

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

HOUSE

Thursday, April 1st, 1915.

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

Prayer by the Rev. Mr. Livingston of Hallowell.

Journal of previous session read and approved.

Reports of Committees

Mr. Nicholas from the committee on appropriations and financial affairs, reported "ought to pass" on Resolve in favor of Jennie M. Lyons, stenographer to the committee on labor.

The report was accepted.

On motion by Mr. Douglass of Webster the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of appropriating money to pay for proof-reading and indexing the House Journal.

The report was accepted.

On motion by Mr. Grenlaw of Presque Isle, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of Fortunat O. Michaud secretary of the committee on public health.

The report was accepted.

On motion by Mr. Cobb of Denmark, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of Lena R. Pierce.

The report was accepted.

On motion by Mr. Smith of Hampden, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of Ina E. Chadbourne.

The report was accepted.

On motion by Mr. Chamberlin of Biddeford, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Same gentleman from same committee reported "ought to pass" on Resolve in favor of clerk, stenographer and messenger of legal affairs committee.

The report was accepted.

On motion by Mr. Greenleaf of Portland the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Mr. Higgins from same committee, on Resolve in favor of Raymond C. Frank, for services as clerk to the committee on library, reported same in new draft under same title and that it "ought to pass."

The report was accepted.

On motion by Mr. Bonney of Bowdoinham the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

Mr. Conners from the committee on judiciary reported "ought to pass" on bill, An Act to amend Chapter 47 of the Public Laws of 1911, relating to liens on land.

The report was accepted.

On motion by Mr. Hanson of Sanford the bill was then indefinitely postponed.

Mr. Pierce from the committee on judiciary reported "ought not to pass" on bill, An Act to amend Section 37 of Chapter 4 of the Revised Statutes of the State of Maine, relating to casting vote.

Mr. Michaud from the committee on public health on Resolve in aid of the Maine Anti-Tuberculosis Association for educational and organization purposes, reported that the same "ought not to pass," subject matter covered by another bill.

Same gentleman from same committee on bill, An Act to provide for the care and treatment of tubercular patients, reported that the same "ought not to pass," the same subject matter covered by another bill.

Mr. Goldthwait from the committee on sea and shore fisheries on bill, An Act to prohibit the taking of lobsters in the waters of the town of Cutler, in the county of Washington, between the 15th day of June and the 15th day of September of each year, reported that same is covered by a bill previously reported.

Same gentleman from same committee on petition of Guy H. Carver and 34 others of Jonesport asking that the Greenleaf dogfish bill be passed, reported that said bill is already reported.

The reports were accepted.

On motion by Mr. Plummer of Lisbon, bill, An Act authorizing the town of Lisbon to supply gass and electricity, House Doc. No. 778, was taken from the table.

The pending question being the adoption of Senate Amendment A, in concurrence,

Mr. Plummer offered House Amendment A to Senate Amendment A, to amend Senate Amendment A by adding the following: "provided, however, that such consent shall not be necessary for said town to furnish electricity for its own municipal purposes."

The amendment to the amendment was adopted.

The question being on the adoption of Senate Amendment A, as amended.

The amendment, as amended, was adopted in concurrence.

On further motion by Mr. Plummer, the bill, as amended, was passed to be engrossed.

On motion by Mr. Hanson of Sanford, unanimous consent was granted and that gentleman presented out of order the following order:

Ordered, that James J. Neilon of Biddeford be excused from further attendance at this session, and that his pay and mileage be made up in full to the end of the session.

The order received a passage.

Mr. RICKER of Castine: Mr. Speaker, I have here an order to the effect that the superintendent of public buildings is hereby instructed to order the return of the lids of the cuspidors, and pending any action upon this order I will yield the floor to the gentleman from Lincolnville, Mr. Mullin.

Mr. MULLIN of Lincolnville:
Mr. Speaker, Fellow Members:
Your attention I implore,
While I lay before this body
From my place upon the floor

A few remarks and statements,
On a measure I propose,
Which "ought to pass" "to be engrossed"
Before this session's close.

And I promise, true and faithful,
That I won't detain you long,
But a crying public evil
Is the burden of my song.

You know when we o-rators
Most loudly would o-rate,
On some important measure
For the welfare of our State,

That when we wax eloquent
And expect prolonged applause,
The only encore we receive
Comes from those cuspidors.

Now I move you, Mr. Speaker,
If the Senate shall concur,
That our building Superintendent
Be instructed to transfer

To the scrapheap of the State House
All these noisy, tin spittoons,
Whence they'll not be resurrected
For a hundred thousand moons.

And furthermore, I'll move you
Mr. Speaker, if I may,
That we substitute for tinware
Good pulp fibre or mache,

Or provide some rubber covers
For these cans of painted tin,
Or some crocheted worsted hushers,
To eliminate the din.

And I move this bill be tabled
Till the first of April next,
And have no amendments added
That shall change its farce or text.

And while the same is pending,
The Chair will firmly rule
That whoever kicks a spitbox
Shall be placed upon a stool

Where every worthy member
May behold him from afar,
And to think that he's not on one
He may thank his lucky star.

Now when future generations
Their thoughts shall backward cast,
To the merits and demerits
Of the bills that we have passed;

When they closely scan the record,
(Though I say this with a blush,)
And select the golden nuggets
From the waste and underbrush,

They'll say: "The bill enacted
That should win the State's applause
Is the one that rid the State House
Of those cursed cuspidors." (Applause.)

Mr. Wasgatt of Deer Isle moved that the vote of yesterday be reconsidered whereby the House voted to recede and concur with the Senate in the indefinite postponement of bill, An Act providing

for the destruction of dog fish and other members of the shark species in the waters of Maine, House Doc. No. 198.

A viva voce vote being doubted,

A rising vote was had, and the motion prevailed, by a vote of 64 to 0.

Mr. Wasgatt then yielded the floor to the gentleman from Portland, Mr. Greenleaf.

Mr. GREENLEAF: Mr. Speaker, in view of the fact that matters were going through this House with a rush last night, I think it is reasonable to suppose that some of them were not considered with proper deliberation. In regard to this matter the result may be finally the same as the disposition of last night; but somehow I had a feeling at that time as though we had a right to insist upon our former action and ask for a committee of conference, and I make that motion at this time.

The motion was agreed to.

The Speaker thereupon appointed as such committee of conference Messrs. Greenleaf of Portland, Small of Mt. Desert and Nicholas of Eastport.

Mr. SANBORN of South Portland: Mr. Speaker, I would like to inquire in regard to the present status of bill, An Act relative to the equalization of the salaries of county commissioners. I have not seen it on its final passage through the House and I inquire for the reason that a Senate Amendment was made to that bill changing the salaries of the county commissioners of Cumberland County, and the members of the House from Cumberland County, as I understand, feel that they would like to have the privilege of amending that bill further; and I would like to know whether it is now in an amendable state.

THE SPEAKER: The Chair will inform the gentleman from South Portland, Mr. Sanborn, that the bill has gone back to the Senate.

THE SPEAKER: The Chair lays before the House report of the conference committee on the disagreeing action of the two branches of the Legislature on bill, An Act to establish the offices of superintendent and matron of the Portland City Home, and to determine the tenure of office of same, reporting that the committee are unable to agree,

signed by Senators Cole, Swift, and Durgin, on the part of the Senate and Messrs. Roberts, Fossett and Greenleaf on the part of the House.

The report was accepted.

On motion of Mr. Greenleaf of Portland, the House voted to adhere to its former action.

Mr. HIGGINS of Brewer: Mr. Speaker and gentlemen of the House, we are now in the closing days and hours of the 77th Legislature. Three months ago we met in this hall for the purpose of organization. One hundred and thirty-five of our number were new members, leaving only 16 who had had previous legislative experience. When we came here we did not agree politically, and we were inclined to look upon the fellow in the other party as an enemy, as a common enemy. As the days went on that feeling melted away, and in a few days it was impossible to tell the political faith of any member of the House; we were here for one common purpose from that time forth, and that purpose was to legislate to the very best of our ability for the good of the grand old State of Maine. We have endeavored to live up to the oaths which we took at the beginning of this session; we may have differed in some respects. It would be impossible for a body of this size to agree on every proposition submitted to it, and I think it is right that it should be thus. We have formed friendships here that will last until time shall be no more.

And I want to say, Mr. Speaker, and gentlemen of the House, I believe this is the first time when the two branches of this Legislature were of a different political faith; and I further want to say that I believe there never was a session of this Legislature when so little ill will and ill feeling was manifested as there has been during the present session. This in itself, gentlemen, speaks volumes for the character and for the stability of the men whom the people of this commonwealth have sent here to act as their servants in the formation of the laws of this State. Illness has caused only one of our members to be taken from us,

and that is the gentleman from Baileyville, Mr. Jordan, whose illness we sincerely regret, and we hope for his early recovery; and in behalf of the gentlemen of this House, your committee selected a few days ago have sent to him this morning with the compliments and best wishes of the House of Representatives of the 77th Legislature a basket of flowers.

At the organization of this House it was my high privilege to conduct to the Chair a man who had received the highest honor which could be given by this body, a gentleman who was known to many of us and who has since become known to us all as a gentleman of the highest integrity, a man of eminent ability, a man of absolute fairness to all parties; and while at home all these characteristics were known of him, it is now known throughout the State that he is a man possessed of these qualifications; and Mr. Speaker, in behalf of your fellow members, it gives me great pleasure to present to you this token of our affection and regard; it is all gold, the purest and finest of anything on earth. We ask you to accept it, not on account of its intrinsic value, but on account of the love and esteem which we bear toward you; and as you gaze upon its face and watch the hours and minutes go, may your memories and reflections upon the 77th Legislature be the kindest and the most pleasant memories of your life. (Long and continued applause.)

Mr. Higgins then presented the Speaker with a gold watch.)

The SPEAKER: Mr. Higgins and gentlemen of the House, what can I say to you in answer to these sentiments which have been presented here this morning, and for this beautiful gift which you have now laid upon my desk? It is truly to me an occasion of embarrassment, although pleasant. It is indeed pleasant to be remembered in this way by my fellow members of this House. It is indeed pleasing and pleasant to me to hear these kind words spoken; and, gentlemen, from the bottom of my heart I wish to thank you for this token of your esteem and for these expressions of your kind judgment upon me.

As has been truly said, when we came here at the beginning of this session we were to a great extent strangers; we knew one another only by reputation, and in the case of many of us we had no previous acquaintance with the other members of this House. We have sat here during these weeks of this busy session of the 77th Legislature and we have become, I know, friends. This has been to me a pleasant and an agreeable task to preside over the deliberations of your body. I accept this high honor with feelings of the greatest apprehension and many misgivings. I knew, as I stated to you at the beginning of this session, that I did not feel myself qualified by experience or in any way to preside over the deliberations of this body; and, gentlemen, I now feel that it is only by your great kindness, your great consideration toward me and toward one another in the deliberations of this session, that any degree of success has been attained.

I wish to congratulate the members of the House for the work which has been accomplished here this winter. I believe that when the history of this session is made up, notwithstanding some things that may have been said in regard to this session of the Legislature—I believe that when the history of this session is made up it will be found that we have been a working body; that we have accomplished results; that we have passed measures of constructive legislation, legislation which I firmly believe will redound to the benefit and to the honor of our good old State of Maine; and I know, gentlemen, that you all had that in view in the actions that you have taken here this winter. We are men of various parties, men of varying and diverse opinions, men of different personalities, but we have come here and consulted together for the common good of our State; and, gentlemen, I believe that on the whole we have consulted and acted well.

Gentleman, again I thank you most sincerely for this token of your personal esteem and friendship to me. I shall always remember the hours and the days spent here this winter, and it will be to me a lasting pleasure and a gratification to have and keep this beautiful memento which you have now presented to me. I

thank you, gentlemen. (Long and continued applause.)

Mr. BLAKE of Oakland: Mr. Speaker, if it is in order at this time, I would move that we reconsider our action in regard to bill, An Act to determine the amount of clerk hire in the several county offices. I will state that this is merely for the purpose of offering an amendment to correct a clerical error.

The SPEAKER: The Chair is informed by the clerk that the bill referred to is now in the Senate; and the Chair would suggest that possibly an amendment to that effect might be presented through some member of the Senate.

The SPEAKER: The House will now recur to the consideration of reports of committees which have just been received.

Mr. Michaud from the committee on public health, on bill, An Act to amend Section 25 of Chapter 129 of the Revised Statutes, relating to the sale of cigarettes, reported that the same "ought not to pass" the original paper having been lost by the committee.

The report was accepted.

Mr. Haskell from the committee on appropriations and financial affairs reported "ought to pass" on Resolve in favor of Ina E. Chadbourne.

The report was accepted, and on motion by Mr. Lord of Ellsworth the rules were suspended, the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of Fred S. Rand.

The report was accepted, and on motion by Mr. Smith of Hampden, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of Orin B. Frost, for services as clerk to the committee on bills in the third reading.

The report was accepted and on motion by Mr. Meader of Chelsea, the rules were suspended, the resolve received its two readings and was passed to be engrossed.

The SPEAKER: The Chair lays before

the House reports A and B of the committee on judiciary on Order for investigation of railroads by special joint committee of the Legislature, report A, reporting same in new draft under same title and accompanying resolve and that it "ought to pass", signed by Messrs. Cole, Waterhouse, Campbell and Durgin; report B, reporting that same "ought not to pass", signed by Messrs. Pierce, Conners, Butler and McCarty.

Mr. SMITH of Hampden: Mr. Speaker and gentlemen, this bill is House Doc. No. 57, and it has been out of my hands so long that I hardly recognized it when it got back. It is very evident that there exists in the minds of many people of this State at this time a feeling which is very undesirable on the part of the general public, the shippers, the travelers and the producers of this State, those who are doing business with the great transportation companies, and especially the Maine Central Railroad that most vitally affects us in reaching our markets and in procuring for us markets for those commodities which we must necessarily use in our daily life.

Some few years ago, a matter of seven or eight years ago, the capital stock of this company began an upward course in leaps and bounds; their rates have increased correspondingly, for the capital stock, the interest-bearing fund of a property, of a utility of this nature must have a direct relation to its earning capacity. It is felt and with knowledge on the part of the people of Maine, that such a corporation should be able to pay to its stockholders a dividend of six per cent. Now, there have been some transactions which we would like investigated in order that there might be restored to the people of Maine a right feeling towards this great corporation; and that feeling is not only on the part of those outside the company, those employing this road, but it is shared also by those highest in the affairs of the company. I hold in my hand a letter under date of December 23rd, 1914, from which I will read: "In a letter to Gov. Haines under date of April 1st, 1914, I suggested that I would be very glad to have him cause an investigation to be made by any disinterested tribunal he saw fit, in order that

the people of this State might be fully informed as to all the actual existing facts showing the condition of the company." This letter bears the signature of Morris McDonald, president of the Maine Central Railroad, showing plainly his attitude in regard to this matter.

We are all familiar with that idea of Iago's, that

"Good name in man and woman,
Is the immediate jewel of their souls.
Who steals my purse steals trash; 'tis
something, nothing;
'Twas mine, 'tis his, and has been slave
to thousands;
But he that filches from me my good
name
Robs me of that which not enriches him
And makes me poor indeed."

And it is as much an asset of a great corporation dealing with the public to bear a good name as it is an asset for any business man to have a good reputation among those with whom he transacts business.

No one at the time of the hearing before the committee objected to the investigation,—the counsel for the railroad did not object to the investigation, and I feel that if such a thing could be brought about it would be for their benefit, for the benefit of the railroad company; and what benefits them must necessarily benefit the shipper, must benefit us, the common people.

In reply to questions which were propounded or asked of counsel for the railroad at that time, no answer was forthcoming, but they were taken over to the office of the company and their replies were returned to the committee on taxation. In answer to question nine, it was found that the net revenue from the Ricker Hotel Company was \$24,790, or 1.71 per cent on their earnings, and the cost of carrying same 5.42 per cent; the net revenue from the Bar Harbor Hotel site property, \$5,455.02, and the capital cost of carrying same, 5.42 per cent; that is, with \$1,450,000 in one property and \$255,000 in the other lies the difference between the earnings of those properties and the cost to the Maine Central to carry them was \$62,526. Now, the dividend at six per cent which this Maine Central Railroad

earns would be the difference between that 5.42 per cent and the 6 per cent, making the total loss on that property of \$71,415.

Now, gentlemen, I want to call your attention to the so-called "grey book" issued by the Maine Central Railroad, showing the history of the capitalization of that road, and on page 27 of Appendix D, under the head of "Ricker Hotel Company" the final paragraph makes this comment: "The results obtained from the operation of these properties have been satisfactory,"—resulting in a loss of \$71,415 annually, and still those people tell you that it has been satisfactory. Do you wonder that suspicion has crept into the minds of men who think about these things? Do you see any occasion for any degree of satisfaction in such an act as that on the part of twelve able business men of this State? And they tell you, in making up a deficit, that that is satisfactory. I say, gentlemen, there is some fault somewhere. There are some other deals in regard to which the public are interested, some other matters that we would like to touch upon. Here is the so-called "red book," and from it I will read to you directly. It says, "The Maine Central Railroad holds hotel property,—First the Kineo property, afterwards the Samoset was bought —Afterwards some land was bought down at Bar Harbor with the intention of building a hotel there to complete the circle, unless possibly one more might be built. Now what about it? The Interstate Commerce [Commission put its foot on it,"—he says, "The Interstate Commerce Commission put its foot on it," because the Interstate Commerce Commission laid down a hard and fast rule that a transportation company should engage in no other kind of business. And I submit to you, gentlemen, that the figures which I have just given you and which their records show are true, would give it seems to me to that commission ample basis for the idea that the Maine Central Railroad was fairly engaged in the hotel business; but when they lost for the rate-payers through this State the sum of \$71,000

in one year in the hotel business, it would seem that the Interstate Commerce Commission did well to stop them from continuing in the hotel business.

Here is a question that necessarily arises in the mind of any man, it seems to me, in this matter. \$1,450,000 of this money was spent in the purchase of the Ricker Hotel Property. Those men had made some money in the hotel business, and one member of that concern is a director in the Maine Central Railroad. If that was not a good paying proposition, why did the Maine Central buy it? And if it was possible for Mr. Ricker to manage that hotel and to make money as he has in other hotel business, why has he not as a director of this Maine Central Railroad kept it in the earning class? I am not going to answer this question.

Then we had this terminal deal at Portland; we had the Somerset Railway deal where stock was purchased for almost twice its value, for more than twice its market price, paid for in good Maine Central stock. Gentlemen, I am not going into this matter to the extent I had intended, for I have an amendment, and I am going to ask the privilege of substituting an order for the bill, which I hope will meet with your approval, but I want to show you something in regard to what has prompted this feeling. In this building on the date of March 11th, Hon. Seth M. Carter of Auburn stated as follows: "The capitalization of the Maine Central was \$25,000,000 of which \$15,000,000 was owned by the Maine Railways Company. Up to about a year ago this \$15,000,000 was held by the Boston & Maine. At that time it was deemed by those interested that this holding of the Boston & Maine was a menace to the Maine road and an effort was made to get control of it from the Boston and Maine, and place the stock in the hands of those who would have the best interests of the Maine Central at heart." Perhaps the fact that for several years the Boston and Maine did own 64 1-2 per cent of the Maine Central did have something to do with it, and Mr. Carter knows the

inside of this Maine Central Railroad deal perhaps as well as any living man. A menace, a threat against the Maine Central Railroad for the Boston and Maine to hold its stock! Now we want to know why it was a threat, we want to know why it was a menace. And if that is the fact in relation to these roads, we want an investigation to be made and restitution made. If the Boston and Maine corporation through its directors has forced upon the Maine Central Railroad undesirable deals simply because they held a majority of that stock, then I say we have a right to know it. I do not mean that we ask for any investigation of anything that has occurred back of 1903. All of the acts of the railroad which are criticized occurred since that date, the purchase of unprofitable hotel property, the Boston and Maine transactions, the increase in salaries, the payment of the lobby to carry through legislative measures, the Somerset Railroad deal and the loaning of money and increasing the funded debt. All these transactions have been carried on within a brief period of time, and the chief work of the investigation would be to have suitable experts examine into and report the facts to this commission.

The railroad should not object to such a proposition because they are asking for an abatement of taxes which would have meant \$46,000. Its interest then is not to save money for the State of Maine. The people would not complain of this outlay if it would rid the railroad of unprofitable properties or cause the restitution of moneys which have been taken illegally from the railroad. It would naturally lessen the freight charges and lessen the amount of stock upon which the people have to pay six per cent. The benefit of this inquiry is to give publicity to any improper acts which the directors of this railroad may have done in the past, if there be such. I sincerely hope, however, that there may be none. When you have two men working together in a partnership, two factors working together, as the common carrier is situated today in

regard to the producers of this State you will accomplish better results, you cannot transact business with a man in whom you have no confidence. Show the cause why restitution should not be made, show the cause in the course of this investigation why such restitution should not be made. Recommend laws which would prevent the railroad from engaging in any outside enterprises. This is not simply a movement with the railroad on one side and the stockholders on the other; it is primarily a movement with the people who pay the freight and passenger rates on the one side and the Maine Central Railroad which must constantly come to the Legislature for legislation on the other. For years since the organization of the road it has sought considerations in taxation and public privileges, and why should it be afraid of or refuse or oppose an investigation at the hands of the body which represents the people and by whose authority this road practically exists?

The Legislature is recognized as the great general court, the forum, where people go to have legislative acts passed, an investigation of wrongful acts of its creatures remedied, and laws enacted to prevent mal-administration on the part of the corporation which it creates. Why, then, isn't this the proper place where the whole people are affected by the mal-administration, or the alleged mal-administration of this great corporation? "Why isn't this the proper court to go into for such an investigation, and why should not the State pay the expenses? The State created the corporation, and now the corporation has asked for legislation to lessen their taxes; it asks for legislation to make it possible for them to sell the stock; it maintains throughout the entire session of this Legislature a lobby to antagonize any legislation which they think affects them seriously, and they encourage any legislation which they think is helpful to them. This has been the course of procedure for years and years. No doubt they have obtained legislation which ratified past acts. Now, if

the Legislature has been a partner in creating friendly legislation, if wittingly or unwittingly that road has used the authority thus granted illegally and against the people of our State, then why should not the Legislature investigate the charges, and, if shown to be true, then pass laws that will correct the evils, and pay for the expense of an investigation which will disclose the facts?

Now, as to the question of economy with which this road has been conducted, I want to call your attention to the matter of salaries paid to some of the officials of this road. Last January the Maine Central Railroad reduced its office force to the extent of something like \$12,000. Here in this Legislature we have seen fit within a few days to increase the salary of our Governor, and as yet, as far as the provisions of this Act taking effect, the law of this State still at the present time fixes the salary of our Chief Executive at the sum of \$3,000. General Wood, the Commander of the United States Army, receives a salary of \$8,000; and the Hon. Seth M. Carter, chief counsel for the Maine Central Railroad, receives a salary of \$12,000, and that is not the entire expense in connection with the legal department of the road, but from that it will be seen that one man connected with that department, the chief counsel for the road, receives 150 per cent as compared with the salary of the commander of the United States Army. Col. George Goethals, in charge of that great work in connection with the Panama Canal, a man who engineered successfully the greatest feat of this or any age, receives a salary of \$15,000, and he is now Governor of the Canal Zone; and President Morris McDonald gave to the Maine Central Railroad his services for the humble salary of \$35,000, almost as much monthly as our Chief Executive receives annually. Now I say, gentlemen, does that look like economy? Then, gentlemen, I resent the idea of a party representing the Maine Central Railroad coming here

and saying to me as a legislator that we might curtail the appropriations for some of our charitable institutions and in that way reduce their tax half a mill on gross earnings.

Now, gentlemen, I do not wish to weary you with too much detail in this matter, but I do want to tell you why I introduced this bill, and what it means to me and what it has meant to me and those of my occupation all over this State. At the last annual meeting of the Maine State Grange, Patrons of Husbandry, held at Lewiston, this report of their committee on taxation was adopted: "A very complete network of rail-ways covers our State and they have rendered efficient service in the development of Maine. We have seen the transportation rates increase by leaps and bounds, and we have also seen the explanation of the railroad officials. We believe the people of Maine are willing that any public service corporation be entitled to six per cent dividend upon its actual earning capital. We have seen the capital stock of the Maine Central Railroad increase from \$5,000,000 to \$25,000,000; the people of Maine have a right to know what part, if any, is watered stock. It is time that we ceased to help corporations pay high dividends upon stock that is a nonentity. It is reported that the Somerset Branch of the Maine Central Railroad and the hotel property at Kineo and Rockland owned by the Maine Central are unprofitable investments. If such is the case, why should the common people be taxed by the railroads to meet this deficit?"

Gentlemen, that is from the journal of proceedings of the Maine State Grange, at its annual meeting held at Lewiston last December, and if you care to take the time you can read it for yourselves from that journal. Now, I have here an exhibit to which I wish to call your attention, and each one of these petitions is the proxy, as you might say, of some Grange in our State and is sent here asking for an investigation of this railroad. One hundred and forty eight Granges are represented here by these petitions, and representing a membership of 21,614 persons; that is to say, 21,614 people of this State have asked for such an investigation. Just think of that number! Think of the whole population

of the city of Bangor coming here and asking for some special piece of legislation. Would that amount to anything in your minds, gentlemen? Would a number like that coming here have any consideration at your hands? Some of these people live in your own constituency and are of your own constituency, excepting perhaps in one or two of our larger cities, and they are looking to you for aid in this matter and for your helpful legislation. Just think of what it would mean, and how they would beseech you if they were to come here in person. As I say here are 21,614 people represented here by these petitions asking for some helpful legislation, because we feel that upon our shoulders has been put an unfair burden in this matter. We were willing to do our share and I think we have borne our share.

Now just a word further and I am done. I want to call your attention to a statement from the Maine State Board of Trade, at its annual meeting held in Lewiston, which meeting was presided over by Arthur Chapin of Bangor, the president of the Maine State Board of Trade, than whom no man stands higher in the esteem of those who have the pleasure of knowing him, and in the course of his remarks he said this: "The farm is of vital importance for the success and welfare of our State. It is the principal element of our State and national prosperity. The waste of property must largely be replaced by those who cultivate the land." Gentlemen, this is not a statement from a farmer, and that is why I quote it at this time: it was not a statement from some lightning-rod agent who wanted to separate the farmers of our State from some of their money. This means something coming from such a source as from the lips of such a man as the Hon. Arthur Chapin, and it is because of that condition that the farmers of this State are asking at your hands at this time just simply for a square deal, and that is all we are asking; and with these remarks I wish to submit this order, and ask that it be substituted for the report of the committee.

Mr. Smith then presented the following order:

Ordered, the Senate concurring, that the

Public Utilities Commission is directed and is hereby expressly empowered to inquire into the tariff rates, rules and regulations of the Maine Central Railroad Company, to investigate the capitalization of said company and ascertain when and to whom and for what purposes its stock and bonds have been issued, and what properties or other values it has received for the same; ascertain the cause of the depreciation of the value of its capital stock, and what if any of its properties are unprofitable, and whether or not the same should be disposed of; whether there has been a violation of law in the acquisition of its properties, and, if so, what persons or corporations, if any, are under legal liability to make restitution; to investigate the management of said company and its subsidiary companies and outside properties, including the amount paid since January 1st, 1900 as salaries to its officers, attorney fees and for the purposes of influencing legislation; also investigate its past and present relations and financial transactions with the Boston and Maine Railroad Company, and its dealings with bankers and brokers in the flotation of its stock and securities; that such commission shall report the evidence together with the findings of fact and recommendations. For the purpose aforesaid said commission is authorized to employ counsel and such experts as they may deem necessary and a stenographer, and to compel the attendance of witnesses at the expense of the State to appear before them and give evidence and produce books, papers and other documents pertinent to the subject matter of their inquiry; said commission to file its report as soon as may be with the Governor and Council, and the Governor and Council shall forthwith cause to be printed two thousand copies thereof for the use of the State. This investigation shall not include the physical valuation of the property of said company. All expenses of such investigation shall be paid out of the contingent fund or out of any moneys not otherwise appropriated.

Mr. SMITH: Now, gentlemen, in explanation of this I want to say further that I have taken this matter up carefully with the chairman of the Utilities Commission and this meets with his ap-

proval; and I trust that this may be received favorably by you at this time. I am going to leave the matter entirely with you now, and I trust that you will see fit to give us a yea and nay vote on this matter, because we have ample time today; and I will accordingly ask that when the matter is voted upon that it be by a yea and nay vote.

The SPEAKER: The Chair will state for the information of the House that as the Chair understands the motion of the gentleman from Hampden, Mr. Smith, that gentleman moves that report A, reporting "ought to pass" in new draft be accepted, and if that is accepted the gentleman, will then offer his amendment as read.

Mr. PERHAM of Woodstock: Mr. Speaker and gentlemen, I will take but a moment of your time. I think this matter has been thoroughly covered by the gentleman from Hampden, Mr. Smith, and I think you will all agree with me that the transportation proposition is the one great question that affects the vital interests of the every industry throughout the country. I am not going to enter into any discussion of that matter at all. All that I want to do is to call the attention of the House to the fact that we have a utilities commission and that we have got to trust them, and that we do trust them; the sentiment in favor of trusting this Utilities Commission has been growing rapidly in the past few weeks; we believe that they will safeguard the interests of the common people of the State of Maine. At the hearing that was held before the judiciary committee the sentiment in favor of having this investigation made by the Public Utilities Commission was very strong, and that seemed to be the main point with every member of the committee who asked a question or took any part in the discussion. The Attorney General seemed to sanction that method of procedure. The proponents of this order are satisfied and glad to have this matter go to that court, and I think if the matter had been brought up in that way we would have had a unanimous report from the committee, reporting "ought to pass."

Mr. DUTTON of Bingham: Mr.

Speaker, I would like to inquire of the gentleman from Hampden, Mr. Smith, through the Chair, what the cost of this proposed investigation will be.

MR. SMITH: Mr. Speaker, in reply to the gentleman from Bingham, Mr. Dutton, I will say that on the day this order was introduced I was told that I was responsible for the statement that it would cost \$60,000. The next morning the papers of the State had it that an investigation was called for that would cost half a million. I will say that a gentleman who has had considerable experience in a matter similar to this told me that if the attitude of the road was such as they represented it to be, and if they came forward feeling that it would be a benefit to the road, that the expense would be less than \$10,000. The matter will only cover a short period, and there are only a few questions involved in the matter and it should be an easy proposition.

The question being on the motion to accept report A of the judiciary committee,

The report was accepted.

THE SPEAKER: The Chair will state, in order to make this matter understood more easily by the House, that report A of the committee on judiciary which the House has just accepted presents a new and a different order, an order in a new draft with a resolve providing for the expense of this proposed investigation. Now the gentleman from Hampden, Mr. Smith, moves to amend, as the Chair understands it, the new draft presented by this committee. The amendment which the gentleman offers will change the order in some respects, so that it will read: "Ordered, the Senate concurring, that the Public Utilities Commission, etc." As the Chair understands it the new draft simply substitutes the words "Utilities Commission" in place of the word "committee", so that everything that is granted in the original order to the joint special commission is now in the amended order granted to the Public Utilities Commission.

MR. PIERCE of Houlton: Mr. Speaker, I dislike to disagree with the gentleman from Hampden, Mr. Smith, but

under the provisions of this measure it is obvious that the Public Utilities Commission will be given an absolutely free hand. It seems to me when we have a Public Utilities Commission composed of two good lawyers and turn around in this Legislature and authorize and direct them to employ another lawyer, it is a very problematical matter and seems to involve a very unnecessary expense; and for that reason I would not be in favor of the order in that form.

MR. SMITH, I would say, Mr. Speaker, that I went over this matter with the chairman of the Public Utilities Commission quite hurriedly, and I have no objection to make to any change that may be suggested in that regard.

THE SPEAKER: The Chair would suggest, inasmuch as this is an important piece of legislation, that the matter be laid upon the table temporarily, and that the gentleman from Hampden prepare an amended order.

MR. THOMBS of Lincoln: Mr. Speaker, I did not intend to engage in this discussion at this time, but the amendment as proposed substitutes the Utilities Commission for this special committee. I was not a member of the committee two years ago which had charge of the drafting of the Public Utilities law, and I do not claim to be entirely conversant with the provisions of that law or with the powers and duties of the Commission under it; but it does occur to me that we are asked this morning to empower the Commission to do the very thing which they have the right to do upon the petition of a very limited number—ten. I think—of the people of the State of Maine; and it seems to me that we are just simply trying to add something to a law which is already in existence. I merely submit that before we take this matter up for final consideration that an amendment be added to this resolution, otherwise the resolution, would not have a great deal of force.

On motion by Mr. Smith of Hampden, the matter was laid upon the table temporarily.

THE SPEAKER: The Chair lays before the House report of the commit-

tee of conference on the disagreeing action of the two branches of the legislature on House Amendment A to House Doc. No. 640, reporting bill herewith submitted, entitled "An Act to amend Section 47 of Chapter 32 of the Revised Statutes, as amended by Chapter 205 of the Public Laws of 1913, relating to the use of motor boats in hunting sea birds, duck and water fowl," and that it "ought to pass"; signed by Senators Colby, Cole and Allen on the part of the Senate and by Messrs. Wheeler, Gerrish and Wyman on the part of the House.

Mr. Gerrish of Greenville moved that the report of the conference committee be accepted.

The motion was agreed to.

On further motion by Mr. Gerrish, the rules were suspended, the bill received its three several readings at this time and was passed to be engrossed.

The SPEAKER: The Chair lays before the House resolve authorizing John G. Fleming to bring a suit at law or in equity against the State of Maine for a balance claimed to be due him on a highway contract. In the House this resolve was finally passed; it now comes from the Senate indefinitely postponed in that branch in non-concurrence.

On motion by Mr. Thombs of Lincoln, the House voted to insist upon its former action and ask for a committee of conference.

The Speaker thereupon appointed as such committee on the part of the House Messrs. Thombs of Lincoln, Pierce of Houlton and Sanborn of South Portland.

The SPEAKER: The Chair lays before the House resolve appropriating money to aid in constructing a bridge across Fore River between the cities of Portland and South Portland, House Doc. No. 708. In the House this resolve was finally passed; it now comes from the Senate passed to be engrossed as amended by Senate Amendment A.

Mr. Wilkins of Jay moved that the House recede and concur with the Sen-

ate in the adoption of Senate Amendment A.

Mr. GREENLEAF of Portland: Mr. Speaker, I wish to second that motion. Cumberland County is the most generous spot on the face of this earth. Had there been no appropriations made for ways and bridges at this session of the Legislature, Cumberland county would be several thousand dollars to the good, and yet Cumberland county is willing to contribute its share and will generously support the appropriations for its neighbors; and while we who represent that county have felt that the sum asked for was none too much, and while we were satisfied that the amount received was perhaps all that we could expect in view of the high pressure and the low state of our finances at the present time, we are willing to accept the Senate Amendment, and if any of you get hard up, then come down to Portland and we will show you around Cumberland county and help you out.

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

On motion by Mr. Wilkins of Jay, Senate Amendment A was adopted in concurrence.

On further motion by Mr. Greenleaf, the resolve was passed to be engrossed, as amended, in concurrence.

The SPEAKER: The Chair lays before the House bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of fish in certain waters in Washington and Aroostook counties. In the House this bill was indefinitely postponed; it now comes from the Senate that branch voting to insist and ask for a committee of conference, in non-concurrence.

On motion by Mr. St. Clair of Calais, the House voted to join a committee of conference.

The Speaker thereupon appointed as such committee on the part of the House Messrs. St. Clair of Calais,

Benn of Hodgdon and Washburn of Perry.

The SPEAKER: The Chair lays before the House bill, An Act creating the Southern Maine Forest District and providing for protection against fires therein. In the House this bill was indefinitely postponed; it now comes from the Senate that branch voting to insist upon its former action and asking for a committee of conference.

Mr. Pierce of Houlton moved that the House adhere.

Mr. PLUMMER of Lisbon: Mr. Speaker, I have no personal interest in this bill except on general principles. The idea seems to me to be a good one, and might it not be possible that a committee of conference may be able to eliminate any objectionable features there may be in the bill and give us something to start with as to the control of the forests of the State of Maine?

Mr. Pierce then withdrew his motion. On motion by Mr. Plummer, the House voted to insist upon its former action and join a committee of conference.

The Speaker thereupon appointed as such committee on the part of the House, Messrs. Haskell of Portland, Gallagher of Bangor and Greeley of Portland.

The SPEAKER: The Chair lays before the House resolve in favor of the physician at the Maine State prison. In the House this resolve was passed to be engrossed as amended by House Amendment A; it now comes from the Senate that branch non-concurring in the adoption of House Amendment A and asking for a committee of conference.

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

On motion by Mr. Fossett of Portland, the vote was reconsidered whereby the resolve was passed to be engrossed as amended.

On further motion by Mr. Fossett, the vote was reconsidered whereby House Amendment A was adopted.

The resolve was then passed to be engrossed without the amendment as originally engrossed.

The SPEAKER: The Chair desires at this time to make a pro forma ruling in this matter, that this resolve having been originally engrossed in a certain form, and the House having now voted that the resolve be engrossed in the same form precisely, that it will not be necessary for the physical work of the engrossing to be done again; and the Chair will rule, subject of course, to the objection of the House, that this resolve is now in order for its final passage.

Mr. Plummer of Lisbon moved that the resolve be indefinitely postponed.

Mr. PIERCE of Houlton: Mr. Speaker, I would ask the gentleman from Lisbon, Mr. Plummer, if he would not withdraw his motion to indefinitely postpone in order that this resolve may be sent back to the Senate and the emergency clause taken off.

Mr. Plummer then withdrew his motion that the resolve be indefinitely postponed.

On motion by Mr. Pierce the vote was reconsidered whereby the resolve was passed to be engrossed as originally printed.

On further motion by Mr. Pierce House amendment A was adopted, and on further motion by Mr. Pierce, the resolve was passed to be engrossed as amended.

Mr. Pierce then moved that the resolve be sent back to the Senate at the request of that branch, for further action.

The motion was agreed to.

The SPEAKER: The Chair lays before the House resolve appropriating money for the construction of certain buildings at the University of Maine. In the House the resolve was passed to be engrossed as amended by House amendment A; it now comes from the Senate that branch voting to insist and asking for a committee of conference, in non-concurrence.

On motion by Mr. Pierce of Houlton, the House voted to join in a committee of conference.

The Speaker thereupon appointed as such committee on the part of the House Messrs. McIntire of Waterford, Higgins

of Brewer and Perham of Woodstock.

The SPEAKER: The Chair lays before the House bill, An Act to amend the charter of the city of Lewiston and to provide for a police commission, House Doc. No. 945. In the House this bill was passed to be engrossed as amended. In the Senate, this bill received its two readings, as amended by House amendments A and B, in concurrence; subsequently that branch voted to indefinitely postpone the bill in non-concurrence. The Senate then voted not to reconsider the vote whereby the bill was indefinitely postponed.

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

On motion by Mr. Lombard of Old Orchard, the bill was tabled until this afternoon.

The SPEAKER: The Chair lays before the House bill, An Act to amend Sections four and five of Chapter 35 of the Public Laws of 1909, relating to the duties of the commissioner of agriculture in relation to the manufacture, transportation and sale of dairy products and their imitations, House Doc. No. 960. In the House the bill was indefinitely postponed; it now comes from the Senate passed to be engrossed in non-concurrence.

On motion by Mr. Peterson of New Sweden, the House voted to insist and ask for a committee of conference.

The Speaker thereupon appointed as such committee on the part of the House Messrs. Peterson of New Sweden, Brann of Winthrop and McIntire of Waterford.

The SPEAKER: The Chair lays before the House bill, An Act relative to the granting of licenses for certain businesses and purposes by the municipal officers of the city of Portland, House Doc. No. 735. In the House this bill was indefinitely postponed; it now comes from the Senate, that branch voting to insist and asking for a committee of conference.

On motion by Mr. Plummer of Lisbon, the House voted to adhere.

On motion by Mr. Greeley of Portland, the House voted to reconsider the vote whereby it voted to adhere upon this bill.

The pending question being the motion that the House adhere, Mr. Plummer withdrew his motion.

The pending question being concurrent action.

On motion by Mr. Connellan of Portland, the House voted to join in a committee of conference.

The Speaker then joined on the part of the House as such committee of conference Messrs. Greeley of Portland, Connellan of Portland and Greenleaf of Portland.

On motion by Mr. Lombard of Old Orchard, bill, An Act to amend the charter of the city of Lewiston and to provide for a police commission, House Doc. No. 945, was taken from the table.

On further motion by Mr. Lombard, the House voted to recede and concur with the Senate in the indefinite postponement of the bill.

On motion by Mr. Smith of Hampden, the order relating to railroad investigation was taken from the table.

The pending question being the adoption of the amendment offered by the gentleman from Hampden, Mr. Smith, which has now been prepared in proper form, House Amendment A in new draft.

Mr. Smith moved the adoption of the amendment.

Mr. HIGGINS of Brewer: Mr. Speaker, I have been very much interested in this order from the start, and not being a lawyer I have acquired a considerable knowledge in federal and constitutional law, but there is a question upon which I am undecided and about which I would like some information, and if I had thought of it in season I would have asked our Attorney General in regard to it, and that is as to whether or not the Public Utilities Commission, under the act creating it, has the power to make this investigation upon the petition of a certain number of residents of this State, as has been stated here this morning. I want to say, further, that if this is the law and if they have this power, I feel that I should vote against the adoption of this amendment. It seems to me that these are rather troublesome days for railroad corporations, and it would also seem to me that it is about time the people let up and gave them a chance to get on to their feet.

MR. SMITH: Mr. Speaker, I would like to say in reply to that that this measure is introduced for that very purpose, for the purpose of helping the railroads, to give the directors of that road a chance to have a clean record before the people if they desire it. I think there is nothing wrong in that; but we do want to know what the conditions are. This matter has been tabled once by the gentleman from Brewer (Mr. Higgins) and that is one reason why it comes in here so late. I do not feel that this is a matter of injury to the railroad; we are giving the railroad as much as they give us; this railroad is a part of the economic system of this State, and a very essential part, and I hope there is nothing wrong; and if there is nothing wrong, here is a bunch of stock in the hands of the Maine railroad directors, the trustees of the Maine Railways Company amounting to a majority of the stock of the Maine Central Railroad that ought to be put on the market at a good price. Give them a chance to show their hands to be clean and this stock will sell at a higher price, and have a tendency to reduce passenger and freight rates for the people who use this road. The gentleman from Woodstock, Mr. Perham, can tell you in regard to the amount of the attorney's fee allowed here, because he went to the chairman of the Public Utilities Commission in my stead.

MR. PERHAM of Woodstock: Mr. Speaker, I wish to say that at the request of the gentleman from Hampden, Mr. Smith, and at the suggestion of several members of this House that this matter be typewritten and put in proper form, and with the suggestion that there were already two good lawyers on that commission, it was decided that the term "counsel" might be stricken off of this order, and I went to the chairman of the Utilities Commission and asked him about it. He said in view of the amount of work that they were ordered to do by the State before the first of October it might be necessary to employ some counsel in order that they might be able to bring in their report in time and in order that it might be in the hands of the Governor and Council when it would be of some value to the State. He told me that he was perfectly willing to limit the amount

to be available for counsel fees if they did not wish to trust the Governor and Council who audit these bills, and if they did not wish to leave it to their judgment and trust them to look after that part of it that he was perfectly willing to limit the amount to an amount not exceeding \$1500; and that amount of course, or whatever amount is decided upon for additional counsel, is subject to the approval of the Governor and Council. Now it seems to me this is a matter which is very reasonable and something which the people want, and that the railroad companies want it. We have met the demand of the railroad people whose interests are identical with our interests; their prosperity and their success depend upon our prosperity and our success; our interests are mutual; and it seems to me that now is the time, considering the fact that the railroads themselves,—not this one in particular, but practically all the great railroad organizations in the country admit that they have abused the rights of the people, admit that they have done all sorts of crooked things in the increase of their capitalizations; they admit it over their own signatures, and they promise that they will not do so any more if they can only be allowed to reorganize and get right down to railroad business and attend to that.

It seems to me the proper time to close this deal is now when we are all in the right frame of mind and when they see it is for their advantage to pass a bill of this kind. In the course of the hearing before the judiciary committee it was made very plain, as stated here a short time ago, that all the railroad interests practically wished for an investigation by the Public Utilities Commission. Not only that, but the Maine Central Railroad said through their attorney that they wanted an investigation and would welcome it and that everything they had would be open to us, and they said they would aid us all they could in this investigation. If they will come and meet this commission on that basis then the expense connected with this investigation will be very slight.

I presume that the Maine Central directors whom we see here with us today are here urging that this investigation be

carried on before this Public Utilities Commission, and that they are willing to leave this investigation with the Public Utilities Commission. I presume that the Attorney General who seemed so very anxious before that hearing and at other times that this work should be done by the Public Utilities Commission,—I presume he is here at his time urging that this very thing be brought about. They have said to us, "Let us have this hearing by the Public Utilities Commission," and I say to you, gentlemen, that I hope this House will vote to do just what we are asked to do and just what they ask for, and the only one object of that is for the good of the State of Maine.

Mr. HIGGINS: Mr. Speaker, I just want to say, in reply to the gentleman from Hampden, Mr. Smith, that this bill was tabled by me in the early days of this session supposing that I had a right as a member of this House to table it for investigation, which seemed to me proper, and after it went to the committee on judiciary I lost sight of it, other than what I heard about it. I want to say that I have not been approached by any railroad interest or by any attorney general or by any individual in regard to this proposition. There is a question which I have asked, and I would like to have it answered, whether the same thing can be accomplished under the Public Utilities Commission, under the act creating that body, as under this order? I haven't seen any railroad directors here, and I couldn't swear that there is one in the room; I hope, however, that they all are here, but I don't know. So my interest in the matter is just simply to find out whether the same result can be accomplished. I do not object to the investigation or anything of that kind, but I do want to know whether we can accomplish the same thing by a petition or twenty or fifty residents of this State as under this order. Mr. Speaker, I will yield the floor for the purpose of having that question answered.

Mr. SMITH: Mr. Speaker, I will answer that question as well as I may. I am not an attorney; like the gentleman from Brewer, Mr. Higgins, I lack the proper schooling, but I will say this, that I presume if Judge Cleaves of the Utilities Commission thought it possible to be

brought about through a petition to that body he would not have favored an amendment like that which lies before you. That is the only answer I can give.

Mr. THOMBS of Lincoln: Mr. Speaker, I am not going to attempt to answer the question. I am going to refer the gentleman from Brewer (Mr. Higgins) to the gentleman from South Portland (Mr. Sanborn) who, in my opinion, is perfectly competent to answer that question if he will.

Mr. SANBORN of South Portland: Mr. Speaker, I have not consulted this act with reference to the point in question, but I believe this to be substantially the wording of that bill, that when rates or service are complained of by private individuals they have the right to make a complaint to the Public Utilities Commission as to the rate or service; and when such a complaint is made it is the duty of the Public Utilities Commission to investigate and ascertain whether the rates complained of are fair and proper or not, or whether the service which is furnished is reasonable and proper or not; and they have the right to make such order in the premises as they find to be justified by facts which they get hold of. If I may be allowed to make one other suggestion, I would say this, that even though the authority in the act might be stretched so as to cover the present situation, this act perhaps is a fair and proper one for us to entertain. I presume what is meant by the ordinary complaint about rates or service, such as was contemplated by this act, is such a complaint as might be made by the citizens of Augusta against their electric light company if there is one here, which inquiry would involve an examination into the service which is furnished here to the inhabitants, small in its scope and not involving a great amount of expense. But, on the other hand, we have here an inquiry which it is obvious, if it is made at all, it will be a very extensive one. Now a few individuals in a town like Augusta who want their electric light situation inquired into may well be supposed to be able to finance that campaign, but it might be a great hardship upon the ten or twenty, as the case may be, who might institute an inquiry of the sort contemplated here; I say, it might

be a great hardship upon them to finance it, even so great a hardship as to make it absolutely impossible to be instituted. The provisions involving the magnitude of the inquiry for the State and with the provision that the State should assume the expense may be a debatable question, but I should say it was a fair question for us to consider. In other words, just the fact that we might conclude that the inquiry might be made or instituted properly ought not of itself to lead us to the conclusion that we should deny the present order, because we might think it proper to say by our judgment that inasmuch as the expense might be prohibited if thrown upon private individuals it would be fair in view of the demand that there seems to be and coming from the source from which it does come, it might be fair for the State to assume to some degree that expense.

Mr. PIERCE of Houlton: Mr. Speaker, with the consent of the gentleman from Brewer, Mr. Higgins, I would like at this time to read Section 34 of the Act creating the Public Utilities Commission, which is as follows: "Said commission shall have power and it shall be its duty to fix a reasonable value upon all the property of any public utility used or required to be used in its service to the public within the State whenever it deems a valuation thereof to be necessary for the fixing of fair and reasonable rates, tolls and charges; and in making such valuation they may avail themselves of any reports, records or other information available to them in the office of any State officer or board."

Mr. PERHAM: Mr. Speaker, in reply to the gentleman from Brewer, Mr. Higgins, that in order to be satisfied in my own mind upon this question of the authority of this commission I went to the Public Utilities Commission personally yesterday morning and talked with Judge Cleaves upon this matter. He said there might be a question about their being able to take up some of the matters referred to in this order without special action of this House; and he suggested this amendment as it is here which would give them the authority to do what this order calls for; and while he did not say it would be impossible for them to do it without this order, he said it might be

questionable whether they could accomplish what this order called for without this authority.

Mr. SMITH: Mr. Speaker, I might say, and I will say that it is not a question of the physical value of this railroad that they are asking for,—we do not ask for the physical valuation; it is explicitly stated that this examination is not to include a physical valuation.

Mr. PIERCE of Houlton: Mr. Speaker, I wish to make a motion to indefinitely postpone this order for this reason,—if it is desired to give the Public Utilities Commission of this State more power an amendment to the statute creating that commission without reference to any particular railroad, I am perfectly agreeable to it at any time; and I think that would be the proper way to accomplish the purpose of this order. I object to this order and I do not believe that it is right or fair for the legislature of the State of Maine to cast any aspersion upon the humblest of its citizens, or to the largest of its corporations, without being satisfied that there is some guilt. Now, if you order the Public Utilities Commission to investigate the Maine Central Railroad there would be no other explanation of that action in the minds of the public than that the Maine Central Railroad has been tried and found guilty of something and that we should have an investigation of it, and in regard to that I do not believe there has been sufficient evidence adduced. This order does not accomplish anything towards proving that they made a bad investment in a hotel somewhere; I say to you, gentlemen, that no man ever did business that did not make bad investments, but that is not any legitimate cause for the legislature of this State to investigate any concern because they have made bad investments. If every gentleman here on the floor of this House were to be investigated for every bad investment he ever made, it would take up a great deal of the time and attention of the Public Utilities Commission to do it. I do not believe at the present time we have any call to make such examination. The control of this railroad is in the state of Maine, and that much is true anyhow; and this

further must be true, that for the State of Maine to carry on and finance as large a proposition as this railroad, it needs from the state of Maine not hindrance,—and I believe the gentleman from Hampden, Mr. Smith, does not intend it in that way, but it can not be considered in any other way by the public than as a slur upon this railroad and upon its management.

Now, gentlemen, as I have said, it is only right and fair that the present directors of the Maine Central Railroad, Maine men, all of them residents of the state of Maine except one, and that man a citizen of New Hampshire to represent the savings banks of that state,—it does seem right and fair that these men should be given an opportunity to carry this thing through and do it in a right and proper manner, and that the legislature of this State should not allow such an order as this to be passed which will seem to the public in the nature of an indictment. If anybody thinks I am a corporation man or the attorney for corporations, they are perfectly free to think so; it does not make any difference to me. I do not think this order is a proper matter of legislation at this time; consequently, I have made this motion that this order be indefinitely postponed in order that this matter may be disposed of at this time.

Mr. THOMBS of Lincoln: Mr. Speaker, just an observation upon the motion to indefinitely postpone; and I want to take up first the matter of the amendment in relation to the amount of money that is there appropriated for the purpose of hiring an attorney to assist in this investigation. Now, if you do not postpone this matter, and if you should vote to adopt that amendment, that amendment I believe will be ineffective. I believe at the very start that you cripple the investigation that you propose to make for this reason: any attorney in the State of Maine who, in my opinion, would be competent to undertake work of that kind and advise as able attorneys as they are on the Public Utilities Commission could not be obtained for the sum of \$1,500 to do any work that would help this commission. I believe, gentlemen, that

you have very little comprehension in regard to the amount of work that would be involved and demanded of an attorney. I believe that whatever assistance they should have in the way of counsel they should have with them regularly and that assistance should continue throughout the whole investigation. That is to say, in my judgment, this matter should not be taken up piecemeal, and an attorney who undertakes this work and to be of any value to this commission must continue with that commission from start to finish; and I submit to you that an attorney competent for this business could not be obtained under \$50 a day. That would only allow him for thirty days' work; and I believe that in thirty days' work of the most diligent attorney you could find you could hardly get this matter under way. So much for the amendment, as far as that goes.

Upon the general proposition I believe this is true. Two years ago in this Legislature there were selected from the two legal committees some of the best men upon those committees, and they put in a long time in proposing to this Legislature a Public Utilities law; they gave to it a great deal of thought and attention; they had meeting after meeting, and the sub-committee reported to the full committee and it was considered still further, and if there was any one thing that was aimed at in enacting such a law it was, I believe, to create a court or commission which would stand between the people and the corporate interests of all kinds in the State of Maine; and I believe at that time ample provision and ample authority was granted to this committee so that they could undertake an investigation even as large as the present one. In regard to what was stated by the gentleman from Woodstock, Mr. Perham, that they could not do this work, if that is the fact, and I don't know where to go for any better authority as to the fact,—is it incumbent upon this Legislature at this time to impose upon this commission or impose upon the State an obligation which they already have the authority to undertake? It seems to me it would be only fair to allow this matter to take

its usual course, not only under the Public Utilities law, but under the general laws which we have on our statute books for the protection of private interests and private stockholders; and when after such an investigation as that you find that the desired results have not been attained, I believe then it is ample time for this Legislature to create a special act for a special corporation; and I believe that it would be proper for us this morning to endorse the motion to indefinitely postpone this matter.

Mr. PERHRAM: Mr. Speaker, it is brought to my mind more forcibly this morning than ever before during this session the means that the members of the legal profession take to bring around their ends in this House. It seems to me that they intend, if nothing else, to talk this matter to death, and perhaps it would be well for me to give it its death blow. I do not feel that the spirit shown in the opposition to this measure is fair. One side comes up with the idea that it will cost too much and you must cut down the expense of this investigation; and the other side comes up and says you are not appropriating enough money to accomplish the result.

Now if this is simply to be a matter of record I have something in my hand here that I would like to have in the record. I do not like to take the time of the House by giving it to you at this time, and I did not intend to, and it seemed to me it was unnecessary, but as this argument has developed to the point of indefinitely postponing this order, I would like to have it go into the record.

The SPEAKER: The Chair wishes to state for the information of the gentleman from Woodstock, Mr. Perham, that the Chair understands the motion of the gentleman from Houlton, Mr. Pierce, to be the indefinite postponement of this amendment.

Mr. PERHAM: Mr. Speaker, I would move that we vote on the adoption of the amendment, and if this is killed I will offer my amendment later upon the main question.

Mr. SMITH: Mr. Speaker, I would

like to call attention to the fact that a gentleman in whom I have confidence and who is the head of the Public Utilities Commission drew this measure, himself a lawyer, and a man somewhat acquainted with the legal fraternity, and he had an idea that \$1,500 was sufficient to cover all the additional legal aid required in the investigation asked for.

Mr. Perham then moved that the House vote upon the question.

The SPEAKER: The question before the House is on the motion of the gentleman from Hampden, Mr. Smith, to adopt the amendment to the new draft of the order presented by report A of the committee on judiciary which the House has just accepted. All those in favor of adopting the amendment will rise and stand in their places until counted.

A division being had, the amendment was adopted by a vote of 66 to 32.

Mr. PIERCE of Houlton: Mr. Speaker, if it is now in order I would move that we indefinitely postpone the order as amended.

Mr. Perham of Woodstock called for the yeas and nays.

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

The SPEAKER: The question is upon the motion of the gentleman from Houlton, Mr. Pierce, that this order, as amended, be indefinitely postponed. The yeas and nays have been ordered. All those in favor of the motion, when their names are called, will answer yes; all those opposed will answer no. The clerk will call the roll.

YEA—Albert, Ames, Bernier, Besse, Blake, New Gloucester; Blake, Oakland; Bonney, Bourque, Brann, Brown, Auburn; Brown, New Sharon; Carson, Chadbourne, Connellan, Connors, Drapeau, Durgain, Dutton, Ellis, Erskine, Fay, Gallagher, Gerrish, Goodwin, Greeley, Hanson, Saco; Haraden, Hart, Higgins, Hobbs, Hodgkins, Holt, Gouldsboro; Holt, Skowhegan; Lewis, Littlefield, Lombard, Maxwell, McCurdy, McNally, Morse, Mulligan, Nicholas, Perkins, Pierce, Farmington; Pierce, Houlton; Ranney, Ricker, Roberts, Russell, Alfred; Ryder, Small, Thombs, Towle, Ward, Wescott, Wilkins.

NAY—Beal, Benn, Bradbury, Bragdon, Brawn, Bussey, Campbell, Chaplin, Chamberlin, Clement, Cobb, Coffin, Colcord, Corliss, Currier, Daigle, Danforth, Descoteaux, Dilling, Douglass, Drummond, Edwards, Evans, Fossett, Gilmour, Gooding, Grant, Greaton, Greenlaw, Greenleaf, Hanson, Sanford, Jameson, Lawrence, Libby, Lord, Mansir, McCorrison, McIntire, McKinley, Meader, Millett, Mullin, Newell, O'Connell, Peabbles, Perham, Peterson, Plummer, Pollard, St. Clair, Calais; St. Clair, Rockland; Sanborn, Smith, Snow, Tabbutt, Tate, Tobey, Trafton, Turner, Wasgatt, Washburn, Waterhouse, Watts, Welch, Wheeler, Wilson, Wise, Woodman.

ABSENT—Allen, Averill, Ballard, Clifford, Davis, Ford, Goldthwait, Gould, Harper, Haskell, Hill, Jordan, Leader, McCarty, Michaud, Mitchell, Morrison, Neilon, Noyes, Picher, Robinson, Russell, Lewiston; Thibodeau, Fort Kent; Tuttle, Varney, Webb, Wyman.

Yeas, 56.

Nays, 68.

Absent, 27.

The SPEAKER: Fifty-six having voted in the affirmative and 68 in the negative, the motion is lost.

The question then being on the passage of the order as amended,

The order, as amended, received a passage.

On motion by Mr. Higgins of Brewer, a recess was taken until 2.30 o'clock in the afternoon.

Afternoon Session.

The Speaker: Gentlemen of the House: I find myself under still further obligations for your kindness and good will to myself and to Mrs. Trafton; and in the name of Mrs. Trafton I wish to sincerely thank the gentlemen of the House for the beautiful flowers which you sent to her today. I thank you, gentlemen. (Applause.)

Passed to Be Enacted.

An Act to amend Section 21 of Chapter 166 of the Private and Special Laws of 1911, relating to the salaries of the Judge and Recorder of the Piscataquis Municipal Court.

An Act to fix the salaries of the agents

of the Tribes of the Passamaquoddy and Penobscot tribe of Indians.

An Act to divide the town of Kennebunkport and incorporate the town of North Kennebunkport. (Tabled temporarily by Mr. Greenleaf of Portland.)

An Act to amend Sections 56 and 57 of Chapter 47 of the Revised Statutes, relating to rights of minority stockholders.

An Act to amend Chapter 187 of the Revised Statutes, relating to the State Board of Health.

An Act to confer additional rights and powers upon the East Branch Improvement Company, a corporation incorporated by a special act of the Legislature approved March 18, 1903.

An Act for the protection of life and property against loss or damage from steam boilers or steam machinery operated by incompetent persons in cities of over 35,000 inhabitants.

An Act to amend Sections two and eight of Chapter 195 of the Public Laws of 1911, relating to extirpation of contagious diseases among cattle, horses, sheep and swine.

An Act to amend Section 14 of Chapter 130 of the Public Laws of 1913, relating to the method of settling damages caused by opening, altering, widening or changing the grade of State or State aid highways.

An Act to amend Section 17 of Chapter 71 of the Private and Special Laws of 1891, incorporating the city of Old Town.

An Act authorizing the Secretary of State to prepare and publish lists of corporations delinquent in the payment of their franchise taxes.

An Act to amend Section 27 of Chapter 83 of the Revised Statutes, relating to the record of attachment of bulky personal property.

An Act to amend Section 36 of Chapter 101 of the Revised Statutes, as amended by Chapter 41 of the Public Laws of 1907, in relation to bail commissioners.

An Act directing the Governor and Council to submit to each legislature the approximate amount of money necessary to defray the expenses of the public service.

An Act to incorporate the Oquossoc Light and Power Company.

An Act to amend Section 18 of Chapter 65 of the Revised Statutes, relating to Judges of Probate.

An Act to amend Section one of Chapter 24 of the Public Laws of 1907, as amended by Chapter ten of the Public Laws of 1909, in relation to reports of hearings in vacation in law or equity.

An Act to amend Section nine of Chapter 181 of the Public Laws of 1911, relating to the expiration and renewal of licenses issued by the Board of Examiners to undertakers and embalmers.

An Act to repeal Section 26 of Chapter 144 of the Revised Statutes relating to the discharge of inmates of insane hospitals by municipal officers.

An Act to fix the salary of the Governor.

An Act to amend Section nine of Chapter 53 of the Public Laws of 1913, relating to the issuance by the Board of Dental Examiners of certificates to practitioners from other states.

An Act to amend Chapter seven of the Revised Statutes authorizing the Land Agent to lease camp sites in lands belonging to the State, and to repeal obsolete portions of said chapter and to create a State fund to be known as the State Contingent Fund.

An Act relating to procedure in the Supreme Judicial and Superior courts.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Violette Brook in Van Buren, in the County of Aroostook, above Hammond's Mill.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Great Brook and in Dixon Brook in York County.

An Act to incorporate the Maine Indemnity Company.

An Act to amend Chapter 135 of the Private and Special Laws of 1875, entitled "An Act to establish a Municipal Court in the City of Auburn, as amended by Chapter 186 of the Private and Special Laws of the same year, Chapter 51 of the Private and Special Laws of 1881, Chapter 152 of the Private and Special Laws of 1891, Chapter 62 of the Private and Special Laws of 1895, and by Chapter 229 of the Private and Special Laws of 1903."

Finally Passed.

Resolve appropriating money to aid

in building a State road from Jackman, in Somerset County, to Rockwood, on Moosehead Lake.

The SPEAKER: The Chair lays before the House Senate Doc. 400, An Act to amend Section seven of Chapter 222 of the Public Laws of 1909, relating to the licensing of dogs. In this matter a committee on conference was appointed to adjust the differences on the disagreeing action of the two branches of the Legislature. That committee have had the matter under consideration, and report that the same "ought to pass" with Senate Amendment "A." The report is signed by Senators Herrick, Allen and Bartlett, and Representatives Benn, Peterson and Washburn. This report was read and accepted in the Senate and sent down for concurrence. The report was accepted.

Mr. BESSE of Clinton: Mr. Speaker, I think this resolve is uncalled for. It calls for licensing dogs. Now a good many people look on this dog business as a joke; still a good many people have dogs that they think a great deal of. I do not object to the tax, but I do object to the time that this bill gives in which to pay the tax. In the first place, this should not be a separate tax; also the time which it gives in which to pay the tax is too short—only a month. I would not object to a collector coming in and killing my cow if he wants to, but I would not want him to kill my dog. I move that the resolve be indefinitely postponed, and I ask for a division of the House.

The SPEAKER: The Chair will state for the information of the gentleman from Clinton, Mr. Besse, that in the opinion of the Chair the motion as made by the gentleman would not be in order at this time. Joint Rule 13 says, "if agreed to by a majority of each committee, report shall be made to the branch asking the conference, and may be either accepted or rejected; but no other action shall be had, except through another committee of conference." The Chair will rule that the question before the House, the House having accepted this report of the committee, is the adoption of Senate Amendment "A." If the gentleman from Clinton, or any

other member of the House, wishes opposite action taken, I think the action should be taken on the report of the committee. Of course the House is not obliged to accept the report of the committee unless it desires to do so; but, having accepted it, it seems to the Chair that the pending question would be on the adoption of Senate Amendment "A."

On motion by Mr. Besse of Clinton, the House voted to reconsider the vote whereby it just accepted the report of the conference committee.

Mr. BESSE: I move that the report of the conference committee be rejected.

Mr. PLUMMER of Lisbon: Mr. Speaker, I would like to inquire in what position that leaves it?

The SPEAKER: The Chair understands that the matter would in that event die between the two Houses, as the saying is. The gentleman from Clinton, Mr. Besse, moves that the report of the conference committee be rejected.

A viva voce vote being doubted,

A division of the House was had,

Eighty-four voting in the affirmative and none in the negative, the report of the conference committee was rejected.

The SPEAKER: The Chair lays before the House Senate Doc. 146, An Act to equalize the salaries of county commissioners, report of committee on conference on the disagreeing action of the two branches. The committee asks leave to report a new Senate Amendment "A," and recommend that it be adopted. Signed by Senators Murphy, Walker and Butler, and Messrs. Roberts, Greenleaf and Haskell on the part of the House. This amendment was read and passed in the Senate and sent down for concurrence.

The report was accepted.

On motion by Mr. Haskell of Portland, the vote was reconsidered whereby this bill was passed to be engrossed as amended.

On further motion by the same gentleman, new Senate Amendment "A" was adopted.

On further motion by the same gen-

tleman, the bill was passed to be engrossed as further amended.

The SPEAKER: The Chair lays before the House report of the committee of conference of the two branches of the Legislature on Resolve in favor of Michael Burns, House Doc. No. 58, and the committee asks leave to report that they are unable to agree. Signed by Senators Colby, Emery and Walker, and by Messrs. Perkins, Greeley and Sanborn on the part of the House.

The report was accepted.

On motion by Mr. Perkins of Augusta, the House voted to adhere to its former action.

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the Legislature on bill An Act to amend Chapter 47 of the Public Laws of 1911, relating to liens on land. The Senate voted to ask for a new committee of conference.

On motion by Mr. Hanson of Sanford, the House voted to adhere to its former action.

On motion by Mr. Sanborn of Portland, unanimous consent was given, and that gentleman presented out of order under a suspension of the rules the following order.

Ordered: That the Clerk of the House prepare and cause to be printed under his supervision 600 copies of the Journal of the House.

The order received a passage.

On motion by Mr. Pierce of Houlton, unanimous consent was given, and that gentleman presented out of order the following order:

Ordered: The Senate concurring, that the Governor be requested to return to the House Resolve appropriating \$85,000 for renovating a wing at the Augusta State Hospital, for further consideration.

Mr. PIERCE: I wish to state, in order that there may be no misapprehension that the purpose of the order is this: I introduced it at the request of the Governor in order that it may be amended so that, if the State, under the tax rate which is here voted, has sufficient means to build this wing, it may do so:

and if those means are lacking that it will not be obliged to do so. I also wish to introduce an amendment that the renovation of the wing shall be subject to the approval of the Governor and Council, for the same reason, namely,—in the event the money is not available for that purpose. I have called this matter to the attention of the gentleman from Brewer, Mr. Higgins, and he understands the reason for introducing the order. It saves, of course, the possible necessity of a veto of some measure in which some gentleman is interested.

The order received a passage.

Passed to be Enacted.

An Act to authorize the Norway and Paris Street Railway to purchase or lease the property and franchises of the Mechanic Falls Electric Light Company.

An Act to amend Section nine of Chapter 284 of the Private and Special Laws of 1909, entitled "An Act to incorporate the Hiram Water, Light and Power Company, and also to extend and enlarge the rights, powers and privileges of said company."

Mr. HIGGINS of Brewer: I move that we take from the table bill An Act to divide the town of Kennebunkport and to incorporate the town of North Kennebunkport.

The SPEAKER: This was tabled by the gentleman from Portland, Mr. Greenleaf, and the pending question is the passage to be enacted.

Mr. GREENLEAF of Portland: Mr. Speaker, I do not wish to delay the action of the House. I tabled this at the suggestion of another member, who I supposed would be in by this time. He has not yet materialized, and I now move that this bill be indefinitely postponed.

Mr. SMITH of Hampden: Mr. Speaker, the House has generally considered the unanimous reports of committees as of some value. We gave this matter a full hearing; in fact we heard the matter twice and agreed unanimously twice, and I move you that it proceed on its passage.

Mr. PERHAM of Woodstock: Mr. Speaker, I do not wish to take the time of the House; only there is one thing I

would like to call to your attention. I have a paper placed in my hand by a friend a week or so ago, stating the facts about this town of Kennebunkport matter. I have no personal knowledge of the location; but, as I have stated on the floor before, I am opposed to the division of towns for the purposes that usually appear. The total valuation of the whole town of Kennebunkport is about \$1,700,000. The number of polls is 600. I am told two different stories. One is that the farmers ask for this division in the north end of the town. Another is that the farmers do not ask for a division. I cannot understand why it would be advantageous for the people at the north end of the town, 160 farms, some of which are at present unoccupied, to be set off by themselves, with a large part of the road mileage to maintain, a town farm, a town house and a high school building being left in the old part of the town. I feel as though this legislature, even on the recommendation of a committee for whom I have the greatest respect, should go slow in separating these towns. I do not think that in this instance it would make a town of which we would be proud. This apparently comes from the same sources from which many other requests have come at this session,—the summer population wish to set off by themselves. I do not wish to hold up this matter, and I had nothing to do with the bill being stopped on its passage. I will say, however, that I do not believe in this method of procedure. I believe that all the property of the town should be kept intact.

Mr. GREELY of Portland: Mr. Speaker, we spent eleven and a half hours on this committee hearing, the report being unanimous after two hearings. It must be apparent that this eleventh hour crusade has a motive behind it. What it is I am going to be too generous to state my opinion. I hope that the House will let the matter proceed on its way.

Mr. GREENLEAF of Portland: Mr. Speaker, this matter of dividing the town of Kennebunkport interests me on general principals. I have not the slightest direct interest in the matter. Some years ago when schoolmasters were scarce I lived

a year in Kennebunkport and taught the high school, or taught at it, and I formed a very pleasant acquaintance and retain very pleasant recollections of the people at Kennebunkport. Since then my pupils have grown up and are now fathers and mothers having their children in school. This town, like many other seashore towns, is composed of the rich, the middle class, and the poor. The summer residents are the foreign element—I mean the summer visitors who come in there, not foreign element by birth—and they own elegant residences and patronize the elegant hotels. It is the farming community which must suffer if any division is made.

The total valuation, as I understand it, of the town of Kennebunkport is about \$1,700,000. The number of polls is 600. In the town as now constituted there is a new high school, town farm, town house and the fire department. If that is divided according to the lines as I understand them, the total valuation of the new town will be \$304,000 as against \$1,700,000 at present. The number of polls will be 125, the number of farms in the new town 160 with 40 unoccupied farms out of that. In the town that it is proposed to set off the number of miles of street is somewhere between 50 and 60 as against about 77 now existing. In the proposed new town they have the State or macadam road which they will be called upon to perpetuate and care for from now on. The number of bridges between 30 and 75 feet are five and they will have five schoolhouses. There is no other real estate in the new town. The fire company is in the present town. Should there be a fire they are bound to protect and take care of the buildings of their neighbors in the entire town which will be isolated if this bill goes through and they will have no fire protection; they will be left with those unoccupied farms. It is true that they have a high rate of interest, as I understand, at the present time but I am assured that their debt will be practically taken care of in one or more years. It came about in some mysterious way that a few farmers in one section of this town, through what influence I do not know, were induced to initiate these proceedings. Then came the summer residents, or the summer people, or the peo-

ple living in that part that was effected by the summer people and they said: "Oh, yes, we will help you out." Those few are very few, gentlemen. The most of these farmers are in the new town and that town must suffer. Now I submit whether it is good policy to encourage the divorcing of these towns. We do not encourage divorcing in families. We like union because in union there is strength. We do not like the establishment of new societies, new lodges, because it makes weak lodges and every time you make a division you weaken the strength. There is no better principle than "in union there is strength and divided we fall." I say in brief that this is the situation of Kennebunkport and its inhabitants for whom I have the highest respect. I am not interested in any one individual's affair or in any other individual's affair. It is not one penny's worth of interest to me one way or the other. My only interest is on the general question of dividing these towns, of divorcing the strength. I believe that they should keep together and live in unity and strength and work out their own salvation. If you divide this town, gentlemen, and make it weak, and the next time your Register comes out and the town of North Kennebunkport appears will you be proud when you see the valuation, when you see what has been done, when you review what you have done,—will you be proud to tell your people that you helped divide that town? Let us encourage union; let us give them strength and they will live in peace and harmony.

Mr. HIGGINS of Brewer: Mr. Speaker, I am somewhat in the position of the gentleman from Portland, Mr. Greenleaf. I have no particular interest in this measure other than this; the committee on towns has been one of the hardest worked committees in this legislature and it is a committee for which I have the very highest respect. That committee brought in a unanimous report in favor of the division of this town. This act has been continually held up. It has now received its three several readings in the House and passed to be engrossed. It has received its two several readings in the Senate and been passed to be engrossed. It has been passed by the committee on engrossed bills as strictly and

truly engrossed. It is now back here to be enacted and it seems to me a pretty late day in this session of the Legislature to attack this measure at this time. I trust, Mr. Speaker and gentlemen of the House, that the motion of the gentleman from Portland to indefinitely postpone will not prevail.

Mr. GREENLEAF: Mr. Speaker, just one word which I omitted, these farmers were handicapped at the hearing. They are not like business men on the line of a railroad and they cannot afford to come here today or have their representatives here; but in sentiment they are with us and their voices are sounding in our hearts. Their prayers are for us that we may do them justice because they are too poor to come here to defend themselves. They are farmers.

Mr. GREELEY of Portland: Mr. Speaker, just one word. The gentleman from Portland, Mr. Greenleaf, has very eloquently and elaborately described conditions which he knows nothing about. Now, I want to say a word. It is not the rich hotel proprietor and real estate owner who is asking for this division. It is the farmer. We listened to these farmers. Of the proponents of that bill who appeared before that committee, two of them were taxpayers the other eleven were poll taxpayers who lived down near this dividing line. The committee listened patiently, and gentlemen, it was a just verdict when they decided to divide that town. The farmers are the ones requesting it and I think the law should be enacted.

Mr. WHEELER of Brunswick. Mr. Speaker, the gentleman from Portland Mr. Greenleaf, neglected to say how the farmers would suffer by this division. I want to tell the House how they have suffered by their union. In 1913 they made a special appropriation outside of the necessary expenses of conducting the town of \$27,000. This portion of the town which desires to be set apart received one-ninth of that appropriation, \$3000. They suffered a little there. Again the gentleman spoke of the unoccupied farms. How many farms in the State of Maine

would be occupied were the occupants obliged to pay a tax rate of 34 mills? Do you blame a man for leaving his farm who has got to pay that? The gentleman also speaks of the fire department. The fire department is so far from this part of the town that the entire place could burn up before they could get there. They have suffered more than they can suffer by any division.

Mr. SMITH of Hampden: Mr. Speaker, I would like to show you something from our year book about these poor towns. North Kennebunkport will have a valuation of \$304,000. Over in Oxford county, Peru \$274,000; Porter \$255,000; Roxbury \$164,000. Then we have Stoneham \$113,000, Stow \$131,000. Sumner has the exact valuation that the new town of North Kennebunkport would have, \$304,000. In the matter of these bridges, gentlemen, only one-half the expense of maintaining them falls on this town. They are across a river that is the line between this town and its neighbor on the west as I remember it. The very people whom our friend so much pities are the ones who have asked for this division. The people who are opposed to it are those along the shore, the summer residents, who are getting the benefit of the taxes raised from these people.

Mr. GREELEY: Mr. Speaker, I ask for a division of the House.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Greenleaf, that this bill be indefinitely postponed. A division is called for. All those in favor of the motion will rise and stand in their places until counted.

A division being had, the motion was lost.

Mr. GREENLEAF: Mr. Speaker, I now offer what I think will appeal to every member of this House as a fair amendment.

The SPEAKER: The Chair will state that an amendment can not be received at the present time unless the vote whereby this bill was passed to be engrossed be reconsidered.

Mr. GREENLEAF: I make that motion.

The SPEAKER: The gentleman from Portland, Mr. Greenleaf, moves that the vote whereby this bill was passed to be engrossed be reconsidered. All those in favor of the motion will rise and stand in their places until counted.

A division being had, the motion was lost.

The bill was then passed to be enacted.

Finally Passed.

Resolve in favor of altering and enlarging the State prison at Thomaston.

The SPEAKER: The Chair lays before the House resolve in favor of the Augusta State Hospital for renovating the second male wing of the stone building, which has just been returned to the House in accordance with the order passed this afternoon.

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

Mr. Pierce then offered House Amendment A, to amend by striking out the words "under the direction of the hospital trustees" and inserting in lieu thereof the words "subject to the approval of the Governor and Council."

On motion by Mr. Perkins of Augusta, the amendment was adopted.

On motion by Mr. Pierce of Houlton, the resolve was passed to be engrossed, as amended.

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act relative to the hours of labor of employees of street railway companies, reporting that they are unable to agree, signed by Senators Durgin, Bartlett and Emery on the part of the Senate and Messrs. Wescott, Sanborn and Connellan on the part of the House.

The report was accepted.

The following committees submitted

final reports stating that they had acted on all matters referred to them:

Committee on Claims,
Committee on Counties,
Committee on Judiciary,
Committee on Manufactures,
Committee on Mines and Mining,
Committee on State school for Boys and Industrial School for Girls,
Committee on Telegraphs and Telephones,
Committee on Ways and Bridges.
The reports were accepted.

A recess was then taken until half past four.

After Recess.

The SPEAKER: The Chair lays before the House report of the committee of conference on disagreeing action of the two branches of the Legislature on Senate Doc. No. 118, bill, An Act entitled "An Act creating the Maine Southern Forest District, and providing for protection against fires therein," reporting that the Senate concur with the House in the indefinite postponement of the bill, signed by Senators Colby, Durgin and Scammon on the part of the Senate, and Messrs. Haskell, Gallagher and Greeley on the part of the House.

The report was accepted.

The SPEAKER: The Chair lays before the House report of the committee of conference on disagreeing action of the two branches of the Legislature on bill, An Act to amend Sections four, seven and eight, and adding Section 12 to Chapter 65 of the Public Laws of 1911, relating to the department of labor and industry, asking leave to recommend that Senate Amendment A be rejected and that Senate Amendment B herewith submitted be adopted, and that the bill "ought to pass" in a new draft as amended by Senate Amendment B, signed by Senators Emery, Durgin and Cole on the part of the Senate, and Messrs. McCarty, Descoteaux and Wescott on the part of the House.

The report was accepted.

On motion of Mr. McCarty of Lewiston, the House reconsidered its action whereby this bill was passed to be engrossed.

On further motion by Mr. McCarty, Senate Amendment B was adopted in concurrence.

On further motion by Mr. McCarty the bill was passed to be engrossed as amended.

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the Legislature on Senate Doc. No. 379, Resolve in favor of Augusta State Hospital for nurses' home, reporting that the committee are unable to agree, signed by Senators Swift and Ames on the part of the Senate and Messrs. Pierce, Waggatt and Edwards on the part of the House.

The report was accepted.

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act relative to the granting of licenses by the municipal officers of the city of Portland, reporting that the bill in a new draft "ought to pass," signed by Senators Murphy, Cole and Jillson on the part of the Senate and Messrs. Greeley, Connellan and Greenleaf on the part of the House.

The report was accepted.

On motion by Mr. Greeley of Portland, the action of the House whereby this bill as amended was passed to be engrossed, was reconsidered.

On further motion by Mr. Greeley, the bill as printed was passed to be engrossed.

The SPEAKER: The Chair lays before the House bill An Act to amend Section 54 of Chapter 125 of the Revised Statutes, relating to the appointment of cruelty agents, House Doc. 891. The Chair wishes to call the attention of the House to the present status of this bill. In the House, on March 31, this bill was passed to be engrossed as amended by House Amendment "A". In the Senate House Amendment "A" was rejected in non-concurrence, and Senate Amendment "A" adopted.

Mr. GREENLEAF of Portland: I move that we insist on our former action, and ask for a committee of conference. Mr. Speaker, that bill came before the committee without being advertised. Neither the Maine Society for the Prevention of Cruelty to Animals, or any of the local societies in Cumberland county, had any knowledge of it until it was reported by the committee. I was then asked by the Maine Agent, by the Agent of the Society, also by the Judge of the Municipal Court, and by the Mayor and others in Portland, to present the amendment which I offered. I fear that this last amendment will not provide sufficient agents for Cumberland county. Should there be a case demanding attention at North Sebago, it might be necessary to send an agent from Portland there, who would incur large traveling expenses; while one at North Bridgton could slip over across there conveniently.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Greenleaf, that the House insist upon its former action, and ask for a committee of conference. All those in favor of the motion will rise and stand in their places until counted.

Eighty-two voting in the affirmative, and none in the negative, the motion prevailed.

The Chair appointed as such committee on the part of the House, Messrs. Greenleaf of Portland, Connellan of Portland, and Hanson of Sanford.

The SPEAKER: The Chair lays before the House resolve in favor of Cassie K. Turner. This was received under suspension of the rules in the Senate, read twice, passed to be engrossed, and sent down for concurrence.

On motion by Mr. Holt of Skowhegan, the rules were suspended, the resolve received its two several readings, and was passed to be engrossed in concurrence.

The Committee on Appropriations and Financial Affairs reported "ought to pass" on resolve in favor of T. W.

Prince for services rendered as clerk of the committee on bills in the second reading.

On motion by Mr. Ricker of Castine, the resolve was read twice and passed to be engrossed under a suspension of the rules.

The committee on State Prison submitted its final report that it had acted on all matters referred to it.

The report was accepted.

On motion by Mr. Greenleaf of Portland, the vote was reconsidered whereby the House asked for a committee of conference on bill An Act relating to the appointment of cruelty agents.

Mr. GREENLEAF: I move that we refuse to adopt Senate Amendment "A."

A recess was taken until eight o'clock this evening.

Evening Session

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the Legislature on resolve appropriating money for the construction of certain buildings at the University of Maine, reporting that they recommend that the Senate recede and concur with the House in the adoption of House Amendment "A."

The report was accepted in concurrence.

The SPEAKER: The Chair lays before the House bill An Act to amend

Section 54 of Chapter 125 of the Revised Statutes, relating to the appointment of cruelty agents, House Doc. 891. The House voted not to accept Senate Amendment "A." The Senate voted to insist and asked for a committee of conference.

On motion by Mr. Ward of Augusta, the House voted to adhere.

The following committees submitted final reports stating that they had acted on all matters referred to them:

The joint standing committee on public buildings and grounds.

The joint standing committee on labor.

The reports were accepted.

The SPEAKER: The Chair lays before the House report of the committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of fish in certain waters in Washington and Aroostook counties, House Doc. 815, reporting that they are unable to agree, signed by Senators Allen, Herick and Colby on the part of the Senate and Messrs. St. Clair, Washburn and Benn on the part of the House.

The report was accepted.

On motion by Mr. Higgins of Brewer, Adjourned until to-morrow morning at ten o'clock.