to industries elsewhere. The whole thing was based on cheap power. The people of Maine thought we had cheap power and that industries could come here and use it.

I do not say that we were not right then. I do not know enough about history just prior to 1909 to know just what the circumstances were which resulted in the passage of the Fernald Law, but I do know what the conditions are today.

The pulp and paper industry, the greatest industry in this State, according to reports of the Census Bureau and other statistics, in its manufacturing cost counts power cost from two to four per cent. The textile industry throughout the country counts power costs at 1.3 per cent. I do not know what they were twenty years ago or forty years ago or sixty years ago when they were building these cotton mills here, but it was a very much larger percentage.

Now insofar as this bill involves public service corporations, and since the point has been raised that the time may come when some one in

Maine may want power and cannot get it because it is all gone, which I am sure will not happen, I call your attention to the fact that these public service corporations are obliged by their charters and franchises to give service.

There is not any monopoly of electricity. The people of Boston who consume power generated by steam have the same equipment, the same washing machines, the same electric lights that consume the electric power that we use in Maine, which is generated by water power. If there is any one thing in civilization which is universal and which cannot be monopolized, it is electricity. Today it is a scientific fact that power can be developed on the New England sea coast through coal at practically the same cost as power can be developed over at Gulf Island on the Androscoggin River.

A great deal has been said here about holding companies. I do not necessarily approve of holding companies. I have never been active in holding company securities, but I do say that I understand the holding company principle and the holding company structure. There is nothing about it which is inherently vicious; there is no mathematical process in calculating holding company earnings which is more complicated than my nine-year-old daughter has already mastered in school. Anyone who can add and multiply and divide can calculate the results of a holding company which is organized to control an operating company.

These operating companies in Maine all function under our Public Utilities Commission. They are entitled by law to earn a fair return, which the Commission is supposed to determine, and which the Supreme Court of the United States has said on many occasions might be considered to be about seven or eight per cent. When these operating companies in Maine are earning more than seven or eight per cent on a fair valuation, the Utilities Commission can order a reduction in rates. There is no obligation, there is no burden on the consumers of that power to pay any dividend or any profit to these holding companies at all.

Numerous authorities have been cited here, and various quotations have been read. If there is any one man in the world who has been with the electrical age from its inception

who is entitled to the confidence of the United States and the members of this Legislature, who is not known in any way to be connected with the corporate structures of these holding companies which are interested in electrical development, so far as I know, a man who is regarded by the American people as absolutely honest and square and highly intelligent, it is Thomas A. Edison. I will read two extracts from his article which appeared in the Saturday Evening Post of January 5th, which has some bearing on this. I would like to read it all, but I will spare you the time: "We shall steadily require more power, but a great deal more fuss is being made over hydro-electric power than its intrinsic value warrants. The first and best source of power is coal."

Another extract: "We have within a very few years doubled the efficiency of coal, but it is still only about 20 per cent as contrasted with a 90 per cent efficiency in hydro-electric power generation."

Another extract: "Water power is a political issue, not a business one. It can never at the best mean very much to us except as something to talk about. The monopolizing of water power is also just a political idea. The rates are fixed at any point by the cost of generating power from steam. A private monopoly which was foolish enough to put in high rates would only bankrupt itself, for no one would buy the power."

Mr. Aldrich mentioned the fact, in the fact-finding committee report, in regard to the forty million dollar investment necessary to export power. I haven't the report at hand, but I believe that refers to all of the equipment which would be necessary to hook this State up through interconnections and developments to transmit that power. Assuming that the only cost which is put on that is directly necessary for export is a transmission line through a short section in the western part of the State, the cost of transmission line and appurtenances for distribution within the State of Maine and a trunk line of sufficient capacity to carry the surplus to Boston is estimated at \$40,000,000. Now from no engineering basic figures that I know of would the cost of a line from Portland to New Hampshire conceivably run over a very few million dollars, two or three million, so that figure which

he gave you, that \$40,000,000, is the figure for development within the State with the incidental appurtenances for export.

Mr. ALLEN of Camden: Mr. Speaker, one of the gentlemen said that there were some of us who were "raring to go." I am not one of those, but I am like the old colored lady down in our town who always wanted to speak in prayer meeting, and her first salutation was she was always willing to acknowledge her blessed Lord and Saviour "wherever I am, wherever I are, wherever I is." I have taken a great deal of interest in listening to our friend from Topsham, and I think he made the most pessimistic, scarring speech that I ever listened to in my life. He doesn't seem to have any confidence in anyone.

Now I have been watching the progress of electricity in the State ever since Walter Wyman commenced to dam and be damned, and I cannot find where there has been anything but progress all the way through. I know what the conditions were in my town at that time. We were getting just a little electricity there at a very high rate; our streets were poorly lighted, and we did not have any power circuits in the houses.

You will pardon my hoarseness, due to these "Gay smokes." (Laughter and applause). Our street lighting system had only run until twelve o'clock. Since the Central Maine Power Company took it over, they immediately advanced our time to all night, the street lights, and they commenced to put in "white ways," at no great additional expense. In our houses we have power lines. I hope you will pardon me for referring to my own house, but we have power—we don't have to burn any coal, even in the cook stove; we have electricity for everything, heating as well as lighting.

I remember the question Mr. Wyman asked the would-be Governor, Mr. Moran, if he would like cheaper power. He said he would. "Would you use it if you could get it cheaper?" He said he didn't know but what he would. "Well," says he, "why don't you use more of it?"

Now the power rate in our town is three cents for the first kilowatt hour, if anybody knows what a kilowatt hour is—I don't, whether it is bird, beast, or fish. The next 200 kilowatts is two cents; after that you can use as much as you

want to for one cent. Sometimes we go to bed in our house and leave the hot water heater on, just to laugh at Mr. Wyman. Sometimes we leave the flatiron on and it burns right down to the second floor. That is just getting back on Mr. Wyman.

Now I think in my town they are quite representative and I think there are some pretty keen men there, and if you don't believe it, you want to get up against them, and I haven't heard one word of criticism. They know I am for export of water power, surplus water power, and I haven't heard one word against it; so I want to go on record as being for export of surplus water power, and I do not care who knows it. You can go down in my town and paint it on the side of Mount Battie in figures a hundred feet high for all I care, and I will stand behind it. That is how I feel towards the export of water power. That is not half what I intended to say, but it is getting late and I will sit down. (Applause).

Mr. BLAISDELL of Franklin: Mr. Speaker and Members of the House: You need have no fear as to the length of my speech. I am going to vote for the Carlton bill, and the reason I wish to say that is for the benefit of the record. I must base my reason for voting upon the Carlton bill upon slightly different grounds than my friend Mr. Chase, from Cape Elizabeth. He says "I vote for the Carlton bill because I can clearly understand it; it is a simple problem." I base my reason for voting on the Carlton bill because I do not understand it. I base that upon the proposition that the people who sent me here would request of me that if I did not understand a problem, I would vote to bring the problem home to them. They are the ones who sent me. If I cannot manage a proposition here, I must take it home to them. That is my purpose.

After I have voted here today, or tomorrow, if we vote, I shall go back to my people, and I shall give them all of the information which I have learned. If I learn between now and the referendum date, if this bill passes, that power should not be exported from the State, the power interests will find me advising my people to vote against it. If I get other information which makes me believe that it should be

exported the power interests will find me advising my people to vote to export it. That is my position. It is a problem that I cannot answer. It may be right to export it, or it may be wrong. Therefore I ask my people to say. Unlike some of the other speakers, I have confidence in the result of their intelligence as expressed at the polls.

Mr. BURKETT of Union: Mr. Speaker, I want to go on record, too, as supporting the Carlton bill. We have heard a lot here about the export issue. I am willing to face my people back home who signed the remonstrance. I favor the Carlton bill and I favor the referendum. You have heard a lot about soulless corporations. I do not believe there is a man in this House who would go down town and take a cigar out of one of these stores without paying for it, but I do believe that if any member of this House rode down town on the electric car line and the conductor failed to collect our fare, we would get off and glorify ourselves because we had beaten some soulless corporation. For that reason it seems to me no more fair to cheat a corporation than to cheat an individual.

Mr. RUMILL of Tremont: Mr. Speaker and Members of the House, I at one time went on record as standing in the light of progression. It was unintentional; it was through my ignorance; I learned a lesson then which is evident to my mind now. I am referring to a matter which caused that lesson, which you will recall, many of you. It was over an automobile bill admitting autos into the several towns of Mt. Desert Island. Why, that picture was painted up so grand to us that if we excluded automobiles, we should be heaped up with wealth from the summer tourists. Through, perhaps, some of my activities, together with other movers in the town, our town was the last one to admit the automobile. By anticipating, as I say, the great wealth that was going to flow in to us, the activities which would come from the tourists—and I am going to say to you for the following two years Tremont, every day in the week, was like a Sunday under the Blue Laws, very quiet.

When the matter came about in the Legislature at the next session,

I, with other active ones, was very quiet. The law passed, and admitted automobiles, and prosperity began coming into our town.

Now at this time I want to go on record to relieve myself somewhat. When I first struck Augusta in January, for my first term in this Legislature, I was approached by a man who was very enthusiastic over the export power proposition, and he painted that same picture that was painted up to me at the time of the automobile incident—keep the power at home and we will be overrun with industries that will come in here to utilize our power. While I have been here, I have read a great deal of your activities over this export matter, and I now fail to see one industry that has come in here on account of the retaining of the water power. It seems to be flowing into the Atlantic just the same.

Now for these reasons, members, I want to go on record as strongly in favor of the Smith-Carlton bill.

Mr. PERHAM of West Paris: Mr. Speaker and members of the Legislature: As Mr. Williamson said this morning, the younger members have a different slant in a way on some of this material because of the fact that we have not been mixed up in the scrapping that we have had in the past. I am going to take but a very few minutes of your time this morning to state what I have got to say.

I would like to say in the beginning that I am in favor of the Carlton bill, and when I say I am in favor of anything you won't have to ask me a second time, whether you agree with me or not. There are two reasons why I am in favor of the Carlton bill. One is pretty definite and the other is indefinite—and there are several more I can mention that other people have stated.

Water power is of no particular benefit to hundreds of small prospective business unless that water power is turned into juice for the ready use of the people who want it. Small business men absolutely cannot afford to do this, therefore it comes down to just one thing else, and that is big business. All I can say is that the thing looks simple to me. The more power development we get in the State of

Maine, the more chance we have of inducing small businesses to come from other states, and also to develop small businesses in the State of Maine through our own activities, because it is an absolute fact that the one thing today that stops hundreds of small business is the insufficient investment of capital.

Another thing I have noticed, as I have heard the arguments pro and con here on the floor of the House and that is, that the State of Maine business men are honest, but the minute that you cross the border of the State of Maine you will get into a gang of thieves. Now, gentlemen, I may be wrong, but I haven't gotten into that state of mind, thank God. I would like to say in my own business, in the feldspar game, which is a new business in the State of Maine and our section—I am not saying this as a matter of advertising—we started in doing business with Maine business men; they gave us a business deal that they thought was O. K., and we did business. Today I am doing all of my business out of the State, and I would like to say that I am getting a squarer deal from out-of-state men in New Jersey than I ever got from any State of Maine business men; so I would like to say at this time that I do not like this attitude that is passing around, that the State of Maine business men are honest and that the people outside are a gang of thieves. That may be pretty plain, but I notice there is a lot of plain talk going on in this House and I might just as well have my share of it. I do not believe that the time has arrived when we, in the United States of America, and especially in Maine, must take on that European attitude of distrust and fear that has held Europe in bonds and every now and then has ripped her open with wars of ignorance and superstition. I thank you.

Mr. CRAWFORD of Houlton: Mr. Speaker, I feel that this question has been well covered and anything I can say perhaps will not change any votes either way, but I do want to go on record as a member of the Grange and outline their position.

There was a promise made in our party platform that an investigation of the water powers would be made. I feel that that investigation

has not been made. Some of us say that the report on the power resources of Maine is an answer to that question, but at the hearing a part, at least, of that report was admitted to be not correct. The Grange was asked to propound certain questions to be answered by this report, and part of those questions have not been answered. They were ruled to be beyond the scope of this report. The Grange, at its session in Augusta last December, adopted a resolution opposing the exportation of power, and we have in our possession petitions from every county in the State, with approximately 6,000 names, in opposition to the exportation of power at this time. For these reasons I feel that I will vote in opposition.

Mr. MERRILL, of Dover-Foxcroft: Mr. Speaker, I wish to express myself very briefly without entering at all into the discussion of the more intimate details of the question. A few outstanding facts seem to impress my mind. Again, as yesterday on the Fish River bill, we are having opposed to a constructive definite statement the opposition of dissection by fear and distrust and suspicion. As in direct opposition and in direct disproof of the fears and suspicions of what will happen if we place ourselves, as they say, in the hands of this octopus, let me call your attention to the fact that within the past few months one of hydro-electric companies in Maine at least has been instrumental in rehabilitating four dying and defunct industries in the State of Maine, keeping the mills running on full time and distributing the wages. They have done the same thing in another place across the line in New Hampshire. Those things are concrete positive proofs of what the policy of that company is and will be, and could you know, as you will know in the very near future, irrespective of whether this bill passes or not, some of the plans which are not yet mature enough to be made public, plans looking to the means of still further carrying this rehabilitation idea to dying and defunct industries, financing them and keeping them in operation by Maine capital,—if you could know those things, you would be still further, I believe, aware of the fact that in this particular hydro-electric company,

which seems to be the one that bears the brunt of all the argument against it—you would be particularly aware that the men in control of that company are absolutely worthy of the utmost confidence that the people of Maine can place in them. They show that by their every act. They show it by their investment of personal capital in the State of Maine. They show it, as I have intimated, by the rehabilitation, carrying on full payrolls near the point of production of electricity and if the germinal idea which I vouch to you is true the next few years will show the results of the tremendous vital interests that the men or man who typifies that company has, the interest that he has in the development of the State of Maine, and his pride certainly equals, if not exceeds, that of any man in this assemblage. Now then if I have not the advantage of intimate acquaintance with the financing of these operating companies and holding companies, the evidence before my eyes is sufficient, and my trust in the integrity and honor of the men who have invested their all, and will be much more vitally affected by the welfare or the destruction of Maine property—then I believe I am justified in taking the stand that I will go the whole way with such men, because I believe as the gentleman from West Paris, Mr. Perham, does when he says he has some faith left in humanity.

I believe that the men at the head of this corporation are just as sincere as the sincerest of us in their desire for the welfare of Maine and would no more do anything to harm Maine than any of us. So I feel I do not need to know all of the intimate details. I know the men, and after all is said and done, it matters not what the organization is, it matters not how perfect your lines are, it is the manpower behind the industry that is the vital factor. Character counts. Nothing was ever accomplished by disbelieving that if a seed is pushed down into the ground, under proper conditions it will not germinate and put forth fruit. Nothing is gained by doubt or a pessimistic policy.

I think I know why the words

were attached—the last words spoken by the Secretary of State that have been referred to here, when he said “God Save the State of Maine!” I think the real reason was because he saw—to be sure, he was repeating a formula—but it has been brought into this—he saw the same elements existing in this Legislature that have existed in every Legislature, and that is suspicion, which is not productive but leads to death and decay. ”

Mr. St. CLAIR of Rockland: Mr. Speaker, I was, two years ago, in favor of the Smith bill, and I am in favor of the Carlton bill. I do not want to make any speech, but I move the previous question.

The SPEAKER: The gentleman from Rockland, Mr. St. Clair, moves the previous question. As many as are in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have returned the count.

A sufficient number arose.

The SPEAKER: The question now before the House is, shall the main question be now put? The question of the putting of the main question is debatable, each member being allowed to discuss the question not exceeding five minutes, his speech to be confined to the question of closure and not to the merits of the debate. The gentleman from Bangor, Mr. Ingraham.

Mr. INGRAHAM: Mr. Speaker, I wish to ask for a ruling from the Chair as to the propriety of any member of this body voting upon legislative matters affecting corporations in which such members are employed.

The SPEAKER: The Chair will make such a ruling in a moment. The question now 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 motion for the previous question prevailed.

The SPEAKER: The gentleman from Bangor, Mr. Ingraham, has asked for a ruling of the Chair on the question, as the Chair understands it, whether the ownership of stock—

Mr. INGRAHAM: That is not it, Mr. Speaker.

The SPEAKER: Will the gentleman state his question?

Mr. INGRAHAM: I desire the Chair to rule as to the propriety of any member of this body voting upon legislation materially affecting corporations in which such members are employed.

The SPEAKER: The gentleman from Bangor, Mr. Ingraham, asks for the ruling of the Chair on the question of the propriety of any member voting upon a question affecting the interests of a corporation or individual by which he is employed. The Chair will state that the question of propriety is a question for the individual taste and conscience merely. The only rule of the House that the Chair knows of which has any bearing on this question is the seventeenth joint rule which reads: “No member shall be permitted to vote on any question in either branch of the Legislature, nor in committee, whose private right, distinct from public interest, is immediately involved.” The Chair is of the opinion that employment by a corporation or individual does not necessarily obscure his view of the public interest, and that the voting by such an individual would not necessarily be an infraction of the rule; but the Chair will repeat that the question of propriety is a question of conscience. The Chair will further say that its ruling, in this or any other matter, is the ground of appeal and the Chair will be glad to entertain an appeal. The gentleman from Augusta, Mr. Farris.

Mr. FARRIS: Mr. Speaker, I move that when the vote is taken, it be taken by the yeas and nays.

The SPEAKER: The gentleman from Augusta, Mr. Farris, moves that when the vote is taken, it be taken by the yeas and nays. As many as favor the gentleman's motion will rise and stand in their places until counted and the monitors have returned the count.

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

Mr. CARLETON of Portland: Mr. Speaker and members of the House: As I am a holder of more or less bonds of the different electric companies of the State of Maine, I wish to be excused from voting. (Applause)

The gentleman was excused from voting.

Mr. HAWKES of Standish. Mr.

Speaker, I wish to be excused from voting, as I am paired with the gentleman from Lubec, Mr. Pike. He, if here, would vote yes, and I, no.

The gentleman was excused from voting.

Mr. MORSE of Oakland: Mr. Speaker, I would like to be excused from voting, as I am paired with the gentleman from East Livermore, Mr. Sturtevant. He, if here, would vote yes, and I, no.

The gentleman was excused from voting.

Mr. LEWIS of Cumberland: Mr. Speaker, I ask to be excused from voting for the same reason as Mr. Carleton of Portland.

The gentleman was excused from voting.

The SPEAKER: Is the House now ready for the question?

The question was called for.

The SPEAKER: The question before the House is on the motion of the gentleman from Farmingdale, Mr. Littlefield, for the acceptance of the majority report, ought to pass. A vote of yes is a vote for the motion, and in effect a vote for the bill. A vote of no is a vote against the motion, and in consequence against the bill. The Clerk will call the roll.

YEA—Adams, Allen, Camden; Allen, Sanford; Angell, Bailey, Bishop, Bissett, Blaisdell, Blanchard, Blodgett, Boston, Burkett, Portland; Burkett, Union; Burns, Butler, Chase, Clark, Daigle, Farris, Ford, Foster, Friend, Gagne, Gillespie, Hamel, George; Hammond, Hathaway, Hawkes, Richmond; Heath, Hill, Holbrook, Holman, Jackson, Bath; Jacobs, Wells; Jones, Waterville; Jones Winthrop; Kane, Laughlin, Lenfest, Libby, Littlefield, Farmingdale, Lombard, Mansfield, McCart, McLean, Melcher, Merrill, Milliken, Morse, Rumford, O'Connell, Perham, Picher, Quint, Rackliff, Rogers, Greenville; Rounds, Rumill, St. Clair, Sargent, Saucier, Seavey, Small, Freedom; Small, East Machias; Sterling, Caratunk Plantation; Taylor, Thatcher, Towne, Tucker, Webster, Auburn; White, Dyer Brook; Williamson, Wing, Wright—73.

NAY—Aldrich, Anderson, New Sweden; Anderson, South Portland; Ashby, Bachelder, Belleau, Bisbee, Bove, Boynton, Briggs, Burr, Buzzell, Campbell, Carleton, Winterport; Clifford, Comins, Couture, Crawford, Day, Dudley, Eaton, Fogg, Folsom, Gay, Hamel, Rodolphe; Harrington, Hatch, Hughes, Hunt, Hurd, Ingraham, Jack, Jackson, Portland; Jacobs, Auburn; Jones, Corinna; Jones, Windsor; King, Kitchen, Leonard,

Littlefield, Monroe; Locke, Lowell, MacKinnon; McKnight, Morin, Palmer, Patterson, Peacock, Perkins, Potter, Powers, Pratt, Rea, Richardson, Roach, Robie, Rogers, Yarmouth; Roy, Stanley, Sterling, Kittery; Stetson, Stone, Stuart, Sturgis, Varnum, Vose, Ward, Webster. Buxton; Wight, Newry—69.

ABSENT—HUBBARD—1.

PAIRED—Hawkes, Standish; Morse, Oakland; Pike, Sturtevant—4.

EXCUSED—Carleton, Portland; Lewis—2.

The SPEAKER: Seventy-three having voted in favor of the motion and 69 in opposition thereto, the motion to accept the majority report, ought to pass, prevails.

On motion by Mr. Littlefield of Farmingdale, this being a printed bill, the rules were suspended and the bill had its two several readings.

Mr. BLAISDELL: Mr. Speaker, I wish to offer an amendment to S. P. 81, S. D. 44, and move its adoption, and also move that the amendment and bill lie upon the table.

The SPEAKER: Does the gentleman move that the amendment be printed?

Mr. BLAISDELL: Yes, Mr. Speaker.

Thereupon the bill and amendment were tabled and 500 copies of the amendment ordered printed.

On motion by Mr. Kitchen of Presque Isle, a viva voce vote being taken, it was voted that when the House recess it be until 4 P. M.

Mr. HAMMOND of Van Buren: Mr. Speaker, I ask for amendment A to be read.

House Amendment A to Senate Document 44, bill an act to provide for the exportation of surplus power.

Amend Senate Document 44, S. P. 81, by adding the following:

"For said permission to sell the whole or such part of surplus power as the Public Utilities Commission may determine, said person, firm or corporation shall pay an excise tax to the State of Maine and to the treasurer of State thereof of four per cent of the gross operating revenue receipts of said person, firm or corporation received for selling the whole or such part of its surplus power as is in this act defined and permitted during each calendar year or part thereof. Said tax shall be payable to the Treasurer of State for the use of the State for State licenses and as aforesaid on the first day of June in each year. The said person, firm or corporation receiving such permission from said Public Utilities Commission to have permission

to sell the whole or such part of its surplus power as said Public Utilities Commission may determine shall return to the body of such assessors on or before the first of April in each year the amount of its gross operating revenue receipts for such whole or such part of said surplus power as is by said firm or corporation sold under the permission for which provision is hereby made for the calendar year or part thereof next preceding said first day of April. The body of State Assessors shall forthwith determine the amount of such excise tax and report the same to the Treasurer of State, who shall forthwith, on or before the first day of May in each year, give notice thereof to the person, firm or corporation receiving such permission from said Public Utilities Commission. Any person, firm or corporation neglecting to make said returns or pay said tax shall forfeit the permission herein referred to and for which provision is herein made.

Mr. VARNUM of Westbrook: Mr. Speaker, I would like to offer House Amendment. B.

The SPEAKER: The gentleman is out of order, and the Clerk will read the notices.

On motion by Mr. Kitchen of Presque Isle.

Recessed until 4 P. M.

After Recess 4 P. M.

The Speaker in the Chair.

Papers from the Senate out of order, disposed of in concurrence.

From the Senate: Final reports of the committee on Aeronautics and Radio Control, Library, Manufactures, Mercantile Affairs and Insurance, Public Health, and State Prison.

Come from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Senate Bills in First Reading

S. P. 762, S. D. 408; Resolve in favor of Memorial at Thomaston, Maine for Major-General Henry Knox.

S. P. 763, S. D. 409: An act relating to application for soldiers' bonus.

S. P. 701, H. D. 709: An act relative to a State School for Girls.

From the Senate: Report of the Committee on Revision of Statutes reporting ought to pass on bill an act

to amend Chapter 147 of the Revised Statutes relating to the Department of Public Welfare. (S. P. 535) (S. D. 212)

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

In the House, report read and accepted in concurrence, and the bill had its two several readings.

Senate Amendment A read and adopted in concurrence, and tomorrow assigned for third reading.

From the Senate: Report of the Committee on Banks and Banking on bill an act to amend the act defining the term "Securities" under the Blue Sky Law (S. P. 677) (S. D. 345) reporting same in a new draft (S. P. 748) (S. D. 403) under same title and that it "Ought to pass."

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

In the House, report read and accepted in concurrence, and the bill had its two several readings.

Senate Amendment A read and adopted in concurrence, and tomorrow assigned for third reading.

From the Senate: Bill an act to consolidate the general superintendence, management and control of the State Prison, the Reformatory for Men and Reformatory for Women under one Board of Trustees and to provide for the temporary transfer of inmates (H. P. 1675) (H. D. 729) which was indefinitely postponed in the House March 27th.

Comes from the Senate passed to be engrossed in non-concurrence.

In the House, on motion by Mr. Perham of West Paris, the House voted to insist on its former action and that a committee of conference be appointed.

The SPEAKER: The Chair will announce its appointments later.

From the Senate: Bill an act with reference to tuberculous patients (H. P. 1572) (H. D. 579) which was passed to be engrossed in the House March 28th.

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

In the House, Senate Amendment A. read.

The House voted to reconsider its action whereby this bill was passed to be engrossed, and concurred with the Senate in the adoption of Sen-

ate Amendment A; and the bill as so amended was passed to be engrossed in concurrence.

From the Senate: Bill an act to create the Department of Finance (H. P. 1666) (H. D. 735) which was indefinitely postponed in the House March 28th.

Comes from the Senate passed to be engrossed in non-concurrence.

Mr. JACK of Lisbon Falls: Mr. Mr. Speaker, I move that we adhere.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I move that the House recede and concur; and I further move that my motion lie on the table until tomorrow morning.

A viva voce vote being taken, the motion prevailed.

From the Senate: Resolve appropriating money to be used in repair and betterment of Bangor State Arsenal property in Bangor, which is a State Park (H. P. 1710) (H. D. 775) which was passed to be engrossed in the House April 1st.

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

In the House, Senate Amendment A read.

The House voted to reconsider its action whereby this bill was passed to be engrossed and concurred with the Senate in the adoption of Senate Amendment A. Thereupon the resolve as amended by Senate Amendment A was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to declarations upon a contract in writing (H. P. 1680) (H. D. 732) on which the House accepted the majority report of the Committee reporting same in a new draft, and passed the bill to be engrossed.

Came from the Senate the minority report of the Committee reporting "Ought not to pass" accepted in non-concurrence.

In the House on motion by Mr. Rounds of Portland, the reports were tabled, pending reconsideration.

The SPEAKER: The Chair lays before the House a veto message from the Governor and the Clerk will read the message.

STATE OF MAINE
OFFICE OF THE GOVERNOR
Augusta, April 3rd, 1929.

To the Honorable Senate and House of Representatives:

There is returned herewith, with-

out my approval, resolve in favor of the Charles H. Cutter Coal Company of Boston.

No new facts have developed since this claim was rejected by the Eighty-third legislature. There is admittedly no legal claim against the State and it would seem that the passage of this resolve might set a dangerous precedent in reimbursing those who suffer business losses in their dealings with the State.

Respectfully submitted,

WILLIAM TUDOR GARDINER.

Mr. ROUNDS of Portland: Mr. Speaker, the committee on claims heard this at two sessions and they reported unanimously in its favor with some deduction in the price. Why our State wards across the river had not a twelve hours' coal supply, but this man got it on the train and sent it to Augusta. He went ahead and supplied it and he is only asking now for just what it cost to reimburse, and if the Governor at that time had been any kind of, I do not know what (Laughter) he would have passed it right then and there, and you would never have heard from the Charles H. Cutter Coal Company in this matter. Therefore, I move that it lie on the table.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves that the veto message lie upon the table. All those in favor of the gentleman's motion will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had, Twenty-seven voting in favor of the motion to table and 67 against that motion, the motion failed of passage.

The SPEAKER: Is the House ready for the question? The question before the House is, shall this resolve be finally passed notwithstanding the objections of the Governor. A vote of yes is a vote for the final passage of the resolve and is against the objections of the Governor. A vote of no is a vote against the final passage of the resolve, and, consequently, a vote to sustain the veto of the Governor. Is the question clear to the House, and is the House ready for the question? The Clerk will call the roll.

Yea—Aldrich, Anderson, New Sweden; Belleau, Boston, Boynton, Dudley, Farris, Hawkes, Richmond; Ingraham, Jackson, Bath; Jackson, Portland; King, Laughlin, Lewis, Rounds, Sturgis—16.

NAY—Adams, Allen, Camden; Al-

len, Sanford; Anderson, South Portland; Angell, Ashby, Bachelder, Bailey, Bisbee, Bishop, Bissett, Blaisdell, Blanchard, Blodgett, Bove, Briggs, Burkett, Portland; Burkett, Union; Burns, Burr, Butler, Buzzell, Campbell, Carleton, Portland; Carleton, Winterport; Chase, Clark, Clifford, Comins, Crawford, Daigle, Day, Eaton, Fogg, Folsom, Ford, Gagne, Gay, Gillespie, Hamel, George; Hamel, Rodolphe; Hammond, Harrington, Hatch, Hathaway, Hawkes, Standish; Heath, Holbrook, Hubbard, Hughes, Hunt, Hurd, Jack, Jacobs, Auburn; Jones, Corinna; Jones, Waterville; Jones, Windsor; Jones, Winthrop; Kane, Kitchen, Lenfest, Leonard, Libby, Littlefield, Farmingdale; Littlefield, Monroe; Locke, Lombard, Lowell, MacKinnon, Mansfield, McKnight, Melcher, Merrill, Milliken, Morin, Morse, Oakland; Morse, Rufford; O'Connell, Palmer, Patterson, Peacock, Perham, Perkins, Picher, Potter, Powers, Pratt, Quint, Rackliff, Rea, Richardson, Roach, Robie, Rogers, Greenville; Rogers, Yarmouth; Roy, Rumill, St. Clair, Sargent, Saucier, Seavey, Small, Freedom; Small, East Machias; Stanley, Sterling, Kittery; Sterling, Caratunk Plantation; Stetson, Stone, Stuart, Taylor, Thatcher, Towne, Tucker, Varnum, Vose, Ward, Webster, Auburn; Webster, Buxton; White, Dyer Brook; Wight, Newry; Williamson, Wing, Wright—123.

ABSENT—Couture, Foster, Friend, Hill, Holman, Jacobs, Wells; McCart, McLean, Pike, Sturtevant—10.

The **SPEAKER**: Sixteen having voted in favor of the final passage of the resolve notwithstanding the objections of the Governor and 123 having voted in opposition thereto, the resolve fails of final passage.

Further Papers From The Senate

From the Senate: Report of the Committee on Judiciary on Joint Order relative to investigation of the Workmen's Compensation Act reporting the following Order:

ORDERED, The House concurring, that the Insurance Commissioner of the State of Maine with the assistance of the Commissioner of Labor and the Chairman of the Industrial Accident Commission are hereby authorized and directed to make an investigation of the Workmen's Compensation Law of the State since its enactment, and make full report in writing to the Governor on or before October 1, 1930.

Authority is hereby given to summon witnesses and require the production of papers, documents and reports, any witnesses so summoned to receive the same attendance fees

as are paid in the Supreme Judicial Court.

Among the matters which are to be inquired into are the following—(1) Are the present rates adequate and fully compensatory to the insurance carriers, or are they too high or too low?

(2)—What are the reasons why mutual insurance companies at regular manual rates can return to their clients 20 per cent or more of premiums paid, while stock companies claim to be losing money?

(3)—What has been the experience of self-insurers?

(4)—Is the so-called "loading charge" of 40 per cent justified or not?

(5)—Are the insurance carriers properly or improperly expending money in audit, inspection, investigation and adjustment?

(6)—What is the experience in those states which have either a monopolistic state fund in its plan, or a competitive state fund and carrier plan?

The investigators herein provided for are to serve without compensation, except actual expenses, said expenses not to exceed such sum as may be fixed by the Governor and Council.

Comes from the Senate the report read and accepted, Senate Amendment "A" read and adopted as follows:

"Amend said order by adding thereto the following—'The entire expense of such investigation (other than expense in the departments of Insurance, Labor, and Industrial Accident Commission) not to exceed five hundred dollars (\$500), which amount is hereby appropriated therefor" and the Order (new draft) passed as amended by Senate Amendment "A".

In the House, it was voted to accept the report of the committee in concurrence.

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

Reports of Committees

(Out of order)

Mr. JACOBS from the Committee on Education reported ought not to pass on resolve in favor of Jennie E. Smith, for teacher's pension (H. P. 800)

Mr. McCART from the Committee on Revision of Statutes reported same on bill an act relative to the time for

hearing in equity suits (H. P. 1284) (H. D. 441)

Same gentleman from same Committee reported same on bill an act relative to the limitation of actions for injuries caused by motor vehicles (H. P. 1220) (H. D. 406)

Reports read and accepted and sent up for concurrence.

Mr. TUCKER from the Committee on State Lands and Forest Preservation reported "Ought to pass" on bill an act relating to auxiliary state forests. (H. P. 1403) (H. D. 465)

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and tomorrow assigned.

Mr. BOSTON from the Committee on Banks and Banking on bill an act relating to interest charged by small loan agencies (H. P. 759) (H. D. 226) reported same in a new draft (H. P. 1742) under same title and that it ought to pass.

On motion of Mr. CHASE of Cape Elizabeth, report was tabled pending acceptance, and 500 copies of the new draft ordered printed.

Mr. HOLMAN from the Committee on Revision of Statutes on bill an act relative to lien on vehicles. (H. P. 1484) (H. D. 520) reported same in a new draft (H. P. 1741) under same title and that it ought to pass.

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

Passed to be Enacted

(S. P. 566) (S. D. 237) An act relative to State aid to academies.

(S. P. 696) (H. D. 704) An act relative to executors and administrators.

(S. P. 699) (H. D. 707) An act relative to certificate of dissolution of attachments and release of attachments.

(S. P. 704) (H. D. 712) An act relative to historical documents.

(S. P. 706) (H. D. 714) An act relative to publication of disposition of appealed cases and indictments in intoxicating liquor prosecutions.

(S. P. 710) (H. D. 718) An act relative to hearings and judgments in vacation.

(S. P. 712) (H. D. 720) An act relative to penalty for making false affidavit of application for pension for the blind.

(S. P. 714) (H. D. 722) An act relative to share of a child or his issue having no devise under a will.

(S. P. 700) (H. D. 708) An act

relative to jurisdiction of Prison Commissioners in matter of paroles.

(S. P. 715) (H. D. 723) An act relative to sale of intoxicating liquors, definitions.

(H. P. 618) (H. D. 742) An act relating to the salary of the Judge of Probate in the county of Aroostook.

(H. P. 695) (H. D. 743) An act relating to the salary of the Municipal Court Recorder of Sanford.

(H. P. 865) (H. D. 761) An act relating to Penobscot Council Incorporated, Boy Scouts of America, Bangor and Brewer, Maine.

(H. P. 1042) (H. D. 333) An act providing for the distribution of national forest funds received from the United States.

(H. P. 1441) (H. D. 744) An act increasing the salary of the County Attorney of Waldo County.

Finally Passed

(H. P. 1690) (H. D. 750) Resolve in favor of screening Whetstone Pond or Sylvan Lake, so-called.

(H. P. 1695) (H. D. 755) Resolve to pay certain deficiencies.

(Tabled by Mr. Rounds of Portland pending final passage.)

(H. P. 1625) (H. D. 643) Resolve to assist in defraying expenses for National Encampment of the Grand Army of the Republic.

(H. P. 734) (H. D. 384) Resolve to modify the conditions of the gift from B. C. Jordan to the State for the purpose of encouraging cultivation of forests.

(Tabled by Mr. Kitchen of Presque Isle, pending final passage.)

(H. P. 1697) (H. D. 757) Resolve in relation to the completion of the Seventh Revision of the General and Public Laws, appointing a Commissioner therefor and a Commission.

(On motion by Mr. Stone of Biddeford, tabled pending final passage, for the purpose of offering an amendment.)

On motion by Mr. Stone of Biddeford, it was voted to take from the table H. P. 1697, H. D. 757, resolve in relation to the completion of the Seventh Revision of the General and Public Laws, tabled by that gentleman a moment ago.

The House voted to reconsider its action whereby said resolve was passed to be engrossed.

Mr. Stone offered House Amendment A and moved its adoption, as follows:

House Amendment "A" to House Paper 1697—Resolve in relation to the completion of the Seventh Revision of the General and Public Laws and appointing a Commissioner therefor and a Commission.

Amend said resolve by striking out the words "said committee" in the seventeenth and eighteenth lines and inserting in place thereof the words "said commission;" and further by striking out the word "their" in the eighteenth line and inserting in place thereof the word "its"; and by striking out the words "said committee" in the twentieth line and inserting in place thereof the words "said commission;" and by striking out the word "their" in the twenty-first line and inserting in place thereof the word "its"; and by striking out the words "these resolves" in the third line from the last and inserting in place thereof the words "this resolve."

House Amendment A adopted and the resolve as amended by House Amendment A was passed to be engrossed.

The SPEAKER: The next item of unfinished business of the morning is the third matter today assigned, being Senate report A, ought not to pass, and Senate Report B, ought to pass in new draft, from the committee on Judiciary on bill an act to register and license persons engaged in the practice of barbering and to create a Board of Barber examiners, the new draft being 717, S. D. 375, the pending question being the acceptance of either report, the Senate having accepted report A. The said bill and reports were tabled yesterday by the gentleman from Kingfield, Mr. Wing, and the Chair recognizes that gentleman.

Mr. WING: Mr. Speaker and members of the House: As one of the members of the Judiciary committee who signed report B, ought to pass in new draft, I move that report B. be accepted in order that I may state my reasons for signing that report and also to give others who may be interested an opportunity likewise. I have in mind a story that I heard within a day or two about barbers. A man went into a country barber shop, a rather disreputable looking affair and sat down for a shave. The barber was apparently a little intoxicated. He took down a razor from the shelf and an old whetstone, gave the razor a few slaps, put a little lather upon the man's face and drew

the razor down across. Then he straightened up and asked the countryman the usual question. "Does it hurt?" "Well, it makes a difference. If you are trying to skin me it isn't bad. If you call it a shave it's terrible." (Laughter) I have no intention of either being skinned or having a chose shave in unduly taking your time upon this matter, although I believe it is a good bill. I have in mind that there are a great many good and worthy bills introduced into this Legislature which do not live long enough to get upon the pages of our Statute books. I am also mindful of the fact that this particular bill is probably well on its way to the undertaker. This bill in its general aspects simply provides for an examining board, it provides for certain standards of efficiency which shall be required of candidates who wish to practice the profession. It goes farther and provides for the promulgating of sanitary regulations which are for the benefit of the public. There is no expense to the State of Maine. The barbers simply wish to raise their own standards to compel everyone of the profession to conduct their shops in sanitary fashion and that is under the superintendence and at the direction of the State Department of Health. The sanitary regulations are nothing more nor less than the State should provide itself and pay for but there never has been enough money provided so that the department could undertake this work; and it seems to me that when the barbers come here practically unannounced and ask that they have an examining board so that the standards of their profession should be raised, they should have the privilege of undertaking this worthy measure and paying for it themselves, which is what they desire; so I think they are entitled for consideration.

I will only say farther that the experience of the states which have passed similar laws would indicate that it results in better service and lower rates, contrary I believe to the idea of a good many here. I think that is all I care to say.

Mr. WILLIAMSON of Augusta: Mr. Speaker, is it proper for me to inquire if the Senate amended this bill and if that amendment has come down?

The SPEAKER: The inquiry is exceedingly proper. The Chair finds

no evidence of any amendment having been made in the Senate.

Mr. WILLIAMSON: Mr. Speaker and Members of the House: I signed the report which the gentleman from Kingfield (Mr. Wing) signed for the same reason that I signed the report, ought to pass, on the hairdressers' bill. I think they are both proper and worthy measures, and for that reason I support the motion to accept the report ought to pass.

Miss LAUGHLIN of Portland: Mr. Speaker and Members of the House: As a member of the Judiciary committee who signed report B, ought to pass, I wish to express my support of the gentleman from Kingfield, Mr. Wing, that the report ought to be accepted. It is not my purpose to enter upon any discussion of the details of this bill, and certainly not to enter upon any discussion of the conditions which obtain in barber shops. There are 147 members of this House who know more about that than I do. (Laughter) I do wish to express the opinion of many of my constituents in favor of this bill and also to say that it is endorsed as a health measure by many of the prominent physicians of this State, and also endorsed by some of our most prominent men for the same reason, namely that it is a measure in promotion of the public health.

Mr. PATTERSON of Freeport: Mr. Speaker and Members of the Legislature: As a health support, the only man who came to me as to the health support was a man that they shut up because his barber shop was not clean. Others in the town, two of them came to me and wanted me to vote against it. You probably saw a piece in the paper the other night from one of the men who started this business,—I don't remember his name but it was in Portland anyway. He said that any member from Portland who voted against this measure, he would see that that member did not come back here to the next Legislature. That to my mind would kill a bill anyway, and I am in favor of report A, ought not to pass, because I believe any man knows when a shop is clean and he can keep away from the dirty ones.

Mr. FARRIS of Augusta: Mr. Speaker, I am one of the Judiciary who signed the report ought not to pass, and I oppose this bill for several reasons. It seems to me that when anyone wants to get a piece of legislation through they use this health

measure to quite an extent. I do not see how this is a health measure at all. However, in this new draft they have the Health Commissioner, Labor Commissioner and one barber to conduct the examination. This would simply create another board in the State House and to the expense to which the State is already put to keep up those boards.

I want to call attention to the fact that in this bill, Senate 375, on Page 11, there is a renewal fee provided in here. Now the gentleman from Kingfield, Mr. Wing, objected to the amendment that I proposed on the undertakers' bill to raise the renewal fee from \$1.00 to \$2.00. I do not see how he can consistently come in here and propose a fee for examination on a much stronger bill than the undertakers' bill and which asked for more regulations by the Health Department, the Labor Department and one barber, and ask you to non-concur with the Senate. This bill has been in the Senate indefinitely postponed as I understand it. Is that right, Mr. Speaker.

The SPEAKER: The bill was not indefinitely postponed in the Senate, but the ought not to pass report was there accepted, so the effect was similar.

Mr. FARRIS continuing: The bill provides: "The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice, barbering is ten dollars, and for the issuance of the certificate, two dollars," he has to pay two dollars for someone to write it out after he has taken the examination. "The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice as an apprentice, is five dollars, and for the issuance of the certificate, two dollars. The fee to be paid by an applicant for an examination to determine his preliminary education is three dollars. The fee to be paid for the renewal of a certificate of registration to practice barbering is five dollars, and for restoration of an expired certificate, seven dollars."

Now I cannot see how the gentleman from Kingfield, Mr. Wing, can consistently come before this House and ask for the passage of this bill after the speech he made against my undertakers' amendment. (Laughter) I want to go on record as in favor of the ought not to pass report in concurrence with the Senate.

Mr. KITCHEN of Presque Isle: Mr. Speaker, since I went down to defeat yesterday in such an ignominious manner in the Battle of Fish River, I have scarcely dared to open my mouth for fear I would be knocked down. However, I would like to go on record as being in favor of this barber bill; also in favor of the ladies' bill which was presented here and which was so quickly laid away. I hope the motion of the gentleman from Kingfield, will prevail.

Miss LAUGHELLIN: Mr. Speaker, inasmuch as the gentleman from Augusta, Mr. Farris, referred to the Labor Commissioner, I think it is only fair to the sponsors of this bill to say that it was not their wish that the Commissioner of Labor be on the board. That was put in through a misunderstanding, and the sponsors are very much opposed to the Commissioner of Labor being included on the board. It was understood that when the bill came to its first reading an amendment would be put on to have two barbers on the board with the Commissioner of Health, and that is the amendment which the gentleman from Augusta (Mr. Williamson) I think referred to when he asked if the bill was amended in the Senate. Since the Senate adopted the report ought not to pass, of course the bill never reached the stage where an amendment could be presented; and I am sure that those who are asking for this bill would want this explanation made.

Mr. FARRIS: Mr. Speaker, I have talked with several barbers since this new draft has been printed and they are opposed to it and opposed to having a Health Commissioner on this Board. (Laughter) I was reading in the paper the other day that they had a board similar to this out in Illinois, and they immediately raised the prices of shaves to 50 cents and haircut to 75, and that is one of the reasons why I am opposed to the bill. (Laughter)

Mr. PRATT of Turner: You will find, members of the Legislature, that they are right after the local barbers out in the country. That is what these barbers are after. Now you gentlemen who have a little ways to go to a country barber for a shave or haircut, if this bill is passed, you will have to go maybe 18 to 20 miles to get your hair cut. That is what they are after, and as the gentleman from Augusta, Mr. Farris, has said,

the first thing they will do will be to put the price up. I saw in the paper the other day that the proprietor of a shop in Portland said he did not care in the least whether it passed or not; that if his customers were satisfied with his work and his prices, why should he worry his head off about legislation.

Mr. WING: Mr. Speaker, in regard to all the barbers being in favor of it, I would refer to the testimony given before the committee. They sent out notices to every barber so far as I know in the State and only two replied that they were not in favor of the bill. Also I will say that I come from as far back in the country, I think, as most anyone, and the barbers there are in favor of the bill.

Further, the gentleman from Augusta, Mr. Farris, has accused me, rather unkindly, of inconsistency in a comparison of the undertakers' bill with the barbers' bill, I am going to flatly accuse him of the same thing. (Laughter) The undertakers have at the present time an examining board and nobody objects to that. All that we are asking for in this bill is an examining board. If you want to cut out the health proposition you certainly cannot lay it up against the barber. Now the undertakers wanted five dollars more to apply to renewal fees of every undertaker in the State of Maine. That money was to go for conducting a post graduate course. That amendment was opposed and I think there were only 150 out of 450 of the profession who were in favor of it. Three hundred were either opposed or not interested. They simply had \$2,800 in the treasury and under the present law they could not use it and they wanted to get hold of it. I am simply asking for them the same privilege the undertakers had before they got their amendment.

Mr. PRATT: Mr. Speaker in two of the towns that I represent there are five barbers and I happen to be one of them and all kinds of barbers are opposed to this act. (Applause)

Mr. LOCKE of Biddeford: Mr. Speaker, it is with great timidity that I rise to address the House because as a member of the minority party it certainly gives me pleasure to see this battle of eloquence going on among the majority party. I wish that it might continue, but we are fast getting away from the merits of this bill, and there is no question there is merit in it. The

barbers have a right to come here and ask us for legislation to protect you and them from the inroads that have been made in their profession by practical strangers with no experience and absolutely no care for the health of the people who go to barber shops. That is the question we must discuss today. We are not discussing whether undertakers' and barbers' fees shall be raised, we are not concerned with that. We are concerned wholly with the question of whether or not we shall allow the barbers of this State to say how they shall govern their affairs. It seems to me we are getting far afield from any proposition when we are attempting to tie up the question of fees in either the undertakers' or the barbers' bill. It is true they travel together, both professions. It seems to me that we are making light of this question. I thought all the light was made this morning, or attempted to be made, but I ask you men to consider this matter with just as much caution as you give to any matter that comes before this House. To my mind it is absolutely a question of the health of the people of this State. We say that a man can go into a barber shop and it is up to him whether or not the place is clean. He does not know when he goes into a strange barber shop just what conditions he will find there. I hope that the motion of the gentleman from Kingfield, Mr. Wing, will prevail.

Mr. CLIFFORD of Garland: Mr. Speaker, there seems to be more or less misunderstanding in regard to this bill, even among the barbers themselves. I happened to be in my seat during the hearing on this bill and two barbers from Portland sat one on each side of me and they had quite a little discussion in regard to the sanitation required by this bill. One reached across in front of me and said to the other, "I didn't know there was anything about sanitation in this bill." (Laughter) I think the majority of the barbers did not know there was anything about sanitation in it. It was simply to them a labor measure or a unionizing measure, and why should we in the Legislature of the State of Maine unionize any profession? I am not particularly opposed to unions, but let each department unionize its own affairs. There would be just as much sense in bringing a bill here for the farmers to unionize their affairs as one for the

barbers. On that ground I am opposed to this bill and I think without doubt that if this bill should pass we would immediately have to pay more for the work done in barber shops. I think that is the intention.

The SPEAKER: Is the House ready for the question?

Mr. WING: Mr. Speaker, I would ask that when the vote is taken, it be taken by the yeas and nays.

The SPEAKER: The question is on the motion of the gentleman from Kingfield, Mr. Wing, that the House accept report B, ought to pass in new draft, on bill an act to register and license persons engaged in the practice of barbering and to create a Board of Barber Examiners, the new draft being S. P. 717, S. D. 375; and the gentleman from Kingfield, Mr. Wing, moves that when the vote is taken, it be taken by the yeas and nays. As many as support the motion for the yeas and nays will rise and stand in their places until counted and the monitors will return the count.

An insufficient number arose.

The SPEAKER: As many as are in favor of the motion of the gentleman from Kingfield, Mr. Wing, that report B ought to pass in new draft be accepted will say aye; those opposed no.

A viva voce vote being taken the motion failed of passage; and on motion by Mr. Pratt of Turner the House voted to accept report A, ought not to pass, in concurrence with the Senate.

The SPEAKER: The Chair in pursuance of the order lays before the House the first unassigned matter of today, S. P. 198, H. D. 213, resolve in favor of the State Reformatory for Men, tabled by the gentleman from Cape Elizabeth, Mr. Chase, April 2, pending assignment for second reading; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, I yield the floor, hoping for further light.

Mr. SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, expresses the hope that light will be forthcoming. In the absence of receiving such light, does the gentleman care to make a motion.

Mr. CHASE: No, Mr. Speaker.

The SPEAKER: The pending question is the assignment of the resolve for second reading. Is it the pleasure of the House that the resolve be

assigned for second reading tomorrow morning.

The motion prevailed, and the resolve was so assigned.

The SPEAKER: The Chair lays before the House the second unassigned matter, H. P. 770, H. D. 237, resolve to reimburse the judge of the Caribou Municipal Court for Clerk hire which was finally passed in the House March 28 and passed to be engrossed March 22, and is returned to the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence. The bill was tabled yesterday by the gentleman from Caribou, Mr. Powers, the pending question being the adoption of Senate Amendment A in concurrence; and the Chair recognizes the gentleman.

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

The SPEAKER: The Chair presents the third unassigned matter, resolve in favor of Poultry Husbandry, H. P. 1658, H. D. 797, tabled yesterday by the gentleman from Cumberland, Mr. Lewis, pending its passage to be engrossed; and the Chair recognizes that gentleman.

Mr. LEWIS: Mr. Speaker, while this bill is wide open in regard to entrance to the poultry contest, the committee assures me that State of Maine poultry breeders shall have the preference, and they already have some 150 who are going to apply for the chance and as they only have one hundred chances, I think it perfectly safe to let the bill go along. Therefore, I move that the resolve be passed to be engrossed.

The motion prevailed and the resolve was passed to be engrossed.

The SPEAKER: The Chair presents the fourth unassigned matter S. P. 719, S. D. 377, bill an act relating to deposits in the names of two or more persons in banks, institutions for savings, trust companies, or shares in Loan and Building Associations, tabled yesterday by the gentleman from Portland, Mr. Carleton, pending its passage to be engrossed; and the Chair recognizes the gentleman.

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

The SPEAKER: The Chair lays before the House the fifth unassigned matter, House Amendment A to bill an act to establish a Park Commission of the city of South Portland, being H. P. 321, H. D. 96, tabled yesterday by the gentleman from South Portland, Mr. Richardson, pending the adoption of an amendment which was yesterday ordered to be printed, and the amendment has been printed and should appear on the members' desks as House Document 804. The Chair recognizes the gentleman from South Portland, Mr. Richardson.

On motion by Mr. Richardson, a viva voce vote being taken, House Amendment A was adopted; and on further motion by the same gentleman the bill as amended by House Amendment A was passed to be engrossed.

The SPEAKER: The Chair presents the sixth unassigned matter, Senate Amendment A to bill an act relating to a green light on motor vehicles which are seven feet in width or over, H. P. 1671, H. D. 725, tabled yesterday by the gentleman from Presque Isle, Mr. Kitchen, the pending question being the adoption of the amendment in concurrence; and the Chair recognizes that gentleman.

Mr. KITCHEN: Mr. Speaker, I am not prepared to make any statement, and I yield to the gentleman from Milo, Mr. Hathaway.

Mr. HATHAWAY: Mr. Speaker, I would like, in order to correct an error in Senate Amendment A, to move that it be indefinitely postponed, and in place of it I would like to substitute House Amendment A.

Thereupon, a viva voce vote being taken, Senate Amendment A was indefinitely postponed, and Mr. Hathaway offered House Amendment A and moved its adoption, as follows:

HOUSE AMENDMENT "A"

To House Paper 1671, House Document 725.

AMEND said bill by striking out the word "green" in the title and inserting in place thereof the word "amber," and by striking out beginning in the fourth line, the words "Every motor vehicle seven feet or more in width shall have on the front thereof at a point at least two feet

above the level of the steering wheel of such vehicle and on the extreme left of such vehicle, one lamp capable of displaying a green light visible for a distance of at least two hundred feet directly ahead of such vehicle," and by striking out the same words at the end of said bill, and by inserting in both places the following:

"Every motor vehicle of seven feet or over in width shall have thereon at the extreme left on the body, one amber lamp visible for a distance of at least 200 feet ahead of such vehicle. Motor vehicles requiring a light hereunder may, in lieu of such light, be equipped with an adequate reflector conforming as to color and marginal location to the requirements for such light."

Thereupon House Amendment A was adopted and the bill as so amended was passed to be engrossed.

The SPEAKER: The Chair presents the seventh unassigned matter, House Amendment A to bill an act to incorporate the Fish River Power and Storage Company, the new draft being S. P. 734, S. D. 384, the bill and amendment being tabled yesterday by the gentleman from Presque Isle, Mr. Kitchen, the pending question being the adoption of House Amendment A. House Amendment A has been printed and is now H. D. 810 and should be on the desks of the members. The Chair recognizes the gentleman from Presque Isle, Mr. Kitchen.

Mr. KITCHEN: Mr. Speaker, I yield to the gentleman from Madawaska, Mr. Daigle.

Mr. DAIGLE: Mr. Speaker and Members of the House: Yesterday in presenting the amendment, I said that I would have something to say in regard to it today. I think the amendment deserves an explanation of some kind because it may lead some people to judge of it really in a different way than they should.

In the first place the people who are interested more or less in this measure showed the fear that with this amendment the bill might be lost,—the Fish River bill. The vote as taken yesterday, as you remember, I think stood 127 to 18 and I had no more fears on the proposition than I have today in coming back with the amendment, because I did not see any reason to believe that it placed the bill in any way in danger. Now the word has been passed around in the corridors and in different places, and I know that my

friends who are in fear of this very thing will vote against the amendment because I have their word for it. They thought it was all right in itself, that the principle was correct, but they now say that it is going to complicate matters and be a disadvantage. More than that, they said it would not be fair to the company now. You know how I voted yesterday and I explained the situation at that time. I do not think that anyone would treat me as an enemy to the Fish River matter. The people who were laboring under this impression said that it was not exactly fair to the company to come up so late with this amendment. I passed the word around to the folks who were interested more or less in the measure and everybody knew about it. If they wanted to get in touch with the corporation they had a chance to do so.

Besides that, when they wanted certain things here they arranged to have people to answer for them here without having to send telegrams or make a trip to New York. I knew it could be arranged easily without going to the main office. All this I take for what it is worth.

There are other things that complicate this matter, and will the clerk please place the map in position. I have gone to a good deal of trouble in the different departments and have taken up the question of land, for instance. If I am not mistaken, some allusion was made yesterday to the proposition that the new proposed road—they call it the electric road, starting from Washburn and going west, should not be introduced here in connection with this measure. I do not see anything wrong in regard to this, and it seems to me that when the Speaker ruled that the amendment was germane to the bill, and nobody appealed from his decision, I took it for granted that there would be no harm done.

What I have in mind here is to bring before the House the quantity of land, the number of acres on both sides of that line of railroad, starting from Washburn and going to the frontier, to which I will point in a few minutes. The red line on each side of the railroad indicates an area of fifteen miles that is on each side, fifteen miles one way and fifteen miles the other, and in that area, according to figures taken from the Forest Commission-

er, by taking the townships that the different companies hold there, and also by having the computation of the State Treasurer for the purpose of taxation, you come to the number of acres or the area of each. In connection with this I would say what the American Realty Company owned which we claim is the same as the International Paper Company. Let me give you the figures relative to the American Realty Company in that particular place that I indicated. They are 226,013 acres of land. We thought there was more than that, to be frank about it, but it might be that the fifteen miles on each side of the road does not include everything that the corporation owns there and of course we could not spread ourselves twenty-five or forty miles. We have to have some limits and the proprietors would have 898,165 acres or 1,124,178 acres belonging to the Realty Company and belonging also to the other land owners. It is quite a little empire by itself, and, if you notice, this amendment does not claim that you shall take this property from the corporation without its consent or anything of the kind. Probably you have all read the amendment. It is creating a board on the part of the State that will act with the Realty Company in order to fix a price and fix the area and open this land for settlement. I do not see anything very dangerous in that. It would seem to me that the State would have to relieve itself of the unhappy method it has had in the past of dealing with its wild land.

Now why do I allude to the Realty Company? It was stated here at the hearing by Mr. Wheeler, who is at the head of the new company, the new electric line, in so many words—I do not exactly remember the details but it was to the effect that if the Fish River bill went through the line would be built. What does that mean? Does it mean anything or was it said just for amusement? Now since we have passed the Fish River bill, would there be anything improper in this amendment? It seems to me that the Realty Company has in mind to open this land for settlement at fair prices, that that is a fair assumption. Of course some will say, what is a fair price? I never saw an individual or corporation development for

sale at unfair prices. We infer also that the State can direct the board to be fair to them and no injustice will be done to the corporation or State or the individual who wants a piece of land in that section.

Of course this amendment will not suit everybody. There will be objections from one source and another and I can guess pretty well from what special source it will come without saying anything more on the proposition. If the new line is going to be built from Washburn going west directly to the Frontier, eleven miles,—I am pretty well acquainted in this territory and I will state for the information of a few here, that the land at the start is a little rough as we can see by the brooks and little rivers on the map, with high land further into the country, and in going toward the other side they claim that the land is very well adapted to make good farms. I would be very much surprised after the explanation I have given, which does not place the bill at all in danger, if some people did not find objections enough to the proposition so that they would say that it would be better not to pass the amendment. But I say what harm can it do? For instance in the State of Maine there are a great many farms that are not occupied and are abandoned, but this is no criterion for conditions may change in the State of Maine and in a few years things may be different. I remember of hearing a few years ago, not so much now because people are going out in the cities, for the very lack of opportunity to get land; and more than that what harm would there be for the State of Maine to loan its credit in the future and give something for the people up there to settle on these farms. We are loaning credit to build bridges, which is a good thing; but the State of Maine ought to do something to open up these lands, especially if this railroad is built. If the road is not built, this amendment falls through. If the road is built, I think the Realty Company or the International Company should have something to say in regard to arranging these things and fixing prices.

Of course the European and North American Railway, as

everybody knows, were granted 792,000 acres of land along the Penobscot river and the St. John river when they built that line. The gentleman from Lisbon Falls, Mr. Jack, this morning mentioned this amount as over two million dollars. It is pretty hard to get the correct figures on this; but years ago invitations were sent over to Europe, agents were appointed at the expense of the State, and people from Europe came and settled in the northern part of Aroostook county. We are all glad to have them there and they have made first-class citizens and have prospered and really are a class of people that the State is proud to have. At the end of five years they were granted one hundred acres of land and other privileges and we find in the records of the Forest Commissioner that a few years after they were also given certain privileges to enlarge their farms and pay their own prices for land which they wished to have. Now if the policy of the State in the past has been such as to invite people from Europe, why should not the policy of today be to try and have the people of Aroostook county buy land that they want? This applies not only to Aroostook county but touches the counties of Piscataquis and Somerset. This is about the substance of the amendment and furthermore I will tell you frankly that I can afford to lose the amendment perhaps a little better than some people can afford to vote against it. I thank you.

Mr. FARRIS of Augusta: Mr. Speaker. I am opposed to this amendment on the ground that it is unconstitutional and invalid, and an attempt to throw open public lands for private purposes.

Now I am very much surprised that the gentleman from Madawaska, Mr. Daigle, introduced this amendment, for the reason that we worked on this in committee about a month, had several executive sessions, and I was on the sub-committee, and we had several amendments under consideration at that time, and at different times sent out members of the committee to confer with the Aroostook delegation and take up these different propositions. It seems to me that if the gentleman had wanted to take the matter up at that time that that would have been the proper time, before we had got the bill in a

new draft, instead of coming in at the last moment and introducing this amendment. I have no doubt the gentleman presents his amendment in good faith, but he is laboring under a misapprehension in regard to the legal effect.

Now this House Document, No. 810, is the amendment: "Unless the International Paper and Power Company, and its subsidiary, the American Realty Company, shall open for settlement their lands in Aroostook County to prospective purchasers who desire to develop the same for agricultural purposes." Then it goes on to say on the next page: ". . . . to be so purchased and used, the number of acres thereof desired to be purchased"

Now there is nothing definite at all in the amendment, as to where the land is located, the number of acres, whether it is sections of 160 acres or townships or what. He goes on further in the amendment and creates a board—"They may appeal to the Commission," etc. I do not believe that would stand as law nor that we have any authority as legislators to put any such provision in the charter. Mr. Daigle was on the joint committee that had the hearing here, and I want to read into the record something he said. This is on Page 80 of the record of the hearing before the Joint Committee:

"Now here is a case where we can use good judgment and go ahead and prosper, and I say 'For God's sake, give us victory.' I would appeal to the people of this State and to this assemblage and to this Legislature especially, try to bring reconciliation between the two factions and give us industrial development in Aroostook County."

Now I do not know what he meant, but I thought he was in favor of meeting the requirements of the objectors to this bill so as to get it in form and go through with it and put it to vote in this House. He didn't say at that time anything about anything else he wanted to inject into it, nor did he in the month subsequent to the hearing. The amendment was offered in good faith, by a friend, I thought yesterday, from the way he voted on the Fish River bill. He spoke in favor of the bill, on the majority report ought to pass. I think the project, however, must appeal to the members of this Legislature as impracticable. The difficulties in the way of repeating pioneer colonization

in these days by leading people into the wilderness to clear for themselves farms and homes are insurmountable in the face of vast quantities of land still remaining in this State cleared but not thoroughly utilized for living farming purposes.

The amendment is also apparently offered under a misapprehension of fact. The gentleman from Madawaska perhaps did not know that the 550,000 acres of timberland stated frequently to be owned by the American Realty Company, a subsidiary of the International Paper and Power Company, is the sum total of the fractional interests owned by the company with others in a much larger area, and in a large number of townships. It is only by taking these fractional interests out of each township and adding the fractions together that we arrive at the total of 550,000 acres.

Not a town in Aroostook County along the line of this proposed railroad nor in the tier of towns north or south of the towns through which the railroad will go is owned in the entire interest by the company. The number of owners interested in these towns with the International Paper Company is indicated by the fact that in some of them the fractions run into eight hundred thirty seconds.

Now that was testified to by Mr. Gruastein of the International Paper Company at the hearing on the Fish River bill. They do not own all these lands, they have thirds and quarters and they run out into fractions. We cannot put any bill in here that will affect these private owners. Mr. Wheeler appeared here that night and he stated that he had permits from different land owners up in that locality where this railroad was supposed to go. To show you how many different owners there are, I will quote from his testimony: "I have carefully gone over the engineering features of the project. Our people have checked it. We have approached certain bankers to get their reflection upon the possibility of building this railway, because many factors, including that of money, were involved. . . . This is a lumber road primarily, although it connects at one point with the Bangor and Aroostook and at another point with the Canadian Pacific. . . . One of the particular methods seemed to be the development of business from the operation

of stumpage along the right of way. It seemed to be reasonable that the development and the location of the railroad improved stumpage. Therefore, there was reason to believe that the owners of timberland would assist the railroad to a certain extent. Another reason was that the operation of timberlands adjacent to the railroad, where the railroad could control a certain amount of that operation, would tend to equalize the traffic and perhaps build traffic through the first lean years.

"I knew when I first took up the matter of the development of this railway what the response had been from the timberland owners, and I will say that I don't think the thing was thoroughly understood, and for some time I have developed that situation so that the old owners, and I refer distinctly to those owners along the line of railway who have seen fit to lend co-operation to this project such as you have never known before. I think I can say to you tonight that I do not know of any land owner who has lifted his hand and says he will not support this project I have approached the International Paper Company and for some time it seemed difficult to impress them with the fact that the railroad would be an advantage to their company. I found after some time that they were sincere in their belief that this railroad, without a mill in Aroostook County, would not be an advantage to their policy of operation. A year ago or so I don't think the International Paper Company was then far enough along in their plans to say they could place a mill there. When they found out that a mill could be located there, they said to me 'We will be interested in that railroad because if we build a mill in Aroostook County you probably will assist us in getting our supplies into the woods, and there may be other assistance.' I asked them to draw up permits with me and they were drawn up and they are very good permits. They are ten-year permits.

"But I will say to you, and I think it is correct, they still feel and have felt if that mill is not developed in Aroostook County, they do not feel that the railway is of any advantage to them to the point of taking from the credit side of their ledger over to the debit side the assistance which I asked of them I say to you that the project is moving along

and it is in better shape than it ever was before. I have a stumpage permit, not only of the International Paper Company, but a good many other corporations and individual land owners whose names are printed on the front. It is simply the common standard permit, and there is no secret or mystery about it, no different deal with them than any others."

Now that is the testimony in the case, that this land up in this locality where this railroad is proposed to go in is owned by different individuals and corporations, therefore this amendment, if injected into this charter, would be of no effect whatever.

This amendment then would propose that the company appropriate for the purpose set out in the amendment, lands over which it has not sufficient control so to do. The amendment does not provide in any way for appropriation by compulsion or persuasion of the other interests in these lands by those who own with the company, nor could it do so because their interests are not segregated—they are undivided, and the owners with this Company are not before this Legislature, and are not personally interested in this legislation, and this Legislature would establish the principle of appropriating private property for private uses if such legislation were passed, which of course would be contrary to one of the most sacredly observed provisions of the Constitution of our State.

The whole proposition set forth in this amendment is involved inevitably with the rights of others than this company, which this Legislature ought not, and probably could not, constitutionally disturb.

Another objection I would raise to this amendment is that it is proposed to be included in that section of this bill dealing with conditions which must be met in order to avoid a forfeiture of this charter. As such it would be a continuing menace to the existence of the corporation. It would endure for all time and would thus make it absolutely impossible to finance this undertaking as it would constitute a cloud on the rights granted by this charter as well as it is to be noted, a cloud upon all the land owned by this company, because no particular part of the land in which the company owns is specifically to be set aside for the application of this amendment.

This amendment, instead of grant-

ing advantages to the county of Aroostook, will actually create disadvantages. A part of the problem connected with the construction and operation of the proposed paper mill is to provide a perpetual supply of wood. The most practicable way to provide this wood on the American territory in which the company owns is to provide for the continuous reforestation. The company desires to reserve this timberland for this mill—it should be compelled to sell it. In this bill, members of the House, there is a clause that the company shall use half of the wood, Maine wood, in the next ten years, to be used at the Van Buren mill.

Another serious objection, while not apparent in the amendment, is that it creates a dangerous fire hazard. There are extremely dry periods when very serious forest fires can easily start and with no adequate protection, not only this company, but all of the other land owners would be very reluctant to create a condition which would bring about such a serious risk. The fact that the other land owners are not controlled by this amendment and that they are always alarmed about the possible fire hazards, would in all probability cause them to hesitate if not refuse to sell lands under conditions where this risk would be so materially increased. We already know the great precautions that are taken in all our timber areas to protect and preserve them from fire, and a big fire in a dry time means an immediate loss of many thousands of dollars, which is a loss not only to the individual but to the State itself. Necessarily, of course, it would also cut down the available wood supply for this or any similar project, and would diminish the supply of Maine woods to be used over in the Van Buren plant.

If our idea of agricultural conditions in the State of Maine today is at all correct, there are available now many acres of already cleared farm lands which can be purchased at reasonable prices and put to work without the attending hardships of pioneer work and without the same expense and labor involved as would be incurred by the acquisition and preparation of farm lands which this amendment is intended to encourage. We are not informed of any condition in Aroostook County where there has been any such new farm lands created for a good many years, and there seems

to be absolutely no demand for this additional agricultural area.

You must bear in mind the fact that much of that land is timberland, and before it could be properly used for farming purposes, it would have to be cleared. And for the reason it is unconstitutional and of no effect, I do not believe that we legislators should sit here and pass any such amendment, because it would be thrown out by the court if it went through on a test case. That is my opinion and I hope the amendment will not be adopted.

Mr. ALDRICH of Topsham: Mr. Speaker, I rise to a point of order. I do not believe there is anything before us to consider. This Amendment is an amendment to Senate Paper 178, and, as I understand it, that has been superceded by S. P. 734, which we passed yesterday. Therefore, I cannot see that this amendment can be in order and I think we have been working out of order for half an hour. You will notice, Mr. Speaker, that the amendment would be absolutely unintelligible if it should be applied to the act which we approved yesterday. It applies to the original bill and would fit in there but will not fit in with the bill which we passed yesterday.

The SPEAKER: The Chair will require a moment to consider.

Mr. ALDRICH: Mr. Speaker, I think the bill is 78 instead of 178.

The SPEAKER: The Chair is of the opinion that the point of order is well taken and that the amendment purports to be to S. P. 178 which is an earlier draft and which has had no reading, and the bill which was passed yesterday and read three times being S. P. 734, and the amendment does not purport to amend that paper.

Mr. DAIGLE: Mr. Speaker, after having learned and heard the learned explanation of the points of law from the gentleman from Augusta (Mr. Farris) and the point of order taken by the gentleman from Topsham (Mr. Aldrich) although I did not catch exactly what he said in reference to this matter, I am willing to stop it here and say in conclusion, if the two gentlemen are correct,— I will say also for my side of the question that the amendment was drawn by another good lawyer. (Laughter and applause.)

Mr. FARRIS: Mr. Speaker, has the amendment been disposed of?

The SPEAKER: The Chair has ruled that the amendment is out of

order, as not being an amendment to a bill that is before the House.

Mr. FARRIS: Mr. Speaker, I move that the bill be passed to be engrossed.

Mr. WILLIAMSON of Augusta: Mr. Speaker —

The SPEAKER: The gentleman from Augusta, Mr. Farris, now moves that the bill be passed to be engrossed.

Mr. WILLIAMSON: Mr. Speaker, I rise to a point of order if that is the right phrase? If this was a terrible error on the part of the gentleman from Madawaska, (Mr. Daigle) would he give the opportunity of correcting it? I am not in favor of it but I do not like to see anybody thrown out of court through a clerical error. It seems to me that fairness dictates that his amendment should get before this House if he so wishes.

The SPEAKER: The gentleman is advised that it is of course impossible to state whether the amendment offered by the gentleman from Madawaska is wrong merely by virtue of a clerical error or wrong by virtue of a misapprehension of the fact. The gentleman from Madawaska may undoubtedly present such further amendments as he desires or such amendment as he desires to the bill which is actually before the House.

Mr. WILLIAMSON: Mr. Speaker, would a motion be in order that that be treated as a clerical order?

The SPEAKER: The Chair will make this statement: While the correction of the paper number would make the amendment appear to apply to the bill which is before the House, it does appear that the amendment as conceived was drafted, if the Chair is warranted in drawing this conclusion, to the earlier bill; and the Chair would go so far as to suggest that in order to protect the rights of parties, it might be desirable for the bill to lie upon the table in order that the gentleman may have an opportunity to prepare an amendment which will be perfectly applicable to the bill before the House.

On motion by Mr. Chase of Cape Elizabeth, a viva voce vote being taken, the bill was tabled pending passage to be engrossed.

The SPEAKER: Is there any further business under orders of the day?

Mr. WING of Kingfield: Mr. Speaker, I have two matters on the table, which, if the House wishes, I would

be glad to take off so that they may be on their way.

The SPEAKER: The gentleman may proceed no motion for adjournment having been made.

On motion by Mr. Wing, it was voted to take from the table S. P. 730, S. D. 387, resolve proposing an amendment to Article IX of the Constitution, authorizing the issuing of bonds for the purpose of building a bridge across the Penobscot river, tabled by that gentleman this morning.

The same gentleman offered House Amendment A and moved its adoption, as follows:

House Amendment A to Senate Paper 730.

Amend by striking all between the word "follows" in the thirteenth line and the word "bridge" in the thirty-first line, and inserting in place thereof the following:

"Sec. 17. The Legislature may authorize the issuing of bonds not exceeding sixteen million dollars in amount at any one time, payable within forty-one years, except that all bonds issued under authority of this resolve during and after the year nineteen hundred and twenty-five shall be payable within fifteen years, at a rate of interest not exceeding five per centum per annum, payable semi-annually, which bonds or their proceeds, shall be devoted solely to the building of state highways, and interstate, intrastate and international bridges, provided, however, that bonds issued and outstanding under the authority of this section shall never, in the aggregate, exceed sixteen million dollars, which said bonds issued during or after the year nineteen hundred and twenty-five shall be serial and when paid at maturity, or otherwise retired, shall not be reissued; the expenditure of said money to be divided equitably among the several coun-

ties of the state. The Legislature may authorize, in addition to the bonds hereinbefore mentioned, the issuance of bonds not exceeding three million dollars in amount at any one time, payable within fifty-one years, at a rate of interest not exceeding four per centum per annum, payable semi-annually, which bonds or their proceeds shall be devoted solely to the building of a highway or combination highway and railroad bridge across the Kennebec river between the city of Bath and the town of Woolwich. The Legislature may authorize, in addition to the bonds hereinbefore mentioned, the issuance of bonds not exceeding one million two hundred thousand dollars in amount at any one time payable within thirty years at a rate of interest not exceeding four per cent per annum, payable semi-annually, which bonds or their proceeds shall be devoted solely to the building of a highway bridge across the Penobscot river from either the town of Prospect or the town of Stockton Springs to either the town of Bucksport or the town of Verona, to be known as the Waldo-Hancock Bridge."

On motion by Mr. Wing the amendment was tabled and 500 copies ordered printed.

On motion by Mr. Wing of Kingfield, it was voted to take from the table S. P. 738, S. D. 391, resolve proposing an amendment to the Constitution to provide for filling Councilor vacancies, tabled by that gentleman earlier in the day; and on further motion by the same gentleman resolve had its second reading and was passed to be engrossed.

On motion by Mr. Rogers of Yarmouth

Adjourned until tomorrow morning at 9.30.