

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

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AUGUSTA, MAINE

**HOUSE**

Thursday, April 4, 1929.

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

Prayer by the Rev. Mr. Garland 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 two o'clock this afternoon.

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

From the Senate: Ordered, the House concurring, that the use of the Judiciary room after the adjournment of the present session of the Legislature be assigned for the use of the committee on Revision of Statutes until it shall have finished its labors.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

**First Reading of Printed Bills and Resolves**

(H. P. 1740) (H. D. 811) An act to require the investment in permanent securities of school funds and other trust funds held by city, town, quasi-municipal corporations and State officers.

(H. P. 1741) (H. D. 814) An act relative to liens on vehicles.

**Passed to be Engrossed**

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

(S. P. 701) (H. D. 709) An act relative to State School for Girls.

(S. P. 748) (S. D. 403) An act to amend the act defining the term "securities" under the "Blue Sky Law."

Mr. Boston of Gardiner offered House Amendment A and moved its adoption as follows:

House Amendment A to Senate Paper 748, entitled "An act to amend the act defining the term 'securities' under the Blue Sky Law." Amend Section three by

striking out all of the part thereof after the word "following" and inserting in place thereof the following:

'Persons regularly employed by public utilities whose securities are authorized by the Maine public utilities commission, and by corporations whose securities are legal for purchase by savings banks under the statutes of any New England states, shall not be deemed security dealers, agents or salesmen if the occasional sale by such employee of securities issued by the employer utility or corporation, or issued by a corporation operating in Maine and owning or controlling such employer utility or corporation, is only incident to, and not a part of the usual duties of such employment.'

Thereupon House Amendment A was adopted.

(S. P. 763) (S. D. 409) An act relating to applications for soldiers' bonus.

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

(H. P. 1688) (H. D. 758) An act to modify the practice on pleas in abatement.

**Passed to be Enacted**

(H. P. 1223) (H. D. 408) An act relating to the removal of snow from highways and town ways.

(H. P. 1383) (H. D. 463) An act relating to equal school privileges for all pupils.

(H. P. 1433) (H. D. 494) An act defining the crime of burglary with explosives and providing the punishment therefor.

(H. P. 1474) (H. D. 516) An act to authorize the city of Lewiston to issue its bonds to the amount of fifty-one thousand dollars to refund its bonds now outstanding and maturing in the year 1930.

(H. P. 1488) (H. D. 523) An act relative to attachment of property mortgaged or pledged.

(H. P. 1489) (H. D. 524) An act relative to interest and mortgages on loans on personal property.

(H. P. 1638) (H. D. 745) An act making it unlawful to deposit sawdust in the limits of the highway.

(H. P. 1685) (H. D. 747) An act relating to the salary of the County Commissioners in Oxford County.

(H. P. 1686) (H. D. 748) An act relating to the salary and clerk hire

of the Register of Probate in Aroostook County.

(H. P. 1687) (H. D. 749) An act relating to the Western Washington Municipal Court.

(H. P. 1691) (H. D. 751) An act relating to the regular sessions of County Commissioners of Hancock County.

(H. P. 1692) (H. D. 752) An act relating to the time and place of holding the Commissioners' Court in York County.

(H. P. 1707) (H. D. 770) An act relating to the appointment of public administrators.

(H. P. 1403) (H. D. 465) An act relating to auxiliary State forests.

(H. P. 1689) (H. D. 759) An act to regulate the manufacture of bedding.

(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. 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.

#### Finally Passed

(S. P. 198) (H. D. 213) Resolve in favor of the State Reformatory for Men.

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

The SPEAKER: The Chair will announce the committee of conference on the bill for the consolidation of the board for the State Prison and State Reformatories, the gentleman from West Paris, Mr. Perham, the gentleman from Topsham, Mr. Aldrich, and the gentleman from Portland, Mr. Bissett.

#### Orders of the Day

The SPEAKER: Under orders of the day the Chair presents the first matter today assigned, majority report ought not to pass, minority report ought to pass in new draft from the committees on Judiciary and Maine Publicity on bill an act for the regulation and control of outdoor advertising, the new draft being H. P. 1729, H. D. 802, the re-

ports having been tabled on April 1st, by the gentleman from Augusta, Mr. Williamson, pending the acceptance of either; and the Chair recognizes that gentleman.

Mr. WILLIAMSON: Mr. Speaker, and members of the House: I move the acceptance of the minority report, ought to pass in new draft upon the measure "An act to regulate and control outdoor advertising." In order that I may have the motion before the House, I now move that when the vote is taken a division be had.

The bill is an attempt and, to nine of the members of the Joint Committee, a proper attempt to solve the signboard problem. Let me say that outdoor advertising is or may be a legitimate business. The act does not destroy or cripple its proper functions, but does control and regulate it and prevents the continuance and extension of the obvious abuses to which this business so readily lends itself. The act does not seek indirectly by taxation what could not lawfully be done in a direct manner. It does not strike at any one business or class of persons. It seeks to benefit the people of the State whom we here represent.

The method of regulation is simple. Outside of the compact portions of cities or towns which, for convenience, I will call the country, a permit for each advertising sign is required from the chief of the State highway police. The chief may refuse to issue a permit if the sign is within 100 yards of a public park, playground or cemetery, is within the limits of the highway or is within fifteen feet of the outside highway limits, except upon walls of buildings in which the business advertised is carried on. The fees for such permits are small. One dollar a year for a sign not exceeding 300 square feet; two dollars to 600 square feet; three dollars to 900 square feet. No signs of over 900 square feet are lawful.

Signs within 200 feet of the place of business advertised or where the goods advertised are offered for sale do not require a permit. The present directional sign statute is included, with a change in the administration from the State

highway commission to the chief of the State highway police.

Provisions are found giving the power to remove unlawful signs and for fines for violations of the act. An appeal lies to the courts from the decision of the chief of the State highway police or of the municipal officers.

Within the compact or built-up portions of cities or towns, which I will call the towns, the principle of Home Rule is applied. Municipal officers are given the power to permit outdoor advertising signs and, in general, to do within the town all that the chief of the State highway police can do in the country. Fees may be exacted, not exceeding those provided for the country. And regulations relating to signs within certain distances of where the business advertised is carried on and to For Sale signs, for example, may be adopted to accord with local ideas and conditions.

The chief of the State highway police is named the administrative official for reasons which I believe are clear and sound. His department operates over the entire State. He is in a better position to reach offenders of the law than other State officials. He is interested in the safety of the traveling public for that is his main task. Up to this point, I do not believe the members find anything radical or startling in the bill. Nor yet can you see the destruction of any proper business.

Under this law probably, and I think it fair to say undoubtedly, advertising signs would not be permitted within 15 feet of the outside limit of the highway in the country. This strip would be freed from the signs which detract our attention from the operation of motor vehicles and so generally clutter up the roadside.

Signs cannot at present be erected within the highway; and the act does not prohibit them more than 15 feet from the road. Only the 15 foot strip is at issue. I conceive the result of this act would be to remove the many little signs found along the ways—I do not mean those near a place of business—which are a source of annoyance, danger and confusion. Signs would not warrant an expenditure of say even a dollar a

year for permit for they are poor advertising media. The more proper signs, the well-built and well-maintained signs, which it is thought produce business, would locate themselves quite comfortably 15 feet or more from the highway and would pay a small fee of one, two or three dollars a sign. Directional signs would appear as under our present law.

How does this bill affect various classes of our citizens? The outdoor advertiser, that is the person or company engaged primarily in providing advertising space for sale would not be affected adversely. From the hearing before the committees, it appeared that the clients of one Legislative Agent had an investment of half a million dollars in Maine in structures and equipment for which a gross annual rental of \$200,000 was obtained from about 3100 signs. Rental of land amounted to \$30,000 to \$35,000 a year and the permit fees under the act as first drawn, three times the fees provided in this new draft, would have been \$16,359, or would be under this draft \$5,453. The amount of taxes paid cities and towns by these same advertisers was not disclosed by the proponents of the measure.

Surely, the moderate permit fees cannot be construed to be a burdensome tax upon the more valuable units in outdoor advertising. I trust that I have made it clear that this act does not disturb those methods of advertising which can be used profitably more than 15 feet from the highway. By "profitably", I mean signs which are not so near the red ink that a fee of one, two or three dollars would be of material effect.

I am informed that recent evidence in bill-board cases in Massachusetts is to the effect that a distance of 300 feet from the road, a letter 5 inches high and 1 inch in thickness is plainly legible to a passing motorist. There will be found plenty of sign locations 15 feet from the road limit.

Approval of this measure and not opposition should be expected from the outdoor advertisers. A system of regulation adapted to the destruction of improper signs and to the preservation of legitimate bus-

iness normally receives the support of that trade.

What of the farmer? Will this act prevent his doing what he wishes with his own. It will within 15 feet of the road limit. But will not the removal of uneconomical, the unbusinesslike, the annoying, signs which have brought discredit upon outdoor advertising, and will not the removal of all signs 15 feet from the highway enhance the value of locations beyond that limit. Will not the fact that an advertiser is willing to pay a permit fee for the right to maintain a sign indicate that the site for that sign has a value, perhaps greater than that now placed upon it.

Notice that signs within 200 feet of a roadside stand, for example, and For Sale signs on the premises do not require permits. But, says the owner of a farm with a quarter mile frontage on a highway and with a roadside stand in one corner, "I can't place signs advertising this stand more than 200 feet away without a permit even on my own land". That is true. 200 feet is placed as a fair distance within which to advertise without payment of a fee.

Of course, I am at present dealing only with the direct effects upon the farmer. The general benefits from the act reach all persons and far outweigh any direct inconvenience.

Now I will discuss for a moment cities and towns or, more accurately, the compact portions. The bill defines the compact portion in the exact language found in the Motor Vehicle Laws. For my part, I cherish the principle of Home Rule. Every matter which affects the daily life and comfort of our people should, so far as is possible, be decided within the cities and towns. The signboard problem is, if any matter is, properly left to Home Rule. All of us recognize that traffic conditions, living conditions, whether or not signs should be allowed in certain places or excluded from districts, are local problems.

A sign in front of a gas house may not disfigure the landscape. It may not detract from property value or be a source of fire hazard, or endanger the safety of persons. Again, in a residential district, such a sign might be a tremendous liability and a cause for much alarm. Signs may be needed in congested

areas. They may serve what I will call the home people and will not reach mere passers-by.

The municipal officers in cities and towns can be trusted to represent popular opinion, to care for local needs. Biddeford may have one policy; Calais, another, Farmington a third. We, and I mean the State at large, do not here have an interest which outweigh what the local people want and feel. Home rule, local referendum, local option, call it what you will, the principle is sound.

The traveling public has a great interest in this act. By the removal of signs 15 feet from the limits of the highway and by the other methods of control in the act, a standard of safety is established by the Legislature. Our highways are built to provide safe, convenient and rapid transportation. Signs, unquestionably, take the attention of the motorist. If they do not gain a glance they do not serve their purpose. "Don't Talk to the Motorman" has now become "Don't Take the Attention of the Driver." It may be said that pushing signs back 15 feet will not do away with them and the same distraction to the motorist will be present. That is true to a degree. But the number of signs would surely decrease.

We have the authority to establish reasonable requirements for safety upon our highways. We can properly require structures which derive their only value from the distraction caused to the traveling public, to conform themselves to proper rules. Keeping the signs more than 15 feet from the highway limits would seem to be a rule well within the power of this Legislature to enact.

What of the State? How does this act effect all of us. The bill-board condition is a direct threat at our great summer recreational industry. No class of persons are more fickle in their desires than our visitors. They are able to come to Maine for their days of leisure. We must not forget that if they do not enjoy here, they can and will go elsewhere. We have no monopoly on charm but have more of it than other recreational states. We can soon lose it if our scenic beauties are obscured or marred by the advertisers.

The old boggy that Maine roads were usually impassable has gone and now our friends are coming in increasing thousands, but complaints are heard about what I will call the mental impassability of our state highways. Our friends are shocked that the beauty held out to them as readily found in our Pine Tree State is being destroyed as carelessly as did the oldtime lumbermen ruin the forest. Scenic beauty is an intangible thing. We can't value it as we can the cost of a road, the rent from a sign, but it is, nevertheless, a real factor in this industry of giving pleasure.

Our own citizens have tired, I believe, of seeing the values created by the new roads swallowed in part by the liabilities of outdoor advertising. A drive from Portland to Portsmouth alone suffices to show what a menace to the well being of our State this business of outdoor advertising will soon become unless regulated and controlled in a reasonable manner.

Is there a demand that outdoor advertising be regulated and controlled? Women of York County were ably represented at the hearing. The Maine Federation of Women's Clubs with about 9,000 members at the annual meeting in September last, went on record "as re-affirming their belief in the restriction and taxation of bill-boards." My authority for this statement is Miss Florence A. Paul, State Chairman of the Maine Committee for restriction of outdoor advertising.

Legal residents and summer residents of note are in support of restrictive legislation.

It is to be expected that the interest in this act should come from south of Portland. That is where the problem is most serious. But it will creep northward and the menace of bill-boards overhangs our entire state. We must act before action to be effective must needs be drastic. I urge, then, the acceptance of the ought to pass report signed by nine of the twenty members of the joint committees, that reasonable regulation and control of outdoor advertising may follow, that this business which, in its less desirable forms, strikes at our safety and welfare, may be brought within proper bounds.

Mr. FARRIS of Augusta: Mr. Speaker, I will speak on the legal phase of this measure. I regret that I have to take sides against my colleague from Augusta. We voted together at this session until we came to the beauty parlor bill and then we parted company.

With reference to this bill I signed the ought not to pass majority report. This bill is an attempt at regulation from Augusta of certain lands along the highways in the State of Maine owned by private individuals. This is similar to the old bill which was presented before the Joint Committees at the hearing except that Section one of the old bill has been eliminated.

You will note that in this bill the chief of the State highway police is conspicuous. This is a measure placed in the hands of the chief of the State highway police for the regulation of outdoor advertising along highways, and in this bill is included a strip on each side of the highway where he can go in and remove signs by giving due notice to the owners after thirty days if they refuse to remove them themselves. The first section of this bill reads: "No person, firm or corporation shall erect or maintain any outdoor advertising structure, devise or display, outside of the compact or built-up portion of any city or town, until a permit for the erection thereof shall have been obtained from the chief of the State highway police." This is the first power delegated to the chief of the State highway police.

On page two he furnishes application blanks and permits, the chief of the State highway police, as he may see fit.

Then we go down to section two at the bottom of the page. "Within the compact or built-up portions of cities or towns, the municipal officers may designate rules and regulations for outdoor advertising structures, devises or displays, of this nature may be established by the municipal officers thereof." Why should the small towns throughout the State be regulated from Augusta by the chief of the State highway police while the small villages can regulate their own affairs? I believe that is class legislation. I believe municipalities have a right to regulate their own advertising as they see fit, and the

Board of Assessors of any town can assess according to the income of the corporation or people desiring it

These outdoor advertising companies doing business in Maine lease land along our highways from private owners, some for short spaces and some for long terms; and if this bill goes into effect this will impair the contracts which are now in effect, and there is no clause in this bill to take care of those people who now have signs along the highway under long term leases.

We now come to section three, fees for permits. It sets out all these fees, but it does not say to whom they are payable. It does not say who will collect the fees nor the purposes for which they will be used. At the bottom of section three it says: "When both sides of such bulletin, panel, bill-board or sign are used for advertising purposes, fees as above provided shall be payable on each side." That means on each side of the bill-board, but it does not say to whom the fees shall be paid, whether to the State treasurer, the town treasurer where the bill-board is located or the chief of the State highway police. I cannot find anything in this bill that states the purpose for which this money is to be used that is coming from the permits issued under it.

Section four deals with the issuance of permits. "Upon receipt of an application as set forth in section one hereof and the required permit fee, the chief of the State highway police shall cause to be issued a permit.

I want to call your attention to paragraph B of section four as follows: "If such structure, devise or display is within the established limits of the highway or within fifteen (15) feet of the outside line of any highway, except upon the walls of the building in which the goods advertised are offered for sale or the business is conducted, and except signs solely indicating highway directions, traffic regulations and traffic dangers." There you have it right there. You are placing this regulation in the hands of one man or a body of men working under him up here in Augusta, to regulate 2800 miles of highway in the State of Maine—not the highway but the private property

on each side of it, thirty feet, all over the State. Just think of the power you delegate to one department up here! We recently passed a bill giving the State highway police department the powers of sheriff and deputy sheriff. Not content to stop here we are going on giving him that power to regulate our property rights along not the highway but the sides of the highway.

Section five provides for the removal and relocation of boards by the chief of the State highway police. If the bill-board is not removed within thirty days upon notice, "after such order of removal and relocation has been sent to such person, firm or corporation by said chief of the State Highway police by registered mail, said chief may cause such bulletin, panel, bill-board or other advertising device to be removed or relocated and the expense of such removal or relocation may be collected from the person, firm or corporation owning or controlling the same in an action of debt based upon the provisions of this act."

There is a provision there for taking money from the private owner if he does not comply with the terms of this section, but it does not say how the money is going to be used.

Then we come to section seven, exemptions from application of the law. "This act shall not require any license or permit for any advertising sign containing six (6) square feet or less, from any city, town, quasi-municipal corporation, church or ecclesiastical society in this State for any advertisement owned by it, advertising its industries or attractions and maintained at either private or public expense."

"Any such advertising sign, however, may be removed by the chief of the State highway police in the manner provided in section five." The State highway police would not have anything to do but go around the State and look after the regulation of these signs if this law should take effect, and we would have to appropriate one hundred and fifty thousand more dollars in the next two years to take care of it if it were going to be properly carried out.

Section eight deals with the definition of terms and time limit of



responsibility. "The chief of the State highway police may order a placing of directional signs of such design as he shall determine not exceeding twenty (20) inches in length and six (6) inches in width to designate places of interest."

Now the penalty in section ten of this bill is one of one hundred dollars "for each such device so displayed. Municipal courts within their several jurisdictions shall have power to try and punish violators of this act." There, again, the proposed bill is silent in regard to who the fine is going to and who is going to collect it. There is no provision here for costs.

Section eleven provides that "any person, firm or corporation aggrieved by any decision of the chief of the State highway police hereunder may within thirty days from the date of such decision petition any Justice of the Supreme Judicial or Superior Court sitting in term time or vacation for a review of said decision. There is your provision for appeal. This must be made within thirty days to any Justice of the Supreme Judicial or the Superior Court, and from the decision of the chief of the State highway police upon such petition appeal shall lie as in manner provided for appeals from the decision of the chief of the State highway police."

There you are setting up the machinery to regulate and control your own private property, setting up a court of appeal here which will cost a lot of money and we do not know what the money is going to be used for.

Looking at this bill, I do not believe that it is good legislation, and for that reason I signed the report ought not to pass, the majority report of the committee on Judiciary and the committee on Publicity. I hope the motion of the gentleman from Augusta, Mr. Williamson, will not prevail.

Miss LAUGHLIN of Portland: Mr. Speaker, the gentleman from Augusta, Mr. Farris, seems especially troubled because he does not know how we are going to use this money. Now I will make the prophecy that we will know how to use the money when we get it. The chief problem is to know how to get the money. He does not know

where it is going to be paid but it says that the penalty shall be enforced in the municipal court, and the fine will certainly be paid in there; so what the possible objection would be I cannot see. However, that can be taken care of if he wishes us to state exactly who is going to use it, by a simple amendment that can be offered.

He has talked about the regulation of private property as if that were a completely new idea. We are always regulating private property. One cannot have a slaughter house if it is a nuisance to his neighbors nor a tannery. We have a fundamental principle of law that property must be used not to interfere with the rights of others so that the method of its use shall be paramount to the interests of the community. A good illustration of this is the instance of the man who was called up in court for stretching his arms in his neighbor's face. The neighbor brought action for assault and battery and was fined. He said to the Court "Can't I stretch my arms wherever I please?" The Court said "You have a right to stretch your arms but you must stop just where your neighbor's nose begins." That is the principle. And this bill on outdoor advertising hits the nose of everyone in this State, every owner of property in this State, and decreases the value of that property. The scenery of Maine, the beautiful scenery of Maine, is the greatest asset we have, and I say that not forgetful of its other assets, because it is not an asset from a purely commercial point of view, but is a sentimental asset. Last year I was down in Washington county and stood on the spot where the house was in which I was born, and, as I looked over that beautiful scenery, I said to myself "What a wonderful thing it is to be born in the midst of such beauty that even the unthinking child must breathe in some of it and get the spiritual uplift from it." So that the spiritual side of this beautiful scenery is of greater value than the commercial. But this is a commercial age so we must look after the commercial benefits also. We spend some twelve million dollars a year on our roads so that people from outside the State will come in. Do you think

they come here just to ride over these roads? No, the only reason they come here is to see the beautiful scenery of our State, the most beautiful State in the Union. We are always talking about the grand old State of Maine, but I am not saying it in that way. I have been in thirty-eight states of this Union, among them the Rocky Mountain states and the Pacific states. I have traveled them from end to end, and, having seen them all, I still say that this State of ours is the most beautiful State in the Union. Others have some beauty as great but none have the combination of beauties that our State has. (Applause) On a commercial basis, these people come to see that scenery and what do they see? They see bill-boards a good part of the way. We voted here to spend \$150,000 in the next two years in advertising Maine. There was published in the National Magazine an article on Maine that has been read by more persons than will ever read all the little advertising pamphlets this State will send out for this \$150,000, and what was that article? I will not read it to you it makes me so angry that I am not going to annoy you with it; but I will say one thing about it. It said that the more appropriate name for this State even than Maine was "Billboardia." That is what these millions of people have read about this State because we have allowed our roads to be covered with these bill-boards because they cannot ride along and see the scenery which they came to see. Here is what one man from Pennsylvania wrote to the Maine Publicity Bureau. He said that his motor trip had been made very unpleasant and distressing. He said "My family and I have looked forward to enjoying the scenery of your once beautiful State. We have not enjoyed it, we have not seen a single mile of unspoiled landscape," and he ended up by saying "We can see enough roadside advertising at home not to wish to come to New England for it." The Maine Publicity Bureau has received letters after letters and they have said in answer to inquiry that they have received more complaints about the bill-boards of this State than about any other thing in this State and that that has the most effect in keeping tourists out of the State.

We have one of the best roads in the world from Kittery to Portland

and it is simply absolutely ruined because of bill-boards that are all the way along beside that road; and that is just the beginning. Remember that most of these persons who are in the bill-board business and have their money in it are not even citizens of this State, but are citizens of other states coming down here to exploit our scenery; and, as this article said, one could not tell when he left Massachusetts and got into Maine because it was all "Billboardia" and one would have to put up signs to indicate the way into Maine. The reason there are so many signs on that particular stretch of road is because that is the entrance into the State of Maine; but that is only the beginning unless we make a start to stop this bill-board business. This is not only true from Kittery to Portland, but from Kittery to Fort Kent and Kittery to Calais,—all over the State we are exploiting the resources of our State. The time to stop them is now before they further destroy the view of our beautiful scenery. People are staying away who otherwise would come into this State. It lessens the value of every farm in this State. It lessens the value of every foot of land in this State and therefore whatever money may be involved in that business is of far less consequence to this State than the destruction of values from one end of the State to the other by cluttering up the whole of our State with bill-boards. Therefore, purely on the commercial side itself, it is time we stopped this and added value to every other business in the State, to every bit of land in the State, and that we conserve this beautiful scenery for the uplift and enjoyment of ourselves as well as those who come into our State. I trust that the motion of the gentleman from Augusta, Mr. Williamson, that the minority report ought to pass in new draft will be approved by this House. (Applause)

Mr. ALLEN of Camden: Mr. Speaker, I fully agree with the last speaker as to the beauties and charms of Maine, but she seems to have lost sight of the size of the good old State of Maine. I think it was pretty well set forth by the old fisherman down east who said he had perambulated the coast fishing grounds from west of Quoddy Head to Cape Cod and said he had found it to be a magnitude of huge ponderosity.

Just what he meant by ponderosity, I don't know. I think Mark Twain would have answered the question the same as he answered the question—"How did they happen to name the elephant an elephant?" "Why," Mark Twain said, "he looks like an elephant." Now that applies to the Maine coast and also applies to the surface of the State of Maine.

Now I have heard it said that Maine was the last place that God created, and we got it. Well, if that is so, I am sure we got the best end of it.

I am vitally interested in this law and before going very far I would like to know if I have the privilege of asking the first speaker for the proponents two or three questions. I will find the common denominator of these questions and ask them very briefly. Is he acting in his capacity as attorney for these proponents, or is he talking from the bottom of his heart?

The SPEAKER: The gentleman must not reflect on the motive of any member of the House, but the gentleman from Augusta, Mr. Williamson, may state his thoughts on the matter if he desires and has not already done so with sufficient clarity.

Mr. WILLIAMSON: Mr. Speaker, I rise to answer the gentleman's question. I think it is an improper question, and I think the gentleman by this time knows me sufficiently well to know that I do not confuse my duties as a member of this Legislature with my duties to any client. If there is not a sufficient answer, I will be very glad to further go into details.

Mr. ALLEN continuing: That is sufficient, but I don't know as I know now.

I wish to say, Mr. Speaker, for the past twenty-five years I have been working in the real estate business in the interests of getting summer people into this State, and I have been fairly successful. I have been responsible for bringing in some of the finest summer people that are to be found anywhere in the State, and we have some of them in Camden. We have such men as Cyrus Curtis and Edward Bok, and a great many others that I could mention. This great marbling of scenery by signboards is something new to me. It seems to originate in a certain county in this State and I think they are over-drawing the matter.

I have in my locality something like 2,000 acres of land that I am

handling for summer people, trying to sell it to outsiders to come here and build cottages. I have invested something like \$1,000 in signs, beautiful signs. They are located outside of the highway, and in order, under this bill, to maintain those signs, I have got to go and ask the chief of the State Highway police, get down on my knees and ask them if I can leave them there. Not only that, but I have got to pay taxes on those signs on private property, on property owned by people I am selling it for, and on property I own myself.

There is a catalog that I spend \$1,000 for 1,000 copies, so I am trying to do something for the State of Maine, and it seems to me terrible to be hampered by a thing of this kind. It is a funny thing to me that somebody cannot look somewhere beside at some conspicuous sign. Often-times these signs cover up bad scenery, cover up a bunch of alders. Why, an old lady—I won't say an old lady but an elderly lady—drove along by this property where I was trying to sell these lots. She was in a Rolls-Royce car, a car worth \$14,000 or \$15,000. She pulled up and said "Kind Sir, would you please tell me where this is? What water that is out there, and what mountain that is?" I explained to her the best I could that that was Megunticook Mountain, named for an old Indian who did his first cooking there, "And that water that you see over there is Penobscot Bay." She asked me a good many questions and I answered the best I could. She said "Look at that ugly sign down there!" That was one of my signs that I have placed there. "Isn't it too bad to have that sign to mar this beautiful scenery?" I said "Yes, Madam, it is; but if you will look just about ten feet south or ten feet north, you won't see that sign. There is plenty of water there to look at beside that sign." She said "I thank you, Sir, here take a quarter. You seem most intelligent." I said "Thank you Mum," I didn't have my Prince Albert on that day; I had on my old khaki overalls; so I took the quarter and I still have it. (Laughter)

Now, as I said before, I think that they are over-drawing. I think Booth Tarkington was mentioned as one of the proponents as wanting the scenery cleared up in the State of Maine, and they named a number of others. I appeared before the committee but I

got into such a galaxy of legal talent that I couldn't seem to find any chance to get in on it. I heard Tom Leigh make his flower garden speech there that day. I don't think I even opened my head.

But, Mr. Speaker, I won't take up too much of your time. I do not believe that the outsiders and non-residents that come here to stay a couple of weeks, three weeks, four weeks or two months—I do not think they should come in here and tell us just how to run the State of Maine. I appreciate their coming here, and I appreciate the money they spend, and I appreciate the fact that I am trying to get hold of some of it, but at the same time I think there are some bounds to which their authority extends. I sincerely hope the motion will not prevail.

Mr. CLIFFORD of Garland: Mr. Speaker, as one of those who signed the majority report, ought not to pass, on this bill, perhaps it is fitting that I should explain my position in the matter. As the original draft of this bill was drawn, I think the early intent of the bill was simply to outlaw outdoor advertising. This was brought out by some of those who spoke in favor of this bill that that was the ultimate condition desired, and I think this is simply the first wedge in the proposition to do away with legitimate business. As I look at this, it is an interference with the rights of property owners. Anyone who buys land in the State of Maine, unless the use of that land interfered with other people, he has a right to the unrestricted use of the same.

Comparison has been made in regard to the building of slaughterhouses with outdoor advertising. I do not recognize the same odor when I go by a structure put up for outdoor advertising as I do near a slaughterhouse, and I think that the comparison is not a fair one.

The gentleman from Augusta, Mr. Williamson, has said that he believes in home rule. I also believe in home rule. I believe in the right of municipalities to regulate the affairs of their communities insofar as they do not conflict with the rights of the State.

The only place, as far as I know, where there has been much complaint about the amount of outdoor advertising is between the city of Portland and Kittery and I think the municipalities in that section can be depended upon to regulate

their own affairs without making a State-wide proposition of it.

The gentleman has said that he thinks the municipal officers can be depended upon to reflect the sentiment of their sections and for that reason the municipal officers in that section could be depended upon. I think it was brought out at the hearing that at the present time in the State of Massachusetts there is conflict over the same question, and I think the constitutionality of the proposition is being questioned. Therefore, for four reasons, I oppose it as an attempt to do away with legitimate business, interference with the rights of property owners, interference with the rights of municipalities, and on the question of the constitutionality of the same.

Mr. LITTLEFIELD of Farmingdale: Mr. Speaker, perhaps, without speaking, the most of the members know that I am against the minority report. It certainly has been proved that outdoor advertising is profitable to business, and I am against the minority report on the principle of the taxation of outdoor advertising. I think that industry has as much right to outdoor advertising, provided they do it in a legitimate and not obnoxious way, as they have to advertise in newspapers.

Our friend from Augusta, Mr. Williamson, says he believes in home rule. So do I, and I think that the people in the State should settle this question and not be influenced by out-of-the-State people. It is very fortunate that the farmer, who has to see these signs all the time, every day in the week, is not of the aesthetic mind as are some of our summer visitors. Now if they tax our out-of-door advertising along the highways, why don't they tax the outdoor advertising on our stores and business places? To my mind, there is just as much reason in it, and on the principle alone I should object to the minority report going through.

Mr. STURGIS of Auburn: Mr. Speaker, I have been in the Legislature a long time and ever since I have been here Portland has had a lot to say about civilizing this State in regard to hunting laws and all those things. Now in the endeavor to clear up the highways, I think the gentleman from Augusta, Mr. Farris, has said that is a kind of a

hodge-podge measure and they hardly know how to get out; in fact it is worse than I get sometimes.

Now in regard to the member from Portland (Miss Laughlin) comparing the signboards along the roads to slaughterhouses and tanneries, I wonder if she has ever lived near such places. I have the honor to have lived near one at one time where they carried on a large slaughtering business, and at that time they did not have facilities for taking away the odor that they have today, and I assure you from personal contact that I had rather smell a signboard along the road than a slaughterhouse. When I was a small boy, in Auburn, they had a tannery, but the tanneries have gone West; but you can imagine the smell at a tannery, those hides getting into the shape they did and staying out in the bats nearly a year at a time. Now to compare the two to a signboard is unthinkable. I have a little interest and I shall vote as I see fit regardless of my constituents, on the matter of signboards. I have a piece of land that I hope sometime to develop as the administrations come and go and to sell house-lots. I have got signboards along there, good looking signboards.

By the way, I am such a narrow and contracted fellow that I won't have tobacco and cigarettes advertised on my signboards. (Laughter) Now I have heard in years gone by of some of these highbrows who come into our State. They are not all summer people, but they make money, sometimes on stocks that fluctuate up and down. They have no more brain power than some of us have, some of them do not; and I have heard it said that some of them are surprised to come in here and find that we do not have Indians and grizzly bears in the State of Maine. Perhaps that is overdrawn but I believe that that happens sometimes. I certainly hope that the motion of the gentleman from Augusta (Mr. Williamson) will not prevail.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I would like to say that I am in favor of the motion and in favor of the bill, and I move the previous question.

The SPEAKER: 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 have returned the count.

A sufficient number arose.

The SPEAKER: Sixty-one having voted in favor of the motion, the question before the House now is shall the main question be now put?

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

The SPEAKER: The question before the House is, shall the main question be now put? As many as are in favor of the Chair putting the main question now will say aye; as many as are opposed will say no.

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

The SPEAKER: The member from Portland, Miss Laughlin, moves that when the vote is taken, it be taken by the yeas and nays. As many as are in favor of taking the vote by the yeas and nays will rise and stand in their places until counted and the monitors have returned the count.

An insufficient number arose.

The SPEAKER: An insufficient number having arisen, the motion for the yeas and nays fails of passage.

Mr. WILLIAMSON: Mr. Speaker, may I inquire as to my motion for a division.

The SPEAKER: The gentleman from Augusta, Mr. Williamson, has requested a division and a division will be called for. The question before the House is on the motion of the gentleman from Augusta, Mr. Williamson, that the minority report of the committees on Judiciary and Maine Publicity ought to pass in new draft be accepted. As many as are in favor of the gentleman's motion will rise and stand in their places until counted and the monitors have returned the count.

A division being had,

Twenty-nine having voted in favor of the motion, and 103 in opposition thereto, the motion of the gentleman from Augusta failed of passage.

On motion by Mr. Farris of Augusta, the majority report ought not to pass was accepted.

The SPEAKER: The Chair presents the second matter today assigned, bill an act to provide equit-

able and uniform taxation for motor vehicles, H. P. 1727, H. D. 787, tabled on April 2 by the gentleman from Portland, Mr. Boynton, the pending question being passage to be engrossed; and the Chair recognizes the gentleman.

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

The SPEAKER: The Chair presents the third matter today assigned, House reports, report "A" ought to pass in new draft, report "B" ought not to pass, committee on Legal Affairs on bill an act relating to prohibiting business and recreation on Sunday, H. P. 1156, H. D. 370, new draft H. P. 1735, H. D. 309, tabled on April 2 by the gentleman from Lewiston, Mr. Rodolphe Hamel, the pending question being acceptance of either report, and the Chair recognizes the gentleman.

Mr. RODOLPHE HAMEL: Mr. Speaker, I move the acceptance of report "A" ought to pass, and beg the consideration of the House in order that I may say just a few words on the matter.

When I looked at the new draft, and at the bill which we presented and which was heard before the committee on Legal Affairs, I was reminded of a very sad occurrence. It seems that someone was late to work on a Monday. The boss came up to him and said "How come you are late this morning?" He said "I went to a funeral this morning. My father died Saturday." "That so? I saw your father last week, and he wasn't sick then." "Yes, he died Saturday afternoon." "Rather sudden, wasn't it?" "Yes, he died suddenly Saturday afternoon." "Did he die a natural death?" "Oh, no, we had the doctor." (Laughter.)

Now in all due respect to the sincerity of the committee on Legal Affairs, all of whom I know well, and who have co-operated with us to the fullest extent at these hearings, I will say that when they amended this bill, they had a doctor.

The thing which I was particularly interested in was the recreation measure, or the sport measure, in that bill, and it comes back to us with that clause entirely eliminated.

In discussing the matter with

them, they told me that the recreational feature is practically incorporated in a similar measure that is to come before us in a few days. I think, with the time at hand, it being so late, that we probably would not have the time to resurrect the old bill and have it come in proper form such as we want it, and have it accepted by this Legislature.

Are you willing to abide by the advice of the committee on Legal Affairs and accept this bill as it is?

Now the new draft is House Document 809, and I think it has been on all your desks since yesterday. It is simply a re-statement of the laws as regards business on Sunday. I believe it is the acceptance of report "A" ought to pass.

Mr. HOLMAN of Farmington: Mr. Speaker, I want to say that I want to second the motion of Mr. Hamel on this bill. I do not think there is any man in the State who respects the Sabbath more than I do. I think this is a progressive piece of legislation, and will make us all honest men rather than hypocrites, and I believe the bill ought to pass and hope that report "A" will be accepted.

Mr. PERHAM of West Paris: Mr. Speaker, I would like to state right in the beginning in reference to the re-draft of the Hamel bill, that I have been before the Legal Affairs Committee in regard to Sunday recreation as well as Mr. Hamel and I will say that the Legal Affairs Committee has my hearty thanks for the efforts that they are taking in making a law that fits Sunday and that also fits the people of the State of Maine. I think that the Legal Affairs Committee are adopting what they consider is the proper method of straightening out this matter, and even though their decision may not be exactly just 100 per cent the way that some people wish, I would like you to consider that the Sunday law has stood on our books for about 110 years, and some members of the Legal Affairs Committee think that if it takes us two years to straighten out what has stood for 110 years, that the big majority of us ought to be satisfied.

As I understand this bill here, as I have studied it over, it is the

attempt of the Legal Affairs Committee to re-draft the present law as it now exists—that is, considering court decisions—and I see no way whereby this re-draft is going to hurt anyone, and I do think it will straighten out in the minds of many some things in regard to business.

Now this is simply as a matter of information at this time to straighten out in anyone's mind that the bill in regard to Sunday recreation will come before the House in a few days, and that will take up the other side of this question as well as anything that has been omitted in this re-draft of the Hamel bill; and knowing the decision of the Legal Affairs Committee and the interest they have taken in this matter, I will say here that I am in favor of this re-draft of the Hamel bill.

Mr. BURKETT of Portland: Mr. Speaker, at the beginning of the session of the Legal Affairs Committee had offered to it two bills bearing on Sunday sports. This one House Document 370, introduced by the gentleman from Lewiston, Mr. Hamel, attempted to amend the present law by providing that certain things named in the new draft should be legal, and then goes on further and has it apply to amateur baseball games, golf, hockey, and other sports. We were getting ready to have a hearing on that bill when the Perham bill came in, the Perham bill seeking the same thing as the Hamel bill in the last three lines, but attempting to regulate the thing in a little more careful manner.

We had two very interesting hearings on this bill. I think I enjoyed them more than any other hearings we have had. They got rather heated at times. The chief opponent of those measures was a man named Smith, apparently a very high grade young man, the secretary of the Civic League of the State.

In the course of the hearing the Senate member of the Legal Affairs Committee had in the hearing room a draft of a bill which follows, I think, identically word for word the new draft of the Hamel bill which is before us this morning. That Senate member took occasion to ask Mr. Smith, who said—and

apparently he represented the opponents of the measure—that he had no objection as a member of the Civic League to legalizing the things that are set out in the Hamel bill.

The main objection to the passage of the Hamel bill in its present form came from ministers who said, I think very sincerely, that they feared that the passing of this provision would give an entering wedge ultimately for commercializing Sunday. They did not fear so much people going out and having social games of golf, away from the centers of towns or cities, but they did fear that if we started in permitting amateur sports such as hockey and baseball, even under the restrictive provisions of the Perham bill, that it would not be long before Sunday would be commercialized, and we would be having professional ball games where admissions were charged, with all the attendant evils that all of us believe would come with those things.

I signed this majority report on the Hamel bill because I believed that the matter should come before the Legislature and be discussed; and I signed the majority report on the Perham bill which I think will come in today.

I think the Legislature of the State is under great obligation to both Mr. Hamel and Mr. Perham for the effort they have put in on this bill. Mr. Perham, especially, has spent a lot of his own time and a lot of money bringing this matter to the attention of this House and the State.

To anticipate a little, the re-draft of the Perham bill, when it comes in, will be an entirely new draft. It may be improper to call it a new draft, it goes so far. Instead of adopting any of the provisions of the Hamel bill as he had them in the first draft put in, our new draft provides for a commission of five people to be appointed by the Governor, to act as a commission during the intervening recess of the Legislature and report to the next one, having such hearings as may be necessary and make recommendations for changes in the Sunday law.

I will not try to discuss that now.

I am saying this so that if there is any member of the House who wants to discuss the matter at length that member may have time to prepare their remarks. But I do think this Hamel bill in its present form attempts to legalize, as it does, the things that everyone is doing and agrees are no detriment to the State of Maine.

Mr. INGRAHAM of Bangor: Mr. Speaker, I understand that there is an amendment being offered to take care of the objections that I might have—and several others that I know about—to this Hamel bill, therefore I shall vote for it.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Lewiston, Mr. Hamel, for the acceptance of report "A" ought to pass in a new draft on House Paper 1735, House Document 809. As many as are in favor of the gentleman's motion will say aye; as many as are opposed will say no.

A viva voce vote being doubted, A division was had.

Sixty-four having voted in favor of the motion and 23 in opposition, the motion prevailed; and on further motion by the same gentleman, this being a printed bill, the rules were suspended, the bill received its two several readings and tomorrow assigned.

Mr. ALLEN of Camden: Mr. Speaker, I wish to say a few words as to the question I asked of Mr. Williamson.

The SPEAKER: The House is now proceeding with unassigned matters.

Mr. ALLEN: I simply wish to call something to the attention of Mr. Williamson. Is that an order?

The SPEAKER: The gentleman from Camden, Mr. Allen, asks the floor on a question of parliamentary privilege.

The privilege was granted.

Mr. ALLEN: Mr. Williamson is not in the House, but I guess this can be conveyed to him. He thought that I was asked to put that question by someone outside, and on his integrity as a lawyer he wanted to assure me that he could not do any such thing I wish to say that I am not very familiar with the

rules of the House, and I wish to apologize to Mr. Williamson, if that will satisfy his mind any better but I, practically through ignorance, asked the question. (Applause)

The Chair now presents the fourth matter today assigned, which is erroneously printed on the calendar. The matter is House Amendment A to Senate Paper 81, Senate Document 44, an act to provide for the exportation of surplus power, and the pending question is the adoption of the amendment, the amendment having been tabled yesterday by the gentleman from Franklin, Mr. Blaisdell. The amendment is now printed and is House Document 812, which the members should find on their desks. The Chair recognizes the gentleman from Franklin, Mr. Blaisdell.

Mr. BLAISDELL: Mr. Speaker, I feel as though, after yesterday's session, that we have all heard about a plenty relative to water power, and so, consequently, I can assure you that I shall take but just a moment of your time. House Amendment A to the Carlton bill, which was offered yesterday, merely provides for an excise tax of four per cent on the gross operating revenues of these companies selling surplus power, for the permission, rather, to sell surplus power. That means such surplus power as the Public Utilities Commission of the State may determine.

I feel that this amendment offers the very thing that the people back home, your home and mine, want, and is the thing that they want us to bring back to them, and we can go home with a much better feeling when we present this problem to our people.

I want to say here and now that I can state publicly before this house, with absolute assurance, that the amendment as offered and the amendment as printed is acceptable to the power interests, and I must be very certain of my grounds or I would not dare say it.

Because it is acceptable to them, and because I believe it has become acceptable to a large percentage of those who voted in opposition, I urge those of you who favor exportation to vote for the amendment. I equally urge those who are in opposition to the exportation of power to support the amendment, and I urge all of us that if the amendment should be adopted, that you will play fair to your trust and vote on the



amendment and support the bill through to final passage. I urge that all those who opposed the exportation of power in their vote, but are willing now to adopt the amendment, to follow the bill. I move now its adoption, if the motion has not been made.

The SPEAKER: The gentleman from Franklin, Mr. Blaisdell, moves the adoption of the amendment.

Mr. INGRAHAM of Bangor Mr. Speaker and Members of the House: It has been rumored that I was opposed to the export of power. That is erroneous. I never was. I have insisted when we export power that we be paid something for this power that we have.

There have been rumors that I have been very unpopular with members of the Third House, the lobbyists, even with the lady members of the Third House who have put horns and cloven hoofs on me. Now I am going to say that we are all in accord with this proposition. It is fair, and I am going to support it through to the end, and I hope that we may adopt House Amendment A.

Mr. ALDRICH of Topsham: Mr. Speaker, for two years there has been a large group of people in this State who have taken the position not that they were opposed to the export of power but that they felt that if power was to be exported the State should receive some consideration in return for the privilege which was so given.

I am very, very happy indeed that the gentleman from Franklin, Mr. Blaisdell, has offered an amendment which, it seems to me, brings to fruition the desire of those who have seemed to be in opposition to export. I wish to say at this time, if I may without any impropriety, that I feel that the gentleman from Franklin, Mr. Blaisdell, has performed a distinct service to this State in having, as I know he has, worked for days with those, or some of those who were opposed to this measure, in preparing and submitting to them and convincing them that this amendment will carry into fruition, as I have said, the desires of these in opposition.

I am glad to say that this bill, as amended by House Amendment A, and, as I hope, by House Amendment B, which I shall offer in a moment,—and which I wish to state I am assured meets with the entire approval of the proponents of this bill. I

shall be pleased to support the bill as then amended.

Miss LAUGHLIN of Portland: Mr. Speaker, I wish, simply as a matter of information, to ask if it is within the province of the committee on Engrossed Bills to correct what seems to be an error in transcribing certain words here.

The SPEAKER: The province of the committee on Bills in the Third Reading would be to make verbal amendments.

Miss LAUGHLIN: If the members of the House will look on the second page, line nine, "said tax shall be payable to the treasurer of state for the use of the state for said license and permission as aforesaid on the first day of June in each year." Obviously that should be "said tax for said license and permission as aforesaid shall be payable to the treasurer of state for use of the state on the first day of June." The way it reads now it looks as though it was for the use of the State for said license and permission.

The SPEAKER: The member from Portland, Miss Laughlin, offers a verbal amendment to said House Amendment A by transposing the words "for said license and permit" occurring in the tenth and eleventh lines on page two thereof from their present position to a place immediately following the words "said tax" in line nine thereof; and the same member further moves that the word "body" in the twenty-second line on page two be changed to read "board," the reference being to the board of state assessors.

Mr. ALDRICH: Mr. Speaker, the word "body" also appears in line sixteen, and I assume that while this is being amended verbally, you might want to change the word there.

The SPEAKER: And the same member (Miss Laughlin) likewise moves to strike out the word "body" in the sixteenth line on page two and insert the word "board."

Mr. BURKETT of Portland: Mr. Speaker, I notice in the thirteenth line of the printed bill the word "permission" and some other words are used unnecessarily. In line thirteen the words "to have permission" could be consistently left out, and I so move.

The SPEAKER: The Chair is of the opinion that the amendment sug-

gested by the gentleman is not purely a verbal amendment. Is it the pleasure of the House to adopt the verbal amendments to House Amendment A moved by the member from Portland, Miss Laughlin?

Thereupon, the verbal amendments were adopted.

Mr. EATON of Calais: Mr. Speaker, yesterday I voted against the Carlton bill for the very reason that I felt the State of Maine should have some return for giving the privilege of exporting power from the State. If this Amendment A is adopted I shall vote in favor of the Carlton bill, and I wish to go on record to that effect.

Mr. TAYLOR of Belfast. Mr. Speaker, I rise to a point of order concerning the Carlton bill. I feel that the gentleman from Lisbon Falls, Mr. Jack, struck the keynote when he spoke on the excise tax yesterday. Now I see no harm in the development of the State of Maine. I feel that its resources should be developed for the benefit of the people. The public utilities, as I have said before, are serving the people, and I do not believe the best results can be obtained by punishing them or by restricting them. I believe they should be encouraged to develop and it seems to me the more they grow, the more benefit the State will receive,—the corporations as well as the common people will be benefited; it is necessary to support the common people's interests as well as those of the corporations and I believe this amendment should be adopted.

The SPEAKER: Is the House ready for the question?

The question was called for.

Mr. LOCKE of Biddeford: Mr. Speaker, as an opponent of the export bill as presented yesterday morning, I feel that the objections that many of us have to the bill in its form at this time have been met to a great extent. In fact, the proponents have met the demands made upon them by the so-called hydro-export group. In view of that situation and the situation that occurred yesterday morning, the objections having been removed, I would urge the adoption of the amendment as presented by the gentleman from Franklin.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Franklin, Mr. Blaisdell,

that the House adopt House Amendment A, being House Document 812, with the verbal amendments which have already been adopted. Is it the pleasure of the House to adopt House Amendment A? As many as are in favor will say aye; as many as are opposed will say no.

A viva voce vote being taken, the motion prevailed.

Mr. ALDRICH: Mr. Speaker, I should now like to offer House Amendment B, which, as I have said, I am advised meets with the approval of the proponents of the bill.

House Amendment B to Senate Paper 81, entitled an act to provide for the exportation of surplus power.

Amend said bill by adding thereto the following section:

"If any part of this act is hereafter declared to be unconstitutional, then and in that event, this entire act shall be and thereby becomes null and void, anything else in this act to the contrary notwithstanding."

Mr. ALDRICH: Mr. Speaker, in moving the adoption of this amendment I desire to say that what it is expected and intended to accomplish is that by that amendment all possibility of this act or any part ever being called into question will be removed.

A viva voce vote being taken, House Amendment B was adopted, and the bill and amendments were assigned for third reading tomorrow morning.

Mrs. FOLSOM of Norridgewock: Mr. Speaker, I move that the rules be suspended and the gentlemen be allowed to smoke. (Applause)

The SPEAKER: The Chair presents the fifth matter today assigned, motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House recede and concur with the action of the Senate on bill, an act to create the Department of Finance, H. P. 1666, H. D. 735, said bill having been indefinitely postponed in the House on March 28th, passed to be engrossed in the Senate in non-concurrence, tabled on April 3rd by the gentleman from Cape Elizabeth, Mr. Chase, and the Chair recognizes the gentleman.

Mr. CHASE: Mr. Speaker, when this bill was in the House and was indefinitely postponed there was a substantial vote in favor of the bill. The bill went to the Senate and was passed to be engrossed. The bill, as

stated at the time, is not aimed at any individual in any respect.

(At this point Mr. Burkett of Portland assumed the Chair amid the applause of the House, the members rising.)

Mr. CHASE continuing: It was not designed in an effort or attempt to legislate anyone out of office, as was said the other day. The present Bank Commissioner's term expires next July anyway. I believe that the other gentlemen who would be affected if this bill should become law are diligent and efficient public servants, deserving the praise and support of everyone.

There has been a story going up and down the corridors to the effect—and for all I know it might be considered an obstacle to the passage of the bill—that this bill was designed to make a job for Chase. (Laughter) I do not know who started it. It makes a pretty good story, and I would not be surprised if it might have made some votes against it. I think it should.

I should like to take this opportunity to state at this time to those who believe what I say that I am not and shall not be a candidate for this position if created, and to those who require further confirmation I would point to the provisions of the Constitution of Maine which bar any legislator during his term of office from taking a job which he helped to create.

Now we have made a lot of progress here this week towards getting through. This bill, this proposition, is a start towards the consolidation of State Departments, and I can see that it has not been handled in the way that any such proposition should be handled, and I am partly to blame for that. I can see from my experience here that when anybody does start a consolidation proposition that they should first educate the people who are in that particular business which it is proposed to regulate to perceive that such a consolidation will be helpful to them, because no matter in what corner of this State House you make a movement towards consolidation, you tread on someone's toes. I can see where we should have gone around first and told these people and explained to them that this is really something which will help them and is so designed.

The Banking and Insurance people who are under the regulation of these separate departments did not appear at this hearing at all. Now the bus-

was advertised and there were notices about it in the paper, and they never came in in opposition at all. Some of them are in favor of the bill and some not in favor of it, but there is a certain bunch who have apparently been suspicious of the movement and have made no effort to find out the truth about the matter. Now there are a few bankers and insurance men who believe that this will deprive them of some of the service they are getting now, or may possibly result in the removal of some official whom they admire or respect, which of course it would not at all. In order to expedite the business of the Legislature I am simply going to be content with making this statement on this matter. I am still in favor of starting this consolidation proposition somewhere. I still think this is a good bill, but I do not think it is important enough to have a fight about at a time when time is so valuable, and with that statement, Mr. Speaker, I shall ask permission through the Chair from the House to withdraw my motion to recede and concur so that I may support Mr. Jack's motion that the House adhere. That will effectively dispose of one controversy, at least. (Applause.)

Thereupon, Mr. Chase was given permission to withdraw his motion.

Mr. ALDRICH of Topsham: Mr. Speaker, I shall speak only a moment upon this matter which, as the gentleman has said, was before the House the other day. We all know that today consolidation is the order of the day, and no one is more in favor of consolidation than I am, but we must appreciate, as business men, that ordinarily wherever you do consolidate—and if you will observe that consolidations are going on all over the country—you will find that they are consolidations of concerns which are of the same character, and which thereby permit of a greater efficiency, and probably and usually a greater economy.

Now as has been stated here the other day, by gentlemen in the insurance business and the gentlemen in the banking business—and we did not need that statement—we know it ourselves—that these two matters are absolutely and decidedly distinct and different and there is no suggestion made here, so far as I have observed, and I understand that none was made before the committee either, that you will get greater efficiency or that you will get greater

economy, or both. I submit that is the only interest, and I submit that it is no reason why I as a legislator should vote for a consolidation merely because it is suggested that we start somewhere to consolidate, without any reason being given for consolidating.

I am prepared to follow anyone on any bill that is offered here for the consolidation of any departments if it can be shown that such consolidation is in the interests of the character of the business of the departments and in the interests of the State, both in efficiency and economy, or either; but it seems to me that we will appear to be a volatible body if one day we vote by vote of seventy or eighty, whatever it was, to forty, against consolidation and the next day, because the matter happens to come before us again, without any reason being given for it, we reverse ourselves. That is all there is to it. So I sincerely hope that the motion of the gentleman from Lisbon Falls, (Mr. Jack) to adhere, will prevail.

Mr. ALLEN of Camden: Mr. Speaker, I would like to correct just one statement my brother on the left has made that no one appeared against the consolidation before the committee. I think he was wrong in regard to that. The opposition was represented. There is another thing I just wish to call to your attention, which Mr. Chase has mentioned. The Senate yesterday acted half-heartedly in the matter—nine to eight out of seventeen votes. Where were the others? They were passing the buck to the House, and I think we should adhere to our previous vote.

The SPEAKER pro tem: Is the House ready for the question? The question is on the motion of the gentleman from Lisbon Falls, Mr. Jack, that the House adhere to its action taken on March 28th that the bill be indefinitely postponed.

A viva voce vote being taken, the motion prevailed.

The SPEAKER pro tem: The Chair lays before the House the sixth matter tabled and today assigned, S. P. 730, S. D. 387,

House Amendment A to 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 on April 3rd by the

gentleman from Kingfield, Mr. Wing, the pending question being assignment for third reading, and the Chair recognizes the gentleman.

On motion by Mr. Wing, the resolve as amended was given its third reading.

Mr. ALDRICH of Topsham: Mr. Speaker, inasmuch as the matter is evidently connected and associated with the second unassigned matter, and I suppose is naturally to follow the second unassigned matter, I would ask that the matter lie upon the table, to be taken up immediately following the second unassigned matter upon the calendar.

Mr. WING: Mr. Speaker, that is perfectly agreeable to me as I have no interest in the bill itself; it only has to do with verbal amendments.

Thereupon, on motion by Mr. Aldrich, the matter was retabled until later in the session.

The SPEAKER pro tem: The Chair lays before the House the first tabled and unassigned matter, pursuant to joint order passed earlier in the session, bill an act relating to license fees for small loan agencies, S. P. 649, S. D. 300, tabled on April 3rd by the gentleman from Portland, Mr. Jackson, the pending question being third reading, and the Chair recognizes the gentleman.

Mr. JACKSON: Mr. Speaker, I crave the indulgence of this House, and ask that this matter be retabled until tomorrow morning pending receipt of further information.

Thereupon, on motion by Mr. Jackson the matter was retabled and specially assigned for tomorrow.

The SPEAKER pro tem: The Chair lays before the House the second unassigned matter, bill an act to provide for building a bridge across the Penobscot River, at or near Bucksport, S. P. 541, S. D. 364, tabled on April 3rd by the gentleman from Eastport, Mr. McCart, the pending question being assignment for third reading, and the Chair recognizes the gentleman.

Mr. McCART: Mr. Speaker, I wish to yield to the gentleman from Winterport, Mr. Carleton.

Mr. CARLETON: Mr. Speaker and Members of the Eighty-fourth Legislature: I being the man who represents the towns on the western side of the Penobscot where

this bridge is proposed to be built, I think it would be proper that I say a word at this time.

When I came to the Legislature on the first of January, as a Representative, I heard the matter discussed about the building of a bridge in the town of Winterport, across the Penobscot to the town of Bucksport, or Verona. Later I read a resolve presented by Representative Blodgett for such a bridge; later I read another one presented by Senator Martin of Kennebec; and still later I read another presented by Senator Dunbar of Hancock; later I read still another one, calling for an investigation, and presented by Senator Nickerson of Waldo. The first three of these resolves were private parties asking for a charter to give them the right to build such a bridge. Now we have a fifth resolve before us, presented by Senator Nickerson of Waldo, asking for a State-owned bridge.

Now, members of this Legislature, I am going to say to you right here that at the beginning I felt that there was no need of a bridge at that point at the present time, but after investigating the matter quite thoroughly I find there are a lot of people in Waldo, Knox, Lincoln, Sagadahoc, Hancock and Washington Counties that want it. Therefore I say to you if you want a bridge, let us have a State bridge. I am going to say to you further that if we are to have a bridge we should do something for the ferries who are now operating under State licenses, and which will be put out of business if such a bridge is built.

Now in closing I am going to say to you that I will give you my support and vote for a State bridge. I therefore wish to offer an amendment to this document known as House Amendment A, and move its adoption.

House Amendment A to Senate Document 364.

Additional section to Senate Document No. 364, entitled an act to provide for building a bridge across the Penobscot River at or near Bucksport, to be known as the Waldo-Hancock Bridge.

Section 11. The directors are hereby authorized and directed to acquire the properties and business as growing concerns of the Winterport Ferries Company, Incorporated, and the Bucksport and Prospect

Ferry Company, at a valuation to be fixed by the public utilities commission of the State of Maine, or by three commissioners appointed by the Chief Justice of the Supreme Judicial Court, upon petition by either the said Winterport Ferries Company, Incorporated, the Bucksport and Prospect Ferry Company, or the directors to be appointed under this act. The authority granted under this act is on the express condition that the properties and business of the Winterport Ferries Company, Incorporated, and the Bucksport and Prospect Ferry Company shall be acquired in manner and form as herein stated.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I would like to ask, purely for information—as I understand the bill it provides three possibilities as boards of adjudication of damages. How shall it be determined which one of these boards shall act?

Mr. CARLETON: I will state, Mr. Speaker, that if the three commissioners cannot agree, they have the right to call in the court.

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

The SPEAKER pro tem: The Chair lays before the House the third unassigned matter, resolve in favor of State School for Girls, S. P. 414, S. D. 166, tabled on April 3rd by the gentleman from Farmingdale, Mr. Littlefield, the pending question being final passage; and the Chair recognizes the gentleman.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: This resolve calls for about \$6,000 which the committee on Appropriations and Financial Affairs feels should not come from the direct appropriation, and it will come up at a committee hearing to be held tonight. Therefore I move that this matter lie upon the table until tomorrow morning.

Thereupon, the resolve was retabled and tomorrow assigned.

The SPEAKER pro tem: The Chair lays before the House the fourth unassigned matter, majority report ought not to pass, minority report ought to pass, committees on

Ways and Bridges and Taxation jointly on bill an act relating to tax on gasoline, H. P. 1224, H. D. 412, tabled on April 3rd by the gentleman from Presque Isle, Mr. Kitchen, the pending question being acceptance of either report; and the Chair recognizes the gentleman.

Mr. KITCHEN: Mr. Speaker and Members of the House: For the same reason as stated yesterday I ask permission to retable this matter.

Thereupon, the bill was retabled.

The SPEAKER pro tem: The Chair lays before the House the fifth unassigned matter, House reports, majority report ought to pass in new draft, minority report ought not to pass, 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 bonds, H. P. 451, H. D. 142, new draft H. P. 1728, H. D. 801, tabled on March 29th by the gentleman from Dover-Foxcroft, Mr. Merrill, the pending question being acceptance of either report; and the Chair recognizes the gentleman.

Mr. MERRILL: Mr. Speaker, for the same reasons as stated yesterday I moved that this bill lie upon the table unassigned.

Thereupon, the matter was retabled and unassigned.

Mr. KITCHEN of Presque Isle: Mr. Speaker, I would also request that the sixth unassigned matter, majority report ought not to pass and minority report ought to pass, committee 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 me on April 1, the pending question being acceptance of either report, lie upon the table.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I understood, or assumed, that the request that the sixth unassigned matter be tabled was for the purpose of taking it up in connection with or following action on the second unassigned matter. If that is true, it

should be taken from the table and acted on at this time.

Mr. ALDRICH of Topsham: Mr. Speaker, that was my understanding, as stated by the gentleman from Dover-Foxcroft (Mr. Merrill)—that the sixth unassigned matter was to be taken up immediately after the second unassigned matter, and I thought that was the disposition to be made of it, and if that is so, I ask that it be taken up at this time.

Thereupon, on motion by Mr. Kitchen the matter was retabled pending acceptance of either report.

The SPEAKER pro tem: The Chair lays before the House the seventh unassigned matter, bill an act relating to declarations upon a contract in writing, H. P. 1680, H. D. 732, tabled on April 3rd by the gentleman from Portland, Mr. Rounds, the pending question being reconsideration.

Miss LAUGHLIN of Portland: Mr. Speaker, it was understood between Mr. Rounds and myself this morning that when this matter came up and was taken off the table that he would yield the floor to the gentleman from Augusta, Mr. Williamson.

The SPEAKER pro tem: The gentleman from Portland, Mr. Rounds yields the floor to the gentleman from Augusta, Mr. Williamson.

Mr. WILLIAMSON: Mr. Speaker, I move that the House insist and that a committee of Conference be appointed.

The motion prevailed.

The SPEAKER pro tem: The Chair will appoint a committee of Conference later in the session.

On motion by Mr. Kitchen of Presque Isle,  
Recessed until 2 P. M.

#### After Recess 2 P. M.

The Speaker in the Chair

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

From the Senate: Final reports of the committees on

Maine Publicity  
Military Affairs

Come from the Senate read and accepted.

In the House read and accepted in concurrence.

From the Senate: Report of the committee on Claims on blanket resolve appropriating money to pay claims allowed by that committee S. P. 766, S. D. 411, in new draft, and that it ought to pass.

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

In the House:

Mr. ROUNDS of Portland: Mr. Speaker, is that the blanket resolve?

The SPEAKER: The Chair will state that it appears to be.

Mr. ROUNDS: Is it the whole blanket resolve, or is it a part, that is what I want to know.

The SPEAKER: The Chair is unable to state but it appears to contain resolves covering four foolscap pages.

Mr. ROUNDS: Mr. Speaker, I understand that some of our claims have been monkeyed with since they got out of the committee. (Laughter) and I move that it be tabled until I can look it over and see if they are all there.

A viva voce vote being taken, the report was tabled pending acceptance in concurrence.

The SPEAKER: The attention of the Chair has just been called to the fact that this resolve is printed in new draft as S. D. 411.

#### Order, Out of Order

Mr. Friend of Skowhegan presented the following order and moved its passage:

WHEREAS, William Jardine, former Secretary of Agriculture of the United States of America, in a letter to the Governor of Maine, which letter was transmitted to the Legislature, charged that there was a shortage of cement used in highway construction projects in the State of Maine known as 102-A, 102-B and 103-A, and

WHEREAS, in a later letter the present Secretary of Agriculture, Arthur W. Hyde, made a demand on the State of Maine for \$103,-997.53 on account of the alleged defective lack or shortage of cement defective construction resulting therefrom. It is of importance that

the Legislature should become acquainted with the facts found in the report of Walter C. Voss, consulting engineer and professor of the Massachusetts Institute of Technology, who made an examination of these three highway projects and made tests of the concrete therein, which complete report accompanies this order.

IT IS HEREBY ORDERED that one thousand copies of this report be printed.

On motion of Mr. Kitchen of Presque Isle, tabled until later in the afternoon.

From the Senate: Report of the committee on Judiciary on bill an act to revise the Workmen's Compensation Act (S. P. 576) (S. D. 273) reporting same in a new draft (S. P. 761) (S. D. 410) under same title and that it ought to pass.

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

In the House, a viva voce vote being taken, on motion by Mr. Allen of Camden, the report was tabled pending acceptance in concurrence, and specially assigned for Tuesday, April 9.

From the Senate: Report of the committee on Public Utilities reporting ought to pass on bill an act relating to the supervision, regulation and conduct of the transportation of persons over the public highways of the State of Maine by automobiles, jitney busses and auto stages by the Public Utilities Commission (S. P. 630) (S. D. 278.)

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 was read and accepted in concurrence, and the bill read twice, Senate Amendment "A" was read and adopted in concurrence, and tomorrow was assigned for third reading.

From the Senate: Majority report of the committee on Military Affairs reporting ought not to pass on bill an act to provide for the payment of a bonus to Maine Soldiers and Sailors in the war with Spain. (S. P. 626) (S. D. 339.)

Report was signed by the following members:

Messrs. CROSBY of Penobscot  
WEEKS of Somerset

—Of the Senate

MANSFIELD of Jonesport  
KING of Orono  
BURKETT of Portland  
FRIEND of Skowhegan  
CHASE of Cape Elizabeth  
WILLIAMSON of Augusta  
SMALL of E. Machias

—Of the House

Minority report of same committee reporting ought to pass on same bill.

Report was signed by the following member:

Mr. SLOCUM of Cumberland

—Of the Senate.

Comes from the Senate the majority report read and accepted.

In the House it was voted to concur with the Senate in the acceptance of the majority report.

From the Senate: Majority Report of the Committee on Military Affairs reporting ought not to pass on bill an act to provide for the completion of the payment of a bonus to Maine Soldiers and Sailors in the War with Spain (S. P. 627) (S. D. 340.)

Report was signed by the following members:

Messrs. CROSBY of Penobscot

WEEKS of Somerset

—of the Senate.

MANSFIELD of Jonesport  
KING of Orono  
BURKETT of Portland  
FRIEND of Skowhegan  
CHASE of Cape Elizabeth  
WILLIAMSON of Augusta  
SMALL of E. Machias

—of the House.

Minority Report of same Committee reporting ought to pass on same bill.

Report was signed by the following member:

Mr. SLOCUM of Cumberland

—of the Senate.

Comes from the Senate the majority report read and accepted.

In the House it was voted to accept the majority report in concurrence.

From the Senate: Majority report of the committee on Military Affairs reporting ought not to pass on resolve proposing an amendment to Article IX of the Constitution to provide for a bond issue for the purpose of paying a bonus to

Maine soldiers and sailors in the war with Spain (S. P. 625) (S. D. 341.)

Report was signed by the following members:

Messrs. CROSBY of Penobscot

WEEKS of Somerset

—Of the Senate

MANSFIELD of Jonesport  
KING of Orono  
BURKETT of Portland  
FRIEND of Skowhegan  
CHASE of Cape Elizabeth  
WILLIAMSON of Augusta  
SMALL of E. Machias

—Of the House

Minority report of same Committee reporting ought to pass on same Resolve.

Report was signed by the following member:

Mr. SLOCUM of Cumberland

—Of the Senate

Comes from the Senate the majority report read and accepted.

In the House, majority report accepted in concurrence.

From the Senate: Resolve in favor of Frank E. Downes (H. P. 1701) (H. D. 768)

which was passed to be engrossed in the House March 29th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House voted to recede and concur with the Senate.

From the Senate: Resolve in favor of Edward J. Carroll and Alice Janet Carroll (H. P. 1698) (H. D. 766)

which was passed to be engrossed in the House March 29th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House:

Mr. BELLEAU of Lewiston: Mr. Speaker, I move that we insist upon our former action and ask for a committee of conference.

Mr. ROUNDS of Portland: Mr. Speaker, this is one of the claims put in and somebody has asked to have it killed. I don't know whether that is somebody here but there seems to be some mystery about it. This is a claim of a young woman who is now carrying a bullet in her side. She asks nothing for the pain and suffering but just the actual expense for what was done. This happened in



the town of Norway, and I want to say here that they had a court-martial—court or something, I don't know what you call it—a military affair: I am not a military man. They had some sort of a session and found out that the gun was fired an hour or so before or an hour or so after, they hardly knew which; but they said they could not have shot her because she was behind a gravestone, or something or rather, in a cemetery. This occurred in the town of Norway and they had been shooting that day. We considered the claim and we did what we thought was right. She only asked for her doctor's bills and other expenses, and we passed that claim; but the chairman of our committee was called into the other end of the building here—in the corner of the building—and asked to have it put out separately, so that it could be vetoed if it got by the Legislature, I suppose. Certain people were called in, in fact the whole committee was called in last night on a little cow claim, as you have heard.

But, seriously, this girl is now carrying a bullet in her side and I do hope that when anybody comes to this Legislature and the State of Maine has been setting up a target and a girl is hurt—I do think it is time that they paid for just her doctor's bills, and that is all she asked for, nothing for pain and suffering. Therefore, I think it no more than right that we should insist and ask for a committee of conference on this resolve.

The SPEAKER: The question is on the motion of the gentleman from Lewiston, Mr. Belleau, that the House insist on its former action and request a committee of conference.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I should like to inquire from anyone who may know whether the bullet which was found in the girl's hip corresponds in caliber to the bullets which were being fired by the National Guard or whoever was firing at the time.

Mr. STONE of Biddeford: Mr. Speaker, in reply to the question of the gentleman from Cape Elizabeth (Mr. Chase), I would say

that the evidence before the committee showed that the bullet is still in the girl's body, and it was said that the X-ray left a question as to whether or not it was a National Guard bullet or a bullet of a caliber slightly smaller. The X-ray could not determine which kind of a bullet it was.

The SPEAKER: Is the House ready for the question?

The question was called for.

The SPEAKER: As many as are in favor of the gentleman's motion to insist will say aye; those opposed no.

The motion prevailed, and the Chair appointed on the committee of conference Messrs. Belleau of Lewiston, Rounds of Portland, and Stone of Biddeford.

From the Senate: The following order:

Ordered, The House concurring, that S. P. 691, S. D. 367—Resolve providing for the Purchase of "Music and Musicians of Maine", be recalled from the Governor for the further consideration of the Legislature.

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

#### Reports of Committees

(Out of order under suspension of the rules.)

Mr. BLAISDELL from the Committee on Legal Affairs reported ought not to pass on bill an act to incorporate the town of Lincoln School District (H. P. 606) (H. D. 177.)

Mr. TAYLOR from same Committee reported same on bill an act to provide a town manager form of government for the town of Boothbay Harbor (H. P. 322) (H. D. 103) together with petitions.

Reports read and accepted and sent up for concurrence.

Mr. BLAISDELL from same Committee on bill an act relating to taxes upon mortgaged real estate (H. P. 1081) (H. D. 344) reported same in a new draft (H. P. 1744) under same title and that it ought to pass.

Mr. PEACOCK from same Committee on bill an act relating to finger prints and photographs of criminals (H. P. 1471) (H. D. 513) reported same in a new draft (H.

P. 1743) under same title and that it ought to pass.

Mr. TAYLOR from same Committee on bill an act to grant a new charter to the City of Belfast (H. P. 1557) (S. D. 362) reported same in a new draft (H. P. 1745) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

The SPEAKER: Returning to the unfinished business of the morning, the Chair presents to the House the eighth unassigned matter, House report ought to pass in a new draft from the committee on Banks and Banking on bill an act relating to interest charged by small loan agencies, the new draft being H. P. 1742, tabled on April 3rd by the gentleman from Cape Elizabeth, Mr. Chase, pending the acceptance of the report. The new draft appears to have been printed and is H. D. 813, which should be on the desks of the members. The Chair recognizes the gentleman from Cape Elizabeth Mr. Chase.

Mr. CHASE: Mr. Speaker, this bill might be referred to as the Rounds-Chase bill. It represents the work of the committee on Banks and Banking in trying to do something to reduce the maximum rate fixed by statute on small loans as made by small loan agencies. The maximum rate as fixed by statute is now three and one-half per cent a month or forty-two per cent a year. I concede on the part of my original bill that when it was put in I knew that the rate which it called for was too low, but we did want to do what we could in the way of reducing this maximum rate.

The committee on Banks and Banking has done splendid work in connection with this matter. They have gathered material, from all over the country. They have had numerous hearings and I think that all the members of that committee know vastly more now about small loan agencies than they did when they came here.

The present bill, new draft, reduces the maximum rate as fixed by statute from three and one-half per cent per month to three per cent per month. To many of you that will seem like a small reduction; but from the evidence which has been presented bearing on this matter, and which I believe

members of the committee will explain clearly if there is opposition, it seems to me that this new draft is a fair proposition, and I hope that the Legislature will pass this bill.

Mr. JACKSON of Portland: Mr. Speaker, for the same reasons I gave this morning on the first unassigned matter, I request that this bill lie on the table until tomorrow morning.

A viva voce vote being taken, the bill was tabled and specially assigned until tomorrow morning.

The SPEAKER: The Chair presents the ninth unassigned matter, resolve to modify the conditions of the gift from B. C. Jordan to the State for the purpose of encouraging cultivation of forests, tabled yesterday by the gentleman from Presque Isle, Mr. Kitchen, pending final passage; and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair presents the tenth unassigned matter, resolve to pay certain deficiencies, H. D. 755, tabled yesterday by the gentleman from Portland, Mr. Rounds, pending final passage; and the Chair recognizes that gentleman.

Mr. ROUNDS: Mr. Speaker and members of the House: This bill is a far-reaching bill even though it looks like a short one. It is so short I will read it: "Resolved that the sum of \$10,970.52 be, and hereby is, appropriated to pay such deficiencies as shown by the lists presented by the State Auditor to the Legislature, as amended and allowed by the committee on Claims."

This bill is far-reaching. We have bills from fifteen dollars up to fifty thousand dollars, but this bill calls for ten thousand dollars, never been heard by any member of this Legislature, only brought in here by one man,—not even brought in by him—sent in; and we took it for granted it was all right because we looked at the outside of it, we did not even look at the inside, no one of the committee until today has seen the inside of the bill; but since certain things have transpired here for the last few days, we have been looking at some of these things to see what

we have done in these twelve weeks. This bill calls for a lot of claims, over 125 claims, and nobody but this Legislature could make them legal. We are making them legal. I don't know as these are legal. For instance there is the J. P. Bass Publishing Company, \$10. There is the Commissioner of Agriculture for office expenses; the Capital Garage Company, \$25. We don't know anything about them and I don't think any member of this House knows about them. Maybe they do at the other end of the building but we don't and they are asking us to legalize those claims. I hold in my hand a lot of claims. The Adjutant General's office, \$282.07. We don't know what that is for. Nobody in this House knows what it is for; but a little girl with a bullet in her side must be turned down. Another little girl was killed by the Adjutant General, and you will find it in the Claims' bill, in the blanket bill that the gentleman has here. (Mr. Rounds examines bills.) Well, it is in here somewhere but it will take too long to find it. It is a bill for the Adjutant General running over a child and killing her, but the poor girl with the bullet in her side cannot have anything by amendment at the other end, and so it goes through all these—over a hundred different claims for different things that we are legalizing here today because nobody else can, and still and all they say that it is not a legal claim that we have, although we have been here over twelve weeks and have worked hard, stayed in our room there and heard evidence.

But here is ten thousand dollars that we haven't heard anything about and still they ask us to legalize it. Therefore, I am going to move that this resolve be finally passed at the present time. I don't know anything about it and I don't think anybody else in the House does, but I suppose it is all right because somebody else knows about it. I move that it be finally passed.

Mr. ALDRICH of Topsham: Mr. Speaker, I do not know anything about this. The gentleman from Portland (Mr. Rounds) treats it in rather a facetious vein, but who vouches for these deficiencies?

Mr. ROUNDS: Mr. Speaker, I un-

derstand that it comes from the Governor and Council and they have no authority to pay it because it has run out and the Auditor has asked us or sent us this communication to try and make it legal so that they can pay these few claims running from a few cents up to a number of thousands of dollars.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Rounds, that this resolve now receive its final passage. As many as are in favor of the gentleman's motion will say aye; those opposed no.

A viva voce vote being taken, the resolve was finally passed.

The SPEAKER: The Chair presents the eleventh unassigned matter bill an act to incorporate Fish River Power and Storage Company, S. P. 734, S. D. 384, tabled yesterday by the gentleman from Cape Elizabeth, Mr. Chase, pending passage to be engrossed; and the Chair recognizes that gentleman.

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

Mr. DAIGLE: Mr. Speaker, I have an amendment to offer, the subject matter of which is the same as that that I introduced yesterday.

The SPEAKER: The gentleman from Madawaska, Mr. Daigle, offers House Amendment B to Senate Paper 734, and states that it is in substance the same as the amendment heretofore offered by him, but it is made to the pending bill instead of to the former draft as was the case with the former amendment which was offered inadvertently.

Mr. DAIGLE: Mr. Speaker, the only change is the correction of the title. In connection with this I will say in the first place that I wish to call the attention of the members that this was not put out as a matter for controversy with the International Paper Company, but rather to get an opportunity to have the question entertained by them so that they would not give the same agreement that they did not want to accept the amendment, what we call a gentleman's agreement, on the proposition.

As far as the nature of the amendment is concerned, and the method of it, of course the House will be the judge of that. The other day I heard a certain gentleman

from Lewiston say that there is a saying used sometimes that we are down and out. He said "I may be down but I am not out." In this case I think that I am out if I am not down. If the amendment was of such a nature that the people would be justified in voting for it, which I believe they would if I introduced it as it was, I think there would be but very few members who would have occasion to refuse it, and I am quite certain they would not be the eighteen members who voted against the bill. In regard to the 127, of which I am one, voting for the majority ought to pass, is there any reason to believe, is there any doubt even by pressing the amendment that they would lose any hold?

I wish to say this, had the vote been close, say within six, seven or ten I would never have thought of putting that amendment on the Speaker's desk. I thought I could do what I did do without risking anything or doing damage to the International Paper Company or the corporations. I was also counting on that part of the Aroostook delegation on the St. John river, because they may find it pretty difficult sometimes to explain, without the technical questions that were last night brought into the proposition last night, to which I will refer in a little while. I think it would have been just as well for them to support my measure, but that is their own affair.

The situation was brought out last night,—this was on the ground of the Constitution,—and I heard a man say once that a short cut to statesmanship is to amend the Constitution. Well, every question on the part of the attorneys, who think they will have some advantage if the Constitution can be brought into it. Well, I have seen some very good examples since I have been here this winter that we can get what we want done by the Legislature because some measures have been introduced here, debated and reported as illegal and yet we passed them and we gloried in them. I vote for them myself.

Now if this is not well founded as far as the constitutional part of it goes, what does it show in this clause here? I would have just as much confidence in the Supreme Court of the State of Maine as I would have in any attorney in the House, and it says this: "And shall make their

decisions and orders thereon and shall file the same in the office of the Secretary of State, and such decisions shall be binding upon the International Paper and Power Company or the American Realty Company, and the Supreme Court, sitting in equity, shall have authority to enforce compliance with such orders."

Besides that there were some technical flaws brought out in regard to the amendment. I helped draw the amendment but I am not an expert in such matters. I furnished the substance and I got help from the different heads of departments and also from the gentleman in the library; but I will make this offer, no matter how the decision will go whether for or against. I know very well which way it is going to go. I will make this offer. If the gentleman from Augusta (Mr. Farris) who spoke last night in regard to this is as sincere as I am on the proposition, I hardly think he could refuse, but he will, and I will read my proposition and he won't accept it. Let Mr. Farris frame such an amendment as he thinks would be proper, providing it would involve the principle of the Daigle amendment, then get in touch with the International Paper people for an answer and I will pay for the telegram. (Laughter)

Now I was going to say—the last part of course is more or less, I wouldn't say joking way, but pretty near. Some of my good friends in the minority party in the State of Maine appeared the other day as though they were very willing to support my measure. After that, well a change came over the spirit of their dreams. (Laughter) and I cannot account for it. (Laughter) At the same time that I thought I was doing myself a service, and probably also the people of the State, I was at the same time probably trying to furnish a little ammunition for the other side in the next campaign. (Laughter) But they refused to accept the offer. Now not all of the members of the minority party have signified that they have not much confidence in the amendment.

As I said yesterday, if the road is not built there is nothing to this amendment. If the road is built, there would be some string attached to the proposition. The matter is for the decision of this House here. You are to be the judges of it, and I will not dwell any longer on it. I

thank you and quit. (Laughter and applause).

Mr. INGRAHAM of Bangor: Mr. Speaker, I would like to ask, through the Chair, if the gentleman from Madawaska (Mr. Daigle) has taken into consideration how this amendment can be applied or worked out. I have in my office a tabulation of all ownerships of wild land in the undivided interest and in many of these towns there is an ownership as high as fifty or more, some of them owning as little as thirty acres. In these towns will be found an ownership by the International Paper Company or American Realty. The question is how can this amendment apply when that is an undivided interest. It is undivided and it would have to be consented to by all these other owners, and I am in doubt as to whether an amendment will work, no matter how well it is written or drawn.

Mr. KITCHEN of Presque Isle: Mr. Speaker, today seems to be a day for reconciliation. Ever since the time when I first entered this Legislature, the matter of water power has been a bone of contention. Members have been divided to the point that they have disagreed and harsh feelings have existed; but this morning you will note by the action this House took in regard to the Carlton bill by the amendment here offered, all of those differences have been ironed out and everything seems to be, so far as this House is concerned, in accord on that issue.

Going further, you will all note that I have been a conscientious objector to the Fish River bill, so-called; and, when I say "conscientious", I mean that, for I have felt that the interests of Aroostook county were not being properly safeguarded. However, by your vote of day before yesterday, you have showed to me that you thought I was wrong. You have administered to me the worst chastisement that I have ever received, but I am here today, one of you, smiling. I have taken my licking, and I say to the members of this House that my only hope in that matter is that this plan may work out as well as you think it will.

Referring to this amendment offered by the gentleman from Madawaska, Mr. Daigle, it seems to me that it is useless; in fact I believe it is unconstitutional. I do not be-

lieve that this company should have the right to dictate to these people that they should open their land for settlement at this time. Of course the gentleman is anxious, being well along in years, to do something whereby future generations may benefit; but it seems to me, when all is said and done, that the best plan is to indefinitely postpone this amendment, and I so move, Mr. Speaker. (Applause)

The SPEAKER: The gentleman from Presque Isle, Mr. Kitchen, moves the indefinite postponement of House Amendment B. Is the House ready for the question?

The question was called for.

The SPEAKER: The question is on the motion of the gentleman from Presque Isle, Mr. Kitchen for indefinite postponement of House Amendment B to Senate Paper 734, S. D. 384, bill an act to incorporate Fish River Power and Storage Company. As many as are in favor of the indefinite postponement of the amendment will say aye; those opposed no.

A viva voce vote being taken, House Amendment B was indefinitely postponed, and on further motion by the same gentleman, the bill was passed to be engrossed.

Mr. ROUNDS of Portland: Mr. Speaker and members of the House: I have looked over the blanket resolve and it seems to be all there as it left the committee, therefore, I move that the report be accepted.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves to take from the table the reports tabled by him earlier this afternoon of the committee on Claims being an ought to pass report on the so-called blanket claims resolve.

The motion prevailed and on further motion by Mr. Rounds, the report was accepted, resolve read once and tomorrow assigned.

On motion by Mr. Milliken of Old Orchard the House voted to reconsider its action whereby Senate Paper 694, an act relating to the protection of silver, silver black and black foxes and providing a penalty, was passed to be engrossed March 27.

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

House Amendment A to S P. 694. Amend said Senate paper by striking out section two thereof and renumber the subsequent sections accordingly.

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

On motion by Mr. Carleton of Portland, the House voted to reconsider its action whereby it passed to be engrossed S. P. 719, S. D. 377, an act relating to deposits in the names of two or more persons; and on further motion by the same gentleman the bill was retabled and specially assigned for Monday, April 8.

On motion by Mr. Kitchen of Presque Isle, the House voted to reconsider its action whereby it passed to be enacted H. P. 1690, H. D. 750, resolve in favor of screening Whetstone Pond or Sylvan Lake, so-called. On further motion by the same gentleman the House voted to reconsider its action whereby said bill was passed to be engrossed; and on further motion by the same gentleman, the bill was recommitted to the committee on Bills in the Third Reading.

On motion by Mr. Kitchen of Presque Isle, the House voted to reconsider its action whereby it passed

to be enacted yesterday bill an act relative to the jurisdiction of prison commissioners in matters of paroles, and on further motion by the same gentleman the House reconsidered its action whereby the bill was passed to be engrossed; and on further motion by the same gentleman the bill was recommitted to the committee on Bills in the Third Reading.

On motion by Mr. Wing of Kingfield, the House voted to reconsider its action whereby this morning it passed to be engrossed S. P. 535, S. D. 212, an act relating to the Department of Public Welfare; and on further motion by the same gentleman the bill was recommitted to the committee on Bills in the Third Reading.

On motion by Mr. Kitchen of Presque Isle, it was voted to take from the table the ninth unassigned matter, 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 that gentleman a few moments ago; and on further motion by the same gentleman the resolve was recommitted to the committee on State Lands and Forest Preservation.

On motion by Mr. Anderson of South Portland,  
Adjourned until 9.30 o'clock tomorrow morning.