

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

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1919

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**HOUSE**

Wednesday, February 26, 1919.

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

Prayer by the Rev. Mr. Seliger of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act authorizing George F. L'Abbee of Eagle Lake Plantation to maintain a dam in Wallagrass river.

This was by the House recommended to the committee on interior waters. The Senate non-concurred and accepts the report "ought not to pass."

On motion by Mr. Barnes of Houlton, the House by a viva voce vote voted to insist on its position and adhere to its former decision and ask for a committee of conference.

The SPEAKER: The Chair will appoint the committee later.

From the Senate: Resolve in favor of the Penobscot Tribe of Indians to aid in the purchase of a hearse.

By the House this was passed to be engrossed without amendment. It comes from the Senate passed to be engrossed as amended by Senate Amendment A as follows:

**Senate Amendment A**

Amend H. D. 123 by striking out in lines 5 and 6 of said resolve the following words: "Peter Nicholas, governor of said tribe, and Mrs. Mammie Attean, committee for said purpose," and substitute in place thereof the words "Indian agent of the Penobscot tribe of Indians," so that said resolve as amended shall read as follows:

"Resolved, that the sum of \$250 be and hereby is appropriated toward the purchase of a hearse for the Penobscot tribe of Indians, Indian Island, Old Town, Maine, said sum to be paid over to and expended under the direction of the Indian

agent of Penobscot tribe of Indians."

On motion it was voted to reconsider the vote whereby this bill was passed to be engrossed; and on further motion it was voted to adopt Senate Amendment A as read. On further motion the resolve was passed to be engrossed as amended by Senate Amendment A in concurrence.

From the Senate: Report of the committee on judiciary on bill an Act to amend Section 17 of Chapter 24 of the Revised Statutes, relating to town and private ways, that it "ought not to pass."

This report was accepted in the House on February 19. It comes from the Senate, that body non-concurring in the acceptance of the report. No further action was taken in the Senate.

Mr. BEAN of Minot: Mr. Speaker, would it be in order at this time to suspend the rules?

The SPEAKER: The Chair will suggest to the gentleman from Minot, Mr. Bean, that he lay this temporarily on the table and take it up under orders of the day. Thereupon, on motion of Mr. Bean, the report was temporarily re-tabled.

**Senate Bills in First Reading**

Senate 93: Resolve for the appointment of a committee for the purpose of celebrating the glorious victory for the National Prohibition Amendment.

Senate 95: An Act to amend Sections 42 and 43 of Chapter 64 of the Revised Statutes, relative to the publication of ancient vital statistics.

Senate 96: An Act granting compensation to the members of the Maine Library Commission.

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

**Appropriations and Financial Affairs**

By Mr. Barnes of Houlton: An Act providing for the preparation of the State budget; creating a committee on budget; prescribing its powers and duties; making an ap-

propriation to defray the expenses of this committee; and repealing Sections 92, 93, 94 and 95 of Chapter 2 of the Revised Statutes. (500 copies ordered printed.)

#### Education

By Mr. Barnes of Houlton: Remonstrance of Denis P. Martin and 32 others of the town of Madawaska, in opposition to the bill requiring all instruction in Maine common schools to be in the English language.

By the same gentleman: Remonstrance of George C. Cunliffe and 14 others of the town of Fort Kent, in opposition to same.

#### Inland Fisheries and Game

By Mr. O'Leary of Bangor: Remonstrance of M. W. Hammond of Bangor, and 11 others, against resident hunting license.

By the same gentleman: Remonstrance of George R. Townsend of Bangor, and 13 others, against same.

By the same gentleman: Remonstrance of Ernest M. Gross of Brewer, and 15 others, against same.

By the same gentleman: Remonstrance of Herbert S. Miller of Bangor, and 5 others, against same.

By the same gentleman: Remonstrance of W. N. Brann of Bangor, and 16 others, against same.

By the same gentleman: Remonstrance of Neal E. Brennan of Bangor, and 21 others, against same.

By the same gentleman: Remonstrance of Frank E. Pratt of Monmouth, and 5 others, against same.

By the same gentleman: Remonstrance of Fred P. Ray of Bangor, and 59 others, against same.

By the same gentleman: Remonstrance of Charles W. Clark of Bangor, and 33 others, against same.

By the same gentleman: Remonstrance of James A. Dunning of Bangor, and 22 others, against same.

By the same gentleman: Remonstrance of D. H. Peavey of Bangor, and 14 others, against same.

By the same gentleman: Remonstrance of William Cherry of Bangor, and 35 others, against same.

By the same gentleman: Remonstrance of John Mattatol of East Machias, and 5 others, against same.

By the same gentleman: Remonstrance of C. Gardiner Chalmers of Bangor, and 26 others, against same.

By the same gentleman: Remonstrance of Gustavus A. Young of Bangor, and 28 others, against same.

By the same gentleman: Remonstrance of William H. Chapples of Hudson, and 28 others, against same.

By the same gentleman: Remonstrance of M. S. Clarey of Vanceboro, and 19 others, against same.

By the same gentleman: Remonstrance of James T. Croft of Lincoln, and 12 others, against same.

By the same gentleman: Remonstrance of Samuel C. Tibbetts of West Old Town, and 50 others, against same.

By the same gentleman: Remonstrance of John Dudley of Waite, and 14 others, against same.

By the same gentleman: Remonstrance of Wilfred Thompson of Presque Isle, and 19 others, against same.

By the same gentleman: Remonstrance of Roland Withee and 87 others, of the Bangor High school, against same.

By the same gentleman: Remonstrance of S. W. Shannon of South Brewer, and 48 others, against same.

By the same gentleman: Remonstrance of J. Wilbur Day of Wesley, and 20 others, against same.

By the same gentleman: Remonstrance of W. W. White of Greenfield, and 14 others, against same.

By the same gentleman: Remonstrance of Howard Crosby of Aurora, and 22 others, against same.

By the same gentleman: Remonstrance of N. V. Harris of Passadumkeag, and 45 others, against same.

By the same gentleman: Remonstrance of H. C. Longfellow of Lambert Lake, and 9 others, against same.

By the same gentleman: Remonstrance of Vernon H. Boyd of Bangor, and 201 others, against same.

By the same gentleman: Remonstrance of D. J. Sprague of Wesley, and 27 others, against same.

By the same gentleman: Remonstrance of Charles B. Freeman of

South Hudson, and 76 others, against same.

By the same gentleman: Remonstrance of H. W. Johnston of Mt. Desert Ferry, and 13 others, against same.

By the same gentleman: Remonstrance of Herbert A. Prouty of Wypitlock, and 38 others, against same.

By the same gentleman: Remonstrance of Omar Carr of Clifton, and 24 others, against same.

By Mr. Eaton of Rumford: An Act to prohibit still or plug fishing in all lakes and ponds in the State of Maine which are inhabited by, or have been stocked with trout, landlocked salmon or togue.

(500 copies ordered printed.)

#### Judiciary

By Mr. Baxter of Portland: An Act to prohibit experiments upon living dogs.

By Mr. O'Leary of Bangor: An Act to amend Section 5 of Chapter 126 of the Revised Statutes, relating to indecent exposure.

By the same gentleman: An Act to amend Sections 35 and 37 of Chapter 95 of the Revised Statutes, relating to undischarged mortgages of record. (500 copies ordered printed.)

#### Judiciary and Labor

By Mr. Perkins of Boothbay Harbor: An Act to amend Chapter 50 of the Revised Statutes, relative to compensation for personal injuries to employes. (1000 copies ordered printed.)

#### Legal Affairs

By Mr. Hineckley of South Portland: An Act relating to appeal of cases from supreme judicial and superior courts.

By Mr. Garcelon of Auburn: An Act relating to portable saw mills. (500 copies ordered printed.)

#### Public Health

By Mr. Tilden of Hallowell: Petition of A. C. Townsend and 47 others of Hallowell in favor of An Act prohibiting the manufacture and sale of cigarettes.

By Mr. Dutton of Bingham: Peti-

tion of C. A. Foss and 40 others of Bingham for same.

By Mr. Owen of Milo: Remonstrance of P. P. Peakes and 27 others of Milo against House Bill No. 90.

#### Salaries and Fees

By Mr. Baxter of Portland: An Act to amend Section 26 of Chapter 117 of the Revised Statutes, relating to the adjutant general and the chief clerk in the office of the adjutant general.

#### Orders

On motion by Mr. Berry of Waterville, it was

Ordered, that bill an Act to amend Section 21, Chapter 12 of the Revised Statutes, be recalled from the committee on temperance, and that 500 copies be printed.

On motion by Mr. O'Leary of Bangor, it was

Ordered, that the addresses of Hon. Courtenay Crocker and Dr. Talcott Williams, delivered in joint convention February 20, 1919, be printed in the Legislative Record.

On motion by Mr. Cochrane of Monmouth, it was

Ordered, that on the evening of March 20th, 1919, the use of the hall of the House of Representatives be granted for the purpose of celebrating the ratification of national prohibition.

#### Reports of Committees

Mr. Ricker from the committee on education, reported ought not to pass on Resolve in favor of the town of Porter.

(On motion by Mr. Allen of Sanford, the House by a viva voce vote voted to recommit the bill and report to the committee on education.)

Mr. Varney, from same committee, reported same on bill An Act to authorize cities, towns and plantations to place tablets in schoolhouses containing the address of Abraham Lincoln at Gettysburg, November, 1863.

Mr. Baxter, from the committee on judiciary, reported same on bill An Act to amend section 5 of Chapter 118 of the Revised Statutes, relating to fees of sheriffs and other dep-

uties, as subject matter is covered by another bill before this legislature.

Mr. Cole, from the committee on sea and shore fisheries, reported same on Resolve in favor of a bounty on seals.

Mr. Stacey, from same committee, reported same on bill An Act to amend Section 1, Chapter 4, of the Private and Special Laws of 1913, entitled An Act to regulate the taking of smelts in the waters of Egypt bay, Franklin bay, Taunton bay and river, in the towns of Hancock, Franklin and Sullivan, in Hancock county, as amended by Chapter 9 of the Private and Special Laws of 1917.

Mr. Wyman, from same committee, reported same on bill An Act to authorize the construction of a weir in the tidewaters of Passamaquoddy bay in the town of Perry.

Reports were read and accepted and sent up for concurrence.

Mr. Cochrane, from the committee on education, reported ought to pass on bill An Act to amend Section 110 of Chapter 16 of the Revised Statutes, as amended by Chapter 60 of the Public Laws of 1917, relating to teachers' associations.

Same gentleman, from same committee, reported same on bill An Act to provide for physical education in the public schools.

Mr. Varney, from same committee, reported same on Resolve providing teacher's pension for Adelia J. Webber.

Mr. Small, from the committee on interior waters, reported same on Resolve in aid of navigation on Lewy, Long and Big lakes.

Mr. Barnes, from the committee on judiciary, on bill An Act to amend Section 5 of Chapter 118 of the Revised Statutes, relating to fees of sheriffs and their deputies, reported same in a new draft, under same title, and that it ought to pass.

(On motion of Mr. Barnes of Houlton, bill and report recommitted to the judiciary committee.)

Mr. Baxter, from same committee, on bill An Act to amend Chapter 10 of the Revised Statutes to provide for actual notice of sale for taxes of land in places not incorporated, re-

ported same in a new draft, under same title, and that it ought to pass.

Mr. Buzzell, from same committee, reported ought to pass on bill An Act additional to Chapter 136 of the Private and Special Laws of 1915, entitled An Act to incorporate the Northport Village Corporation.

Mr. Conary, from same committee, on bill An Act relating to signing of certificates of shares, reported same in a new draft, under title of An Act to amend Section 36 of Chapter 51 of the Revised Statutes, relating to the manner of signing certificates of shares, and that it ought to pass.

Mr. Maher, from same committee, reported ought to pass on bill An Act to revise, consolidate and amend the charter and laws of the city of Augusta.

Mr. Cole from the committee on sea and shore fisheries, reported same on bill An Act to protect the lobsters within three miles of Martinicus and Criehaven Plantation.

(The rules were suspended and the bill given its two several readings.)

Mr. Stacey, from same committee, reported same on bill An Act to authorize Horace Cleland to erect and maintain a fish weir in front of his land in the town of Perry.

(On motion by Mr. Washburn of Perry, the bill and report were tabled, pending acceptance of the report.)

Mr. Wyman, from same committee, on bill An Act for the protection of salmon, alewives and smelts in Pleasant River, Washington County, reported same in a new draft, under title of An Act to amend Chapter 401 of the Private and Special Laws of 1901, as amended by Chapter 351 of the Private and Special Laws of 1909, entitled An Act for the protection of salmon, alewives and smelts in Pleasant River, Washington County, and that it ought to pass.

Mr. Cunningham, from the committee on state lands and forest preservation, reported ought to pass on bill An Act amending Chapter 8, Section 60, Paragraph 4 of the Revised Statutes relative to township of Grafton.

Same gentleman, from same committee, on bill An Act to amend Sections 53, 54 and 55 of Chapter 8 of the Revised Statutes requiring a permit for the burning of brush or slash near woodlands and providing for the better enforcement of the Slash Law, reported same in New Draft A, under same title, and that it ought to pass.

Reports were read and accepted and bills and resolves ordered printed under the joint rules.

#### First Reading of Printed Bills and Resolves

House 229: An Act to amend Chapter 424 of the Private and Special Laws of 1907, as amended by Chapter 48 of the Private and Special Laws of 1917, changing the time of the annual meeting of Kittery Water District.

House 232: An Act to extend the charter of the Boothbay Harbor Water District.

House 235: An Act relating to Martin's Point Bridge, so-called, in the county of Cumberland.

House 237: An Act to amend Section 19 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to protection of land-locked salmon, trout, togue, black bass and white perch.

Tabled by Mr. Eaton of Rumford pending second reading.

House 238: An Act to amend Sections 1, 10, 11 and 24 of Chapter 46 of the Revised Statutes, all relating to the survey and sale of wood, bark, coal, hoops, staves and lumber. (New draft.)

House 239: An Act to provide for cooperative agricultural extension work between the several counties of Maine and the University of Maine, College of Agriculture, in accordance with the federal agricultural extension act of May 8, 1914, entitled An Act to provide for cooperative agricultural extension work between the agricultural colleges and the United States department of agriculture.

House 230: Resolve, for further maintenance of the State forest nursery.

House 231: Resolve, making an appropriation for the Maine Seed Improvement Association.

House 234: Resolve, for continuance of white pine blister rust control.

House 236: Resolve, providing for the completion of the Book of Plans of Waldo County and appropriating money therefor.

#### Passed to Be Engrossed

Senate 91: An Act to amend the charter of the Bath Military and Naval Orphan Asylum.

Senate 92: Bill An Act to amend an Act to incorporate the city of Saco, reported from committee on bills in the third reading under title of An Act to amend Chapter 215 of the Public Laws of 1867, entitled An Act to incorporate the city of Saco.

House 203: An Act to amend Section 37 of Chapter 18 of the Revised Statutes, relating to penalty for practicing dentistry without certificate.

House 204: An Act to amend Chapter 205 of the Private and Special Laws of 1911, relating to annual report of the Grand Army of the Republic of the State of Maine.

House 208: An Act to amend Section 74 of Chapter 4 of the Revised Statutes, relating to the establishment of public libraries.

House 209: An Act relating to publications of State departments and institutions.

House 212: An Act to amend Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the use of automobiles in hunting wild birds and wild animals.

House 213: An Act to amend Section 38 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of deer.

House 214: An Act to amend Section 86 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the disposition of money collected under the provisions of the inland fish and game laws.

(Tabled by Mr. Barnes of Houlton, pending its third reading.)

House 215: An Act to amend Sections 2 and 6 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of

1917, relating to non-resident fishing licenses.

House 223: An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895, as amended by Chapter 101 of the Private and Special Laws of 1909 and Chapter 146 of the Private and Special Laws of 1915, relating to clerk hire in the Bangor municipal court.

House 226: An Act to amend Section 91 of Chapter 53 of the Revised Statutes, relating to the annual statement of conditions of insurance companies, and providing a penalty for neglect to file the statement.

House 227: An Act to provide for retiring and pensioning employees of the State of Maine.

House 202: Resolve in favor of the State department of health.

(Tabled by Mr. Sawyer of Fort Fairfield, pending second reading.)

House 205: Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol.

House 206: Resolve appropriating money for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds and for printing the report of the commissioner of inland fisheries and game and other expenses incident to the administration of the department of inland fisheries and game.

(Tabled by Mr. Barnes of Houlton, pending second reading.)

House 207: Resolve appropriating money for the purchase of traveling libraries for high schools.

House 210: Resolve providing for the purchase of certain volumes of the documentary history of Maine.

House 211: Resolve appropriating money to provide offices for the adjutant general's department and fire-proof apartments for the records and documents thereof.

House 224: Resolve in favor of William F. Livingston.

#### Passed to Be Enacted

An Act to amend Chapter 485 of the Private and Special Laws of 1901, as amended by Chapter 331 of the

Private and Special Laws of 1909, relating to An Act to establish a municipal court in the town of Skowhegan.

An Act relating to damage by flowage of public lands and highways on the islands in Penobscot river within the limits of the Indian reservation of the Penobscot tribe of Indians.

An Act to amend Section 39 of Chapter 14 of the Revised Statutes, relating to leasing the shores in the Penobscot river belonging to the Penobscot Tribe of Indians.

An Act to extend an Act entitled An Act to incorporate the Odd Fellows' Home of Maine.

An Act to amend Section 23 of Chapter 78 of the Revised Statutes, relating to the acknowledgment of deeds.

An Act to amend Sections 20 and 21 of Chapter 8 of the Revised Statutes, as amended by Chapter 261 of the Public Laws of 1917, relating to moneys received from the sale of timber and grass on reserved lands.

An Act to amend Section 5 of Chapter 83 of the Revised Statutes, relating to regular sessions of county commissioners of Hancock county.

(On motion by Mr. Murchie of Calais, the vote was reconsidered whereby the above bill was passed to be enacted, and on further motion by the same gentleman, it was tabled pending passage to be enacted.)

An Act to extend the charter of the Lincoln County Street Railway.

An Act amendatory of and additional to Section 27 of Chapter 84 of the Revised Statutes, relating to the examination of applicants for admission to the Bar.

An Act to amend Sections 1, 2, 3, 5 and 11 of Chapter 222 of the Public Laws of 1917, entitled An Act to provide for mothers with dependent children.

An Act to amend paragraph one of Section 57 of Chapter 16 of the Revised Statutes, as amended by Chapter 188 of the Public Laws of 1917, relating to the payment of State aid to superintendents of unions of towns.

An Act to ratify, confirm and make



valid the doings of the Congregational parish in Abbot village, and of the Abbot Village Congregational church, and authorizing them to unite.

An Act to amend Chapter 372 of the Private and Special Laws of 1905, entitled An Act for the protection of clams in parts of the county of Sagadahoc.

An Act to authorize the erection of a weir in the waters of Cobscook bay in the town of Lubec.

An Act to amend Chapter 67 of the Revised Statutes, as amended by Section 1 of Chapter 133 of the Public Laws of 1917, relating to the notice of appointment given by registers of probate.

An Act to amend Chapter 37 of the Private and Special Laws of 1917, entitled An Act to provide a police commission for the city of Lewiston and to promote the efficiency of the police department thereof.

An Act to change the name of Whetstone pond in Abbot and Blanchard in the county of Piscataquis to Sylvan lake.

An Act additional to Chapter 349 of the Private and Special Laws of 1864, entitled An Act to incorporate the officers and members of Monument Lodge.

An Act to amend Section 82 of Chapter 115 of the Revised Statutes, as amended by Chapter 136 of the Laws of Maine of 1917, relating to support of debtors in jail.

An Act to extend the provisions of Chapter 214 of the Private and Special Laws of 1915, as extended by Chapter 50 of the Private and Special Laws of 1917, authorizing the town of Lisbon to supply gas and electricity.

An Act to amend Section 32 of Chapter 33 of the Revised Statutes, relating to mill waste deposited in lakes and ponds.

An Act to change the name of Sand pond in Denmark to Walden pond.

An Act to incorporate the Wesserunnett Stream Dam and Improvement Company.

#### Finally Passed

A Resolve, authorizing the State land agent to sell certain lots in the town of St. Agatha in the county of Aroostook.

(Tabled by Mr. Baxter of Portland, pending its final passage, for the purpose of offering an amendment.)

A Resolve, authorizing the State land agent to sell certain public lots in St. Francis Plantation in Aroostook county.

(Tabled by Mr. Baxter of Portland, pending its final passage, for the purpose of offering an amendment.)

A Resolve, in favor of Westmanland Plantation for the payment of school funds forfeited by failure to file returns.

A Resolve, reimbursing the committee on State prison for expenses to Thomaston.

A Resolve, in favor of the city of Calais to reimburse said city for money expended for the care of State paupers.

A Resolve, appropriating money for the continuation of agricultural investigations by the Maine Agricultural Experiment Station on Highmoor Farm.

A Resolve, in favor of George A. Phillips, for expenses incurred to establish his claim to seat in the Seventy-ninth Legislature.

A Resolve, in favor of Charles P. Barnes, chairman of the committee on elections.

Resolve, in aid of navigation on Sebec Lake in Piscataquis county.

(Tabled by Mr. Lanpher of Sebec, pending final passage.)

Resolve, appropriating money for lighting the Narrows between Upper and Lower Richardson Lakes.

Resolve, reimbursing Jacob Astle for fine and costs paid in case prosecuted for violation of the trapping laws.

Resolve, in favor of the town of Eagle Lake, to reimburse said town for a part of the excessive expenses incurred in the influenza and small-pox epidemics.

Resolve, in favor of Harry S. Coombs, for furnishing plans and specifications of four model school buildings for State Board of Education as per contract with the Honorable Payson Smith.

Resolve, in favor of Perley J. Gup-till of Machias for destruction of cattle by bears.

Resolve, in favor of the town of Litchfield, reimbursing said town for money paid to Litchfield Academy.

Resolve, in favor of the town of Union for the payment of additional State school funds for the year 1918.

Resolve, in favor of J. Wilbur Day, compensating him for loss of cattle by bears.

Resolve, in favor of Lydia M. Chadwick of Saco for teacher's pension.

The SPEAKER: We have an emergency act—an Act to repeal an Act entitled an Act to incorporate the town of Grafton. It is necessary to have a two-thirds vote of the entire membership. This bill having received its two several readings in the Senate and passed to be engrossed, having received its three several readings in the House and passed to be engrossed, and having been reported by the committee on engrossed bills as truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted? All those in favor of the passage of this bill to be enacted will rise and stand until counted, and the monitors will take the count.

A division being had 110 voted in the affirmative and none in the negative, the bill was passed to be enacted.

#### Orders of the Day

The SPEAKER: The first matter under orders of the day is the special assignment of House Document No. 191, an Act relative to the marriage of persons having syphilis. On that the Chair recognizes the gentleman from Bar Harbor, Mr. Phillips.

On motion by Mr. Phillips, it was voted to take House Document 191 from the table.

Mr. PHILLIPS of Bar Harbor: Mr. Speaker and Gentlemen of the House:

It is with something of trepidation that I encroach upon the few moments of time your courtesy has loaned me.

I must ask you in speaking of this subject to grant me full consideration for my lack of experience in public speaking and supply in the larger wisdom belonging to many of you in public affairs the lack be-

longing to me. But assuredly you may believe me, however my words may stumble in saying it, that with all the intensity of my being I believe that awful wrong to which I refer and protection from which for future generations I implore at your hands needs the weapons of defense that this Legislature can give and should receive the remedy within our power to bestow.

I wish to say here that the amendments which keep from these patients the publicity of exposure by public record such as is given to other contagious diseases as small-pox, etc., has been done at the suggestion of the highest official medical authority in the United States. As is also the change that causes the State Department of Health to prescribe the methods of diagnosis and places the reporting of patients (so craven as to ignore the suggestion of the physician) to the health officers in the town or district in which the patient resides. Consequently no man except those so vile as to ignore everything decent and right need fear any exposure whatever and these need all they can get.

Among the awful diseases of ancient and modern civilization whose strangling power has wrecked thrones are cancer, tuberculosis and syphilis. It is the latter nurtured by false concern over publicity that has swept thousands into disaster, that I have begged a few moments of your hurried time to discuss. In this presence among men of affairs not ignorant of the methods by which this reeking and filthy virus enters into the destruction of the race it is not needed, that I rehearse them in detail.

It may not be amiss, however, if I state a few facts proven by scientific research.

Syphilis in the one who primarily contracts it is under proper conditions practically curable. So far as the purpose of this bill is concerned, in most of its inherited forms it is absolutely incurable. Further, as is now well authenticated, the symptoms of inherited syphilis are so different, so manifold, that it is frequently unobserved. The

blindness, the hardened brain cells, the locomotor ataxias, the imbeciles, the hundreds of symptoms meaning disease and death to offspring often are unchallenged and unseen in its inherited form. There is but one blessing among them all, the abortions it produces. For the purpose of which I advise it is sufficient to know that the sins of the father are visited unto the children of the third and fourth generation.

It is awful, horrible beyond measure. The healthy, ambitious, courageous youth, reaching forth into the glory of fighting manhood, smashing against this bulkhead of ruin and shame. This is not fancy; it is as true as the living God. It should be said, it is right that it should be said, that other ways than the common one may convey syphilis and often does. When I call to your attention the fact that every country burying place, every hamlet which has its sacred and hallowed spot, has among its graves always its share that never should have been, had a law like this which I advise been in power. I am not talking sentiment but facts that nothing can blot out. It stands, this accursed disease, as in past ages reaping with its sickle from the wisest and best. It knows no rank or title. It hangs its sign of death at the door of the highest in power and wisdom as often as the ignorant and poor.

Believe me, I am not blaming the man who contracts this disease more than his neighbor whose good fortune alone enables him to escape, but no man knowingly and no man ignorantly need under this law make this wicked mistake. If it were my purpose to stir your emotions by recital of cases, if I chose to make this argument one of sentiment rather than of cold logic I surely might stir some of you to action.

May I mention one case. In the neighboring county where I live is a young man, comparatively, 45 or 50 years old, to whom I have been asked by many of you to carry messages of good will when I see him—which is a splendid habit, by the way, of this House. I met him on the train only a week ago and I carried the messages that many members of this

House sent. I hope I will never see him again. He stood there with a hand on the shoulder of his son, being led wherever he would go, stone blind forever, through no fault of his own.

This great war that is destined to lift the world over many centuries of progress has not failed us here. The underworld, the diseased world, with its appalling dangers the war has opened to our view, has also revealed the need of the surgeon's knife here, and we must cut and cut deeply if the rotting ulcer is to be removed.

I have no faith in that medical ethics that covers crime or worse than crime, that will not betray a victim of sin but will betray the babe at its mother's breast, that will not betray the man with his drawn dagger who folds his robe of self-righteousness about him as the victims fill their untimely graves, that would not betray Judas but would betray his Lord and Master.

I judge no man's conscience save my own. I am not here to question your right of judgment. Far be it from me to pose as keeper of your duties to God or man but for me, knowing the awful history of these things, the deaths and living deaths along this trail, where men and women perish, or worse than perish, in generation after generation, through no fault of their own. The pallor of disease with its entailing unhappiness where their natural right is health and happiness, where one in ten of men and women go to untimely graves by some man or woman's sin. If I knowing this and more should fail in voice and vote to protect those unborn generations then God in Heaven have mercy on my cowardly soul.

The argument often used to put this grave and great issue aside has been to wait until the larger centers and states passed upon it. Mr. Speaker and Gentlemen of the House: Nearly a century ago some genius with prophetic vision wove into the warp and woof, into the texture of our State, a motto not yet, thank God, betrayed. "I direct." From the conduct and voice of every son and daughter of this State whose

names are to stand immortal in its annals, cowardice has had no part. From King to Milliken, our present Governor, whose name is courage, cowardice has had no part. In every field in which men have stood apart from their fellows cowardice has had no part. In literature and science, in every branch that helped to make our State great, cowardice has had no part. May we hope our motto will not fail us today in the hearts of our people may it still stand secure, never successfully assailed.

I hesitate, Mr. Speaker and Gentlemen, to take your hurried time for further discussion, but this pitiless enemy of mankind must be slain. Its accursed power must be wiped from the kingdom of man. Let us marshal every force in our State that shall help to make clean and pure every life and every home within the boundary of its splendid domain. (Applause.)

On motion of Mr. Phillips of Bar Harbor the bill then received its second reading.

The SPEAKER: The Chair will take this opportunity to announce the committee of conference on bill An Act to provide for the collection of agricultural statistics by assessors, as follows: Messrs. Allan of Portland, Simons of Gardiner, and Berry of Waterville.

The SPEAKER. Under orders of the day comes up at this time bill An Act to amend Section 17 of Chapter 24 of the Revised Statutes, relating to town and private ways, and on this is it the pleasure of the House that the rules be suspended in order that the gentlemen from Minot (Mr. Bean) may have an opportunity to move reconsideration of the action of the House?

Mr. BEAN of Minot: Mr. Speaker, I would move that we reconsider the action taken on House Document No. 21, whereby we voted to accept the report of the judiciary committee, ought not to pass, on this bill.

Mr. BARNES of Houlton: May I ask the Chair to inform the gentleman from Minot (Mr. Bean) that a discussion on the merits of the proposition

may as well be made now on this motion as later?

The SPEAKER: The Chair rules it in order. Does the gentleman from Houlton (Mr. Barnes) yield the floor?

Mr. BARNES: Yes, Mr. Speaker.

Mr. BEAN of Minot: Mr. Speaker, and gentlemen of the House: Before entering into the merits of House document number 21 I desire to say that the road question as it affects farming communities and country towns in general is one of the most serious questions which confront the rural communities at the present time. And the question of winter roads or the handling of snow roads is often as expensive to a country town as the maintaining of the summer road. Several of the rural towns in my section expended last year fifty per cent of the amount raised by taxation on repairs of highways. And the amount expended on winter roads equalled, and in many cases exceeded, the amount expended on summer roads. Or in other words twenty-five per cent of the tax raised in many of the towns was expended on snow roads and in a great majority of the cases the roads were even then to a great degree impassable or not suitable for travel.

Gentlemen, allow yourselves to go with me in imagination to one of our rural towns and examine the conditions as they there exist and for the sake of argument let us go out to Minot, my home town, and I think it would be fair to presume that the conditions in the town of Minot are on a par with the other country towns of the State. Some in all probability have more favorable conditions, and some less favorable.

The early settlers located first on the hills or the high lands, and the first roads went either north and south, or east and west, as a rule, over these hills. Later the valleys were settled and the roads which are now the main roads run for the most part through the valleys. The hill roads that were once the main thoroughfares through the town are now for the most part what might be called the cross roads of the town today and in many cases one end of

these roads is abandoned or discontinued.

Now, gentlemen, it is these hilly cross roads where there are not over two tax payers to the mile of road and consequently but little traveled;—it is back to these isolated farms that I invite you to go with me today and study conditions there. Ask yourselves, gentlemen, why are they isolated; why are they abandoned; where have their neighbors gone; and why did they leave? These questions are to my mind serious questions and worthy of your most careful consideration.

In answer to these inquiries I wish to give the opinions of two very distinguished gentlemen whose acquaintance I have had the pleasure of making since coming to Augusta; and peculiar as it may seem, these two distinguished gentlemen are no other than the chairman of the judiciary committee, the senator from Yarmouth, Senator Davies, and the other no less a distinguished gentleman than he who happens to be the floor leader of the majority party in the House and the chairman of the House judiciary committee. Now gentlemen, listen to the reasons of these gentlemen who in private conversation with me, when there was no occasion for any heated argument, and when they both spoke, as I considered, in an open, straightforward and conscientious manner their opinions; I trust they will pardon me if I make them public here, as they are to my mind an answer to the questions that I have asked you.

In brief, what were the conversations? On the car from Lewiston to Augusta I first met Senator Davies. When he told me his name I felt well acquainted with the gentleman from Yarmouth, having known him by reputation for years. He in all probability had never heard of me before, and upon inquiry I told him that I was a farmer and represented four country towns whose people were for the most part farmers. Then the senator told me of some practical experiences that he had had in the line of farming, and he told me that it was the only business that he had

ever had anything to do with where everything was going out and nothing coming in. He also informed me he had abandoned the business and when he got free firmly resolved that he would take his hat off to any man who could get a living farming.

A few days later I had the pleasure of meeting the distinguished gentleman from Houlton, Mr. Barnes. I also had known Mr. Barnes by reputation for some years, as he was admitted to the bar in Oxford county where I once lived, and he taught the high school at Norway for some years. He has been in a position to know the conditions in my section of the country and our conversation naturally ran along this line, and I recall that Mr. Barnes said to me, "I don't see for the life of me how the Androscoggin county farmers get by." My answer to Mr. Barnes was that it was not my belief that they were getting by; that to my mind the farm did not exist in Androscoggin county that would pay running expenses and interest on the capital invested.

The SPEAKER: The Chair will have to caution the gentleman from Minot (Mr. Bean) about bringing in the name of any member of either body.

Mr. BEAN of Minot: Mr. Speaker, I would ask Mr. Barnes if I may have his permission?

The SPEAKER: The Chair will rule that it is out of order.

Mr. BEAN of Minot: Mr. Speaker, I am sorry if I have transgressed any laws of this body. I was not aware I was doing so, but I cannot imagine that I have done any harm.

I have also referred to the isolated farm houses, isolated because of the fact that their one-time neighbors have moved away and because their connection with the outer world is not what it should be. Think of a family back two miles from the main traveled road and no means of getting out except by climbing over snow drifts of from 10 to 20 feet. They might just as well be out in mid-ocean and think of coming ashore on foot as to think of reaching civilization at certain times over these roads.

Supposing that sickness occurs in a family, as it is likely to occur in all places, cannot you see, gentlemen, the peril they are in, when it becomes the next thing to an impossibility to get a doctor to administer relief?

Nevertheless, these isolated and abandoned farms back on the hill or cross road are the most productive, the best crop farms, the best dairy farms, the best fruit farms and the most healthy place for a farmer to live, in my humble judgment, that can be found in the State of Maine. Still, gentlemen, the population of many of our country towns in Maine today is no greater than what it was a hundred years ago and a very unfavorable comparison with what it was fifty years ago. Gentlemen, it would seem as if we were progressing in the wrong direction. I believe it has been truly stated that the prosperity of a city depends largely upon the prosperity of the country towns that surround the city. A great philosopher of our day has said "burn your city and leave your surrounding towns prosperous and the city will spring up as if by magic; but destroy your towns and the grass will grow in the streets of every city in our country."

If this is logical and true, and I believe you will be forced to admit that it is, then it becomes the imperative duty of every member of this body to give the most careful consideration to matters brought up here which are intended to be a benefit to that unorganized class of society which in Maine are called farmers, and you from the city should look upon matters of legislation for the country as being matters of legislation for the city as well.

Now perhaps you are inquiring among yourselves what my remarks so far have to do with the House Bill No. 21. Allow me to proceed to explain. The intent and purpose of this measure is to give to the isolated farmer and countrymen who are still clinging to the farm homes that are back from the main traveled road where there might not be more than one family to the mile of road, where the road that he has to travel over is the same road that has been used for 100 years and being in a broken and hilly country have been continually washed and re-

filled from the sides until they are from four to ten and twelve feet lower than the surrounding country. Many of these roads are fenced by means of stone walls as well as barricaded on one side or the other with bushes and brush. It is for such cases as I have described or similar cases where the traveling public can be much better accommodated at a much less expense that we ask that the municipal officers of a town be given the authority to close such portion of the highway as they deem expedient and provide a winter road and to pay to the owners of the land whatever damages is done to said land by reason of such location, such road to be discontinued when the main road is reopened.

Now as far as I have been able to ascertain, this idea has met with three objections. First, the land owner might not want the traveling across his field; but, gentlemen, you must remember that a very small part of the land in the State of Maine is cultivated land. Besides, if it was going to be of any great damage to his land, the selectmen undoubtedly would not make the change as the town is liable for the damage.

Second, they raise the question that the traveling public would not collect the damages that might occur on the temporary road. This is a point of law that I do not profess to be authority on; but it would seem reasonable to me to assume that if the selectmen closed the highway and laid one to take its place or to be used in its stead that the road laid out would be a road in the same sense as the road was that was closed and governed by the same laws.

Now the third reason that we hear advanced is that in these modern times the country towns are having a rural delivery system and that you cannot oblige a rural delivery carrier to leave the route laid out for him by Uncle Sam. This may be true and if there is no other way out then I would suggest that the proposed law be amended so as not to apply to roads over which rural carriers pass. This would give partial relief as many of our country roads and the ones in particular where I believe this remedy would be effective are not passed over by the mail-

carriers, but the patrons get partial service by having their mail boxes at the junction of the cross roads with the main thoroughfare.

I am not willing to admit, however, if the road was closed and a better way provided that the carrier would object to taking the better way if the government would allow him so to do and I anticipate that this is a matter that could be ruled upon by the post road officials and it seems reasonable to believe that this objection might be overcome.

Gentlemen, in closing I wish to say that a few days ago we listened to a pathetic appeal for the babies of the city who were in danger of getting a little better milk than the law now provides and because of the fact that the producer of milk thought it was an injustice to them to be obliged to sell milk, of whatever standard it might be, in direct competition with milk that just cleared the law, they raised the cry of skim milk and virtually told us to go back to our farms and continue to produce good milk at a loss. We asked for the privilege to recommit the bill that we might amend and you denied us the privilege. In other words, on the milk proposition we asked for bread and were given a stone. You on that proposition had the power to turn us down without a hearing, but did you have the right?

In this matter that is now before you I have insisted upon a hearing, and now all that I ask for is fair treatment.

I have entered into a discussion of the conditions of the country towns and as to the prosperity of the people of these towns and have argued that the matter of their prosperity was a matter of your prosperity as well. It is not my belief that there is any cure-all relief to be offered as a remedy for the conditions that exist, but that relief will come, if it comes at all, by small measures which are aimed in the right direction.

The law as it now stands, says to the country town and to all towns, travel in the road, keep the road open at whatever expense and tax your people to pay the bills. I say it is impracticable to continue to travel on many

of our old country roads where the snow is from 10 to 20 feet deep and that it is impossible to maintain a suitable road in such a place, regardless of expense, and that the municipal officers of a town be given the right to act as proposed in this bill.

Mr. BARNES of Houlton: Mr. Speaker, when the report of a committee is attacked, and especially when the unanimous report of a committee is attacked, I assume it is the duty of some member of the committee to make a statement before the action of the House is determined adversely to the report. Some of us have expended within a few hours of a whole week in order that this bill could get back to the House and be discussed, and for one, I am very glad we have had the discussion. I am sure that the words of wisdom heretofore spoken by great men to which we have listened, will sink into your heads individually. Good and great men have been quoted here. The contention of the committee was that it was a dangerous proposition to allow municipal officers to close a highway, and open a detour or by-path during the time of year when roads are most difficult to travel, for several reasons, and one was as suggested by the gentleman from Minot (Mr. Bean). It is at least uncertain whether a wayfarer suffering an accident on such detour or by-path would have an action against a town to make him whole. Put yourself in the place of the physician who is called up in the night-time to hitch up his horse and go quickly over country roads, and suffers an accident on the detour or by-path, around some impassable drifts, and you have the force of the argument which appealed to the committee on that point. The other one, as I remember it, was this: That if the hill, or impassable section around which the detour or by-path had been laid, was in the first five miles of the 25 miles that the rural mail carrier has to travel, under the law, he would be entitled to turn about when he reached the place where the highway, as laid out for the post road, ceased and the detour began, and hence might deprive many of the patrons on his route, and in many cases, most of the patrons on his route, of the ser-

vice of the daily mail. No one knows any better than I, living up in the north where the roads are impassable after heavy storms, that it takes money to keep them open. Having highways and being protected in travel is one of the privileges for which we pay our taxes. The burden is heavy on a town. The law says that a town may be indicted if it does not keep its roads open. It did not seem wise to the judiciary committee to make this change in the law. They had no feeling in the matter, of course; and when it comes time to vote, I assume that the several members of the judiciary committee on this question will vote against the motion of the gentleman from Minot (Mr. Bean.)

The SPEAKER: The question before the House is the motion of the gentleman from Minot, Mr. Bean, to reconsider the vote whereby the report, ought not to pass, was accepted.

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

The SPEAKER: Does the House wish to take any further action on the matter? The way it now stands, the House has accepted the report ought not to pass. The Senate has refused to accept it and has taken no definite action. The House, of course, can move to insist if it wishes.

Mr. BEAN: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The Chair will have to rule the motion out of order, as you really have voted on that question when you voted on reconsideration.

On motion by Mr. Hinckley of South Portland, the House voted to insist on its action as already taken.

On motion by Mr. Rounds of Portland, it was voted to take from the table Senate Document No. 60, an Act to repeal Section 16 of Chapter 37 of the Revised Statutes, relating to the capacity of milk cans.

Mr. ROUNDS: Mr. Speaker, 10 years ago in this Legislature, of which I happened to be a member, the members there voted to present me with a can. I told them at that

time that I had seen the same can in Portland when "they rushed the growler." They do not do that now; and I was turned down by the agricultural committee, and I am glad to see after 10 years that they have come round to my way of thinking, and got a bill so far along as to be passed to be enacted. Now I move you that this be passed to be enacted. (Applause.)

The House by a viva voce vote then passed the bill to be enacted.

On motion by Mr. Eaton of Rumford, it was voted to take from the table House Document No. 201, an Act for the care and preservation of shade and ornamental trees; and on further motion by the same gentleman, the bill was recommitted to the committee on State lands and forest preservation.

On motion by Mr. Barnes of Houlton, it was voted to take from the table House Document No. 225, an Act to prohibit persons not duly authorized attorneys, firms, voluntary associations and corporations from the practice of law.

Mr. BARNES: I submit herewith, Mr. Speaker, House Amendment A and move its adoption.

House Amendment A to House Document No. 225.

Amend House Document No. 225 by substituting for the word "amend" in the title of said act, the word "prohibit"; so that said title as amended shall read as follows: An Act to prohibit persons not duly authorized attorneys, firms, voluntary associations and corporations from the practice of law.

The amendment was adopted.

On motion by Mr. Mulligan of Nobleboro, the bill as amended was tabled, pending second reading.

Mr. BARNES of Houlton. Mr. Speaker, the calendar is now so extended that it is our duty to remove from the calendar such measures as we may, and unless the gentleman from Portland (Mr. Allan) has objection, I would like to consider House Document No. 7 at the head of the



table and unassigned. I move we take it from the table.

The motion was agreed to.

Mr. BARNES of Houlton: Mr. Speaker and gentlemen, this is House Document No. 7 which appeared when we had just assembled. It appeared within 60 days after the signing of the armistice. It is the opinion, whether well digested or not, of some individuals that from this time hereafter America shall not admit to her portals any son of Prussia, Austria or any other state of the German Empire who has served during the war, which has not yet closed, against America. The American people are of a mercurial temperament and it is our custom to advance ideas of nostrums and cure-alls for every ill of the body politic just as it is our custom, by and large, to buy all nostrums that are advertised to cure ills in the body physiological of the individual; and while it is characteristic of American people to follow a leader, I submit it is not always best to accept every resolution that somebody sees fit to draft and put into the United States mail. For that reason, I have tabled this. We will probably have a good many during our winter session. We have had several. We have passed some that I doubt if we would pass today if they were before us, that were apparently harmless. We stand in a different position here than we stand when we are in the barber shop at home, or in the corner grocery store, or at our own table. When we speak here, whether we mean it or not, we attempt to express the sentiment of the people of the sovereign State of Maine, and that should tend to make us serious. Now, since the discovery of America and since the adoption of our form of government it has been the pride and boast of America, that this land is to be, and may be, and shall be, the home of any man who seeks to become a free citizen and remains a worthy citizen; and there are some German reservists caught in the coils of the military machine who served probably for Germany against their wish. A man could make a speech on a subject like that. I assume it is not necessary.

Let us not forget that if we sit in silence and allow a resolve or act to be passed, we have assented thereto. The last expression that I have seen by any great man on the subject appeared in the papers yesterday. You will recognize the author by the phraseology I assume. "We set this nation up to make men free, and we did not confine our conception and purpose to America, and now we will make men free." I do not know what attitude I shall take personally on resolves that may come before this House. I am pretty well satisfied in my mind what attitude I should take if I were in the National House on questions of immigration. I have thought this resolve over more or less in the last two months and I am firmly convinced that it would be error for Maine to adopt it, and I move its indefinite postponement.

Mr. ALLAN of Portland: Mr. Speaker, I am absolutely unprepared to make any extensive remarks on this resolution this morning. The matter has been brought up quickly and practically without any notice. It may be wise, however, to make a little explanation. This resolution was originally drawn by a gentleman living in Portland. It was submitted to the Portland Chamber of Commerce and unanimsly passed by the Portland Chamber of Commerce. From that body it was sent all over the country, all over the West to different chambers of commerce. It was passed by a great many. It was passed by the great Chamber of Commerce of the city of Chicago, and I do not know how many more. I do not know how other people may feel and will leave it all to you; but I submit to you today that the young German or Austrian who comes over to this country, who had lived in this country all his life we will say, who has received his education here, built up his home, built up his wealth and his property, and made himself happily one of us; made his friends here among our people, men and women; perhaps married one of our young women, and then at the request of his own government has returned to Austria or Germany to take up arms against the very nation that has defended him, is not worthy

to come back to our free soil. (Applause.) It may not be necessary to make any extended remarks, but it seems fair to me to make this statement to you and to leave it to your judgment. When this vote is taken, I sincerely hope the motion to indefinitely postpone will not prevail.

Mr. HINCKLEY of South Portland: Mr. Speaker, I will read part of this resolve so the members may have it quickly before them. It starts in "Whereas, thousands of Germans and Austrians formerly living in this country, some of whom had taken papers as citizens of the United States, returned to Germany and Austria, to fight in the German and Austrian army," etc. "It is common report that many of these Germans and Austrians contemplate returning to the United States for business and residential purposes, and we believe it would work an injustice to our own loyal citizens if such Germans and Austrians are allowed to come back to the United States" and then further on, "Be it further resolved: That we firmly believe that all enemy aliens interned in this country for pernicious activity in opposition to the best interests of the United States should, at the end of the war, be deported and forever debarred from returning to this country." I can not conceive, Mr. Speaker, how any American citizen with red blood in his veins could permit one of these men ever to come back, or to permit one of those men who had been interned to ever remain in this country. I certainly hope this resolution will have a passage and I hope the House when it votes will vote against indefinite postponement. (Applause.)

The pending question being the motion of the gentleman from Houlton (Mr. Barnes) that the resolve be indefinitely postponed and a viva voce vote being taken, the motion failed of passage.

Mr. BARNES of Houlton: Mr. Speaker for the purpose of getting an assignment at an early date, I would like to take from the table House Document "An Act to authorize the county of Androscoggin to enlarge and repair the county buildings at Auburn in said

county, and erect a new building, and to enlarge and construct safety vaults."

The SPEAKER: The motion to indefinitely postpone having failed of passage, the pending question before the House is the question of adoption of the resolution.

Mr. ALLAN of Portland: Mr. Speaker, I move the adoption of the resolution.

Mr. MURCHIE of Calais: Mr. Speaker, I want to say first that I am heartily in favor of the adoption of a resolution conveying the intent that I conceive the gentleman from Portland (Mr. Allan) intends to convey in this resolution; but I do want to call the attention of the House to the fact that I think the resolution as drawn goes very far beyond the purpose stated in the remarks of the gentleman from Portland (Mr. Allan), and of the gentleman from South Portland (Mr. Hinckley.) The gentleman from South Portland (Mr. Hinckley) read the preamble to the resolution and then read the final provision for the deportation of any alien and I agree with the gentleman from South Portland that no red-blooded citizen would want these enemy aliens to stay in this country or to be permitted to return. In the first part of the resolve, however, the language is "Take such steps as are necessary to bring about proper legislative action to prevent any German or Austrian reservist or any other person who was engaged in any manner in opposition to the United States and its allies, returning to the United States." Now, Mr. Speaker and gentlemen of the House, this language will not only debar those men who were in America and who left America to fight against the United States, but it will debar Germans, who, at the outbreak of the war, were in any country as German reservists and went back to fight for Germany, against France or Russia from at any time coming into this country. I believe we want to debar all who left America to fight against America or even who left America not to fight against her, but who ultimately did fight against her. But I do not think it is proper to debar those men who never saw America for fighting in the armies in which they were com-

pelled to fight. For that reason, I hope that the motion to adopt the resolution will not prevail, and that it may be possible to have the resolution re-committed to the committee for re-drafting, to accomplish all the purposes outlined in the remarks which have been made.

Mr. HINCKLEY of South Portland: Mr. Speaker, I am going a step further than I went in my original remarks. I not only feel that those who were in this country and who were interned, but all German reservists and all those who fought against this country be prohibited from coming into this country, because I think that the Germans should be put at least on a long term of probation. We do not want any of them over here for some years at least. We can get along nicely without them. I hope the resolution will be passed as presented. (Applause.)

Mr. BOWIE of Falmouth: Mr. Speaker, it seems to me that this House, as the political agent of the people of the State of Maine and the government of the State of Maine, is a little bit too hasty. The remark of old from the scripture, "Come let us reason together," I think is real applicable at this time. I am not at all prepared to speak upon this question that is confronting the House this morning, and had no idea that it was going to be presented; but I believe it is a matter deserving of the most careful attention and consideration by every member of this House.

It might be well for us to take into consideration before acting in this manner the political, the social, the economic development of Europe for the past fifty years; and what has been that political, economic and social development of Europe for the past fifty years—from 1871? What was the condition of Europe in 1871? There were only about 1,800,000—less than 2,000,000—armed soldiers on a war basis in Europe. Was there much militarism in Europe in 1871? I fail to see it. What were the political, the economic and the social structures of Europe that produced the great militarism of that continent? I will tell you. It was the growth of im-

perialism, and not the growth of imperialism under the traditional imperialism of England, France and other European countries, but it was the growth of imperialism under a new economic theory and what was that theory? Because of the gigantic and huge weapons of protection, because of the communication, because of distribution and transportation, a new economic theory was developed in Europe. They commenced to colonize, they commenced to take on new territory. Why? To take care of the balance of trade, that was all. They wanted new territories for the purpose of producing raw material. They wanted new territories for the purpose of taking the finished product after those raw materials had been produced or been manufactured into the product. That is one of the theories, and that was the economic theory involved in the imperialistic growth and development of Europe, as I understand it. They commenced to see that possibly it was not working out satisfactorily, that they were no longer,—or they perhaps were not able to hold together that trade with their colonies; that their colonies and their foreign territories commenced to trade indiscriminately, not only with the mother country which controlled them, but with other countries as well. But, nevertheless, they commenced to carry on this great imperialistic development in Europe, and what was the result? The result was that they were taking on these additional colonies and territories, and after having taken on all of the colonies and territories, or having pre-empted all of the unsettled lands, then it became necessary for them during the progress of that development to maintain large armies for defensive purposes. They commenced to grow suspicious of one another; they were making a bed to lie in; they were all lying in that bed, and the great trouble was, as I am able to understand, that there was no power in Europe that dared to lie in that bed and go to sleep without having one eye open. Under such conditions, militarism grew so that in 1914 what did they have? In Europe they had on a peace basis 4,000,000 men, ap-

proximately, and approximately 18,000,000 men on a war basis; and why that development? Simply to defend their possessions and colonies.

What was the psychological effect of the Balkan war? The Balkan war did not leave them any too well disposed in Europe. The Franco-Prussian war did not leave them any too well disposed in Europe toward each other, and the strong suspicion existing between those countries was in effect creating a psychological war between all of those countries long before the troops took the field of battle. Now, of course some country had to start war; that had to be. Every single nation involved in that war felt that they were fighting in self-defense. We have, I believe, from our own President's lips in a message to Congress the statement that the people of Germany were not responsible for this war—I believe you will find it in the Congressional Record of this country that the people of Germany are not responsible for this war. Now do you not think that we are a little bit hasty in adopting this resolution, which would deny to every citizen of Germany, however sincere or conscientious he might have been in defending his country, the opportunity of coming into this country? I hope that the resolution will not be adopted.

Mr. BARNES of Houlton: Mr. Speaker, I assumed altogether too much when I assumed that the gentlemen of the House were familiar with the resolve; and as the fly flicked across the water there have been some rises. Pass this as it is, and no person now living, engaged in any manner in opposition to the United States, or any of the allies, can come into America. Why, three years before I was born there was a crowd singing "Hang Jeff Davis to a sour apple tree." Just about that time you could have passed a resolve in any gathering that no individual south of the Mason and Dixon line should ever come north of it. It became the fashion right after the war was declared against Germany to declare that the German language should not be taught in the schools. A great many threw up their hands in horror at the thought of such a thing. Why,

the underlying principle of the League of Nations which must precede the adoption of peace is that the autonomy of a nation or race shall not be disturbed; and, gentlemen of Maine, you are proposing to live, whether you will or not, whether you know history or not,—you are proposing to live on the same planet with the German nation which has practically just as many living souls now as when war was declared. More than 80,000,000 people are going to contest with you in your markets in the struggle for success in trade. We are pledged not to destroy them; we are pledged to let them work out their own salvation; and I say to you now that in a very few years they will be sitting in the League of Nations. Do you say that if your boy wants to trade with the Germans that he shall not know the German tongue? Do you say that the people of the United States of America shall build up a wall so that no whisper of the German language shall come in so that we may not know enough to read their tongue and learn of their machinations? Do you say that now the United States of America shall build about herself, like the simple clam, a shell that shuts her in? If you do, you are talking in exact opposition to all men who are voicing the principles of the Democratic party and to all men who heretofore have voiced the principles of the Republican party, and you are adopting the principles of anarchy, of Bolshevism, or whatever you may call it. Why, to get this down to the final disposition that the gentleman from Portland and the gentleman from South Portland will take, if they will take pains to read it through and study it a bit, they will see that no German who had anything to do with this war shall come into America. That is a very different proposition. Whatever action we take will not affect Congress at this session. The action that we take adopting this resolution will only come back to bother us. After you think it over and read it through, you will be no more proud of it than you would if your father had voted that no man south of the Mason and Dixon line should ever come north. Why, gentlemen, stop and think of it!

Instead of voting to take from the South what they had, the greatest leader of that day, General Grant, said: "Let the soldiers take their horses and take them home. They will need them on their farms." Now that is the spirit of America up to the present time, and for my part, I cannot allow this resolve to be passed and have it said that I favored it.

Mr. THOMAS of Harpswell: Mr. Speaker, I live down on the coast of Maine, and perhaps I do not understand exactly; but if I do understand it, America went into this great war in the interest of a world democracy. Now I ask the gentlemen of this House if this resolution means democracy, or does it mean simply this, that you are creating a new Germany in America? We went to war for the very purpose of ridding the world of the things that Germany had done. Now we undertake to do the very thing that we accused Germany of doing. All the wars in which America has been engaged have been fought in the interest of democracy. In George Washington's time, after the war was over, the greatest thing he ever did was when he went back to the plow and forgot what he had done. He did not do it for the sake of establishing the name of Washington. He did it for the simple reason, the very thing that we are enjoying today, of establishing a world democracy. And what did Lincoln do, Mr. Speaker, after the war was over, after he had shed tears of blood almost to see the Stars and Stripes float over the land of the free and the home of the brave, what did he do? His great arms were ready to wrap around the Southern Confederacy and welcome them back into the fold. This is what all wars have been fought for, and what this war was fought for. Now it seems to me, gentlemen, that I can see lurking in the halls of the House of Representatives the spirit of revenge. Is that democracy? Mr. Speaker and gentlemen of the House of Representatives, if it is then I do not read aright—then I do not read the words from our great President's lips aright; I misunderstand; maybe I do not know. Am I to blame for all the things I

do not understand? I came to the House of Representatives to find that we are here to send broadcast over the world a spirit of revenge. That is not democracy, Mr. Speaker, and I challenge any man in the House of Representatives to prove that this resolution upholds democracy. If it does, then I do not understand. America is now, always has been, and will be forever the home of the brave and the land of the free; and I say that is not freedom. I sincerely hope, Mr. Speaker, that this resolution will fail of passage. (Applause.)

Mr. HINCKLEY of South Portland: Mr. Speaker, I am surprised to think any member of this House would compare the Germans of today with the veterans of the South after the Civil war. They are a different type, and of different breeding and different ideas. The people of the South were our people, our kith and kin, with the same ideals and the same aspirations; and I resent having the Southern veterans and the people of the South mentioned in connection with the Germans of today. It is not a fair comparison. This country today has taken the position, and I think it will continue to take that position, that we should be rid of undesirables; and my position is that every German and every Austrian today is an undesirable. (Applause.) It is true that we boast of being the land of the free and the home of the brave, but I say to you that the acts of brutality which were committed by the German men and the German women were not the acts of the brave; and until they show that they are brave, we do not want them here—any of them. Our great President has been referred to and what has he said in regard to this matter? Our great President received invitations from many of the countries of Europe to visit them, and he accepted every invitation extended to him except two. He refused to visit Germany and he refused to visit Austria, and his reply when the invitations came to him to visit those countries was, "Not until you prove yourselves." That is our position here. We are willing and we are glad to have the Germans and the

Austrians work out their own salvation. We want them to have a chance to do it, but we do not intend to have them work out their own salvation in this country. They have got to work it out where they got their education and training and made themselves capable of committing the atrocities which no other savage country ever committed. Let alone civilized country. We know what they did in this country, and men, I say to you that if those Germans who came to this country as young men and as young women, and were trained and received their education in our institutions, were trained and educated by association with our people, and should have assimilated some of our ideals and some of our mannerisms.—I am going to recognize the fact that so many of them, in spite of all this association, in spite of all this education, were capable then of turning on this country as they did and many of them not even going back to Germany, but working on their schemes and their machinations in our country, trying to undermine our institutions. I am not ready yet to trust these people. It is not a question of whether we want to help Germany or not. It is a question of protecting our own institutions, and I say at this time with President Wilson, "Not, gentlemen, until you prove yourselves." (Applause.)

Mr. GILMOUR of Westbrook: Mr. Speaker, I am not a speechmaker, but I do read the papers, and I have had some knowledge of the Germans. It has been said here that the Germans were fighting on a defensive policy. In August of 1914 was it a defensive policy for the Germans to make a rush across into Belgium and desolate every city and every town that they went through? Was that a defensive policy? Was it a defensive policy to cry out "On to Paris," and for hundreds of miles and hundreds of cities and hamlets to make them desolate, to spread desolation wherever they went, to ravish hamlets and houses and everything they came into contact with? The most cruel, savage barbarity that was ever practiced by any nation was practiced by the Germans, and the Germans are the same as an individual. If an individual commits

murder, assassination, or any crime, is he not punished for it? Is not that nation a criminal nation in the world today? Whoever thought that Germany before this war would ever creep upon an innocent vessel, such as the Lusitania was, going across the sea—non-combatants, women and children, come up out of the water and sink them and send them into the other world without any chance at all for their lives? Murderers and assassins that they were, should they not be punished for it? It was not because they were forced to do it—the German soldiers. How could the Kaiser or one or two of his generals force that great army that covered hundreds of miles in France, desolating every part of it, to do these horrible things? Ask the prisoners that have been detained in German prisons if they were compelled to treat them as they were treated. I hope this measure will pass, and the Germans should be taught the lesson that every criminal is taught when he is behind the bars. (Applause.)

Mr. MAHER of Augusta: Mr. Speaker, I beg the indulgence of the House for just a moment, after the interesting discussion that we have had apropos of this intensely interesting resolution. The sentiments which all the gentlemen have expressed have done them proud, and I am always prone to listen with great care to those who occupy a position of authority, and who have the weight and responsibility of directing matters, and my entire natural instincts and tendencies would be to follow the distinguished gentleman from Houlton (Mr. Barnes) and his distinguished conferee from Calais (Mr. Murchie); but it does seem to me that the bight of this entire matter has been perhaps inadvertently missed. To my mind the bight in this is contained in a word in line three upon the first page and in line six upon the second page. We want to do the thing which is right in regard to this resolution, which is merely an expression of sentiment of the men here gathered who are representing the people of the State of Maine, and in some sense assumed to be the sentiment of men who

want to do the right thing with reference to America, and to those with whom America has been associated. These two words are "returned" and "return." Recognizing all that has been said with reference to the distinction between the German Government and the German people, the bight of this resolution is applicable to those German or Austrian reservists who were in the United States for purposes of their own at the outbreak of the war, or during the same, and who left the United States for purposes of their own, and who it is now meant to reach if they seek to return, if they left the United States and went back and acted in opposition to the United States or to any of the powers associated with the United States. In other words that man who came to these shores welcomed in the name of that broad liberty which is the Genesis of this country, that man who was false to the welcoming of this country and false to the traditions of this country, and then availed himself of the devilish policy of the German Empire which permitted a dual citizenship, namely a citizenship in the United States and at the same time a citizenship in Germany,—a man who availed himself of that, I say, devilish provision of the German Government is not a whit different from the man over here who was seeking to aid Von Bernsdorff, Von Papen and the others who were seeking to stir up in Mexico opposition to the United States, seeking to further in Mexico hostilities via Japan and promising Mexico part of this country. That man does not differ one whit from the one I have cited who left this country to go across the seas in order to avail himself of the dual citizenship provision, and to over there do his bit. My friends, at this juncture, there has grown up an unfortunate situation. We all read the papers, and we see that France, worn, torn and weary, has been a bit confused by discussion of the idealistic before the practical at the Peace Conference and that France has rather been a bit restless; that there has been a tremor

along the nerve system because our own great President, under the press of circumstances or the particular exigencies of the situation, or whatever may have been the controlling reason did not happen to go to the devastated regions of northern France. I believe the United States, upon the proposition of the welcoming to her shores of any of these now returning reservists or later-to-return reservists, wants to take a definite crystalized, clear-cut stand, so that France and the other Allies, or associates, however you may term them, who acted with this Government for the perpetuity of civilization, will know that the heart of America is true to her traditions, is true to the principle that is the very heart of Americanism; that principle which first sought government as an empire where force governed, and then saw the fiction of the law of the vassal under feudalism, where one was the master and the other the serf, and then the spirit of monarchy with kings divine only in right, and then riding over these same waters that have been lately infested with the submarine, until there was founded in this land a dynasty of the people where no man was going to be good enough to rule any other man without that other man's consent. Real liberty never should mean license and real rights always impose a duty. The United States of America at this juncture is going to be true to that sentiment, and we are going to be true, I believe, here in Maine, and we are going to let our minds go back to 1917, and then to 1918, and we are going to remember those lads who with joyous April in their eyes and a song on their lips offered all that they had of life that the Government, such as you and I know, and love, might endure. My friends, we have been passing resolutions about meeting the boys when they come home. We have been discussing memorials in the shape of bridges and monuments and tablets in bronze. Let us say to these lads by our act and by our word that no man who ever sought shelter under that flag, which is the one

flag that has never known defeat, and which is the one flag that never stood for a king or a monarch, but always for a people, that no man who sought shelter under that flag and then sullied it by turning back when it was in danger and going back to assault it, by indirection, by direction, by force or subterfuge, shall be welcomed again to these shores as will these lads who are soon to come to Boston, to New York, to Baltimore, and to the other ports of debarkation.

My friends, there was a time last March when all our hearts were perturbed. There flashed out to the world the unbelievable thing that German ingenuity had evolved a gun that could shoot up into the heavens mile after mile and then across the country mile after mile over Belgium and northern France, from Teutonic soil, until the missile landed in the environs of Paris. It was incredible; it was startling; it was appalling. But the American people rallied then in conjunction with the allies, remembering the admonition of that great statesman, Clemenceau, "The Tiger," who now is just recovering, fortunately and fortuitously, from the would-be assassin's attack, remembering his words to England when he said, "The one who wins this war is going to be the one who fights for the last fifteen minutes, and France is going to be there in the last quarter of an hour." And the United States remembered England's answer in the shape of a member of Parliament who said, "If Italy should leave us, if France even should fail us; if the United States shall withdraw her troops and fail us, England will bring back her troops to her shores, accommodate her navy to new conditions and, if need be, fight on for 40 years." The United States, meeting that spirit and meeting that action, awakened in this country a sentiment upon that Liberty Loan issue that gave them the most stupendous financial victory, showing the solidity of our people, that sent a message right straight up into the heavens and clear across the Atlantic and over

France and over Belgium and into Germany, right into the heart of Berlin,—that the United States of America upon this issue was as one man.

Now, my friends, the armistice is too recent, either for commercial reasons of the future, or for academic distinctions between governments and peoples, to quibble upon words, or to get away from the plain, clean mandate of that resolution which applies to no other than the man who has left these shores, gone over there, committed an overt act against this government or its associates, and now or later seeks to return. He is, as the lawyers would say, equitably estopped. He is in justice debarred forever from these shores. Gentlemen, I hope this resolution will have a passage. (Applause.)

Mr. BOWIE of Falmouth: Mr. Speaker and gentlemen of this Legislature: I hope that the impression does not go out to this Legislature that either one of the gentlemen who have made remarks here upon this important issue against the adoption of this resolution are in any way pro-German. Cato, that great Roman senator, always ended all of his speeches in the Senate after Rome had failed to bring about treaties and negotiations satisfactory to the Roman government with Carthage, "and as for the rest I hope that Carthage will be destroyed." I agree with Brother Maher of Augusta, that this country, or our flag, knows no monarch. It knows no king, and just as the people of Rome were united for the destruction of Carthage, so every single American citizen with true American love in his veins was united, regardless of social political party, or any other difference for the destruction of German autocracy and Prussian militarism;—not to destroy a people; and we must recognize the fact that in Germany German autocracy and Prussian militarism rule the people, and I thank God that the German autocracy and the Prussian militarism has been destroyed forever.



The SPEAKER: Is the House ready for the question?

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

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

The SPEAKER: The question is the adoption of the resolution. All those in favor will say yes when their names are called, those opposed no. The clerk will call the roll.

YEA—Alden, Allan of Portland, Audibert, Austin of Milford, Baxter, Berry, Brackett, Brewster, Brown, Burns of Madison, Buzzell, Carey, Carlton, Case, Chamberlain of Winslow, Chellis, Clason, Clifford, Cochran, Cole, Canary, Corliss, Cowan, Crabtree, Crane, Cunningham, Daigle, Dain, Davis of Freeport, Davis of Old Town, Dolloff, Doyle, Dunn, Dunning, Dutton, Eaton, Farrington, Flint, Foss, Forbes, Fowles, Fuller, Garcelon, Gilmour, Gray, Greeley, Hanson, Hatch, Hinckley, Holley, Houghton, Hussey, Jones, Jordan of Cape Elizabeth, Jordan of New Gloucester, Lanpher, Lausier, Leathers, Leonard, Love, Macomber, Maher, Marr, Mason, McLeary, Miller, Millett, Morin, Mulligan, Murch, Murchie, Murray, Nelson, O'Connell, O'Leary, Orff, Overlock, Pattee, Peabody, Perkins of Boothbay Harbor, Perkins of Orono, Pike, Plummer, Porter, Putnam, Reed, Ridlon, Ring, Roberts, Rowe, Rowell, Sanborn, Savage, Simons, Stevens, Storm, Swift, Thomas of South Portland, Tilden, Varney of Jonesboro, Warren, Washburn, Weatherbee, Williams of Auburn, Wilson of Presque Isle—104.

NAY—Adams, Allen of Sanford, Austin of South Berwick, Barnes, Bean, Bowie, Bragdon, Chamberlin of Lebanon, Colcord, Farnsworth, Sawyer, Small, Smith, Stacey, Thomas of Harpswell—15.

ABSENT—Anderson, Arthur, Bradford, Brann, Burns of Eagle Lake, Casey, Cates, Chaplin, Coulombe, Fagan, Furbish, Granville, Grinnell, Hammond, Hisler, Jillson, Langelier, Mace,

Mathews, Mitchell, Owen, Phillips, Ricker, Rounds, Stanley, Sullivan, Sweatt, Varney of Windham, Williams of Wells, Wilson of Portland, Wyman—31.

When the name of Mr. Murchie of Calais was reached in the roll call that gentleman made the following statement:

Mr. Speaker, I want to vote yes, and I want to say in explanation that in reading the resolution I missed the word "returning." That removes every objection that I have.

One hundred and four having voted in the affirmative and 15 in the negative, the resolution was adopted. (Applause.)

Mr. BOWIE of Falmouth: Mr. Speaker, this has been a serious matter to my mind, and I do not want any misinterpretation of any remarks which I have made. It was mentioned by the gentleman from Westbrook, Mr. Gilmour, that I insinuated that Germany was fighting in self-defense. I did not mean to convey that impression. I meant to convey the impression that as a result of the political, economic and social development of Europe, the psychological effect on increased armaments in all the countries of Europe which existed created a psychological effect upon all the nations, and in no way to infer that Germany was fighting a defensive war from the Prussian and autocratic standpoint.

On motion of Mr. Barnes of Houlton,

Adjourned until tomorrow morning at 10 o'clock.