

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

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SPECIAL SESSION

OF THE

# Seventy-Ninth Legislature

OF THE

# STATE OF MAINE

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1919

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## HOUSE

Friday, Nov. 7, 1919.

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

Prayer by the Rev. Mr. Quimby of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: The Chair wishes to state that owing to the fact that there will be some emergency matters to be acted upon by the House that we must have the requisite number present, which will be 102 members. That means that if we wish to take care of those matters, we must remain present to that number. Unfortunately, owing to some difficulty on the printing, the bills on their final passage are not before us this morning, as we expected. This makes a delay which I am sure we all regret.

From the Senate: Final report of the committee on Public Utilities.

Report accepted in concurrence.

From the Senate: Ordered, the House concurring, that Resolve amending Section 8 of Article 9 of the Constitution as amended by Article 36 of the Constitution, providing for an income tax, be recalled from the committee on engrossed bills, and returned to the committee on taxation.

The SPEAKER: Is it the pleasure of the House that the order be given a passage in concurrence?

Mr. PIKE of Eastport: Mr. Speaker, the committee on taxation has unanimously recommended to this Legislature an amendment to the Constitution, making it possible for future Legislatures to enact an income tax. That received a passage unanimously by this House and in my judgment it should stand. If any member of the committee on taxation will kindly state to this House the reason for re-calling it, I should be glad to hear it.

Mr. WILSON of Portland: Mr. Speaker, this resolve is being recalled for a very simple reason which is that in the haste of preparing it those who drew it neglected to add to it the usual provision for an election which is to be had on the resolve when it goes to the people. That necessary machinery is being drawn in the attorney general's office, and the purpose of this motion is to put the matter in such a position that this may be added and it then be returned for passage.

Mr. PIKE: Mr. Speaker, it seems apparent that such a minor amendment could be made on the floor of the House here. I look back into the past when constitutional amendments in the late hours of a session have been tinkered with and the very teeth taken out of them, and I see no reason why that formal amendment cannot be made here on the floor of the House and this matter go along at this time. This session is now far advanced and we expect to return to our homes tomorrow. I think such an amendment should be made on the floor of the House, and I object to the resolve being returned to the committee on taxation.

Mr. HINCKLEY of South Portland: Mr. Speaker, I want to state that I am in favor of this matter and am anxious for it to go along on its way; but it appears from this order and the explanation made by the gentleman from Portland, (Mr. Wilson), that it would be useless for it to go without this amendment being added to it. I have in mind that it would be impossible to make an amendment to this matter unless the bill itself was in possession of this House. Am I right, Mr. Speaker?

The SPEAKER: The Chair will state that the gentleman is right, but the order asks its return to the committee on taxation.

Mr. HINCKLEY: I think that if this resolve can be brought back to the House it might facilitate the matter and have the amendment here. It would be my idea that that would be the quickest way to dispose of the matter.

The SPEAKER: The Chair will state that its impression is that that went through the Senate last. If so, to amend the order it would have to be brought back to the Senate.

On motion by Mr. Hinckley the House voted to temporarily table the order.

#### Orders

The SPEAKER: The gentleman from Eastport, Mr. Pike, presents the following resolve:

"Resolved, the Senate concurring, that whereas the present cost of living is oppressive to our people, and whereas the United States government has on hand large quantities of staple foods and clothing which were purchased for war purposes and at pre-war prices;

"And, whereas, the United States Government now offers said necessities to the municipal officers of the several towns and cities of this State for distribution to our people at cost, either by parcel post or in carload lots;

"Now, therefore be it resolved that this Legislature in special session assembled, hereby urgently recommends that the municipal officers of the several towns and cities in the State avail themselves of this great opportunity to bring at least temporary relief from the high cost of living.

"And be it further resolved, that the Secretary of State cause a copy of this resolution to be forwarded to the municipal officers of all towns and cities and inform them that complete information may be obtained by communicating with the United States Army Supply Base, Boston, Mass."

Mr. PIKE: Mr. Speaker and gentlemen of the House: I think it is not generally known by the municipal officers of our towns and cities that the United States government now offers at cost a very large supply of the necessities of life. I have not the figures at hand, but I think several hundred million dollars' worth. These necessities were bought at pre-war prices and can be distrib-

uted to our people at very much less than the present prevailing retail prices,—I should say from 25 to 40 per cent less. Now at this time when our people are groaning almost under the excessive cost of living, I think that our municipal officers throughout the State should take advantage of this offer. A few towns have already accepted it and are carrying it out very successfully. I point to the progressive town of Skowhegan, now represented on the floor of this House by the distinguished gentleman Mr. Smith, a municipal officer of that town, who has been instrumental in relieving his people in that section. It is not necessary that the municipal officers pay money in advance to the government. Their credit is good and payment need not be returned until the goods are sold. It has been carried out very successfully in the town of Skowhegan, and I hope that this Legislature will pass this resolution. I yield to the gentleman from Skowhegan, (Mr. Smith).

Mr. SMITH of Skowhegan: Mr. Speaker and gentlemen: I do not see how I can add anything to what has already been said, only to say that for several months our town has been pursuing the policy of purchasing government food at a much lower price than it can be purchased at retail, and it has been very, very satisfactory to the people. I received word this morning by phone that the fourth carload of goods had arrived. Had I known this order was going to be introduced I would have been pleased to have submitted a price list and more of the conditions. As has already been stated, you can procure the goods through parcel post or through the municipal officers.

The SPEAKER: The gentleman from Eastport, Mr. Pike, moves the adoption of the resolution.

A viva voce vote being had the resolution was adopted.

The SPEAKER: Is it the pleasure of the House to give unanimous con-

sent to taking up out of order some House papers?

There being no objection the following House reports were considered:

Mr. Wilson for the committee on Public Utilities on bill an act to empower the county of Aroostook to aid in the construction of a railroad through said county and acquire and hold bonds for building said railroad, reported that the same be referred to the next Legislature.

Report accepted.

Mr. Ricker from the committee on taxation on bill an act to amend paragraph 3 of Section 6 of Chapter 10 of the Revised Statutes, relating to exemption from taxation of property of posts of the American Legion, reported that the same "ought to pass."

On motion by Mr. Garcelon of Auburn report was accepted and on further motion by the same gentleman, the rules were suspended, the bill given its three several readings and passed to be engrossed and sent to the Senate.

Mr. Hammond for the committee on military affairs on bill an act to amend Section 53 of Chapter 259 of the Public Laws of 1917, relating to election and appointment of commissioned officers, reported that the same "ought to pass."

Report accepted.

On motion by Mr. Wilson of Presque Isle, the rules were suspended, the bill given its three several readings and passed to be engrossed, and sent to the Senate.

Mr. Berry of the committee on military affairs on resolve in favor of the town of Bluehill reimbursing said town for money paid to soldiers' dependents, reported that the same "ought to pass."

Report accepted.

On motion by Mr. Cole of Brooklin the rules were suspended and the resolve received its two several readings and was passed to be engrossed and sent to the Senate.

From the Senate: Final reports.  
Committee on Salaries and Fees.  
Sea and Shore Fisheries.  
Ways and Bridges.  
Education.  
Claims.  
Reports accepted in concurrence.

From the Senate: Committee on judiciary on bill an act to prevent profiteering in the necessities of life, and rents and charges for the occupancy of buildings for dwelling purposes and to provide penalties therefor and investigations thereof, presenting the same in new draft under same title, and that it "ought to pass." Senator Davies for the committee.

Report accepted in concurrence.

Mr. HINCKLEY of South Portland: Mr. Speaker, I should like to have the new draft of this bill read. (Clerk reads new draft.)

Mr. COWAN of Winterport: Mr. Speaker, I move that the bill lie on the table temporarily.

Mr. BARNES of Houlton: Mr. Speaker, May I inquire from the gentleman from Winterport (Mr. Cowan), through the Chair when it will be agreeable for him to consider this matter

The SPEAKER: The gentleman from Winterport, Mr. Cowan, may reply through the Chair.

Mr. COWAN: In about fifteen minutes.

The House thereupon voted to temporarily table the bill.

Mr. HINCKLEY of South Portland: I move to take from the table the order relating to the income tax resolve, and may I inquire through the Chair the status of this bill at the present time, or is it simply the order?

The SPEAKER: The pending question is concurrence with the Senate in the passage of the order.

Mr. HINCKLEY: Mr. Speaker, I offer House amendment A, and I wish to say just a word in explanation. I have been warning, as you recall, the members of the House to act in due diligence in examining

matters carefully and see that nothing gets by that you do not understand or that should not properly get by. Since this matter was tabled, I have understood that this order was originally written out by a senator and presented in the Senate, and that it was left to be typewritten, and I ascertain from him that, without his knowledge or consent, these words were added to the order: "and return to the committee on taxation." I am now offering this amendment that those words be stricken out. I again warn the House to watch these matters because this is an evident attempt on the part of somebody to force into cold storage this income proposition.

The SPEAKER. The gentleman from South Portland, Mr. Hinckley, presents the following amendment to the order:

#### House Amendment A

That the order providing for recalling resolve amending Section 8 of Article 9 of the Constitution as amended by Article 36 of the Constitution providing for an income tax be amended by striking out the last seven words of said order. Those seven words are: "and return to the committee on taxation." Is it the pleasure of the House to adopt the amendment?

A viva voce vote being taken, the amendment was adopted.

On further motion by Mr. Hinckley the order as amended by House amendment A received passage in concurrence.

#### Orders of the Day

The SPEAKER: Inasmuch as there is no prepared calendar, the Chair will state that the act to make Tuesday the eleventh day of November a public holiday is on the table on the motion of the gentleman from Houlton, Mr. Barnes. Also new draft of bill relating to salary of superintendent of public buildings is on the table on the motion of the gentleman from Portland, Mr. Rounds, also new draft of bill as to clerk hire in Aroostook county is on the table on the motion of the gentleman from Houlton, Mr. Barnes.

Mr. BARNES of Houlton: Mr. Speaker and gentlemen of the House: With reference to the bill making Tuesday the eleventh day of November a public holiday, it has, as you remember, an emergency preamble so that it might be effective next Tuesday. You have substituted therefor a resolve passed yesterday requesting the Governor to proclaim a holiday, which we assume takes the place of this and fills every purpose which this was intended to fill; and I therefore move that this bill be indefinitely postponed.

The motion prevailed.

On motion by Mr. Barnes of Houlton it was voted to take from the table the bill relative to clerk hire for various officials in Aroostook county.

Mr. BARNES: Mr. Speaker and gentlemen: It is a man of great temerity who starts making a speech at this time. I am not going to; I am going to make a statement; and I say before I make this statement that I have the unanimous support of the Aroostook delegation, or to put it another way, I have the cordial and hearty support of each and every single member of the Aroostook delegation in both branches in favor of the motion I am going to make, and I will preface my statement by another statement, which means a good deal to me and that is that this is of no interest to members of other sections of the State unless it is dangerous as a precedent. We are asking you to authorize us to pay some of our public servants a living wage; not that we are increasing anybody's salary, but that the public servants of Aroostook county are now in a position where they take out of their salaries money to pay their stenographers and clerks to do our business. Now there are a great many transfers of real estate in Aroostook county, both by way of deed and mortgage. The register of the Southern District has in his office three clerks, and we used to engage those clerks for the price of their board and clothes, and I won't admit what low wage we used to pay, but

at the end of the last month a most competent young lady in that office who was drawing a very low salary said that she had entered into a contract to come to Augusta and serve as stenographer in a certain business house at twenty dollars per week. The Register with regret had to dispense with her services and he has been casting about to find some one who after two or three years will be able to fill her place, and he thinks he has got to pay that party almost as much as the first young lady is going to get down here. Now figuring it over carefully with the register of deeds for the Southern District, we find that in order to get through until the next Legislature, he should have an allowance of six hundred dollars added to his allowance for clerk hire. Furthermore this money does not go to the head of the department, but it goes into the hands of the treasurer of the county and the county commissioners and is paid directly to the clerk and not to the head of the Department.

We have another head of a busy department there who is a very efficient man and who gets along with an assistant and a clerk. That is the clerk of courts, and we ask for an addition to his salary of four hundred dollars.

Now in the bill there is another proposition. We have a county of quite large extent geographically. In Aroostook county there seems to be occasion for the county attorney to leave his office, leave his town, leave his business, and go and investigate matters, because we have found that in case a dead body is found somewhere where there may possibly have been foul play, that it is vastly cheaper for the county to have the county attorney go and investigate the matter than it would be to have the deputy sheriff or coroner or some other party investigate it, the county attorney having finally to investigate it before the grand jury at great expense. In some counties the county attorney does not have to do that, but can sit in his office all of the time except at the

session of the Supreme Judicial Court on a criminal term. But our county attorneys are young men and young lawyers. If they have to go and leave their office and a man comes in seeking legal counsel and has no particular counsel in mind, and goes to the county attorney's door and finds the door locked, he goes and gets his business done somewhere else and the young attorney is the loser thereby. We have a county attorney whom most of you know. He is a man who has never had in his office a stenographer. He has since the first of January done much business for the county from all over the county and clear to Halifax. He gets a salary which ten or fifteen years ago would have seen munificent—fifteen hundred dollars. God Almighty has given him three beautiful children, and he has a wife. He supports a home which takes money. It takes money to clothe these olive branches, for they are not clothed otherwise. It takes money to feed them; it takes money to maintain himself in such position as he should in such a flourishing metropolis as Presque Isle in Aroostook County. If he hires a stenographer, he will pay her eighteen dollars per. That will take nine hundred dollars of his salary and he will have six hundred dollars left to protect his olive branches from contact with the bitter winds of the howling north of this same Presque Isle. Now Aroostook county says we want to allow William R. Roix six hundred dollars for clerk hire. I am not quite through. There is another official, a man who for years was the cashier of the Houlton Trust Company, and who by training and education is a lawyer and a good one. He was elected treasurer of Aroostook county and from the minute that he got into his office he began certain investigations relative to the question of the payment of taxes, the assessment of taxes, and the distribution of the county money, which has saved us a lot of money. This has involved an interminable amount of correspond-

ence, and we ask that the Legislature allow Aroostook county to authorize the treasurer, if the county commissioners audit the bills, to pay the cost of a stenographer for the treasurer of Aroostook county in the sum of three hundred dollars per annum. In the wisdom of the committee on salaries and fees the bill was amended. The amendment says in effect that Aroostook county shall not pay for a stenographer for Mr. Roix the county attorney, or for Mr. Putnam the county treasurer.

Now, bearing in mind my prefatory remarks that my whole county is behind me in this proposition, I move you, Mr. Speaker, that the bill be substituted for the report.

The SPEAKER: The Chair will state that it was a favorable report and the report was accepted and it comes up on a question as to whether we shall suspend the rules and give it its reading at this time.

Mr. BARNES: I move, Mr. Speaker, that the rules be suspended and the bill given its three several readings at the present time.

Mr. ROUNDS of Portland: Mr. Speaker, I think there is some misunderstanding. Part of the bill was reported favorably on, and part they had turned down the increases asked for. Am I not right?

The SPEAKER: The Chair will state that this appears to be a favorable report, signed by Peabody for the committee.

Mr. BARNES: Mr. Speaker, if the gentleman from Portland (Mr. Rounds) will allow me, the gentleman from Portland is absolutely right. That is a report in new draft, leaving out the two items which in my remarks, when I so discourteously turned my back to the Speaker, I alluded to. Now just when in the parliamentary situation the substitution is to be made is entirely immaterial to me, and perhaps I do not know; but we wish the bill enacted as it was originally drawn, and that would be, in my judgment, a substitution of the bill for the report.

The SPEAKER: The Chair was

not aware that that was the gentleman's motion. That is the proper motion if that is the fact. Is it the pleasure of the House that the original draft of the bill be substituted for the report of the committee?

A viva voce vote being had it was voted to substitute the original draft of the bill for the report, and on motion by Mr. Barnes of Houlton the rules were suspended and the bill in original draft was given its three several readings and passed to be engrossed.

The SPEAKER: That leaves one matter on our table, tabled by the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to have that lie on the table a few minutes longer. There is another bill soon coming in that will take care of this, and then I will move the indefinite postponement of this bill.

From the Senate: The joint standing committees on legal affairs and judiciary submitted their final reports.

Reports accepted in concurrence.

From the Senate: Report of the committee on legal affairs on an act to confirm and ratify the organization of the Durham Cemetery Association, that the same ought to pass. Senator Parent for the committee.

Report accepted in concurrence.

On motion by Mr. Allen of Sanford the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.

From the Senate: Resolve in favor of committees attending hearings October 14 and 15. This comes from the Senate without reference to a committee, read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Hinckley of South Portland, the resolve had its two several readings in the House and was passed to be engrossed in concurrence.



From the Senate: Resolve in favor of Mellen Tryon for services as clerk and for stenographic work for committees.

Resolve in favor of Edmund B. Mallett for services as clerk and for stenographic work for committees.

These come from the Senate referred to the Governor and Council.

In the House so referred in concurrence.

Unanimous consent being given the following communication from the treasurer of State was taken up out of order:

STATE OF MAINE.

Augusta, November 7, 1919.

To the Honorable House of Representatives:

Pursuant to the order from your Honorable Body under date of November 6, 1919, that the treasurer of state forthwith report to this House the amount of money available for the payment of men comprising the quota of this state in the World War, as provided by Chapter 101 of the Public Resolves of 1917, I wish to state that the cash balance at the close of business on November 6, showing the amount of money in the general fund is as follows:

In banks,	\$1,319,027.56
Cash in office,	54,032.73

Making a total of	\$1,373,060.34
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There are no figures available in this office showing liability against this fund, the treasurer paying from it upon warrants made up in the State Auditor's office and approved by the Governor and Council.

Yours truly

(Signed) Joseph W. Simpson,

Treasurer of State.

On motion by Mr. Barnes of Houlton it was voted to accept the reply of the treasurer and extend it in the Legislative Record proceedings and place it on file.

On motion by Mr. Cowan of Winterport it was voted to take from the table the profiteering bill.

Mr. COWAN: I offer House amendment A to bill an act to prevent

profiteering in the necessities of life by inserting after the word "necessities" in the eighth line of the new draft, the words "or unreasonably discriminates against any person in the sale of such necessities."

Mr. Speaker, this bill seeks to enact a law which is very much needed in these times. Of course it is impossible to cover all contingencies which might arise or which might be imagined. There is a situation in the State today which may arise at various times under like conditions. For example, there is a great shortage of sugar at the present time, and it has so happened that in various parts of the State dealers have been able to obtain large quantities of this very necessary commodity and have made conditions whereby its distribution has been hindered. Conditions were made whereby persons in order to obtain any of this sugar must purchase all of their groceries of that dealer. It is all right for a man in the grocery business to look after his customers first; and if he has a limited supply of any commodity, like sugar at the present time, he should see that his customers, those of whom purchase all of their groceries of him, should be taken care of first; but the excess it seems to me should, be so taken care of as to not drive everybody else out of business. This is not only true with the retail dealer, but it is true of wholesale dealers in Bangor and other cities in the State who have been able to obtain large quantities of sugar, and yet would not allow retail dealers to have it except those who agreed to buy all of their supplies of them. Now reasonable conditions like that would not be effected by this amendment, but unreasonable conditions will. I move the adoption of the amendment.

Mr. HINCKLEY of South Portland: Mr. Speaker, may I ask the gentleman from Winterport, Mr. Cowan, whether or not he has presented his views to the committee on Judiciary?

The SPEAKER: The gentleman

from Winterport may reply through the Chair

Mr. COWAN: Mr. Speaker, I did briefly.

Mr. HINCKLEY: Now Mr. Speaker, it seems to me that this matter has been given very careful attention by the attorney general and by the committee on judiciary, I think there is danger of people getting too hysterical and going too far. It seems to me this bill would properly protect and take care of the people and mete out any proper punishment to those who are doing the things they should not do in the line of profiteering. It seems to me—although not a member of that committee, I have great respect for the judgment of those men—that we had better leave the matter the way they presented it, and I hope the bill will not be amended in this way.

Mr. COWAN of Winterport: Mr. Speaker, before speaking to the committee about this amendment, I took the matter up with the attorney general and he had no objection to it. Now the committee have revised the bill as originally presented so that you would hardly recognize it. It seems to me that when we are here making laws for the benefit of the State, we should try to make them in such a way that they will affect some condition that might possibly arise. Now the way that bill exists at the present time there is hardly a situation that can arise in this State of Maine, settled sparsely as it is, with conditions as they are whereby any benefit could accrue to the people through the passage of it; and by this amendment I simply seek to make a practical application of the bill so that it will do the people some good, and, gentlemen, I hope that the amendment will be adopted. (Applause.)

Mr. BARNES: Mr. Speaker, as I understand the amendment, it applies and is limited to Section one.

The SPEAKER: The amendment does not state it, but that is apparently what is meant.

Mr. BARNES: May I ask that section one be read of the new draft as

it will appear if the amendment were attached to it?

(Clerk reads.)

Mr. FARNES: Mr. Speaker, a majority of the judiciary committee are present; I can speak only for myself. I see no objection to the adoption of the amendment.

Mr. MAHER of Augusta: Mr. Speaker, there is one other member of the committee I can frankly state to the House, without any reflection on the committee or its deliberations, that this measure was considered very carefully; and there was so many conflicting views upon other phases of the bill, that, as a matter of fact, this very worthy amendment of the gentleman from Winterport (Mr. Cowan) did not receive the attention which it merited and deserved and that I think was intended to give it. The amendment which he suggests is not only of itself wholesome but it broadens the scope of the bill, and really is a necessary part thereof, and should be accepted. (Applause.)

Mr. CHAPLIN of Bridgton: Mr. Speaker, it is my opinion that the amendment should be adopted.

Mr. HINCKLEY: Mr. Speaker, inasmuch as the Judiciary committee seem now to line up on the side of this amendment, I will make no objection to it.

Mr. BARNES: Mr. Speaker, I have sat here through three months, and by insinuation and innuendo have mutely received this sort of treatment. I resent it. The judiciary committee is not omniscient; the judiciary are but human, appointed by the Speaker. They have attempted to do their duty which the House has put upon them. They have labored some, some of them, sometimes. They make mistakes; they err; anything else is divine. We do not assume too much of that attitude in our committee. For mistakes we apologize and plead our humanity, but I am done—all done—with sitting tight with that sort of diatribe.

Mr. MAHER of Augusta: Mr. Speaker, as one other of that committee, with some respect for the profession—

The SPEAKER: Does the gentleman rise to the question of personal privilege?

Mr. MAHER: I am addressing myself to this particular amendment.

The SPEAKER: If the gentleman rises to the question of personal privilege, the Chair rules his remarks in order, and the Chair assumes that he does.

Mr. MAHER: Mr. Speaker, I can assure this House that the Judiciary committee did give this matter genuine and careful consideration and that they deliberated not only by day but long into the night upon it; and when we say that inadvertently the worthy suggestion of the gentleman from Winterport (Mr. Cowan) did not receive the consideration that it merited, we mean no reflection upon the judiciary committee that would give rise to the innuendo of the gentleman who preceded me, save one, and I heartily coincide with not only the tone and tenor, but the substance of the remarks of the gentleman from Houlton. I think it not becoming to interpret the suggestion which I made in reference to the gentleman from Winterport's amendment as the gentleman from South Portland (Mr. Hinckley) seemingly has done.

Mr. HINCKLEY: Mr. Speaker, of course the legal profession is rather jealous of its reputation, and much can be excused by reason of the nervous strain at this particular time. Now if the House will recall my position, I objected to this amendment, as they will remember, because I had great respect for the judiciary committee and its members, and inasmuch as they had listened to this matter and have undoubtedly given it due and proper consideration, I thought they should be sustained and that we should sustain them. The distinguished gentleman from Augusta (Mr. Maher) told us in so many words, and you heard him in his essay delivered before the last one, that they had not given this particular matter proper consideration. They were all busy; we were all busy; more matters heard than

should be in the short time allotted to us by reason of the stress of business. They apparently overlooked this matter, and the gentleman from Augusta frankly and fairly admitted it; and I said, and I say now, that inasmuch as they admit, whatever the reason, that this particular matter apparently had not been fully considered by them—and it evidently was not because they all say now they are agreeable to it—why of course let it go along.

Mr. BAXTER of Portland: Mr. Speaker, I rise to a question of personal privilege. It seems unfortunate that even though we are impatient to get home and are anxious to terminate this session there should be any reflection upon any of our committees. It was with difficulty, Mr. Speaker, that I remained silent this morning when the gentleman from South Portland (Mr. Hinckley) reflected upon the good faith of the committee on taxation. It was I say with great difficulty that I repressed my indignant feelings and refrained from standing up here and saying something in defense of that committee. The gentleman from South Portland, Mr. Speaker, made a slurring reflection upon that committee, and, although not a member of that committee, I desire to rise here and say that it would have been perfectly safe for this House to have sent back the income tax bill for correction by the taxation committee. As a matter of fact when this income tax bill, Mr. Speaker, was first presented here, I myself noticed that it entirely lacked any machinery whereby it might become effective. It was wholly inoperative in its original form. I thought that doubtless it was prepared hastily and that machinery would be provided when it came up for final action in either one of these branches. All that the committee on taxation, I am sure, Mr. Speaker, wished to do was to provide the necessary machinery so that the constitutional amendment which they unanimously agreed upon might be voted upon next September by the people of this

State. If the gentleman from South Portland lacks confidence in the taxation committee, if he suspected any trick was about to be perpetrated by that committee, he certainly ought to have taken this House into his confidence instead of making the insinuating reference which he has made against the good faith of that committee.

Now, Mr. Speaker, in regard to this profiteering bill the committee on judiciary worked for hours on it. When the bill was first presented it provided that certain classes of people in the State of Maine were exempted from its provisions. After considering the bill carefully, the committee on judiciary said that if anybody in the State of Maine was acting unfairly, if anybody was profiteering, the committee wanted those people to come under the provisions of this bill. We made the bill broad and comprehensive and we hope that it will accomplish all the purposes it seeks to accomplish. The amendment which the gentleman from Winterport (Mr. Cowan) has suggested is an excellent one. I hope it will be adopted if it has not already been adopted; and as a member of the committee on judiciary I will say for myself, and I know I speak for the other members, that we are glad to have suggestions made; we are glad to have amendments made which improve legislation passed by this House. For one I want to go on record, Mr. Speaker, as agreeing with the excellent suggestion of the gentleman from Winterport.

Mr. HINCKLEY of South Portland: Mr. Speaker, I rise to a question of personal privilege. I think in answer to the gentleman from Portland (Mr. Baxter) that an explanation surely is in order. Again there seems to be a misunderstanding or misinterpretation certainly, of the intent that I had in mind. The order that was introduced here, as you know, the explanation was made that this order was written by a member of the other branch. After the matter was tabled I was informed that his

order was simply to re-call this that it might be acted upon in the Senate. It was written in longhand, and after he had left it with a stenographer these words had been added and it was returned to the committee on taxation. It seems to me that the gentleman who wrote the original order should have been consulted before these words were written in. I did not suggest and did not believe that the committee on taxation had anything to do with it, and I do not now; but I do suggest, and I believe it is the only fair inference, that somebody was interested to get that into a committee, because it would be almost impossible for a committee to work those matters out now and get them in shape. We are getting along near the end of this session. This is no reflection on the committee on taxation. Do not believe for a minute that it is and there seems to be no good reason why my remarks should be interpreted in that way by the committee on taxation.

I hope this explanation will satisfy the members of the House that I mean no reflection on no particular person and certainly on no particular committee.

Mr. PIKE of Eastport: Mr. Speaker and gentlemen of the House: I rise to discuss the bill. In my judgment, while I am in favor of any legislation that may have a tendency to reduce the high cost of living, this particular measure will not go very far in that direction. It seeks to confer upon the attorney general of this State judicial power, the authority to summon witnesses before him. This is a judicial power that the constitution does not confer and we by statute cannot confer it upon such an official. If the attorney general can have authority to summon before him witnesses to give testimony as to profiteering, then in murder cases, for instance, he may summons witnesses of the defense to his office here in Augusta and take all their testimony in writing. It is true that the provisions state that he shall apply to the court for an order, but the testimony is not to be taken before

a judicial officer; it is to be taken before a prosecuting officer of this State. I am not a constitutional lawyer, but in my humble judgment there is no authority under the Constitution to compel such testimony before the Attorney General of this State. That is my only objection to the bill.

The SPEAKER: The gentleman from Winterport, Mr. Cowan, has moved that after the bill has its first reading, which has to precede the amendment, House Amendment A as read, be adopted.

Thereupon the bill had its first reading and the House voted to adopt House amendment A.

The SPEAKER: The same gentleman also moves that the rules be suspended—

Mr. BOWIE of Falmouth: I move, Mr. Speaker, that the bill be laid upon the table, and I would like to make an explanation.

The SPEAKER: The Chair will state that a motion to lay upon the table is not debatable, but the Chair will permit a brief explanation.

Mr. BOWIE: Mr. Speaker, this is a bill prepared for the purpose of protecting the public against what should be unlawful profiteering. It seems to me that there is no bill of greater importance before this Legislature and that there has been no bill presented more deserving of an emergency clause than this bill. We have just passed a resolution in this House urging the municipal officers of our cities and towns to take advantage of the means of distribution of government supplies, including the necessities of life, in order that our people may be relieved from the burdens of the high cost of living. If there is profiteering going on in the State of Maine I consider that it is stealing and a man who will steal is deserving of no greater consideration from this State than a man who will profiteer. A man who will profiteer should have no greater consideration than a man who will steal. He deserves to be imprisoned.

The SPEAKER: The Chair will interrupt and ask the gentleman if he simply wishes to prepare an amendment?

Mr. BOWIE: That is all, Mr. Speaker.

The SPEAKER: That makes it clear to the House, I think. All those in favor of the motion to table will say aye, those opposed no.

A viva voce vote being had the motion to table failed of passage.

On motion by Mr. Maher of Augusta the rules were suspended and the bill received its second and third readings and was passed to be engrossed.

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From the Senate: Report of the committee on legal affairs on an act to amend Chapter 84 of the Private and Special Laws of 1919 entitled an act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce, reporting the same in new draft under same title and that it "ought to pass."

Report accepted in concurrence.

On motion by Mr. Wilson of Portland temporarily tabled.

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From the Senate: Report of committee on salaries and fees on bill an act to provide a bonus for the heads of state departments, reporting the same in new draft under same title and that it ought to pass.

Report accepted in concurrence.

On motion by Mr. Rounds of Portland the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.

On motion by Mr. Rounds of Portland it was voted to take from the table an act to amend Chapter 27 of the Revised Statutes, relating to the salary of the Superintendent of Public Buildings; and on further motion by the same gentleman the bill was indefinitely postponed.

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On motion by Mr. Pike of Eastport the House recessed until 3 o'clock in the afternoon.

**After Recess, 3 P. M.**

From the Senate: Ordered, the House concurring, that all committees of this Legislature now assembled report all matters before them to the Legislature at 10 o'clock Friday morning, November 7, 1919.

Accepted in concurrence.

**Orders**

On motion by Mr. Bowie of Fal-mouth, it was

Ordered, that Senate Document No. 16 an act to prevent profiteering with the necessities of life and rents or charges for the occupancy of buildings for dwelling purposes and to provide penalties therefor and investigations thereof, be re-called from the Senate.

On motion by Mr. Bowie of Fal-mouth, it was

Ordered, that the Clerk of the House, prepare and cause to be printed under his supervision and direction six hundred copies of the Journal of the proceedings of the present session of the House.

**Passed to be Enacted**

An act to repeal Chapter 14 of the Public Laws of 1919 relating to the acknowledgment of deeds.

An act to provide for the payment of a bonus to Maine soldiers and sailors in the war with Germany.

An act amending Section one of Chapter 202 of the Private and Special Laws of 1913, relating to the election of assessors for the city of Portland by providing for filling of vacancies in case of death, resignation or otherwise.

An act to require mirrors or reflectors on certain motor vehicles and to regulate the use of spotlights thereon.

An act to amend Section three of Chapter 144 of the Revised Statutes, as amended by Section one of Chapter 130 of the Public Laws of 1917, and by Chapter 58 of the Public Laws of 1919, relating to commitment to State School for Boys.

**Finally Passed**

Resolve in favor of the International bridge between Madawaska,

Maine and Edmundston, New Brunswick.

The SPEAKER: The Chair lays before the House an act to correct a clerical error in Chapter 60 of the Private and Special Laws of 1919, being an act entitled an act to amend an act entitled an act to incorporate the city of Old Town and to validate the doings of Old Town and the acts of its street board. The Chair will state that this act carries the emergency clause and requires a two-thirds vote of all the members elected to this House in order to enact it. All those in favor of its being passed to be enacted will rise and stand until counted.

A division being had

106 voted in favor and none against.

So the bill was passed to be enacted.

The SPEAKER: The Chair lays before the House resolve proposing an amendment to Article 9 of the Constitution to provide for a bond issue for the purpose of paying a bonus to Maine soldiers and sailors in the war with Germany. The Chair will state that this being a constitutional amendment requires a two-thirds vote of all the members. All those in favor of the final passage of this resolve will rise and stand until counted.

A division being had,

106 voted in favor and none against.

So the resolve was finally passed.

**Orders of the Day**

The SPEAKER: This brings us, I think, to the only tabled matter that we have

Mr. WILSON of Portland: Is that the so-called State Pier bill?

The SPEAKER: The Chair will state that it is.

Mr. WILSON: Mr. Speaker, I move that that bill be taken from the table.

The motion was agreed to.

Mr. WILSON: Mr. Speaker, this is quite a long bill and I have only

had time to go over it briefly. While I think there are many things in it that might be changed, I realize that it is a matter of great importance and I think that it should go along. I therefore move that the rules be suspended and the bill given its three several readings at this time and passed to be engrossed in concurrence with the Senate.

The motion prevailed.

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### Recess

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#### After Recess

From the Senate: Report of the committee on salaries and fees on bill an act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 of the Public Laws of 1919, increasing the salary of the treasurer of Penobscot county. This report "ought not to pass," was accepted by the House. The papers come back from the Senate with the bill substituted for the report and given its two several readings under suspension of the rules and passed to be engrossed.

On motion by Mr. Cunningham of Patten, the House voted to recede and concur with the Senate in the substitution of the bill for the report; and on further motion by the same gentleman the bill received its three several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Resolve amending Section 8 of Article 9 of the Constitution, as amended by Article 36 of the Constitution, providing for an income tax. This was passed to be engrossed in concurrence with the Senate. It comes back from the Senate re-called from the engrossing office and passed to be engrossed as amended by Senate amendment A.

On motion by Mr. Wilson of Portland the vote was re-considered whereby this resolve was passed to be engrossed and on further motion by the same gentleman it was voted to adopt Senate amendment A in concurrence.

Mr. PIKE of Eastport: Mr. Speaker, may the Clerk read the original resolve as drafted by the committee.

(Resolve read.)

Thereupon the House voted that the bill be passed to be engrossed as amended by Senate amendment A in concurrence.

The SPEAKER: I wish the members to remain in their seats for it may be necessary to have a roll call. The question has been raised, and the Chair is not absolutely certain, and believes that we had better take a yea and nay vote on the resolve in relation to the bonus to soldiers. Is it the pleasure of the House that we re-consider the action whereby we finally passed the resolve.

Thereupon the House voted to re-consider its action whereby the resolve was finally passed.

The SPEAKER: The Chair is going through this simply to cover any possible uncertainty. The Clerk will call the roll, and all those in favor of finally passing this resolve will say yes when their names are called and those opposed will say no. The question has been raised and the Chair is frank to say that it cannot put its finger on the authority that decides it one way or the other, but this will make it certain.

Mr. BEAN of Minot: Mr. Speaker, I would like to inquire what we are voting on.

The SPEAKER: The Chair will state that it is a resolve proposing an amendment to Article 9 of the Constitution providing for a bond issue for the purpose of paying a bonus to soldiers and sailors in the war with Germany. Those in favor of the resolve being finally passed will say yes when their names are called, those opposed no.

Mr. MAHER of Augusta: Mr. Buzzell of Belfast was obliged to take a train, Mr. Speaker, and asked me to record him as voting yes on this resolve when it came up.

The SPEAKER: It is of course impossible for the vote of a member to be recorded in his absence.

Mr. MAHER: I simply wish to make it a matter of record.

The SPEAKER: The Clerk will call the roll.

YEA—Adams, Allen, Sanford; Anderson, Arthur, Audibert, Austin, Milford; Austin, South Berwick; Barnes, Baxter, Bean, Berry, Bowie, Bragdon, Brewster, Brown, Burns, Eagle Lake; Burns, Madison; Carlton, Casey, Case, Cates, Chamberlain, Winslow; Chaplin, Chellis, Clason, Clifford, Cochrane, Colcord, Cole, Corliss, Coulombe, Cowan, Cunningham, Daigle, Dain, Davis, Freeport; Doyle, Dunn, Dunning, Eaton, Fagan, Farrington, Foss, Forbes, Fowles, Fuller, Furbish, Garcelon, Gilmore, Granville, Grinnell, Hanson, Hatch, Hinckley, Holley, Houghton, Hussey, Jillson, Jones, Jordan, Cape Elizabeth; Jordan, New Gloucester; Langelier, Leathers, Leonard, Love, Mace, Macomber, Maher, Marr, Mason, Mathews, Millett, Murchie, Murray, O'Connell, O'Leary, Orff, Overlock, Owen, Peabody, Perkins, Boothbay Harbor; Perkins, Orono; Pike, Porter, Reed, Ricker, Ridlon, Roberts, Rounds, Rowe, Sanborn, Savage, Simmons, Small, Smith, Stacey, Stanley, Stevens, Storm, Sullivan, Thomas, Larpswell; Thomas, South Portland; Tilden, Varney, Windham; Warren, Williams, Auburn; Williams, Wells; Wilson, Presque Isle; Wilson, Portland.

Yes—109.

None in the negative.

One hundred and nine having voted yes and none voting no, the resolve was finally passed.

The House voted to receive out of order two resolves relating to the payroll of the House and its officers presented by Mr. Holley of North Anson.

Mr. HOLLEY of North Anson: I move that these two resolves have their two several readings at this time.

The SPEAKER: Is it the idea of the gentleman to have these referred to a committee?

Mr. HOLLEY: Yes, Mr. Speaker.

On motion by Mr. Holley of North Anson these two resolves were referred to the committee on appropriations and financial affairs.

#### Passed to Be Enacted

An Act to incorporate the Portland State Pier Site District.

On motion by Mr. Baxter of Portland tabled temporarily.

(At this point His Excellency, the Governor, was announced.)

The Speaker: Gentlemen, His Excellency, the Governor, to report in accordance with the terms of the House orders on State contingent fund and expenses of the Blaine Mansion.

Governor: Milliken: Mr. Speaker and gentlemen of the House: I received yesterday afternoon, copies of the following orders:

“State of Maine,

“In House of Representatives,

“November 4, 1919.

“Ordered, that the Governor be requested to file with the Clerk of the House an itemized statement of expenditures for 1917, 1918 and 1919, which have been made from or charged to either the contingent fund of the Governor and Council or the State contingent fund,” with the usual endorsements showing passage. Also, “Ordered, that the Governor be requested to file with the Clerk of the House an itemized statement of expense already incurred in connection with rebuilding, repairing, altering and furnishing the former residence of Hon. James G. Blaine, and also statement of cost of the adjoining property purchased or to be purchased by the State, together with a detailed estimate of future expenses of this kind; also an estimate of the expense of maintenance of same for 1920.”

I take these orders up together, and state in the first place that I am filing now with the Clerk the detailed figures, and I have sought this opportunity to come in person in order that I may explain the figures to some extent and summarize them for your convenience.

I want you to consider first the State Contingent Fund. From the fact that I find in talking with members a very general lack of understanding as to what that fund means, at the risk of going over a matter that some of you are familiar with, I want to take a few minutes to explain it, briefly but I hope clearly.

In the first place let us understand that the State Contingent Fund is nothing more or less than the work-



ing balance from year to year. It represents the excess, if there be any excess, of revenue over appropriations. It is what a business concern would call the profit and loss account, or the surplus,—nothing more nor less than that. Now there are two ways by which income gets into the State Contingent Fund. Under the law a balance of an appropriation which has not been expended—appropriation by the Legislature which has not been expended—on December 31st of the year for which it was appropriated may be lapsed by order of the Governor and Council into the State Contingent Fund. That is the first source of income. In practice that action is taken when in the judgment of the Governor and Council the need of expenditure under that particular appropriation is finished. For example, the appropriation of a certain amount has been made for the construction of a building. The building is all constructed and completed in the year, all bills paid so far as anybody knows, and the balance remains. Very likely the Governor and Council would lapse that balance, as we call it, into the Contingent Fund of December 31.

The second source of revenue to the Contingent Fund is the provision of the statute that appropriations in a given year automatically lapse into the Contingent Fund on June 30th of the following year, unless work is already under way or in some way the appropriation is in process of expenditure. Those circumstances may sometimes be held beyond June 30. Have I made it clear, then, that the Contingent Fund is the working balance, the surplus, if there is any, of income over outgo, and that it goes into the Contingent Fund in those two ways?

Money comes out of the State Contingent Fund on the order of the Governor and Council in three ways.

First, it comes out for bills against appropriations the year before which did not come in until after the appropriation was lapsed or for which the appropriation was insufficient.

For example, when we began business here in January, 1917, a large project of construction was under way at the Maine State Prison, the appropriation having been made for use during 1916. The project was not completed. It turned out that a large amount beyond the total of the appropriation was needed to finish that job. That amount was furnished under the Contingent Fund law by order of the Governor and Council over the 1916 appropriation.

The second method by which it comes out from the Contingent Fund by order of the Governor and Council is by additions made to appropriations that have proved insufficient or funds set up to perform work that the Legislature has authorized but for which no appropriation is made. May I illustrate briefly? For example: A state institution for which the Legislature has made a given appropriation, finds near the close of the year that appropriation for maintenance is insufficient. Application is made to the Governor and Council,—and the Governor and Council in those instances are acting in the place of the Legislature, just as the directors act in place of the stockholders of the corporation when the stockholders are not in session. If that application is approved by the Governor and Council an amount is appropriated or transferred, as we call it, from the State Contingent Fund and added to that appropriation. Or it may be that the Legislature has authorized a piece of work and has made no appropriation. To come to your own session last winter for example the Centennial celebration proposition is of that kind. You authorized observance of Centennial of the State in 1920 and elected a committee to do that work. You made no appropriation. That created an obligation upon the State to do a certain piece of work and the funds for that purpose would have to be provided out of the Contingent Fund by order of the Governor and Council. You took the same kind of action in regard to the Bath Ferry. You authorized the

Governor and Council to acquire that property, to make such expenditures as may be necessary to furnish adequate ferry service. You made no appropriation for the purpose, the understanding being that the Governor and Council would have to take the necessary funds from the Contingent Fund. That is the second way by which money goes out from the Contingent Fund on order of the Governor and Council,—by appropriation, acting in place of the Legislature either to add to an insufficient appropriation that you have made or to provide for a project for which you made no appropriation but which you authorized.

The third case is the case of emergency. The so-called Contingent Fund law authorizing the Governor and Council to spend money from the Contingent Fund or to authorize this expenditure in a real case of emergency, if the emergency in the opinion of the Governor and Council is fairly shown to exist. May I illustrate that briefly. In 1917 it appeared that the boilers of the heating plant of the Maine State Prison had been condemned by inspectors; they were unsafe and unusable. It was necessary of course that the institution should be heated during the coming winter. The Governor and Council in the situation decided that an emergency existed and set aside out of the Contingent Fund the necessary money to put in the new boilers.

Now I have made so much preliminary explanation in order to make clear the figures, the summaries of which I am going to give you now for the three years. Bear in mind that the detailed figures are here and will be on file with the Clerk. These are the totals:

Balance in the Contingent Fund on January 1, 1917, when we began business was \$106,614.68

There came into that fund during the year 1917 sixty items lapsed from various appropriations amounting to 412,534.91

There went out from the Contingent Fund by transfer to various appropriations, some of them of the year before, and some of them of the current year as I have indicated, 215,009.09

Leaving the balance of the Contingent Fund on January 1, 1918, 304,140.50

Now I may say that for the year 1917 these figures which I am filing with the Clerk in accordance with your request are printed in the State Auditor's report and have been circulated for some time and are available in that form. What I am filing is the printed pages, taken out of his report.

In 1918 there were 81 items lapsed for the year into the Contingent Fund, unexpended appropriations balances, amounting to \$352,761.95

There were 312 items transferred out of the Contingent Fund, various appropriations, amounting to 331,405.72

The balance on January 1, 1919, was 325,496.73

For the year 1918 also the figures of which I am giving you the summary, the detailed figures, which I am filing with the Clerk, a part of the printed report of the Auditor which had been published and circulated.

From January 1 to November 1, 1919, 161 items have been lapsed into the Contingent Fund, amounting to \$150,687.51

150 items in all have been transferred from the Contingent Fund, amounting to 164,417.41

And in that total is all of the expenditure for the Blaine Mansion, because the Blaine Mansion proposition is one of the kind of projects to which I just referred, which the Legislature

authorized but for which no definite appropriation was made.

The balance in the State Contingent Fund on November 1, 1919, therefore, was

\$311,766.83

In this connection, let me call your attention to an error which perhaps was a natural one in the remarks made the other day in connection with this order. I hold in my hand the Kennebec Journal of November 6, which is the only available form in which the official record so far—stenographic record—has been published. These are part of the remarks reported as having been uttered by the gentleman who presented the order on November 5, as follows: "On the first day of last January the State Auditor reported \$325,496.73 in the State Contingent Fund, and in June by reason of lapsed appropriations that fund was increased \$150,687.51, making the total last June of \$476,184.24." You will notice that those figures are the same as those I have just given you. Those were taken from the books of the Auditor and are correct. The statement goes on: "Since that time there has been expended of the \$476,000, \$349,000; and I say to you, gentlemen, that when the Legislature had to deny many worthy appropriations for educational and other purposes—I remember the resolve in favor of the town of Porter, vetoed by the Governor, passed by this House. Many things we had to deny and were worthy of our consideration and worthy of an appropriation, and yet since last June \$349,000 out of \$476,000 of the Contingent Fund has been expended."

The error which perhaps is a natural one was an error of mistaking the balance on hand which I have just given you which at that time was \$349,023.50, at the time the books were examined. Some items that belonged before November 1, have since been paid, making the balance now \$311,766.83. At the time the figures were taken from the books the correct balance was \$349,023.50, and

the amount that had been taken out up to that time since the first of January was 127,160.74. So much for the State Contingent Fund.

Let me say that I would be glad to have anybody ask me any questions at any time as I go along. What I am trying to do is to make these figures plain to you so that you can understand them.

I come now to the question of the Contingent Fund of the Governor and Council for which an appropriation of \$10,000 a year is made. I have stated to you that the figures for 1917 and 1918 in the case of the State Contingent Fund—the vouchers I should say—are all on file in accordance with the law in the office of the Auditor and the items have been reported in the Auditor's printed report. In the case of the State Contingent Fund for 1919 the same is true. The vouchers are on file for the appropriations from the Contingent Fund. But I ought to mention one point further before I leave the State Contingent Fund, and that is this, that the vouchers for all sums of money that go out are on file in the Auditor's office—go out for appropriations from the State Contingent Fund; but they are not on file in the precise items always from which the appropriations from which the State Contingent Fund is made. Let me see if I can make that clear. In case the appropriations from the State Contingent Fund were for a definite object, a bill which had been designated in a previous year for instance, then the item showing the payment of the bill would correspond exactly to the transfer which shows on the record of the Governor and Council. We would have transferred \$1,000 for example to meet a bill of \$1,000 which had developed out of the previous year; just as sometimes a man in handling his bank account will make a deposit of \$1,000 to meet a bill of \$1,000 which he pays the same day. But it more often happens that the appropriation from the State Contingent Fund, like the appropriations that the Legislature

make, cannot be divided into the items of the final outgo. For example, it is like a case of a man who deposits various items in his bank account and then checks out the items on the other hand; deposits \$1,000 now, \$1,000 tomorrow, and in the meantime you are paying out on the other hand the various bills for which you may draw checks. So in the case of the State Contingent Fund, if the Governor and Council add to the appropriation of an institution \$1,000, \$3,000, \$4,000, whatever the amount may be, the vouchers are on file when that is expended. The action of the Governor and Council does not give the institution, or any individual the money immediately. It makes the money available just as your appropriation made it available in the case of the appropriation made for the maintenance of the institution in the first place; and as fast as that money is paid out by proper vouchers furnished by the institution or its employees, then the vouchers are kept in the Auditor's office and on file.

Now coming to the Contingent Fund of the Governor and Council, for which an appropriation of \$10,000 a year is made: The items are filed here just as in the case of the State Contingent Fund. In that case the items show in the Auditor's office but the vouchers are not on file in the office of the Auditor. The Contingent Fund of the Governor and Council from the beginning, as a matter of custom, and from 1907 as a matter of law, the provision has been that the vouchers should not be made a matter of public record and should not be filed in the office of the Auditor. What the reason for that has been, I do not know, unless it is the fact that some of these expenditures out of this Contingent Fund are always confidential in their nature, particularly those relating to the detection of crime. Those vouchers, therefore, are not on file in the Auditor's office, and are not matters of public record; but I am saying to you frankly that any member of the Legislature who is

interested may come to our office where they are on file, and the messenger of the Governor and Council who make out those requisitions, who manifests those items, will be very glad to explain any item to any member in such detail as the member may wish.

I come now to the consideration of the third item in these orders, namely, the expenditures of the Blaine Mansion, and I cannot approach the subject properly without starting from the beginning and reciting the authority under which we are proceeding in that matter and the reasons which lead up to the action which you took last winter.

On the 21st day of January I sent to the Legislature the following message:

"Immediately upon the organization of the Committee of Public Safety in March, 1917, Walker Blaine Peale, telephoning from his college dormitory, placed at the disposition of the committee the house which had been the home of his distinguished grandfather. He did this without reserve, and with all the ardor of his high spirit. His heart, if not his home, had ever been in Maine, and he gave this expression of the love he bore her, and of the obligation imposed by birth, by the blood that Maine had honored, and which by illustrious service had honored Maine.

"He was not to live to see the full execution of his filial and patriotic purpose by the uses to which this House was dedicated, and to which, though the committee no longer exists, it continues to be dedicated in his memory by his mother.

"From it the food production of the State was stimulated—a valuable adjunct to the navy was created, unique among the states—our people aroused and united as never before in unselfish effort. And in the appalling epidemic which swept the State, it was from here that the emergency committee directed the fight against it, and heroic messengers of mercy were sent forth to our stricken communities.

"Today, it is the repository of the faithful records of the Exemption Boards—the records of those who served and who were ready to serve, alike with the records of the few who failed in this great test of men.

"This benefaction to the State was the least gift the author of it was to give to the great cause in which his whole heart was enlisted. He volunteered, he died in action. No nobler eulogy can any man have than this!

"There have been many heroes in this war, and heroines too, far from the battle line. But in the words of that great American whom a nation has just been called upon to mourn, 'The torches whose flame was brightest were borne by the gallant men at the front, and by the gallant women whose husbands and lovers, whose sons and brothers, were at the front.'

"On the roll of eternal honor of those who will never come back, no name shall rank another!

"For all made equal sacrifices. Among them there is in our hearts no room for individual comparison, nor can there be in theirs. Recruited from college, factory and from farm, they lived over there as they left us here; in affectionate comradeship, the grandest democratic army the world has ever seen!

"Not, therefore, to him alone, but to all youth, whose exemplar he was, by virtue of his manly and endearing qualities, do I refer, when I call your attention for appropriate action to the memory of Walker Blaine Beale, in the name of all those who fell—in the name of our sorrowing womanhood, whose sorrows can never equal the pride and joy those sorrows give them the right to feel."

On the 11th of March I sent to the Legislature the message of which I will read a part, the part that I shall read being only the letter which Mrs. Beale sent to me, and which reads as follows:

"I deliver to you for the State with this letter the deed in trust of my father's home in memory of my son, Walker Blaine Beale.

"There are two things which I desire to provide for but which I did not think necessary to incorporate in the deed because this letter will be sufficient.

"I would like the privilege of placing in the near future, at my own expense, in an appropriate place in the front hall a bronze tablet with this inscription:

"This house and the land on which it stands was the home of Hon. James G. Blaine and was given to the State of Maine in the name of his grandson, Walker Blaine Beale, First Lieutenant 310th Infantry, 78th Division, who was born here March 22, 1896, and who fell in France in the St. Mihiel Drive, September 18th, 1918.

'Laetus sorte mea.' "

Chapter 119 of the laws of 1919, approved April 1, 1919, reads in part as follows:

"Resolved, that the State accepts in trust the deed from Harriet Blaine Beale of the home of her father, Honorable James G. Blaine, in memory of and in the name of her son, Lieutenant Walker Blaine Beale, who fell fighting in France on the eighteenth day of September, nineteen hundred and eighteen, and pledges its honor faithfully to fulfill the trust and to carry out with scrupulous care the directions and desires set forth in the deed and in the letter which accompanied it.

"That the State hereby records its deep appreciation and its enduring gratitude for this gift which, in the complete satisfaction of a present need of the State, has a large and readily measured value, and also has even a greater value in those unseen and eternal things which makes it priceless. For it will always speak to us of the heart of woman with its generosity, pure and tender sentiment and love of home; of the ever widening and abiding influence of a man of winning personality, persuasive speech, profound thought, broad grasp and prophetic vision; of the burning zeal of youth, its quick response to noble family tradition and

that flaming patriotism which offers and gives the 'last full measure of devotion.'"

Chapter 141, approved April 2, 1919, reads as follows:

"Resolved: That the Governor and Council be, and hereby are, authorized and instructed to make such alterations, improvements and repairs of the residence of the late James G. Blaine, recently given to the State by Mrs. Harriet Blaine Beale, as may appear to the Governor and Council to be needed, and to furnish the house suitably, for the purpose of an executive mansion for the Governor of the State while in office, and to acquire by purchase such contiguous property as may be desirable for said purpose, and that the same be paid for out of any money in the treasury not otherwise appropriated."

I have read that to furnish the background which will remind you of the significant fact about this whole project namely, that this Blaine Mansion is not in the first instance a residence for the Governor. You directed the Governor and Council to prepare it for that purpose, but it is in the first instance a memorial to Mr. Blaine and to his grandson, Walker Blaine Beale.

I have filed with you a statement of the costs to date, and the details are as follows:

Wages,	\$18,159 12
Equipment,	22,327.04

The following items comprise the purchase of the five different pieces of property:

Delbert W. Adams,	9,000.00
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This is the so-called Ho-man lot on State Street north of the Blaine Mansion.

Elizabeth N. Wheeler,	1,500.00
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This is the vacant lot on the corner of Grove and Capitol Streets.

John H. Ellis, Jr.,	2,600.00
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This is the next house on Grove Street going north.

L. Frances Morse, Mrs.  
Louise Lyon and L.

Frances Morse as guardian for Bertha Morse,	3,800.00
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That is the so-called Morse house, the second on Grove Street.

Henry T. Clark,	4,900.00
Recording deeds,	5.54

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\$62,291.70

You have asked for an estimate of the additional cost to complete the construction and repair of the house. After careful consideration and consultation with the contractor, we believe that an outside estimate of the additional cost of the completion of the house itself will be \$25,000.

You have asked me for an estimate of the cost of furnishing. That is a proposition so elastic that we feel it impossible to give you an exact estimate. The furnishings so far contracted for will amount to somewhere between three thousand and five thousand dollars. The amount paid for furnishings, would, of course, be much larger than that if you leave us to continue as we have planned; but the proposition is entirely elastic and we should be guided of course by any suggestions you may care to make.

You have asked me for the maintenance cost for the next year, and the answer to that is that the Governor and Council have given no consideration to that question and have made no plan for it, because it is not included in the authority of the Legislature under which we are operating. We have assumed that the occupant of that house from time to time, whoever he might be, would live in the residence part of the house. I call your attention to the fact that not only is the house representing a double character—a dual character so to speak—in that it is a memorial and also a residence for the Governors—but that it is also, as we have planned it, partly growing out of that fact, dual in its character, in that it provides for sufficient accommodation for the family of the Governor and also for the public rooms, including the study of the late James G. Blaine

and other rooms suitable for State use. We have assumed that the matter of maintenance of these public rooms, that part of the house, would be at the discretion of the Legislature from time to time.

Now, gentlemen, for the purpose of furnishing the foregoing information a formal filing of the facts mentioned with the Clerk of the House would have been sufficient. So far as the inquiry relates to expenditures up to date the information was already available and open to the public. Nothing was necessary but the clerical labor of copying and compiling it.

From the language of the orders, however, it is possible to infer suspicion of improper or unlawful expenditure of public funds. It is that suggestion, if it was intended by the proponent of the order or any group that he may represent, that I am here in person to resent.

Prior to my first term of office, it was the custom for the Governor, unless he happened to live in Augusta, to come here very seldom except for Council meetings which occurred usually only once a month. Bills can be paid by the State only on the warrant of the Governor and Council and, therefore, under that system could be paid only once a month. Necessary expenditures between Council meetings were met by advances in the form of checks to treasurers of State institutions to be by them deposited and in turn used to pay bills in advance of the formal warrant of the Governor and Council authorizing their payment. Employes were paid only once a month except for irregular advances in anticipation of payday. This system had no sanction in law and had been adopted because the infrequent Council meetings and the almost constant absence of the Governor from Augusta.

In accordance with the promise made in the campaign I moved my family to Augusta before the beginning of my term of office and have since been here on the job except when the business of the State took me elsewhere. I have had no vacation out of touch with the office except three days in 1917. My

family have spent the summers at the se shore and I have been here in Augusta except for infrequent week-ends. My business interests are still in Island Falls. I have been there five times in three years and then only to stay over a train or over night when public business required me to go into Aroostook county.

I have had associated with me on the Executive Council men of a grade of business judgment and capacity unsurpassed within my knowledge of the history of Maine. Instead of the monthly Council meetings we have met every week, have paid employes weekly, taken cash discounts on bills for materials and supplies and have insisted that all revenue come directly into the State treasury and all bills be paid directly from the State treasury. No institutions or departments are now carrying State funds on deposit except the military fund and the forestry district, which have that special authority by statute. Instead of the somewhat haphazard management of departments which prevailed heretofore we have had constant co-operation and consultation and the supervision by the Governor and Council is not formal or perfunctory but intimate and painstaking, extending to all the essential details of the work of the departments and institutions.

In the remodelling of the Blaine Mansion this sort of supervision has been exercised. It has been our purpose, fulfilling what we believed to be your intention, to make of it a building worthy of the double function of a memorial and a residence for the Chief Executive of the State. Such items as whether to lower the cellar floor, or put the heating plant in a sunken pit; whether to use brass or galvanized iron pipe for the water supply; whether to use plate glass or ordinary window glass; whether to use wood or metal laths on the ceilings; whether to use gas or coal for heating the water; whether to cement the whole cellar floor or only that part in the walks and around the heater; whether to use concealed or open radiators in the public part of the house; whether to use plated or solid brass for the hardware; whether to use gran-

ite or wood in the construction of the new steps; whether to use the knob and tube system or the more expensive conduit system for the electric wiring—these and scores of similar problems have been discussed and decided as the work progresses. The constant purpose has been to have the work substantial and dignified, but to spend no money for extravagant or gaudy show. The cost of the completed building will necessarily be large. If it seems excessive to any of you, you may be interested to know that the economies which we have introduced in the printing of public reports and documents alone will probably save in the four years of my two administrations, an amount sufficient to equal the entire cost of reconstruction and repairs of the Blaine mansion.

The last three years have not been easy years. I claim no especial credit for close attention to public duties; that has been my job. The general oversight of an annual expenditure of about nine million dollars is a fair-sized job for any man and the State from now on will expect any incumbent of this office to devote his time unreservedly to the task. Besides the emergencies of war, other factors have complicated the situation. Violators of law have been pursued relentlessly. I have been hounded and threatened to an extent even beyond the knowledge of my close associates by the unscrupulous gangs of booze sellers, gamblers and panderers to vice whose slimy business has been interfered with and destroyed. Active politicians have resented my unwillingness to consider political influence ahead of merit and fitness in making appointments to public office.

But amid all the criticism and fault-finding of nearly three years, no one to my knowledge has insinuated that the public funds were not properly and lawfully expended to the last dollar. It is a matter of common knowledge around the State House that the opposing party in the last political campaign used expert accountants for several weeks in the endeavor to discover something that could offer a basis of crit-

icism. They were cheerfully given every facility for securing information. Their subsequent reticence on the subject during the campaign was a fair indication they failed to find what they sought.

It has apparently been assumed in some quarters that a suspicion of this sort furnished the motive for the introduction of the two orders under consideration. It is for that reason that I could not restrict myself to a mere formal compliance with your request. I am here to say to you in person that no trivial expenditure even has been authorized during my terms of office except in accordance with the law as we understand it and with the purpose of advancing what we believe to be the welfare of the State. Any man who insinuates the contrary is either ignorantly or wilfully stating that which is untrue."

Thereupon His Excellency, the Governor, withdrew amid great applause and cheering, the members of the House rising.

On motion by Mr. Barnes of Houlton, the House by a viva voce vote voted that the report of the Governor in compliance with the two orders of this House, with the accompanying papers, estimates and accounts, be accepted, made a part of the record of the proceedings of this House and be filed with the Clerk.

Mr. PIKE of Eastport: Mr. Speaker, I move that one thousand copies of the Governor's address with the papers submitted, be printed for the use of this Legislature.

Mr. BAXTER of Portland: Mr. Speaker, I move to amend that order and have it read three thousand copies instead of one thousand. (Applause.)

Mr. PIKE: I accept the amendment.

Thereupon the House voted to order the printing of three thousand copies of the Governor's message and the facts and figures accompanying it.

Mr. Pike of Eastport presented the following order:

Ordered, that a recess committee of



the Legislature, to consist of three on the part of the House, to be appointed by the Speaker and two on the part of the Senate, to be appointed by the President, said committee to make a thorough investigation of the expenditures charged against or paid from the State Contingent fund and the contingent fund of the Governor and Council during the period from January 1, 1917 to November 1, 1919.

Said committee is hereby further authorized to investigate contemplated expenditures from both said funds, and especially contemplated expenditures for the completion and furnishing of the executive mansion, the probable cost of maintenance per year of said executive mansion and the cost of grading and improving the executive grounds.

Said committee shall hold public hearings at the State House, and shall have power to summon witnesses and order the production of books and papers at the expense of the State.

Members of said recess committee shall receive their actual expenses for travel and sustenance only. It shall make and file its final report with the Secretary of State not later than March 1, 1920.

Mr. BARNES of Houlton: Mr. Speaker, we have had presented to us an extended and detailed statement involving many figures, some of which we have listened to and others we are later to read. It is our hope, of course, that in compliance with the order we shall have tomorrow morning this statement with its appended figures in print. I move, therefore, Mr. Speaker, that the order presented by the gentleman from Eastport, Mr. Pike, be laid upon the table.

The motion prevailed.

#### House Committee Report

Mr. Holley from the committee on appropriations and financial affairs, by unanimous consent, reported on resolve in favor of the House members that the same ought to pass.

Report was accepted, and on motion by Mr. Holley the rules were suspended and the resolve given its two readings and passed to be engrossed.

From the Senate: Resolve in favor of the officers of the House.

By the House referred to the committee on appropriations and financial affairs. It comes from the Senate that branch non-concurring in the reference, and referring the same to the Governor and Council.

On motion by Mr. Holley of North Anson the House voted to recede and concur with the Senate in the reference of this resolve to the Governor and Council.

From the Senate: Resolve in favor of C. S. Buckley for services as clerk to the taxation committee at the special session of the 79th legislature.

Comes from the Senate referred to the Governor and Council.

In the House referred in concurrence.

From the Senate: Report of committee on salaries and fees on bill an act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended, increasing the salary of the treasurer for Androscoggin county that it "ought not to pass", this report being accepted by the House. The papers came back from the Senate, that branch substituting the bill for the report and passing it to be engrossed as amended by Senate Amendment A, which was read by the Chair.

On motion by Mr. Garcelon of Auburn, the House voted to recede and concur with the Senate in the substitution of the bill for the report; and on further motion by the same gentleman the House voted to adopt Senate amendment A in concurrence with the Senate, and on further motion by the same gentleman the rules were suspended and the bill given its three several readings and passed to be engrossed as amended by Senate amendment A in concurrence.

From the Senate: Report of committee on military affairs on resolve to reimburse certain members of the First Maine Heavy Field Artillery for expenses incurred by direction of their superior officers, that the same be referred to the next Legislature.

Mr. PERKINS of Boothbay Harbor: Mr. Speaker and gentlemen of the House: This resolve was introduced by me at the request of certain members of the First Maine Heavy Field Artillery, who came to my office about ten days ago and stated that there was a certain sum of money due them from the State of Maine. It appears that in July, 1917, they enlisted in Battery A, in the First Maine Heavy Field Artillery, and shortly thereafter were ordered to Portland for the purpose of being measured for their uniforms. They report that at that time they were told that the expense so incurred would be paid by the State of Maine, but up to the present time they have not received their money and they do not know how to get it. I suggested to them that I would enter a resolve which amounts to \$11.60 for each one of these boys. They told me that for some reason the vouchers were lost and their officers failed to present them at the proper time. Therefore, the only way I could see whereby they could get their money was by a resolve at this Legislature. The resolve provides that it shall be paid from the War Fund, and it seems to me that there is no reason why this should be postponed until the next Legislature. They were in the service practically two years lacking a few days, and served in Germany, and while there they received after paying for the support of their families, their war bonds and insurance—the lowest sum received per month was \$3.20 and the highest, \$4.10, according to the information which I have. They have returned and from the information which they give me I am satisfied that the State of Maine owes them \$11.60 apiece. From the number of bills which are going through this House, without reference to any particular bill, it seems

to me that we are being generous to most everybody, and I should hope that this House would vote to give these boys \$11.60 apiece which they say the State of Maine owes them. I therefore move, Mr. Speaker, the substitution of the resolve for the report of the committee.

Mr. FERRY of Waterville: Mr. Speaker, I wish to say in all fairness to the committee on military affairs that your committee made this report without prejudice and from what information was at hand. The only information which has come to the attention of the military affairs committee is that contained in the resolve itself and the gentleman from Boothbay Harbor (Mr. Perkins) whom we have no wish to doubt; but in the absence of a statement from the commanding officer, or from the adjutant general, or any other evidence presented before the committee, the committee did not feel justified in reporting "ought to pass". I feel probably that the bill is a just one, and, as I have stated, our action was due to the fact we did not have proper information before us, to enable us to pass upon the bill favorably. I do not think there is a member of the military affairs committee here who would not be glad to see these boys get their pay; but if the House so feels I doubt but that the military affairs committee will approve.

Mr. PIKE of Eastport: Mr. Speaker, may I inquire of the gentleman from Boothbay Harbor the entire amount of money involved in this resolve?

Mr. PERKINS: I think, Mr. Speaker, it amounts to \$46.40. It is four times \$11.60.

The SPEAKER: The question before the House is the motion of the gentleman from Boothbay Harbor, Mr. Perkins, that the resolve be substituted for the report. All those in favor of the motion will say aye, opposed no.

The motion prevailed, and on further motion by the same gentleman the rules were suspended and the re-

solve had its two several readings and was passed to be engrossed.

The House recessed until 7.30 in the evening.

#### After Recess, 7.30 P. M.

The SPEAKER: The Chair will take this opportunity to state, so there may be no misunderstanding, that the difficulty in the matter of engrossed bills was not due to the fault of the Kennebec Journal, the official paper, but was due to the fact of insufficient force, as the Chair understands, in the engrossing office. The Chair makes this statement in fairness to the Journal in order that there may be no misunderstanding.

From the Senate: An act to provide clerk hire in the offices of certain county officials in Aroostook county.

The original bill was substituted for the report and was passed to be engrossed under suspension of the rules by the House. It comes back from the Senate, that branch concurring in the substitution of the bill for the report and passing the bill to be engrossed as amended by Senate amendments A and B, which amendments were read by the Chair.

On motion by Mr. Mason of Ellsworth, it was voted to reconsider the action whereby this bill was passed to be engrossed.

Mr. BARNES of Houlton: Mr. Speaker, I rise to inquire whether the major portion of the original bill is still there?

The SPEAKER: The original bill seems to be here with some additions.

On motion by Mr. Mason of Ellsworth Senate amendments A and B were adopted in concurrence, and on further motion by the same gentleman the bill as amended by Senate amendments A and B was passed to be engrossed in concurrence.

#### Passed to Be Enacted

An act to amend Sections 2, 3, 4, 5 and 6 of Chapter 319 of the Public Laws of 1915, relative to state and county aid in the construction of highway bridges.

An act to amend Chapter 37 of the

Private and Special Laws of 1917, as amended by Chapter 17 of the Private and Special Laws of 1919, relating to salaries of chief of police, police captains, and patrolmen of the city of Lewiston.

An act to amend paragraph 7 of Section 45 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of the Public Laws of 1919 relating to clerk hire in the office of the register of deeds for Kennebec County.

An act to amend Chapter 272 of the Public Laws of 1917, as amended by Chapter 123 of the Public Laws of 1919, entitled an act to require certain vehicles to carry lights at night and to control the glare of headlights.

An act to amend paragraph III of Section 11 of Chapter 197 of the Private and special Laws of 1915, entitled an act to incorporate the Bath Water District.

#### Finally Passed

Resolve amending Chapter 113 of the Resolves of 1919, providing for the care, support, medical or surgical treatment of dependent persons in or by certain charitable and benevolent institutions and organizations not owned or controlled by the State, and for other purposes.

#### Recess

#### After Recess

#### Final Reports

From the Senate:

Committee on Taxation.

Committee on Military Affairs.

Came from the Senate, read and accepted. In the House accepted in concurrence.

#### Passed to Be Enacted

An act to amend Section 42 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of the Public Laws of 1919, relating to expenses of county commissioners.

An act to amend Section 5 of Chapter 118 of the Revised Statutes, as amended by Public Laws of 1919, Chapter 222, relating to fees of sheriffs.

An act to amend the charter of the Passadumkeag Boom Company.

(Temporarily tabled by Mr. Barnes.)

An act to amend paragraph 32 of Section 6 of Chapter 10 of the Revised Statutes relating to additional exemption from taxation of Sewerage District Bonds.

An act to amend Section 12 of Chapter 83 of the Revised Statutes, relating to county commissioners.

An act to increase the number of clerks in the registry of deeds in the county of Cumberland, State of Maine.

An act to repeal Chapter 135 of the Public Laws of 1919, State of Maine, entitled an act to provide for the licensing of sardine packers, to improve the quality of fish used for sardine and to establish standards of measures for sardine herring.

An act to confirm and ratify the organization of the Durham Cemetery Association.

On motion by Mr. Baxter of Portland, it was voted to take from the table the bill relating to the Portland State Pier Site District, and on further motion by the same gentleman the action of the House was reconsidered whereby this bill was passed to be engrossed.

Mr. BAXTER: I offer House amendment A as follows:

Amend by striking out section ten and by substituting therefor the following:

"Section 10. Said district is hereby declared to be a public municipal corporation, and may sue and be sued by its corporate name in the manner provided by Chapter 51 of the Revised Statutes. All the property of and all bonds issued by the said district shall be exempt from all taxation."

Thereupon the House voted to adopt House amendment A and the bill was passed to be engrossed as amended by House amendment A.

#### Recess

#### After Recess

From the Senate: Ordered, the House concurring, that bill an act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 of the Public Laws of 1919, increasing the salary of the treasurer of Penobscot county, be re-called from the committee on engrossed bills.

It comes from the Senate read and passed.

In the House read and passed in concurrence.

#### Passed to Be Enacted

An act to amend Chapter 220 of the Public Laws of 1919, entitled an act to amend section 36 of Chapter 25 of the Revised Statutes as enacted and set forth in Chapter 253 of the Public Laws of 1917 as amended in Chapter 88 of the Public Laws of 1919, relative to the creation and expenditure of the mill tax highway fund.

Mr. Granville of Parsonsfield presented the following order, out of order, by unanimous consent:

Ordered, the Senate concurring, that each member and officer of the Senate and House be supplied from the State Library with a copy of the Legislative Record of this session as soon as such copies are printed and bound.

The order received passage, and sent to the Senate.

The SPEAKER: The only matters before the House at the present time are matters on the table.

Mr. BARNES of Houlton: Mr. Speaker, it seems evident that if we are expeditious we shall adjourn so that those of us who have the greatest distance to travel will be home tomorrow night and that of course is a consummation devoutly to be wished. I am responsible for tabling one matter, and I move that we take from the table the order presented by the gentleman from Eastport, tabled by me, relative to expenditures under the two contingent funds.

The motion prevailed.

Mr. BAXTER of Portland: Mr. Speaker, I move that we indefinitely postpone this order. My reason for doing so is that at the present time there is no reason for its passage. The Governor this afternoon made us a full, frank, and accurate statement of the situation. The facts sought for by this order are now available to any citizens of the State or any group of citizens who may wish to take the trouble to get them. If they given us this afternoon; I am wish any more details than were sure that His Excellency and his Council will welcome the opportunity to enlighten any of us on these matters. In view of this, Mr. Speaker, I move that we indefinitely postpone the order.

Mr. PIKE of Eastport: Mr. Speaker and gentlemen of the House. I listened with a great deal of interest this afternoon to the Governor's reply for information which my orders asked for. I would like to have, and the State of Maine would like to have, all of the information which those orders sought. The people of Maine want to know what it is going to cost per year to maintain this executive mansion as now planned and laid out by the Governor and his Council. He said in his address to you that he and the Council have given that matter no consideration and could not report upon it. I want to know something definite about the amount of money that is going to be used for maintenance and what the scheme of repairs and improvements of this mansion is to be. It is very currently reported that it is to contain seven bath rooms, a small army of servants, that there is to be three dining rooms, one to seat 150, and the estimated expenditure for silverware is \$700 alone. Three dining rooms, a public dining room, another for the governor and his family and another for servants. What are we going into, gentlemen, in the way of excessive and extravagant expense along this line? We are to have, as I am informed, a palm room and all these fancy and expensive luxuries with the tax payers of Maine already

groaning under their present burden of taxation.

I said I was glad to listen to the Governor insomuch of his remarks as were pertinent to the orders which were presented to him. Why inject into it that those orders by inference accused him of dishonesty or misappropriation? No such words in those orders, and no man who can read plain English language can construe it as such. What is the object, gentlemen of the House, in injecting the sort of stuff that he has incurred the enmity of violators of the prohibitory law and "bootleggers"—and all that sort of stuff in an order that requires him to account for the expenditure of the contingent fund. Ah, gentlemen! it is a covert, well-set scheme to represent that he is being attacked and accused of dishonesty. Nothing could be further from my mind than to infer such a thing. As a business man and as a member of this Legislature all I want is a fair, square statement of expenditures and contemplated expenditures, which are just as important. I want the people to know about this order that at the next campaign and in the primaries—the Republican primaries if you will—they may know the facts. That is all that I asked for. I want to know, and I believe the people of Maine want to know, how much it is going to cost to grade those grounds and carry out this magnificent scheme that is now planned. Already nearly \$85,000 have been expended. So far so good; but I want to know what it is going to cost to complete it and the people of Maine want to know what it is going to cost to maintain it. I take issue with my distinguished friend from Portland, Representative Baxter, that the Governor has given a full, clear and convincing reply to my orders.

Now what is the harm of having an investigation? Is the Republican party of this House affrighted by it? Do you desire to conceal something from the people of Maine? What possible harm can there be in turning the light on every item in this pit of

extravagance in trying to remodel and alter and make over a structure in an attempt to make it a modern executive mansion.

Now, gentlemen of this House, that is my position in this matter. If you do not want it investigated fully, if you would prefer that the people of Maine know nothing about what this building is to cost when completed, then so vote; but I believe that the matter should be investigated to the bottom.

The motion before the House, Mr. Speaker, I believe, is the indefinite postponement?

The SPEAKER: That it be indefinitely postponed.

Mr. PIKE: Upon that question I ask for the yeas and nays.

The SPEAKER: All those in favor of having the yeas and nays will rise and stand until counted.

A division of the House was had and a sufficient number did not arise.

The SPEAKER: The motion is the motion of the gentleman from Portland, Mr. Baxter, that the order be indefinitely postponed. All those in favor of its indefinite postponement will say aye, those opposed no.

The motion prevailed, and the order was indefinitely postponed.

### Recess

### After Recess

#### Passed to Be Enacted

An act to amend Chapter 15 of the Public Laws of 1917, relating to celebrating Centennial Week.

An act to amend Section 51 Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, and by Chapter 196 of the Public Laws of 1919, relating to the trapping of foxes in Lincoln county.

An act to increase the amount of money allowed for clerk hire in the office of the register of deeds for Penobscot county.

From the Senate: An act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chap-

ter 214 of the Public Laws of 1919, increasing the salary of the treasurer of Penobscot county.

This was passed to be engrossed by the House in concurrence with the Senate. It was re-called to the Senate and comes from that branch passed to be engrossed as amended by Senate amendment A which the Chair will read.

(Amendment read.)

On motion by Mr. Grinnell of Exeter the House voted to reconsider its action whereby it passed this bill to be engrossed. On further motion by the same gentleman it was voted to adopt Senate amendment A in concurrence; and on further motion by the same gentleman the bill was passed to be engrossed as amended by Senate amendment A in concurrence.

On motion by Mr. Washburn of Perry, unanimous consent being given, it was

Ordered, the Senate concurring, that 1,500 copies of the Granville bill so-called, as enacted, be printed for distribution among the members of the Senate and House of Representatives by the State Librarian.

Mr. PIKE of Eastport: Mr. Speaker and gentlemen of the House: It is one of the beautiful things of life that while we differ as to politics and differ as to religion, we can all unite in good fellowship. I appreciate and esteem the acquaintances and associations that I have formed in the Maine Legislature, especially in the 79th Legislature. It will be a happy memory throughout my life. I often think in the closing hours of the Legislature that that same body of men will never meet again on earth together. That thought always occurs to my mind in the closing hours of every Legislature. However, we can unite in good fellowship and I wish each of you Godspeed in your return to your homes, and I only hope and pray that you hold me with as high esteem as I hold each of you.

Mr. Speaker, in closing I have one

more order to present. (Laughter and applause.)

The SPEAKER: Final report of the gentleman from Eastport, Mr. Pike. (Applause.)

The gentleman from Eastport, Mr. Pike, having acted on all matters before him begs leave to file his final report to this Legislature. (Laughter and applause.)

The SPEAKER: Is it the pleasure of the House to accept this final report? All those in favor will please rise and stand until counted.

(The members rose amid laughter and applause.)

The SPEAKER: It is a vote.

#### Passed to Be Enacted

An act to provide for an issue of State highway and bridge bonds.

An act authorizing the town of Turner to purchase and operate, or to purchase and hold stock in the electric railroad between East Auburn and Turner village.

The SPEAKER: We have an emergency matter. An act to amend Section one of Chapter 177 of the Private and Special Laws of 1917, relating to the Powers of the Portland Water District, and to amend Chapter 257 of the Private and Special Laws of 1911, relating to the Powers of the Peak's Island Corporation. The Chair will state that this act has the emergency clause attached to it and requires a two-thirds vote of all the members elected to this House in order to enact it. All those in favor of its passage to be enacted will rise and stand until counted.

A division being had, 127 voted in favor and none against, and the bill was passed to be enacted.

#### Recess

#### After Recess

#### Passed to Be Enacted

An act to provide a bonus for the heads of State Departments.

The SPEAKER: We have another emergency matter. An act to amend Section 53 of Chapter 259 of the Pub-

lic Laws of 1917, relating to election and appointment of commissioned officers. This requires a two-thirds vote of all the members elected to this House in order to enact it. All those in favor of passing the bill to be enacted will rise and stand until counted.

A division being had,

115 voted in favor and none against and the bill was passed to be enacted.

On motion by Mr. Barnes of Houlton, it was voted to take from the table bill an act to amend the charter of the Passadumkeag Boom Company.

On motion by Mr. Small of Bangor, it was voted to refer this bill to the next Legislature.

#### Recess

#### After Recess

Unanimous consent was given to receive out of order an order by the gentleman from Bangor, Mr. O'Leary, whom the Chair recognizes.

Mr. O'LEARY: Mr. Speaker, I wish to present an order in reference to an act in which appears a clerical error, as follows:

Ordered, that the Governor be requested to return to the House for further action an act entitled an act to increase the amount of money allowed for clerk hire in the office of register of deeds in Penobscot county.

The order received a passage.

Unanimous consent being given, Mr. Garcelon of Auburn presented the following order out of order:

Ordered, the Senate concurring, that bill an act to provide for the payment of a bonus to Maine soldiers and sailors in the war with Germany be recalled from the Governor.

The order received a passage.

#### Recess

#### After Recess

On motion by Mr. Clason of Lisbon, unanimous consent being given, to receive an order out of order, it was

Ordered, that the bill relating to the creation and expenditure of mill tax highway fund be recalled from the Governor.

The SPEAKER: The Chair will state that the act to provide for the payment of a bonus to Maine soldiers and sailors in the war with Germany, which was recalled from the Governor, is in the hands of the House.

On motion by Mr. Garcelon of Auburn it was voted to reconsider the action whereby the House passed the bill to be enacted, and on further motion by the same gentleman the House voted to reconsider its action whereby it passed the bill to be engrossed.

Mr. Garcelon offered House amendment A and moved its adoption:

#### House Amendment A

"Amend Section five by striking out the words 'Soldiers' Bonus Board' in lines one and two, and inserting in place thereof the words, 'Treasurer of State'; by striking out the words 'said board' in line seven and inserting in place thereof, the words 'Governor and Council'; and by adding after the word 'determine' in line seven the following sentence: 'said bonds or notes shall be issued in the name and behalf of the State, and shall be deemed a pledge of the faith and credit of the State.'"

Thereupon the amendment was adopted, and on motion by the same gentleman the bill was passed to be engrossed as amended by House Amendment A and sent to the Senate.

The SPEAKER: The Senate returns on joint order, an act to increase the amount of clerk hire in the office of the register of deeds for Penobscot county.

On motion by Mr. O'Leary of Bangor the House voted to reconsider its action whereby this bill was passed to be enacted; and on further motion by the same gentleman it voted to reconsider its action whereby the bill was passed to be engrossed.

Mr. O'Leary then offered House

amendment A and moved its adoption as follows:

Amerd said act by striking out all of said act following the enacting clause and substituting therefor the following words: "Paragraph eleven of Section 45 of Chapter 214 of the Laws of Maine for 1919, is amended by striking out in the first and second lines thereof the words 'two thousand eighty dollars', and substituting therefor the words, 'two thousand eight hundred and eighty dollars'; so that said section as amended shall read as follows":

"Penobscot county for clerks in the office of register of deeds two thousand eight hundred and eighty dollars.

"For clerks in the office of register of probate, fifteen hundred dollars.

"For clerks in the office of the clerk of courts, fifteen hundred dollars.

"For clerks in the office of county attorney six hundred dollars."

The amendment was adopted, and on motion by the same gentleman the bill was passed to be engrossed as amended by House amendment A.

The SPEAKER: In accordance with the order re-calling it, the expenditure of mill tax highway fund bill is now before the House.

On motion by Mr. Clason of Lisbon it was voted to reconsider the action whereby this bill was passed to be enacted and also the action whereby it was passed to be engrossed.

Mr. CLASON: I now offer House amendment A.

House Amendment A to bill an act to amend Chapter 220 of the Public Laws of 1919 entitled an act to amend Section 36 of Chapter 257 of the Revised Statutes as enacted and set forth in Chapter 258 of the Public Laws of 1917 as amended by Chapter 88 of the Public Law of 1919, relative to the creation and expenditure of the mill tax highway fund, by renumbering what is the second section 1, so that it shall be section 2, and by renumbering what appear as the first sections, 2, 3, 4, 5 and 6, so



that they shall be respectively sections 3, 4, 5, 6, and 7.

The amendment was adopted.

And on further motion by the same gentleman the bill was passed to be engrossed as amended by House amendment A.

From the Senate: Final report of committee on appropriations and financial affairs.

Report accepted in concurrence.

From the Senate: Ordered, the House concurring, that bill an act to amend Chapter 37 of the acts and resolves of 1917, as amended by Chapter 17 of the Private and Special Laws of 1919, relating to the salaries of the chief of police, police captains and patrolmen of the city of Lewiston, be re-called from the Governor.

The order was passed in concurrence.

#### Passed to Be Enacted

An act to amend paragraph III, Section 6 of Chapter 10 of the Revised Statutes relating to exemption from taxation of property of posts of the American Legion.

#### Finally Passed

Resolve to reimburse certain members of the First Maine Heavy Field Artillery for expenses incurred by the direction of their superior officers.

Resolve in favor of the town of Bluehill re-imbursing said town for money paid to soldiers' dependents.

Resolve in favor of the Maine Institution for the Blind.

Resolve relative to committees attending hearings October 14 and 15.

The SPEAKER: We have a constitutional amendment.

Resolve amending Section 8 of Article 9 of the Constitution, as amended by Article 36 of the Constitution, providing for an income tax.

The SPEAKER: The Chair is satisfied that we will not need to have a roll call and we can take it by a standing vote. This requires a two thirds vote. All those in favor of the final passage of the resolve will rise

and stand until counted and the monitors will take the count.

A division being had,

120 voted in favor and none against, and the resolve was finally passed.

#### Passed to Be Enacted

An act to incorporate the Portland State Pier Site District.

An act to prevent profiteering in the necessities of life and rents or charges for the occupancy of buildings for dwelling purposes and to provide penalties therefor and investigations thereof.

#### Recess

#### After Recess

#### Passed to Be Enacted

An act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 of the Public Laws of 1919, increasing the salary of the treasurer of Androscoggin county.

An act to amend Chapter 84 of the Private and Special Laws of 1919 entitled an act to provide for the building of public wharves and for the establishment of adequate port facilities and for the advancement of commerce.

An act to provide clerk hire in the offices of certain county officials of Aroostook county, Hancock county, Lincoln county, Androscoggin county and Sagadahoc county.

#### Recess

#### After Recess

From the Senate: Bill an act to amend Chapter 37 of the Private and Special Laws of 1917, as amended by Chapter 17 of the Private and Special Laws of 1919, relating to the salaries of chief of police, police captains and patrolmen of the city of Lewiston. This was passed to be enacted by both branches and was re-called from the Governor by the Senate, the enactment and engrossing reconsidered. Senate amendment A was adopted and the bill then passed to

be engrossed as amended by Senate amendment A.

On motion by Mr. Williams of Auburn the House voted to reconsider its action whereby this bill was passed to be enacted and on further motion by the same gentleman the House voted to reconsider its action whereby it was passed to be engrossed. And on further motion by the same gentleman Senate amendment A was adopted in concurrence, and on further motion by the same gentleman the bill was passed to be engrossed as amended by Senate amendment A in concurrence.

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**Recess**

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**After Recess**

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**Passed to Be Enacted**

An act to provide for the payment of a bonus to Maine soldiers and sailors in the war with Germany.

An act to amend Chapter 220, Public Laws of 1919, entitled an act to amend Section 36 of Chapter 25 of the Revised Statutes, as enacted and set forth in Chapter 258 of the Public Laws of 1917, as amended by Chapter 88, Public Laws 1919, relative to the creation and expenditure of the mill tax highway fund.

An act to amend Chapter 37 of the Private and Special Laws of 1917, as amended by Chapter 17 of the Private and Special Laws of 1919, relating to the salaries of chief of police, police captains and patrolmen in the city of Lewiston.

An act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 of the Public Laws of 1919, increasing the salary of the treasurer of Penobscot county.

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**Recess**

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**After Recess**

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**Passed to Be Enacted**

An act to increase the amount of money allowed for clerk hire in the office of register of deeds for Penobscot county.

**Finally Passed**

Resolve on the payroll of the Senate.

Resolve in favor of the members of the House of Representatives.

The SPEAKER: So far as the Chair is aware this completes everything that is to come before us.

On motion by Mr. Clason of Lisbon, that gentleman was charged with a message to the Senate informing that body that this House had transacted all the business before it and is ready to adjourn.

Subsequently Mr. Clason announced that he had delivered the message with which he was charged.

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**Recess**

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**After Recess**

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A message was received from the Senate transmitted through Senator Walker of Somerset, stating that that body had transacted all its business and is ready to adjourn without day. (Applause.)

The following order was received from the Senate:

Ordered, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon His Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them and are ready to receive any communication he may wish to make.

The order received a passage in concurrence.

The Speaker thereupon appointed as such committee on the part of the House Messrs. Cochrane of Monmouth, Brewster of Dexter, Overlock of Washington, Forbes of Paris, Dolloff of Standish, Houghton of Weld, and Swift of Greenwood.

Subsequently Mr. Cochrane of the committee reported that the committee had discharged the duty with which it was charged, and that His Excellency will communicate to us immediately his wishes.

Mr. ROUNDS of Portland: Mr. Speaker, many of us will never meet together again until we meet in Heaven; but I hope to see you all down in Portland when we have our Centennial, and if any of you have any suggestions to make, we will try and incorporate them into the Centennial celebration. (Applause.)

Recess

After Recess

The following communication was received from the Senate:

Executive Department.

To the President of the Senate and the Speaker of the House of Representatives:

A list of the acts and resolves passed during the special session of the 79th Legislature and approved by me, number 34 acts and 9 resolves is herewith transmitted. I have no further communication to make.

(Signed) CARL E. MILLIKEN.

Governor.

This comes from the Senate ordered placed on file.

In the House read and accepted in concurrence.

The SPEAKER: This completes all the work.

On motion by Mr. Wilson of Portland,

Adjourned sine die.