

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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AUGUSTA  
KENNEBEC JOURNAL PRINT  
1921

## HOUSE

Wednesday, March 30, 1921.

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

Prayer by the Rev. Mr. Brown of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

### Senate Bills in First Reading

S. 163. Resolve in favor of the town of Sorrento, to reimburse the town for expenses of a law suit regarding dependents of soldiers and sailors.

S. 166. An Act to amend Section 2, Chapter 16 of the Revised Statutes to provide for the improvement of conveyance of pupils to common schools.

S. 168. An Act to create the Hancock-Sullivan Bridge District.

Senate 167. An Act to amend Section 57 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, and further amended by Chapter 61 of the Public Laws of 1919, relating to the protection of wild birds.

From the Senate: Bill, An Act to provide for Temperance Day in the Public Schools of the State of Maine. This was indefinitely postponed in the House March 22.

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

Mr. MAXWELL of East Livermore: Mr. Speaker, I move that we recede and concur with the Senate.

Mr. BRAGDON of Perham: Mr. Speaker, this is a small matter and I will only take a few moments of your time in discussing it. It is a matter that perhaps does not affect the schools so much in the large places where a teacher has but one grade to handle, but speaking from the standpoint of one who has taught in the rural schools, where the teacher has nine grades, I wish to say a word against the passage of this measure. It is House Document No.

303, an act to provide Temperance Day in the Public Schools in the State of Maine, and it provides that not less than forty-five minutes of the school session—I will begin back earlier—"The first Friday in March of each year or the school day in each year nearest that date shall be designated as Temperance Day, and in every Public School in the State of Maine not less than forty-five minutes of the school session shall be set apart and used for instruction and appropriate exercises relative to the history and benefits of prohibition and prohibitory laws, said schools to continue their work so far as practicable during the remainder of the day." It has been said that this is but a small matter by some of those who have been favoring this outside of the membership of the House, but it is one of those straws that are being continually added to our educational camel until the breaking point will sometime be reached. I understand that incidentally this is the birthday of a certain Maine statesman. I think the Legislature of this state should go carefully in regard to adding to our list of holidays and special assignments. I am not finding any fault with any of those that we already have, but if we add to the list very much, I think the time will soon come when the school department will be called upon to provide a school calendar for our teachers so that they may know what particular politician, or what particular "ism," should be brought to the foreground on that particular day. Our schools were instituted for a very different purpose than to celebrate the birthdays of politicians. We have no objection to celebrating Lincoln Day or Washington Day or anything like that; but when it comes down to the State of Maine we have had a great many astute politicians here in the past and have some at present. Some of these are dead and others will follow in their course. You understand that a statesman has been defined as a "dead politician," and, if we start in to celebrate these dead politician days, we are going to have trouble finally. A gentleman who has held the office of attorney general in this

state tells me that it is practically impossible to get a girl to go into his office who knows enough arithmetic for ordinary business computations. The telephone people tell me that when they put a girl in their office, the first thing they have to do is to teach her to spell. Now I will not go much farther with this, but I want to call your attention to where we are landing; and, it seems to me, that if we follow up this course of holidays and special assignments in our schools, we will soon get to the point where someone will be impelled to introduce a bill into this Legislature so that a certain time of each school year will be set apart when the children will be required to lay aside their Sears and Roebuck catalogue, their shears and colored pencils and other equipment of a modern, elementary, educational institution, and devote a short time of the session—necessarily but a few moments—to the study of the multiplication table, the spelling book and some of those other old-fashioned and almost forgotten things for which our public school system was originally provided.

I hope, gentlemen, that the House will not recede from its former action.

Mr. MAXWELL of East Livermore: Mr. Speaker, I do not know to what politician the gentleman from Perham (Mr. Bragdon) refers; but this simply asks that forty-five minutes once a year shall be set aside for the teaching of temperance.

Now in regard to holidays, we have Lincoln's birthday; no one objects to that. No one objects to Washington's birthday. No one objects to Memorial Day and no one objects to Thanksgiving Day, and those are about all the holidays we have, for when it comes to Christmas the schools have adjourned for vacation. Now all that the temperance people ask is that forty-five minutes once a year shall be devoted to the teaching of temperance. There is nothing in here about the multiplication table, nor anything else. This bill was unanimously reported ought to pass, the temperance people of Maine have asked that it should pass, and I can see nothing about it that is not right,

and I hope that the motion will prevail.

The SPEAKER: The question is on the motion of the gentleman from East Livermore, Mr. Maxwell, that the House recede and concur with the Senate. Is this the pleasure of the House?

A viva voce being doubted,  
A division was had,

Seventy-three voting in the affirmative and 38 in the negative, the motion of the gentleman from East Livermore that the House recede from its former action and concur with the Senate prevailed.

On further motion by Mr. Maxwell of East Livermore, the bill was given its third reading and passed to be engrossed in concurrence with the Senate.

From the Senate: Resolve providing for payment for the care of Pearl Clark during the year 1919. This was passed to be engrossed in the House March 15.

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

The SPEAKER: This amendment in substance provides that it shall be taken from a certain fund, namely, that for the care and board of neglected children.

In the House, on motion by Mr. Perkins of Orono that body voted to reconsider its action whereby this resolve was passed to be engrossed.

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

#### Communication from the Department of State

DEPARTMENT OF STATE  
State of Maine  
Augusta

To the Clerk of the House of Representatives of the Eightieth Legislature of the State of Maine.

Pursuant to the joint order of the Senate and House of Representatives of the Eightieth Legislature, I have

the honor to transmit herewith a list of the Legislative Counsel and Legislative Agents registered in the office of the Secretary of State, in accordance with Chapter 100 of the Public Laws of 1919. This list comprises all such counsel and agents who have registered from March 23, 1921, to March 29, 1921, both dates inclusive.

Respectfully submitted,

H. A. SHOREY, JR.

Deputy Secretary of State.

On motion by Mr. Newcomb of Scarborough, the communication was ordered placed on file, and it was voted that the subjoined list of Legislative counsel and agents be printed in the record of this day's proceedings of the House.

EDWARD F. MERRILL, of Skowhegan, employed to act as Legislative Counsel and Legislative Agent by Central Maine Power Company of Waterville. The purpose of employment is "To appear and act for the Company in relation to any measures pending before the legislature and its committees and especially in relation to the Resolve for a constitutional amendment dealing with water powers and their taxation." Employed March 22, 1921. Employment ceases at adjournment of the Legislature. Notification of employment filed March 23, 1921.

THOS. LEIGH, of Augusta, employed to act as Legislative Counsel and Legislative Agent by McPhee & Fernandez of Old Town. The purpose of employment is "To oppose an Act to Amend Section 113 of Chapter 24 of the Revised Statutes, Relating to Regulation of Advertising Signs and oppose amendment of constitution relative thereto." Employed March 22, 1921. Employment ceases when above matters are disposed of by the Legislature. Notification of employment filed March 23, 1921.

EDWARD C. REYNOLDS, of South Portland, employed to act as Legislative Counsel and Legislative Agent by New England Insurance Exchange of Boston, Mass. The purpose of employment is "Committee Hearings." Employed March

24, 1921. Employment ceases at end of present Legislature. Notification of employment filed March 24, 1921.

FRANK E. SOUTHARD, of Augusta, employed to act as Legislative Counsel by the Puritan Advertising Company of Portland. The purpose of employment is "To look after interests of Puritan Advertising Company so far as legislation with respect to advertising may affect it." Employed March 24, 1921. Employment ceases at end of session. Notification of employment filed March 24, 1921.

CYRUS N. BLANCHARD, of Wilton, employed to act as Legislative Counsel and Legislative Agent by John J. Nissen of Portland. The purpose of employment is "To act as counsel in relation to all matters affecting his interests as a baker." Employed March 24, 1921. Employment ceases at end of Legislative Session. Notification of employment filed March 25, 1921.

WALTER M. SANBORN, of Augusta, employed to act as Legislative Counsel by Webber and Hewett and Sunbeam Bakery, both of Augusta. The purpose of employment is "To appear in furtherance of a bill creating a standard for loaves of bread offered for sale." Employed March 24, 1921. Employment ceases March 24, 1921. Notification of employment filed March 26, 1921.

The following remonstrances and resolves were received and upon recommendation of the committee on reference of bills were referred to the following committees:

#### Placed on File

By Mr. Austin of So. Berwick: Five remonstrances against dividing the town of Wells.

By Mr. Wood of Bluehill: Remonstrance of Harvey P. Long of Bluehill and 53 others against making Sunday open time for hunting in Hancock county.

By the same gentleman: Remonstrance of A. P. Soper of Bluehill and 27 others against same.

By Mr. Downs of Rome: Remonstrance of C. W. Norris and 35 others of Wayne against Sunday open time for hunting in Kennebec county.

#### Appropriations and Financial Affairs

By Mr. Holley of No. Anson: Resolve on the payroll of the House of Representatives of the Eightieth Legislature.

#### Reports of Committees

Mr. Buzzell from the committee on judiciary reported "Ought not to pass" on bill "An Act relating to prisoners in jail in the different counties."

Mr. Cole from the same committee reported the same on bill, "An Act to protect children from fire."

Mr. Gardiner from the same committee reported the same on bill, "An Act to facilitate the collection of franchise taxes of corporations organized under the general law."

Mr. Wing from the same committee reported the same on bill, "An Act relating to full weight and full size canvas goods and to provide for the stamping, branding and marking the same, with penalties."

Mr. Washburn from the committee on mercantile affairs and insurance reported the same on bill, "An Act authorizing the insurance commissioner to review rates fixed by fire insurance companies or the representatives of fire insurance companies."

(Tabled by Mr. Rounds of Portland, pending acceptance of report, and specially assigned for tomorrow morning.)

Mr. Eastman from the committee on military affairs reported the same on bill, "An Act to amend Section 2 of Chapter 264 of the Public Laws of the Special Session, November, 1919, relating to the payment of a bonus to Maine World War Veterans."

Same gentleman from same committee reported same on bill, "An Act to amend Section 2 and 3 of Chapter 264 of the Public Laws passed by the 79th Legislature of the State of Maine at the Special Session November 4 to 8, 1919, entitled 'An Act to provide for a bonus to

Maine Soldiers and Sailors in the war with Germany.'"

Reports were read and accepted and sent up for concurrence.

Mr. Holley from the committee on appropriations and financial affairs on bill, "An Act to amend Section 85 of Chapter 2 of the Revised Statutes relating to the State Contingent Fund" reported same in a new draft under same title and that it "Ought to pass."

Same gentleman from same committee on bill, "An Act to increase the military fund amending Section 91 of Chapter 259 of the Public Laws of 1917," reported same in a new draft under same title and that it "Ought to pass."

The reports were accepted and the bills ordered printed under the joint rules.

On motion by Mr. McIlherson of Lewiston, the House voted to reconsider its action whereby it accepted the report, ought not to pass, on bill, an act to protect children from fire; and on further motion by the same gentleman, the matter was tabled, pending acceptance of the report and specially assigned for Friday of this week.

Mr. ROUNDS of Portland: Mr. Speaker, there is a matter that I wish to bring up at this time, and I yield to the gentleman from would-be Portland, Mr. Hinckley.

Mr. HINCKLEY of So. Portland: Mr. Speaker, I first want to say that I have no desire to be connected with Portland. (Laughter and applause). Some day in the course of time, if Portland behaves itself and improves as we in South Portland hope it may, we may decide to annex it. I hardly know why the gentleman from Portland (Mr. Rounds) called on me unless it was on account of the fact that I presented the name of the Clerk to this Legislature, endorsed him, and told them that I believed he would be competent in his position. In spite of the fact that I did endorse him and in spite of the fact that he went through the last Legislature and showed himself competent in every way, I must concur with my distinguished colleague from Portland (Mr.

Rounds) and agree with him that the Clerk cannot on all occasions be heard. It has been noticeable among the members of this House, and they have commented upon it a good deal. Some of us believed that possibly it was on account of the fact that, in the small hours of the morning even, it was reported that he was at work at his desk, and that he did not know when to go home. We investigated, and we found that he had no way of ascertaining what time it was, and so he continued to work on and on and on. Having that in mind, the members of this Legislature felt that it was their duty, and indeed their privilege, to try and remedy the situation, and they have procured for him this clock (producing clock from under desk) that he might, when the hours rolled around to one, two or three o'clock in the morning, know enough to go home and get his sleep and prepare himself to do his work properly the next day; and, Mr. Speaker, in behalf of the members of the Eightieth Legislature, I take great pleasure in presenting this clock to our distinguished Clerk. (Prolonged applause, the members rising). Mr. Speaker, its face, like that of our clerk, is open and frank. Its hands are always on time, and, when the time comes, it can, like our Clerk, speak so it can be heard; and I hope, Mr. Clerk, when you return to your home and as the hours roll by and the days and the years pass, that this clock will be a happy reminder to you of the recognition of the members of this Legislature of your great efficiency. (Prolonged applause).

The CLERK: Members of the House: I guess my voice is going back on me after all. When the gentlemen first started to speak, I thought that another state official was about to be asked for his resignation. (Laughter and applause). I am reminded of a statement by a roommate of mine in Law School, Frank Blais. He was half French and half Irish and he had all of the wit of both races. He was in law school laboring under considerable difficulties because he had a very meager schooling and had been out of school for a long time. He only had

one arm, and that was his left arm. He had no money, so he had to work his way through. He applied himself diligently to his books. He was in the class below me, so quite frequently I would put propositions of law to him. I remember that one day I put a proposition of law to Frank and he made a remarkably good answer. I said to him, "Frank, you are doing well in law school, and some day you will be a big lawyer." I meant what I said. Frank looked up with that Irish smile of his, and said, "Chap, I know you are kidding me, but, gee, you make me feel awful good!" (Applause.) So here today I know I do not deserve this clock, but, gee, you make me feel awful good! (Applause).

On motion by Mr. Rounds of Portland, it was voted that all remarks relative to the foregoing presentation expunged from the Record, except those of the gentlemen from So. Portland, Mr. Hinckley, and the Clerk.

Mr. Holley from the committee on appropriations and financial affairs reported ought not to pass on Resolve in favor of the Old Town Hospital, Old Town, for the care, support and medical or surgical treatment of indigent persons.

Same gentleman from same committee reported same on Resolve in favor of the Maine Institution for the Blind at Portland.

Reports were read and accepted and sent up for concurrence.

Mr. Phillips from same committee reported ought to pass on Resolve in favor of the Central Maine Sanatorium, Fairfield, Somerset county.

Same gentleman from same committee reported same on Resolve in favor of the Maine Agricultural Experiment Station.

Same gentleman from same committee on Resolve in favor of the Maine School for the Deaf, reported same in a new draft under same title and that it ought to pass.

Mr. Holley from the same committee on Resolve, making an appropriation for printing and binding Adjutant General's Report for 1917, 1918 and 1919 (war period), reported same

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

Same gentleman from same committee on Resolve in favor of Wallace Lewey, representative to the Passamaquoddy Tribe of Indians, reported same in a new draft under same title and that it ought to pass.

Mr. Phillips from same committee reported ought to pass on Resolve in favor of the Northern Maine Sanatorium, Presque Isle, Aroostook county.

Mr. Holley from same committee on Resolve in favor of Horace Nelson, Representative of the Penobscot Tribe of Indians, reported same in a new draft under same title and that it ought to pass.

Same gentleman from same committee on bill An Act to provide for the appointment of a treasurer and resident auditor at the University of Maine and define their duties reported same in a new draft under same title and that it ought to pass.

Same gentleman from same committee on Resolve in favor of Maine General Hospital, reported same in a new draft under same title and that it ought to pass.

Mr. Phillips from the same committee on Resolve in favor of the commissioners of pharmacy, reported same in a new draft under same title and that it ought to pass.

Mr. Holley from same committee on Resolve in favor of the Central Maine Sanatorium, Fairfield, Somerset county, reported same in a new draft under same title and that it ought to pass.

Same gentleman from same committee reported ought to pass on Resolve in favor of the national conference of commissioners on uniform State laws and of the commissioners from Maine for the promotion of uniformity of legislation in the United States.

Same gentleman from same committee on Resolve in favor of the Bath Military and Naval Orphan Asylum reported same in a new draft under same title and that it ought to pass.

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

Mr. Varney from the committee on education on the following resolves:

Resolve in favor of Anson Academy.  
Resolve in favor of Aroostook Central Institute, Mars Hill, Aroostook County, Maine.

Resolve for maintenance for Bluehill George Stevens Academy, Bluehill, Maine.

Resolve in favor of Bridgton Academy.

Resolve in favor of Cherryfield Academy.

Resolve in favor of Bridgewater Classical Academy, Bridgewater, Aroostook County, Maine.

Resolve in favor of the East Corinth Academy, Penobscot County.

Resolve in favor of Eastern Maine Institute.

Resolve in favor of Erskine Academy.

Resolve in favor of Freedom Academy.

Resolve in favor of Fryeburg Academy, Fryeburg.

Resolve in favor of Gould Academy in Bethel.

Resolve in favor of Hampden Academy in the town of Hampden.

Resolve in favor of Hartland Academy.

Resolve in favor of Higgins Classical Institute, town of Charleston, Penobscot County, State of Maine.

Resolve to appropriate money to aid in rebuilding dormitory of Leavitt Institute in the town of Turner.

Resolve in favor of Lee Academy.

Resolve in favor of Limerick Academy.

Resolve for maintenance of Limington Academy, Limington, Maine.

Resolve in favor of Lincoln Academy in Newcastle.

Resolve to appropriate money for the maintenance of Litchfield Academy. (Bill No. 1.)

Resolve to appropriate money for the maintenance of Litchfield Academy. (Bill No. 2.)

Resolve in favor of Maine Central Institute in Pittsfield.

Resolve to appropriate money for the maintenance of Monmouth Academy. (Bill No. 1.)

Resolve to appropriate money for the maintenance of Monmouth Academy. (Bill No. 2.)



Resolve to provide for the Nasson Institute, Sanford, Maine, for the six months' period ending June 30, 1921.

Resolve to provide for the Nasson Institute, Sanford, Maine, for the fiscal years 1922 and 1923.

Resolve in favor of the trustees of North Yarmouth Academy for repairs and improvements.

Resolve to appropriate money for the maintenance of Oak Grove Seminary in Vassalboro. (Bill No. 1.)

Resolve to appropriate money for the maintenance of Oak Grove Seminary in Vassalboro. (Bill No. 2.)

Resolve in favor of Parsonsfield Seminary for maintenance.

Resolve for maintenance of Parsonsfield Seminary, Parsonsfield, Maine.

Resolve in aid of Ricker Classical Institute.

Resolve in favor of Somerset Academy at Athens.

Resolve in favor of St. Louis Home and School for Boys, Dunstan Heights, Scarboro.

Resolve in favor of St. Joseph Academy, Deering, Portland.

Resolve in favor of St. Mary's College, Van Buren, Aroostook County, Maine.

Resolve in favor of Washington Academy, East Machias, Maine.

Resolve in favor of Westbrook Seminary, Westbrook, Maine.

Resolve in favor of Wilton Academy.

Reporting same in a new draft under title of "Resolve in favor of several academies, institutes, seminaries and colleges, for maintenance, repairs and improvements and that it ought to pass."

Mr. Buzzell from the Committee on Judiciary on Bill "An Act amending the charter of the Belfast Municipal Court" reported the same in a new draft under same title and that it "Ought to pass."

Mr. Cole from the same Committee on Bill "An Act amending Section 35 of Chapter 72 of the Revised Statutes relating to adoption of persons of any age," reported same in a new draft under title of "An Act relating to adoption," and that it "Ought to pass."

Same gentleman from same Committee on Bill "An Act to amend Section 3 of Chapter 235 of the Private and Special Laws of 1911, relating to a Police Commission in the city of Biddeford," reported same in a new draft under same title and that it "Ought to pass."

Mr. Maher from the same Committee reported "Ought to pass" on Resolve appropriating money to pay the claim of Roswell S. Cushing against the State of Maine.

Mr. Wing from the same Committee on Bill "An Act to incorporate the Kennebunk, Kennebunkport and Wells Water District" reported the same in a new draft under same title and that it "Ought to pass."

Mr. Eastman from the Committee on Military Affairs on Bill "An Act to amend Section 51 of Chapter 4 of Revised Statutes relating to payment by the State of burial expenses of deceased soldiers and sailors," reported same in a new draft under title of "An Act to amend Section 51 of Chapter 4 of the Revised Statutes as amended by Chapter 59 of the Public Laws of 1917 and by Chapter 97 of the Public Laws of 1919 relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors" and that it "Ought to pass."

Same gentleman from same Committee on Bill "An Act to amend Chapter 239 of the Public Laws of 1919 relative to the use of armories built by municipalities with State aid for public purposes," reporting same in a new draft under title of "An Act to amend Chapter 239 of the Public Laws of 1919 relating to the use for public purposes of Armories built by municipalities with State aid," and that it "Ought to pass."

Same gentleman from same Committee reported "Ought to pass" on Resolve for extra pay to the Maine Volunteers, war with Spain.

Same gentleman from same Committee reported same on Resolve appropriating money for the care, maintenance and repairs of Fort William Henry in the town of Bristol.

Mr. Brewster from the Committee on Ways and Bridges reported the same on Bill "An Act to discontinue the ferry between the towns of Orrington and Hampden across the Penobscot River."

Reports were read and accepted and the Bills and Resolves ordered printed under the joint rules.

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act to secure the purity of ice cream offered for sale."

Report was signed by the following members:

Messrs. GILLIN of Penobscot,  
PARENT of Androscoggin,  
—of the Senate.  
WING of Auburn,  
BUZZELL of Belfast,  
COLE of Eliot,  
—of the House.

Minority Report of the same Committee on same Bill, reporting same in a new draft under same title and that it "Ought to pass."

Report was signed by the following members:

Messrs. FARRINGTON of Kennebec,  
—of the Senate.  
MAHER of Augusta,  
MURCHIE of Calais,  
GARDINER of Gardiner,  
—of the House.

(Tabled by Mr. Maher of Augusta, pending acceptance of either report.)

Majority Report of the same Committee on Bill "An Act to amend Chapter 51 of the Revised Statutes as amended by Chapter 144 of the Public Laws of 1917, relating to the formation of corporations having stock without par value," reporting same in a new draft under same title and that it "Ought to pass."

Report was signed by the following members:

Messrs. PARENT of Androscoggin,  
FARRINGTON of Kennebec,  
—of the Senate.  
MURCHIE of Calais,  
MAHER of Augusta,  
BUZZELL of Belfast,  
COLE of Eliot,  
GARDINER of Gardiner,  
WING of Auburn,  
—of the House.

Minority Report of the same Committee reporting "Ought not to pass" on the same Bill.

Report was signed by the following member:

Messr. GILLIN of Penobscot,  
—of the Senate.

On motion by Mr. Cram of Portland, the majority report, ought to pass, was accepted.

Majority Report of the same Committee reporting "Ought to pass" on Bill "An Act to reenact Section 24 of Chapter 69 of the Revised Statutes relating to when no succession tax shall be assessed on stocks, bonds and evidences of debt of Maine corporations."

Report was signed by the following members:

Messrs.  
PARENT of Androscoggin,  
—of the Senate  
MURCHIE of Calais,  
HINCKLEY of So. Portland,  
GARDINER of Gardiner,  
BUZZELL of Belfast,  
COLE of Eliot,  
WING of Auburn,  
MAHER of Augusta  
—of the House.

Minority Report of the same Committee reporting "Ought not to pass" on the same Bill.

Report was signed by the following member:

Messr. GILLIN of Penobscot,  
—of the Senate.

On motion by Mr. Maher of Augusta, the majority report, ought to pass, was accepted, and the bill received its two several readings.

On motion by Mr. Wing of Auburn, the rules were suspended and the bill was given its third reading and passed to be engrossed.

#### First Reading of Printed Bills and Resolves

House 414: An Act to provide additional funds for the maintenance of State and State-aid highways.

House 417: An Act to provide for an issue of State Highway and Bridge Bonds.

(On motion by Mr. Granville of Parsonsfield, the House voted to reconsider its action whereby this bill was

assigned for its third reading tomorrow morning at nine o'clock; and on further motion by the same gentleman, the rules were suspended, and the bill given its third reading and passed to be engrossed.)

House 415. Resolve appropriating money for the purchase, maintenance and repair of bridges.

(On motion by Mr. Wing of Auburn, the rules were suspended, the resolve given its second reading and passed to be engrossed.)

House 416. Resolve amending Section 17 of Article IX of the Constitution, so as to permit the use of the proceeds of State highway bonds in the construction of State-aid highways.

(On motion by Mr. Wing of Auburn the rules were suspended, the resolve given its second reading and passed to be engrossed.)

House 418. Resolve in favor of the Western Maine Sanatorium.

(On motion by Mr. Forbes of Paris, the rules were suspended, the resolve given its second reading, and passed to be engrossed.)

#### Passed to Be Engrossed

House 309. An Act to increase the Mill Tax Highway Fund and to provide for the method of its application.

House 404. An Act relating to the wrapping of bread.

House 408. An Act to require a fee for registration of milk dealers.

House 407. Resolve reimbursing Plantations because of reduction in the rate of interest paid by the State to Plantations on their Wild Land School Funds.

#### Passed to Be Enacted

An Act to amend Section 85 of Chapter 2 of the Revised Statutes, as amended by Chapter 226 of the Public Laws of 1917, relating to the State Contingent Fund.

An Act to authorize the proprietors of Portsmouth Bridge to discontinue the public use of its bridges and to sell its property and franchises to, and merge the same with the Boston and Maine Railroad.

An Act to amend Section 1, of Chapter 85, of the Private and Special Laws of 1915, as amended by Section 1, of Chapter 181, of the Private

and Special Laws of 1917, relating to better protection of lobsters within certain waters adjacent to Hancock County.

An Act to provide for the acceptance of the benefits of An Act by the Senate and House of Representatives of Congress assembled, entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry and otherwise and their return to civil employment"; and to provide for the administration of the same.

An Act to amend Section 10 of Chapter 128 of the Revised Statutes, relating to the unauthorized use of insignia of War Veterans.

An Act to amend Sections 2 and 3 of Chapter 264 of the Public Laws of 1919, extending the provisions for applicants for the Soldiers' Bonus.

An Act to incorporate the Ashland Electric Light and Power Company.

#### Finally Passed

Resolve to reimburse the town of Southport for the expenses of the sickness and burial of Lydia A. Rowe.

Resolve to increase the pension granted to Harmon Varrell of York.

Resolve reimbursing the town of Oakland for money expended on account of mothers with dependent children.

Resolve to reimburse the town of Mapleton.

Resolve in favor of C. K. Hopkins of Camden, Maine, for labor performed at Camden Fish Hatchery.

Resolve in favor of the town of Hartland for aid rendered to mother with dependent children.

Resolve in favor of J. Wilbur Day, of Wesley, county of Washington, for reimbursement for cattle killed by bears.

Resolve to reimburse the town of Rumford for aid furnished dependents of Soldiers.

Resolve to reimburse the town of Dixfield for money paid for sheep killed by bears.

Resolve appropriating money for further public instruction in forestry.

#### (Emergency Measure)

An Act to ratify, confirm and make legal and valid certain acts of the

Camden Village Corporation, and of the town of Camden, and to dissolve the Camden Village Corporation.

The SPEAKER: This being an emergency measure, under the Constitution of the State requires the affirmative vote of two-thirds the entire membership of this House. All those in favor of the passage of this bill to be enacted will rise and stand until counted, and the monitors will return the count.

A division being had,

One hundred and twenty-three voting in the affirmative and none in the negative, the bill was passed to be enacted.

The SPEAKER: The committee of conference on the disagreeing action of the two branches of the Legislature on bill, an Act to increase the bounty on bears in Penobscot and Washington counties, have had the same under consideration and ask leave to report that the bill as originally reported from the committee on Inland Fisheries and Game be amended so that the bounty will be ten dollars for each bear killed in the counties of Penobscot and Washington; that House amendment "A" and Senate Amendment "A" be rejected and eliminated from the act. This is signed by the six gentlemen of the committee, and is it the pleasure of the House to accept the report?

The report was accepted.

On motion by Mr. Weatherbee of Carroll, the action of the House whereby this bill was heretofore passed to be engrossed was reconsidered. On further motion by the same gentleman, the action of the House whereby House amendment "A" was adopted was reconsidered.

On further motion by the same gentleman, the bill was amended by striking out the word "fifteen" wherever it occurs in said House Document No. 235 and inserting in place thereof the word "ten", thereby adopting House amendment "B."

On further motion by the same gentleman, the bill as amended by House amendment "B" was passed to be engrossed.

### Orders of the Day

The SPEAKER: Under orders of the day the unfinished business has precedence, except by vote of the House.

Mr. PERKINS of Orono: Mr. Speaker, I move that we now take from the table, Report of the committee on Education on Resolve in favor of the University of Maine, tabled by me March 25th, pending acceptance of the report, and I yield to the gentleman from Fort Fairfield, Mr. Houghton.

Mr. HOUGHTON: Mr. Speaker, I wish to offer an amendment, and I will say that this amendment does not interfere with the substance of the resolve in any way. It simply carries the emergency preamble; and I move that the report of the committee be accepted, that the amendment be adopted, and that under suspension of the rules, the resolve have its two several readings and passed to be engrossed.

Thereupon the report was accepted, and the resolve had its first reading.

The SPEAKER: Pending its second reading, the gentleman from Fort Fairfield, Mr. Houghton, moves the adoption of House Amendment "A." The House will note that as originally drafted it did not carry the emergency clause.

House Amendment "A" to resolve in favor of the University of Maine:

Amend resolve in favor of the University of Maine by striking out all of said resolve subsequent to the title thereof, and substituting in place of the portion stricken out the following:

"Whereas the continuance of the courses of instruction in the University of Maine will cease until a date 90 days after the recess of the present session of the Legislature unless moneys are appropriated for the expense of the continuance of such courses of instruction, and

Whereas the continuance of the course of instruction at the University of Maine for the ensuing three months is an emergency and such continuance immediately necessary for the peace, health and safety of the State,

Now therefore be it resolved:

Section 1. That there be and hereby is appropriated for the maintenance and for payment of indebtedness for the University of Maine the following amounts, namely:

For maintenance from January 1, 1921 to June 30, 1921, the sum of \$125,000; for the period from July 1, 1921 to June 30, 1922, the sum of \$225,000; for the period from July 1, 1922 to June 30, 1923, the sum of \$225,000."

The SPEAKER: The Chair would inquire of the gentleman from Fort Fairfield, Mr. Houghton, whether there is any change in the figures.

Mr. HOUGHTON: There is no change in the figures, Mr. Speaker.

The SPEAKER: So, as the Chair understands the amendment, it simply makes it an emergency measure. It makes the funds specifically appropriated for the first six months of this year available before the 9th of July. Is it the pleasure of the House to accept the amendment.

The amendment was accepted.

The resolve then received its second reading and was passed to be engrossed as amended by House Amendment "A."

The Chair presents House Document No. 132, report of committee on Legal Affairs on Bill, An Act relating to Portland Pier, tabled on March 25 by the gentleman from Freeport, Mr. Davis, pending acceptance of the report, which was the unanimous report of the committee on Legal Affairs, ought not to pass. It is a resolve to repeal what is commonly known as the Portland Pier Act.

Mr. DAVIS of Freeport: I move that it be retabled and specially assigned for next Friday.

A viva voce vote being taken, the motion was lost.

Mr. DAVIS: I move that the bill be substituted for the report.

The SPEAKER: The Chair will state the parliamentary situation as it conceives it to be its duty. There is on the Statutes an act known as the Portland Pier Act. This resolve is to repeal that act. The report of the committee is that the resolve should not pass, that is, that the law should stand as it is. The motion of

the gentleman from Freeport (Mr. Davis) is that the resolve be substituted for the report, which in effect would repeal the Portland Pier Act. The Chair recognizes the gentleman from Portland, Mr. Warren.

Mr. WARREN: Mr. Speaker and gentlemen: I sincerely hope that his motion will not prevail. Of course, as stated by the Speaker, we all realize what it means. It would mean the repeal of this Act passed two years ago. We know something of the history of that Act. It was not an Act that was put into this House and passed without consideration. This movement to establish a State pier has been under way for four years at least to my knowledge. It was presented to the Seventy-Ninth Legislature, was considered in committee and very carefully considered. We had a very lengthy hearing which resulted in a unanimous report for the passage of the Act. It was discussed some here on the floor of the House with very little opposition and passed by a good majority vote. The bill had a referendum clause attached to it, and at an election held in the fall of 1919, the matter was brought before the people of the State for a referendum and was passed by the voters in every county in the State, the vote being more than three to one in favor of the passage of the Act. Further than that, it is a movement that has been endorsed, I think, by every Chamber of Commerce in the State. It has been endorsed by that powerful and strong organization, the State Grange. Several labor organizations throughout the State have endorsed it, and, as a last resort, there is a slight movement on the part of a very few people in the State to defeat this measure in spite of the endorsement that has been given it by the people of the State. That movement is headed by one man. I do not need to call his name; he appeared here at the hearing of the committee. As a last resort the matter was submitted to the Supreme Court of the State, and by a decision of theirs given very recently, the courts of the State have upheld it and it has been decided by them that it is perfectly legitimate

and right for the State to go ahead with this matter of building the Pier. The site has been decided upon after due deliberation as being the most feasible of any in the State. It is in the city of Portland, but I am not favoring it because it is located in Portland. I acquiesced in the judgment of the men who selected that site. Now as a last resort this motion has been made here by a member to undo all this work that has been done in the last two years. I submit to you, gentlemen, that it is not right for one or two men in this State to throw a wrench into the machinery of a State Pier and annul the work of this Legislature and of the people of the State of Maine, and the endorsement of all the bodies who have endorsed this matter. I am not going to take your time further, but I simply wish to say again that I sincerely hope that this motion to substitute the bill for the report will not prevail.

Mr. DAVIS of Freeport: Mr. Speaker and gentlemen of the House: A few weeks ago there was an editorial in the Boston Herald regarding the Commonwealth Pier of Boston wherein the editor lamented the fact that the improvements that were called for were a failure. At about that time Mr. Cole, a member of the Commonwealth Pier Commission, in his report for the investigating committee said that the principal revenue of this pier was from private sources, and if it had not been for the war it would have been a failure. In the first place there was a big deficit. I had the pleasure of meeting a man yesterday in this House from Connecticut, and he told me that the pier at New London was a problem. This gentleman from Connecticut said that this expensive pier was built with the idea of getting the large steamers engaged in ocean traffic, and he also said that the New York docks were now crowded with steamers, and that they would pass by and would not land at New London. He further said that the New York system had bought out the Boston & Albany road for the reason that they wanted to further control this traffic which left the

Boston & Albany docks in Boston without business; that they were idle. Now I have a few facts and figures here relating to the Portland Pier act which I will read.

Does Maine need a State pier? This is a question for the 80th Legislature to pass on.

I feel it is my duty at this time as a citizen of the State of Maine to give you a few of the many facts relating to this question.

First, Portland harbor has been dredged to a depth of 32 feet at mean low water. The channel by the docks up to the Portland bridge will accommodate any ship that has occasion to come to Portland.

The Maine Central has coal pockets adequate for the handling of thousands of tons of coal a day. They seem to have no trouble. They have built their docks with their own money and keep them in repair, and they are not asking for any State pier. The A. R. Wright people are also heavy handlers of coal. They handle big ships. They have equipment for handling hundreds of tons per day. The Lehigh Valley Coal Company are also heavy handlers of coal in Portland. Their dock is kept in good repair and they have equipment for handling hundreds of tons of coal a day. The Pocahontas Coal Company also has their own docks, keep them in good repair and run their own steamship to carry their coal. Portland harbor meets every requirement of these coal companies mentioned. The channel has a width and depth that these ships can go in loaded at low tide and have no trouble in docking. None of the above companies are asking a subsidy from the State.

The State Pier Act.

At a special session of the Legislature in 1919 the State Pier act was passed, also the State Pier Site District act. The purpose of this district was for the furnishing of a site for the State pier. This district was composed of Portland and South Portland. There also was passed an allowance of \$10,000 for the locating of the site, with four commissioners appointed by the Governor and one appointed by the mayor of Portland, making a total

of five commissioners of the port of Portland.

Now, the site selected by that commission are the docks known as Galt wharf and the Eastern Steamship Company's docks formerly used by the Eastern Steamship Company for their boats which at one time run between Portland and New York, Boston, Portland and St. John, New Brunswick, Portland and Rockland, and Portland and Boothbay Harbor. These steamship lines have been discontinued, not because of lack of docking facilities, but from the fact that they never were a paying proposition to the stockholders. Now these docks mentioned are for the site of the State pier. Your commission have asked the federal government that they be allowed to extend this State pier 500 feet further into Portland harbor. This will make Portland harbor channel 500 feet narrower, and across the gateway of the coal pockets mentioned above.

I will say on good authority that piling has been driven 75 feet into the mud at this location. You can readily see that the bottom is soft.

Now it has been stated that this pier extending 500 feet into Portland harbor, into water 32 feet deep and into 75 feet of soft mud can be built for \$1,150,000 with freight sheds, grain elevators, with the latest equipment of machinery for the quick handling of freights; all this is to be built for \$1,150,000. We are told that the state pier of Connecticut located at New London cost \$10,000,000. The state pier of Massachusetts located at Boston and known as Commonwealth Pier cost \$9,000,000. Both Connecticut and Massachusetts' state piers are acknowledged by the citizens of both states that they never should have been built but nevertheless they have been and the people of both states are paying interest on the bonds which built them. Shall the citizens of Maine profit by the mistakes of others?

Judge Deasy of the supreme court of Maine has just handed down his decision in which he says, the State pier cannot be leased for private purposes.

Further, there is to be no revenue derived from any State Pier. It must

be maintained by the people of the State. I claim that Maine does not need a State Pier.

The coastwise steamship companies that have thoroughly tested out the different lines have found it so unprofitable that they have gradually dropped off one by one, so you can readily see that it is not for the coastwise steamers that you need a State Pier. They are something of the past.

(At this point, Mr. Holley of North Anson assumed the Chair).

The principle steamships running on the coastwise trade today between Portland and southern points are coal carrying steamships, steamships carrying china clay and sulphur. Portland is the coal center of Maine. There is a great deal of coal handled not only for Portland, but for the inland cities and towns of this State. All this is being taken care of very nicely today.

The Trans-Atlantic steamers are being taken care of by the Grand Trunk Railway system. They are foreign ships. Every country in Europe has a subsidy for the maintaining of their ships. The United States Government has found that it is not a paying proposition to run ships in competition with foreign countries for this reason, the wages of sailors in Europe are much lower than those paid in the United States. We, the people of the United States, say that we will not maintain a Merchant Marine levying a subsidy tax on the people of this country. Further, we will be the producers.

A clipping last week in a local paper stated that 44 of our choicest Merchant Marine ships which cost \$750,000 each, making a total of \$33,000,000 were sold for \$1,300,000. That shows what our country thinks of the Merchant Marine. Now, are the citizens of the State of Maine to build a State Pier for the Merchant Marine that 48 states have turned down?

The Grand Trunk Railway system today are handling not over 50 per cent. of their capacity. Ships for Europe are taking on a part cargo and leaving Portland for Boston and New York to complete their loads. The

Grand Trunk system has yard room for 11,000 cars and their equipment is in line to handle these 11,000 cars. The grain elevators of the Grand Trunk were built with Portland capital with a rate of interest and an additional rate for a sinking fund to take care of the cost, and when the original cost has been satisfied they become the property of the Grand Trunk Railway system. The original owners of the Grand Trunk have found that the general upkeep of so gigantic an investment became too heavy a burden for them to handle and the Government of the Dominion of Canada has taken over this property. I find that the Grand Trunk docks are sadly in need of repair. During the year they have dismantled one of the sheds, also the immigrant station, but this shed and the immigrant station is to be rebuilt. The wharves are out of repair. You can readily see that the Government of the Dominion of Canada is carrying a heavy load in this Grand Trunk Railway system who have their terminal at Portland. Why should Maine start an opposition to the Grand Trunk Railway system, a company who so willingly, ably and pleasantly carried this burden for years for our State? Why should we plunge into this? The taxes of the Grand Trunk Railway system pay to our State and the city of Portland every year are heavy, and the State Pier is not taxable.

The following Trans-Atlantic liners running into Portland are being taken care of by the Grand Trunk: The White Star Dominion line, the Thompson line, Cunard line, the Carons-Noble line, the Donaldson line and others. These lines are doing 50 per cent. less than their capacity.

In the winter of 1920 when freights were good and before the general depression was felt, the Grand Trunk Railway system handled 85 British ships, 70 American, six Norwegian, six Italian, six Grecian, five French, one Russian, one Belgian, two Dutch, and two Spanish, making a total of 184 ships. The average expense of labor and ship stores for one of these boats in port is \$7,000, and the expense on some ships has run as high as \$25,000. You can readily see that

the Grand Trunk is equipped to take care of any ships that come to Portland.

I happen to know of a check for \$25,000, a premium of insurance, which was handed to a local insurance company in Portland. You can see by this that the Grand Trunk is not selfish.

Now if the business men and bankers of Portland will meet the representatives of the Grand Trunk Railway system with the same spirit that they did at the time the Grand Trunk elevators were built, you can make Portland the gateway to the Canadian and our Northwest and any other section of our country. They are willing to carry the burden as they have in the past. They are masters in their line, having been life-long students in shipping circles. Following is a clipping from a shipping board:

"During the last six months of the year 1920-1921 business done by the United States Shipping Board shows a deficit of \$38,000,000. The cost of construction and operation of American built ships as compared with those of foreign nations: It costs net between 20 and 40% less to build a ship in Great Britain than it does in this country, while the cost of operating a British ship is 25% less, a Canadian ship 33% less, and a Japanese vessel 38% less. Unless direct or indirect financial aid be given to those operating American ships in the future the Board states that it cannot see how they can compete with foreign ships."

You can readily see what the citizens of Maine are facing.

It has been said that the citizens of South Portland's contention against the State Pier is because the site was not located in South Portland. I want to tell the people of the State of Maine that this is not so. The citizens of South Portland are in better position to pass on this than most of the citizens of other cities of the State for the fact that we look on Portland docks daily and we know what business is being transacted.

The information in this article is



facts and I invite verification. It is for the cause of the citizens of Maine.

(Signed) W. R. McDONALD."

Just one moment! I read from an article in the Kennebec Journal this morning as follows:

"The Grand Trunk Railway steamship terminus here will be enlarged and improved at a cost of approximately \$500,000, officials of the railway said today. Construction will begin May 1. They also are considering the erection of coal-handling pockets at East Deering at a cost of about \$1,000,000.

"Plans already have been approved for an immigration examination and detention building to cost \$200,000 and provide accommodations for the handling of 1000 passengers a day. This will include facilities for customs and public health service officers. Improvements will include the rebuilding of two freight sheds on the third or easterly pier."

Now, gentlemen of the House, you see I have brought many problems before you about the different State Piers, and I leave this now in your hands.

Mr. ROUNDS of Portland: Mr. Speaker, I think I have as much to do as anybody with the front side of Portland Harbor, 365 days out of the year, and I think I know as much about the condition of that Harbor as any man in this House. The gentleman from Freeport (Mr. Davis) has just said that the Grand Trunk docks could take care of everything. Now only last Saturday I know that one steamer had to lay out all day long. Now you know what it costs to keep a steamer in the stream one day—a large steamer? She could not get in because the dock was too full. Now I want to say something for this dock and something for the Grand Trunk railroad. I think I spoke for the Grand Trunk a few days ago on the floor of this House when they were trying to stop connections with it. Now the Grand Trunk is not only laying out money in Portland but is laying it out all along the line. You know they are building their bridges at the present time for a double track all along the Grand Trunk road.

When they get that they will want more dockage. They have three docks there, and as has been said there were nine steamers tied up at those docks at one time; but I will tell you that I have seen nine more waiting to get into the dock—not this spring because I have been here at Augusta all of the time; but I have seen them in the winter time. In the summer time the docks are practically empty. Now do you know that the largest line of put up beans in this country is in Portland, Maine, and those beans have to come from California? Do you know that eighteen million pounds of beans were brought into the State of Maine the past year? If we could have brought them directly by ship to the city of Portland it would have saved the citizens of Maine one-half a cent a pound on every pound of beans brought in from California. Do you know that the raisins we get from California are brought in by train, and do you know that we would save one-half a cent a pound on them if they could be brought by water? Do you know that the apricots, the raisins and the oranges that you ate the other night come from California, and that they had to come through by train for the reason that there were no vessels coming to Portland, and that we would have got them one-half a cent a pound cheaper if we had the vessels coming to Portland, and all because we have not got dockage enough in Portland?

It has been said that the Grand Trunk will let them have dockage room. They will during the summer; but in the winter they look after their own business first. Now I will tell you why this was. This condition of affairs was brought about because there was a depth of thirty-two feet of water. That depth of thirty-two feet of water only extends three docks above the Grand Trunk docks. Now one of those docks is being taken over by this commission that was appointed by the Governor and was sanctioned by the voters of the State of Maine. They went there and took it. What was the reason for it? At the present time we have two elevators, built

by Portland or Maine capital mostly and by the banks of Maine and leased to the Grand Trunk; and when they are paid for the Grand Trunk is to own them, but they have to pay every dollar. I want to say right here that the Grand Trunk is the only road in Maine that I know of which has paid the towns every dollar that they hired of them. They have paid every cent and this has been done through water transportation.

And now I want to say further that we have paid fifteen dollars a ton for soft coal while the Government was in charge because it put up the rates. Wages were high; but I think that if the LaFollette is taken off the Statute book, we will get back where we will get some reduction in our freight rates so that you gentlemen in the interior can get your coal cheaper.

Now I want to state some figures in the coal business. A year ago coal brought in here was \$5.46 per ton by rail and steamer. Today coal is brought in by water at \$1.50 per ton into Portland Harbor, and \$2.88, brought down from the mines to the steamer; and if the gentleman will read that same paper he will see that coal has dropped fifty cents a ton, and we are in hopes to see it drop more in a little while.

Now the gentleman spoke about these steamship lines not being a paying proposition to their stockholders. Now the Maine Steamship Company did pay dividends, the Portland and Machias Steamboat Company paid dividends, the International Line paid dividends, and the Portland Steam Packet Company paid dividends; but what was the reason? After they got out of Maine control to the control of Massachusetts and New York, they watered the stock so that they could not pay, and today they are asking us not to build piers but they are asking us to reduce their taxation which is more than what it would cost to build any pier in Portland. Now there is where we are up against these things. A good many towns in the State have canneries and much of their product is carried to the Pacific coast. With water transportation you can carry it one-half a cent a pound

cheaper. We are already assured, as I understand from the commissioners, a line of steamers from Portland, Maine, to Portland, Oregon, and they will bring back the product of the West, which is canned tongue, which would almost load a ship almost any thrip that they could make. Now one-half cent a pound is not much on one pound, but on a large steamer load it would amount to a great many dollars.

I was told by our largest mineral water concern in this country, Hiram Ricker & Sons—Mr. Edward Ricker told me last year that they lost the sale of 150 cars of water on account of transportation. Now, gentlemen, there is one thing, a Maine product, and advertising Maine from here to California, that could not be carried because of transportation facilities. The difference in the price of a car of water by rail and a car of water by boat is somewhere in the neighborhood of \$250. I have in my hand a letter, a part of which I will read:

"I think you will agree with me that the consumers of heavy necessary products, such as coal, lumber, cotton, grain of all kinds, potatoes and even mineral waters have suffered millions of dollars' loss for lack of water transportation, of which we should have had almost an unlimited amount if it had not been for some of our large interests, including the railroad monopoly, which has hovered around the capital of the United States for the last 30 years and which helped defeat Senator Frye's subsidy bill. If this bill had gone through as Senator Frye pictured to Congress it would have saved this country at least three billions of dollars and possibly would have gone a great way towards stopping the war in its very beginning. It seems to me, after the people have paid this penalty they will realize in the near future that water transportation is the principal thing for the development of this country in the carrying of heavy commodities. I hope that after we pass through the reconstruction stage and once more get back to a sane business policy, that the people of this country will not neglect to improve our waterways, deepen our harbors, build permanent

dock facilities and subsidize our shipping interests sufficiently to give us a merchant marine equal to any, if not the best, in the world. It seems to me to be an easy plan for the government to formulate. It is simply a cold business proposition and can be figured out mathematically with but very little difficulty. The erection of a fine dock in Portland, along the lines which you described in the State Senate, will go a long way toward interesting people in this part of the country. I hope it will soon materialize and that Portland can say it has as fine a dock as any in the world.

With kindest regard, I remain,

Very truly yours,

(Signed) HIRAM W. RICKER.

That, gentlemen, is a part of a letter written to the Chairman of the Board of Commissioners by Mr. Ricker.

Now, gentlemen, it looks to me that at this late day when the Supreme Court has decided that we have a right to build that dock that it is time that we should go ahead and build it. It has been said in the corridors of this House that it will make four or five millionaires in Portland. I supposed they mean the Randall-McAllister Company. The Randall-McAllister Company did buy Custom House wharf; but at a meeting held at the Falmouth Hotel, where the Chamber of Commerce was, our Governor stated that he had the first opportunity to buy that wharf; and, gentlemen, if you knew why Randall and McAllister bought that wharf it was because they could not use one side of their wharf because there was not sufficient space to get into it. I do not know whether it will make any millionaires out of anybody or not. I hope it will, and I hope some of it will work through the stream a little so we may get some of it. We should go ahead and do what we think is right, and, if we do that, this bill will never be resurrected again. We can go ahead and build a dock, and have our harbor full of steamers. I recently talked with McDougal of the Donaldson line and he said it would bring \$15,000 into Maine every week. I will guarantee that you will have

it all over the State, and I want you to understand that everything that helps Portland, helps the State of Maine. I do not say that this is a State of Maine project, but it will help the whole State.

Vessels drawing over 20 feet of water at low water cannot now dock at the Pocahontas Coal dock, the Maine Central dock, the A. R. Wright Company dock, or the wood handling plant of the Maine Central. They can go there only at high water when they draw over 20 feet of water. Now, gentlemen, it is time that we do something. The Government has spent \$800,000 to get it so far and they do not want to do anything more until we do something for ourselves, and that is right too. Do you know that the Government has spent millions of dollars in Portland Harbor to defend it in time of war? Why, gentlemen, if you went down on the islands and out on the Cape shore you would see what the Government has been spending. I hope that the gentlemen's motion from Freeport (Mr. Davis) will not prevail.

Mr. CARROLL of Norway: I would like to say, Mr. Speaker, that a bill of this kind that has a referendum vote and been passed almost four to one, never should have been resurrected again in this Legislature; and if I am in order, Mr. Speaker, I would like to make a motion that we put this with my skunk bill.

Mr. HUNTON of Oakland: Mr. Speaker and gentlemen of the House: It is not my purpose to enter into argument as to the necessity of constructing a pier in Portland Harbor because the Portland Pier proposition is one of wide notoriety. The 79th Legislature gave this matter ample consideration, and in the exercise of its prerogative, it determined that there was feasibility and necessity for the construction of this pier, and in the further exercise of their prerogative, they submitted to the voters of the State of Maine a question of whether or not the Constitution should be so amended that bonds could be issued for the construction of this Pier. That proposition was acted upon by the people of the State

of Maine, and by the exercise of their right of suffrage they determined that that pier should be constructed; and at a special session of the 79th Legislature legislation was enacted for the administration and construction of that Pier. Gentlemen, the only question for this Legislature at this time is whether or not there is a demand on the part of the people for the repeal of this act. I submit to you has there come a demand from the State of Maine for the repeal of this act on the part of the people, who said emphatically by a vote of nearly five to one that this construction should be made. If there is no such demand, I question the propriety of this Legislature vetoing the mandate of the people of the State of Maine. I trust, gentlemen, you will give this matter due consideration in view of the voice of the people as expressed at the polls and will not give this bill a passage.

The SPEAKER pro tem: The question is on the motion of the gentleman from Freeport, Mr. Davis, that the bill be substituted for the report. All those in favor of substituting the bill for the report will say aye, and those opposed, no.

A viva voce vote being taken, the motion to substitute the bill for the report failed of passage.

On motion by Mr. Brewster of Portland, the report of the committee, ought not to pass, was accepted.

The SPEAKER: The Chair presents for consideration House Doc. No. 381, Bill, An Act to divide the town of Wells and incorporate the town of Ogunquit, tabled pending its first reading, on motion by the gentleman from Waterboro, Mr. Smith.

The bill then received its first reading.

Mr. Austin of South Berwick then offered House Amendment "A," to amend House Document No. 381, by adding the following section:

"Sec. 7. This act shall not take effect until it shall have been accepted by a majority vote of the legal voters within said town of Wells at a special meeting to be held not later than the first day of Sep-

tember, 1921. The result in said town of Wells shall be declared by the selectmen and a due certificate thereof filed by the town clerk with the Secretary of State within 30 days from the date of said town meeting."

The question being on the adoption of House Amendment "A,"

Mr. SMITH of Waterboro: Mr. Speaker, this is a bill to divide the town of Wells and incorporate the town of Ogunquit.

For 268 years the town of Wells has encouraged and promoted the growth of Ogunquit until now it is one of the most beautiful villages on the coast of Maine.

Now the village has grown to such an extent that her citizens wish to become divorced and become an incorporated town, and free themselves from the town that has for more than two centuries honored and cherished their growth.

The reasons for taking this step were given at the hearing that they were unjustly treated, received no honors or recognitions from the town as a whole.

These are some of the honors they have received:

The last four representatives of this Legislature from Wells were residents of the village of Ogunquit.

One selectman is always elected from Ogunquit.

The village corporation gives the residents of Ogunquit 60 per cent. of all the taxes assessed in the village, except what is paid for county and State taxes.

If this division takes place, it will leave in Wells nearly nine times as much road as Ogunquit; seven times as many bridges; 13 times as many schools; nine times as many paupers, that cost the town nearly \$3000 per year; with nearly 20 times as much area.

Ogunquit with 1-20 of the area and 40 per cent. of the valuation says it is willing to tax herself for all necessary improvements. Is there any reason why she should not, being the smallest town in the State?

This hearing was held before the Legal Affairs, composed wholly of lawyers. The matter of division was

presented by two of the most able lawyers in our county.

I probably will be criticized and censured for the stand I have taken, and I will be opposed by the best legal talent that is in this Legislature at the present time. I hope, Mr. Speaker and gentlemen, that the amendment offered by the gentleman from South Berwick, Mr. Austin, will not be adopted.

(The Speaker at this point resumed the Chair.)

Mr. COLE of Eliot: Mr. Speaker, as one of those dishonored members of the House, who happen to be a member of the Bar, I hesitate after the remarks of the gentleman to stand on my feet to make any remarks in regard to this measure, and I simply want to state just a few facts, because this measure applies to a town located in my section of the State. I feel, however, that if this amendment is accepted by this House, the House might just as well save its time and trouble by indefinitely postponing this measure, for I feel it would be useless to pass this legislation. If the House wants to go through the form of granting a referendum in order to wash its own hands of responsibility, that is one way of doing the business. This House wants to take a stand one way or the other at the outset, and if this amendment is adopted the House might as well vote to indefinitely postpone the bill because it is an absolute fact that a referendum will stand absolutely no chance whatever. I think I can give you the reason why. There came before this House this morning reported from the committee on Judiciary a bill to incorporate the Kennebunk, Kennebunkport and Wells water district. When that bill came in as it was originally presented to this House, it included the whole of the town of Wells. One gentleman from the town which will be left after the incorporation of the town of Wells, appeared before the committee very strongly in favor of the water district, and he said that it would be of no use to pass this bill if you leave it to a referendum of the town of Wells, and therefore I ask you to cut

out a strip of land about a mile wide, following the ocean front, where we people live in order that we may have a water district, because if it is left to the people of Wells they will defeat the water district.

Now, representing that same class of people in the proposed water district, these gentlemen come in here and ask you to let the people whom they do not dare to trust to vote on the water district to vote on the division of the town of Wells and set up the town of Ogunquit. I say, if it is a good argument in one case it is a good argument in the other. The situation in regard to that bill will be presented to you in a few days with a portion of the town still included in the water district.

Now, as to the division of the town of Wells and the town of Ogunquit, let me say that the division of a town is not a pleasant duty for any Legislature to perform. The Legislature, however, has already divided many of the towns of this State and it is the policy of the State to do whatever will improve the conditions and the prosperity of the different sections of this State. Those who live along the coast of Maine realize that the prosperity of the State, so far as the summer business is concerned, depends absolutely upon the summer people who come here and the manner in which they are entertained. They are bound to come here, and if you give them the advantages they ask for they will continue to come, but they will not come unless they can have those advantages.

The little village of Ogunquit is one of the best summer resorts along the coast of Maine, but 25 years ago it was nothing but barren rocks. The people of Ogunquit got together, those who lived in that little village, and started a movement towards prosperity, and they spent a considerable sum of money and induced people to come there, until today Ogunquit is one of the most beautiful summer colonies in the State of Maine, and perhaps the most rapidly growing colony in the State today. If they are given their independence in ten years they will have more than doubled, and while the town is small

in area, within ten years it is very likely to be larger than Old Orchard. Twenty years ago, Old Orchard was part of Saco, unable to get ahead, composed of a few hundred citizens living two or three miles from the city of Saco, coming to the city every year for relief and unable to get it; and then they came to this Legislature, and they said, "If you will separate us from the city of Saco and set us up in business for ourselves, we will do something," and they did. Old Orchard has quadrupled its valuation, and the city of Saco has not been hurt a particle, and although Old Orchard is larger in area than Ogunquit, it shows what can be done when progressive people are given an opportunity to spend their money in order that they may improve.

In 1913, the town of Wells cut off the electric lights from this section, and refused to let them have electric lights. These people simply ask that they may be left to themselves to spend their own money for their own improvements, and to bring this town up to the highest standard as a summer resort, and while I am not arguing for them or against my friends on the other side of the town of Wells, I believe the situation should be stated just as it is.

I want to go back to the year 1917 and show you what happened at that time. The people of Wells realizing that the majority of the town of Wells had done an injustice to that section of the town known as Ogunquit, came to this Legislature and asked that out of order a bill be put into the Legislature incorporating the Ogunquit village corporation, and under a suspension of the rules that bill was carried through and the Ogunquit Village Corporation was set up in business for itself, and that village corporation has been in trouble with the town from that time to this, and it is still in trouble, and that is the reason for their coming here at this time in order that they may be absolutely divorced.

I believe that this Legislature believes in the future prosperity of Maine, and those of you who happen to live far back from the seacoast and

do not feel the effect of the summer business directly, you will feel it indirectly with every dollar of taxation that is brought into this State, and when you get these little, thriving, progressive communities whose citizens are active, influential and interested in bringing in business and inducing people from out of the State of Maine to come into the State and build hundreds of thousands of dollars worth of residences, as they are building today in Ogunquit, you are doing something to help the people of our State, and you are doing something to help this class of people; and I want to say that it is an artistic colony here, composed of men such a John Kendrick Bangs, who is the leading light, and when you induce that class of people to come into the State of Maine and give them the advantages they desire, it does not matter whether you live in Aroostook, Penobscot, Franklin or Washington county, or where you live, every dollar you increase in the valuation of this State is an increase to the State at large. That is the thing for you to consider, but don't, I beg of you, pass a resolution or amendment here giving the right of referendum to these people, but if you want to do anything, kill the measure.

Mr. CROXFORD of Newport: Mr. Speaker and gentlemen, this carving process of towns seems to be a popular thing. I submit to you, gentlemen, each one of you, how little do we know of the conditions existing outside of what has been told us in regard to the condition that exists down in this town? Each side has told us a good story, and who are we going to believe? I do not believe this Legislature can act intelligently from what we have heard, because one side has said one thing and the other side has said another. I believe the most consistent thing for this Legislature to do is to advise the people of the town of Wells to go back and read their Bibles and settle their differences. (Applause).

Mr. LUQUES of Kennebunkport: Mr. Speaker, I wish to say a few words on this question because this town is a neighboring town to my own, and the conditions there at the present

time are very similar to those existing in Kennebunkport a few years ago, only a little worse. The last speaker (Mr. Croxford) just said that this legislature has no information upon which it can act. There was a hearing before the committee, and I was an interested listener there. That hearing lasted something like three or four hours. The evidence was carefully considered upon both sides, and your committee has turned in a unanimous report in favor of this division. There has been placed on the desks of each member of this House leaflets setting out the arguments pro and con, one a small leaflet and the other larger. Now, it seems to me that the size of those leaflets indicates just about the strength of the arguments for one side and the other. On this small leaflet it says that it will leave 107 miles of highway in the town of Wells to be taken care of, 107 miles of highway on paper. I don't suppose out of that 107 miles of highway there are 50 miles that are taken care of or are pretended to be taken care of, or ever will be taken care of during the lifetime of any member of this House.

I admit, gentlemen, that the village of Ogunquit is the fairest part and the most prosperous part of the town of Wells, but what has made it so? It has been the enterprise and the energy of the citizens of Ogunquit in spite of their being held back by the rest of the town of Wells. Every improvement in the town of Ogunquit, the sidewalks, the roads and the electric lights, has been put in there and paid for out of the pockets of the people of Ogunquit as appeared at the hearing before the committee, and I did not hear any denial of it. Visitors to the town of Ogunquit bring thousands and thousands of dollars into the State of Maine, and if Ogunquit is given its freedom, the valuation of the town will be doubled in five years. It is the policy of the State of Maine to encourage the growth of our seaside resorts; that is one of the great industries in Maine, and we cannot afford to neglect them, and so I say to you, gentlemen, cut his lusty child, Ounquit, away from the body

of old mother Wells, and give it a chance to live and grow. (Applause).

Mr. DOWNS of Rome: Mr. Speaker and gentlemen of the House, the question of the division of towns is one which I submit the members of this House should approach with considerable hesitation. I doubt if very many of the members of this House know of the conditions that apply to the town of Wells, but we have the facts as laid before us by the statements which have been this morning placed upon our desks. It is true that it is very hard to arrive at any conclusion from these statements, and while to the members of this House this may not appear to be a very important measure, yet I submit to you that to the people of the town of Wells it may be a measure of much importance, and those are the people whom it vitally concerns. It does seem a little bit strange that since the year 1653 the town of Wells has been capable of living together, a peaceful, law-abiding community, and they have prospered as your census figures will show. I think if you care to look at your report you will see that their population has decreased comparatively less than many of the other towns in the State. Just how much of this is due to the influx of summer residents, I do not know. I submit it may have some effect in that way; but it is very plain to the members of this House, from the remonstrances which were presented here this morning, that this proposition does not meet with favor, this divorcing a part of the town of Wells from the other part and setting off this little section, as one gentleman has told us, something like a mile wide strip of land, and creating a new town.

I do feel, gentlemen of the House, that all the remarks that have been made have been far-fetched from the actual situation. We have been asked by the city of Bangor, we have been asked by the city of Lewiston to allow them the privilege of deciding their own affairs, and we are asked again under the provisions of this amendment to allow the town of Wells the right to settle their own differences, and to settle their own

questions in their own way. I submit to you, gentlemen, that it is the only fair way, that a question which affects one municipality alone can be justly settled, and I hope that the motion of the gentleman from South Berwick, Mr. Austin, will prevail. (Applause).

Mr. COLE: Mr. Speaker, I will simply say that this House can vote either way and be consistent. This House has voted already not to let the people of the city of Auburn settle their own affairs.

Mr. LUQUES: Mr. Speaker, I just wish to say one more word in regard to this amendment. That is the most absurd proposition that I ever heard, to leave the question of the division between Wells and Ogunquit to a referendum of the town of Wells, because in that part of Wells that does not want to be divided there are about three voters to one that live in the town of Ogunquit, and you might just as well throw the whole thing out as to leave it to a referendum of the town of Wells.

Mr. BUZZELL of Belfast: Mr. Speaker, I never had the pleasure of even passing through the town of Wells. I knew nothing of the conditions existing in this old town until within the last few days. It was not my purpose or my intention to say anything in regard to this proposition until after the remarks of the first speaker upon this question. But at this time, I rise for the purpose of informing the gentlemen of this House in relation to something that we have not yet heard upon this subject.

The legal affairs committee has made a unanimous report. This bill was introduced into this Legislature in the regular fashion; it was advertised and a hearing had before the committee composed of 10 men. No amendments to the bill were made in the committee; no new draft was received by us from that committee. I for one was not present at the hearing, so all I have at this time to depend upon is the report of that committee. I do not think this House should take into consideration the few words from this gentleman or that gentleman or the other gentle-

man who was not present at the time of the hearing. I do not think the words of the gentleman from Newport, Mr. Croxford, have very much force, and neither do I think the words of the gentleman from Rome, Mr. Downs, should be seriously considered. Are there inequities in this town? Have they been in trouble for a long time? Are their interests conflicting? What is the truth? The committee says that they have been in trouble for a long time and that they should be divided. The committee says by their report they want no referendum. Now, it does seem to me to be folly to refer a proposition of this kind to the town of Wells when there are only 500 people in Ogunquit and 900 in the rest of the town.

Now, gentlemen, if this referendum were applied, we all know how they would come out. There are 1400 people, as I understand from this report, and that is the last word I have upon it—900 in the old part of the town, as they call it, and 500 in the other part, almost two to one, according to these figures, some say three to one, and that is so much worse. It would be simply another case where this Legislature would be "passing the buck," and the end we all know very well. Now, what are these inequalities, what have they been? One part of Ogunquit says that they want sidewalks, sewers, electric lights and improvements of that kind. Now, we all know what the back part of the town says, "We cannot have any electric lights up here, and we cannot have any sidewalks, and we don't want to be taxed for things of that kind." Ogunquit at this time simply says, "Here are so many acres in this town, so much population, so much valuation, and just set off Ogunquit to us, and let us have that area set off to us, and that is all we will ask." This town will then have a summer resort of some size. Is that unreasonable, and is that unfair to the balance of the town?

It seems to me, gentlemen, referring this to the people of that town is simply an act on the part of this Legislature trying to get rid of the responsibility. Do we want to do



that? Now, a parallel case has been mentioned here, in regard to the situation in Bangor and Lewiston, etc. That does not apply in this case. We did not refer the Auburn matter to the people of Auburn, but we did with the other places, and what are we going to do in this case? I hope the report of the committee will be sustained, and that the amendment will fail of adoption. (Applause.)

Mr. McILHERON of Lewiston: Mr. Speaker and gentlemen of the House, I do not think it is the purpose of this Legislature to building spite-fences, and if it is, I think it is beneath the dignity of this assembly. It does not seem to me as though it matters very much whether a man has been in the town or not, if that town is within the borders of the United States of America. There are definite principles that should govern us in regard to the treatment of our neighbors, and those principles are as near the line of justice as they possibly can be drawn, and those are the lines that we should how to, keep to as nearly as possible. I do not think the people of the city of Lewiston sent me down here to meddle in the business of other people. They sent me down here to represent them in this Legislature, and this Legislature, to its shame it may be said that it has deviated from those American principles that it should be guided by. I have been taught to believe that the will of the majority of the people is the fundamental principle and the foundation upon which our government is founded.

Now, gentlemen, we must adhere to that principle, and we are setting a bad example by encouraging small towns and dissatisfied people from one part of a town or another to come here and think that we will take care of their troubles. In my opinion, those matters do not belong here at all. I wish to say to the members of this Legislature that in my opinion the best thing we can do is to adopt the amendment and send this matter back to the people of the town for the majority to decide in such a way as they see fit, and then as citizens of this State and as mem-

bers of this Legislature, we should be satisfied to abide by the results of their decision.

Mr. CROXFORD: Mr. Speaker, I rise to move for the previous question.

The SPEAKER: Is it the pleasure of the House that the previous question be now put?

A viva voce vote being doubted by the Chair,

A division was had, and a sufficient number arose to support the motion.

The SPEAKER: The question now is upon the adoption of the amendment offered by the gentleman from South Berwick, Mr. Austin.

Mr. Austin called for a division.

A division being had, 67 voted in the affirmative, and 47 against the adoption of the amendment.

So the amendment was adopted.

Mr. Austin then moved that the bill be given its second reading as amended.

Mr. MURCHIE of Calais: Mr. Speaker, adopting the suggestion of the gentleman from Eliot, Mr. Cole, I now move that the bill and amendment be indefinitely postponed. Yesterday morning the gentleman from Eliot, Mr. Cole, gave us a very applicable phrase, "George Washington liketh not to pay his taxes." Yesterday morning the House seemed to be made up of a majority of George Washingtons; this morning we seem to have decided that the gentlemen in the smaller and richer part of Ogunquit shall not be able to evade their taxes without the consent of the town. Personally I do not believe we ought to create summer resorts, especially for people from without the State, and neither do I believe that we ought to cut loose the lusty child from the mother, and permit him to go alone without helping to support the one who has reared him; and therefore, Mr. Speaker, I hope that the bill and amendment will be indefinitely postponed. (Applause.)

The question being on the motion by Mr. Murchie of Calais, that the bill be indefinitely postponed,

A viva voce vote being taken,  
The motion was agreed to.

Mr. Wing of Auburn then moved that the vote be reconsidered whereby this bill was indefinitely postponed.

The SPEAKER: The Chair will inquire of the gentleman from Auburn, Mr. Wing, if he voted in the affirmative.

Mr. WING: I did, Mr. Speaker.

The question being on the motion to reconsider the vote whereby this bill was indefinitely postponed,

A viva voce vote being taken,  
The motion was lost.

The SPEAKER: The Chair would suggest that the House at this time take a recess for five minutes.

#### AFTER RECESS

The SPEAKER: The Chair will at this time present out of order, the following measure presented by the gentleman from Bath, Mr. Snipe: Bill, An Act to ratify, confirm and make valid the execution of bonds issued under the provisions of Chapter 264 of the Public Laws of 1919, known as the Maine Military Service Loan.

Under a suspension of the rules, the bill was received and was read by the clerk.

On motion by Mr. Snipe, the bill then received its second reading, and on further motion by the same gentleman, the rules were suspended and the bill received its third reading and was passed to be engrossed.

Mr. HOLLEY of North Anson: Mr. Speaker and gentlemen, I would like to take the opportunity at this time, if I may do so, to say just a word to the secretaries of the various committees relative to the resolves for expenses of those committees, for clerk hire, etc. The committee on Appropriations and Financial Affairs is very desirous of expediting their work, and this is one of the things that is holding that committee up. The several committees have expenses, some of them for visiting expenses, and most all of them have expenses for clerk hire, and we hope by tomorrow that each committee

will submit a resolve for the expenses of the committee.

The SPEAKER: The House hears the suggestion of the committee on Appropriations and Financial Affairs on the part of the House.

The SPEAKER: If it is the pleasure of the House, the Chair will at this time present out of order certain Senate papers. The first is Senate Doc. No. 155, Bill, An Act to abolish the Board of Public Works of the city of Lewiston and provide for a Highway Commission. In the House this bill was amended by House Amendment "A;" it now comes from the Senate with House Amendment "A" rejected in non-concurrence.

Mr. SMITH of Skowhegan: Mr. Speaker, I move that the House recede from its former action whereby it adopted House Amendment "A" and concur with the Senate.

Mr. LARRABEE of Lewiston: Mr. Speaker, this is a matter that concerns the city of Lewiston. It was taken up and discussed fully in this House and I think every member of the House knows just what it means. It is simply a referendum to the people of Lewiston allowing them to vote upon their own affairs. If I am in order I will move that the House insist upon its former action.

The SPEAKER: Under Rule 29 of the House, a motion to recede has parliamentary precedence. The Chair must therefore put the question upon the motion of the gentleman from Skowhegan, Mr. Smith, which is that the House recede from its former position and concur with the Senate.

A viva voce vote being doubted by the Chair,

A division was had, and 51 voted in the affirmative and 51 in the negative.

The SPEAKER: The result of the vote being a tie vote, the motion is lost.

Mr. MAHER of Augusta: Mr. Speaker, may I ask what is the status of this matter?

The SPEAKER: The gentleman from Augusta, Mr. Maher, inquires relative to the parliamentary situation of the measure which has just

been voted upon. The Chair will state that the House adopted House Amendment "A," and the Senate rejected House Amendment "A."

Mr. Maher then moved that the House adhere to its former position.

A viva voce vote being taken,

The motion was agreed to.

The SPEAKER: The Chair presents for consideration, Senate Doc. No. 116, Bill, An Act to promote the efficiency of the fire department of the city of Lewiston. This bill was amended in the House by the adoption of House Amendment "A"; in the Senate, House Amendment "A," was rejected in non-concurrence, and the question now before the House is on the action of this body in the failure of the two branches to agree.

Mr. Larrabee of Lewiston moved that the House insist upon its former action.

The motion was agreed to.

Mr. Maher of Augusta then moved that the vote be reconsidered whereby the House voted to insist on its former action.

A viva voce vote being doubted by Mr. Maher,

A division was had, and 50 voted in the affirmative and 40 in the negative.

So the motion to reconsider prevailed.

Mr. Maher then moved that the House now adhere to its former action.

A viva voce vote being doubted by the gentleman from South Portland, Mr. Hinckley,

A division was had, and 53 voted in the affirmative and 35 in the negative.

So the motion prevailed, and the House voted to adhere to its former action.

The SPEAKER: The Chair presents for consideration Senate Doc. No. 117, Bill, An Act to amend the charter of the city of Lewiston and provide for a city auditor. This bill was amended in the House by the adoption of House Amendment "A," and now comes from the Senate with House Amendment "A," rejected in that branch in non-concurrence.

Mr. Maher moved that the House now adhere to its former action.

A viva voce vote being doubted,

A division was had, and 60 voted in the affirmative and 41 in the negative,

So the motion prevailed, and the House voted to adhere to its former action.

The SPEAKER: The Chair takes this opportunity to state for the benefit of members of the House that from this time through to the end of the session, lunch time or tea, seed time or harvest, members should be in their seats until the time when the House adjourns, and when the Chair states that a recess will not be over five minutes in length, it will not be extended to 20 minutes.

The Chair makes this statement in order that there may be no suggestion of any laches on the part of anyone except the individual members if they find to their surprise that action contrary to their anticipation may have been taken.

On motion by Mr. Farnsworth of Caribou, House Doc. No. 324, Bill, An Act to require the filing with the town and city clerks of clean bills of health by persons filing certificates of intention of marriage, was taken from the table.

The pending question being the second reading of the bill,

Mr. FARNSWORTH of Caribou: Mr. Speaker, I now move the indefinite postponement of this bill. I have before me, Mr. Speaker, both documents, the original and the new draft. The original bill, the title of which is, "An Act to prevent the marriage of persons having syphilis," appears to be a somewhat clear and clean-cut statement of facts that any intelligent person might read and from which any person might draw an intelligent conclusion as to what it means. The new draft is an entirely different proposition, the title being "An Act to require the filing with the town and city clerks of clean bills of health by persons filing certificates of intention of marriage."

I had understood that the principal change to be made in the new draft

was a change in the title, but I do not find that to be true. I think there is a very material change in the subject matter, and I should like to read this first section in order that the members of the House may understand fully in regard to the proposition. This reads as follows:

"Section 4 of Chapter 64 of the Revised Statutes, as amended by Chapter 100 of the Public Laws of 1917, is hereby further amended by adding at the end of said section the following, to wit: 'Each such party shall also file with the clerk a clean bill of health executed by a duly qualified physician in this State. Suspicion of the presence of active contagious disease shall be verified, if possible, by the State Board of Health, and freedom from active contagious disease, after due examination by the State Board of Health so reported to the physician in charge, shall, with the opinion of said physician, furnish the basis for a clean bill of health to the contracting parties.' "

Now, gentlemen, let us analyze this just a bit. The first statement is that "each party shall also file with the clerk a clean bill of health." Now, what is a clean bill of health? I suppose, perhaps, these physicians know, but I do not. Then further along it says, "suspicion of the presence of active contagious diseases shall be verified," but I think that the word "suspicion" is a very unfortunate word to use. That simply means an apprehension or a suggestion, perhaps, that there is something wrong, "the presence of active contagious disease." I have looked in the Revised Statutes of Maine, I have followed the Maine Reports, I have consulted Beauvier's Law Dictionary and Words and Phrases, and I do not find that phrase anywhere in our law. It may be very clear to the physicians, but I am sure it is not clear to me; I think it is an innovation in our law and has never been adjudicated in the State of Maine. This says, "shall be verified, if possible, by the State Board of Health, and freedom from active contagious disease, after due examination by the State Board of Health, so reported to the physician in

charge, shall, with the opinion of said physician, furnish the basis for a clean bill of health, to the contracting parties." It does not say that shall constitute a clean bill of health; it says it shall furnish the basis for a clean bill of health, a foundation for the local physician to build upon.

It seems to me, Mr. Speaker, that this law might be read by 100 physicians scattered throughout the length and breadth of the State of Maine and construed in 100 different ways. I have listened with a great deal of interest to the able paper which was presented to this House by the gentleman from Bar Harbor, Mr. Phillips, the other day, and I was equally interested in the able and brilliant remarks made by the gentleman from Newport, Dr. Croxford; and as I recall, both of these gentlemen called the attention of the House to certain individual and specific cases that had come under their notice, most deplorable cases indeed. But, gentlemen, it is always a difficult matter to make a general law that will affect individual and specific cases without disrupting your general system.

Some two or three years ago, up in Piscataquis county, I think, there was made a false conveyance of land, and to remedy that particular case the 79th Legislature had a bill placed before it by a gentleman from Bangor, having to do with acknowledgments of deeds. That bill was referred to the committee on Judiciary, the leading committee of this Legislature; it was considered by them and unanimously reported that it ought to pass, took its usual course through the two branches of the Legislature and was signed by the Governor and became a law, and it worked so badly that on returning to Augusta for the special session in the fall, the very first act in the special acts and resolves of that special session was an act to repeal that law.

This Legislature might succeed in enacting a law that would restrain or entirely prevent marriage, but this Legislature or any succeeding Legislature would become matters of history before any legislative body

succeeded in enacting a law that will prevent sexual intercourse. It has been a policy of this State that marriage and sexual intercourse should go together, and it appeals to me that it would be most unwise at this time to encourage and foster their separation by any legislative act such as this.

I am not so familiar with the other part of the State, but in my county of Aroostook there are more than 40,000 people that live within an hour's ride by automobile of ministers and other officials authorized to solemnize the marriage ceremony in the province of Quebec. There are many people in my county who live nearer to such officials than they do to a qualified physician. I have in mind one town, the town of Stockholm, with about a thousand people, and the nearest physician is 17 miles away. I have in mind another town located something like 375 miles from this department of health across the river, a town of nearly a thousand people, and they are 17 miles from a physician and just across the Saint John River is a clergyman who will be perfectly willing to take our good United States money and perform a marriage ceremony, and those gentlemen up there all know how to run a canoe, and the St. John River is no obstacle to those boys.

I do not wish to take up any more time of this House than is necessary, but I do wish to state that it will restrain, repress and discourage marriage; it will furnish an additional incentive to the people of our State to go beyond the borders of the State to be married; it will increase fornication and unlawful cohabitation and, on the other hand, it will not in my judgment, prevent any man who knows that he is affected with this disease from getting a physician's certificate. Gentlemen, I hope the measure will not pass.

Mr. PHILLIPS of Bar Harbor: Mr. Speaker and gentlemen, I do not feel like taking up any more of the time of this House upon this matter. I hold in my hand here letters and petitions from 1200 vot-

ers of this State, and they are open for anybody to read at any time. They are from all over the State, and they are largely from men, a good many being from women, and I will take only time enough to read one letter.

"The Bishop's House,  
143 State Street,  
Portland, Maine,

March 12, 1921.

Dr. George A. Phillips,  
House of Representatives,  
Augusta, Maine.

Dear Sir:

I have been very much interested in the bill which you presented in the House in regard to the marriage of persons having syphilis. As chairman of the Social Service Department of the Church Service League of the Episcopal church in Maine, I have been trying to interest others in the bill, and enclose the signatures of some Portland people who are in favor of this bill. As you will see, they represent various organizations in this city.

Trusting that the bill will be passed on Tuesday by the House, I am

Very truly yours,  
(Signed)

KATRINA M. BREWSTER."

This is simply a sample of most of these letters. Some of these letters and petitions are signed by only one party, and others represent several names and representatives of different associations. Among those who signed, I might mention the following: Benjamin Brewster, Bishop of Maine; Phillip Schuyler, Canon Missioner; Katrina M. Brewster; Stella Yates Brewster; Elizabeth E. Webber, ex-sec. Y. W. C. A.; Rev. Birney S. Hudson, president Church Federation; Rachel Metcalf, secretary Church Federation; Mrs. John F. Thompson and Mrs. Howard R. Ives, president Baby Hygiene and Child Welfare Association.

I have nothing further to say at this time, excepting to ask that when the vote is taken upon this matter it be taken by the yeas and nays.

Mr. HINCKLEY of South Portland:

Mr. Speaker, during the past few years, the Legislature of Maine has voted millions of dollars for the purpose of improving its live-stock, its poultry and the like, and I am wondering how much longer the selfishness of men will continue to block legislation that has for its sole object the prevention, in some degree at least, of bringing into this world little children afflicted with a disease which will cling to them during their entire lives and make them wish every day of those lives that they had never been born. I cannot conceive of it. I think it is about time for the men here to arise in their manhood and do the manly thing. The women of this State demand legislation along these lines, and the men of this State should be big enough and broad enough and clean enough to give it, and I hope that this Legislature will make a start. This bill does not go as far now as it ought to, but it is a start, and I certainly hope it will be enacted.

Mr. GERRISH of Libson: Mr. Speaker and gentlemen, this is a medical subject and it is perhaps a little difficult for some people to understand. It hinges on the words "active contagious disease." For the benefit of the gentleman from Caribou, Mr. Farnsworth, I will say that the words "active contagious disease" are not new words. There are three or four states now with bills similar to this in which are used the words "active contagious disease." You all know what a "disease" is. "Contagious" means "catching"; and a disease is either active or it is quiet. If it is active, it is in a moist stage. Now, a man might come to a doctor, and he might be suspicious of that man, thinking perhaps he might have typhoid fever; he might have what we call "walking typhoid." The doctor verifies that suspicion and finds there the presence of an "active contagious disease," and he says to this man, "You better hold up here a while; if you marry now you are liable to infect your wife," and perhaps in two weeks time the wife might have passed away from typhoid fever. The doctor simply holds up until that disease

becomes quiet. This same principle might apply also to tuberculosis. That might be either active or quiet. If it is in an active stage, certainly it is well to hold up for a while. In this bill you will notice it is left to the opinion of the doctor in charge, what he thinks of the case, not on the reports from the laboratory. If it is in a quiet stage in his judgment, he can issue a certificate. Now, relative to going across the line, they will go, and that is all right, but if we can save just one of our boys or one of our girls in this State, then, gentlemen, I say to you that this law will have been worth while. (Applause).

Mr. CROXFORD of Newport: Mr. Speaker and gentlemen of the House, I cannot conceive how we can in any way draw any inference but what this bill, as it is before this House today, is in the line of progress. And I will appeal to you, gentlemen of the House, those who have bred livestock, and I ask you if you had a fine blooded mare, if you would breed her to a stallion which was knock-kneed, spavined, and walking on three legs? That, gentlemen, is just exactly the condition today under which the human race is progressing. We have nothing on our statute books but what Tom, Dick and Harry can get married, and there is no one who can say them nay; we haven't got a thing on our statute books to prohibit Jack from marrying a Jill.

The purpose of this measure which is before us today is to protect someone who may not be able to protect themselves; it is speaking for the unborn child, and it is speaking for those who have the things in this State as they should be in regard to the marriage ceremony. I appeal to you, gentlemen, if you had a daughter, would you want her to marry a tubercular person, would you want her to marry a syphilitic? It is only a safeguard, and as has been stated by the gentleman from South Portland, Mr. Hinckley, it is about time that we made some progress along this line; it is about time that we had something on our statute books to protect us. Let me state to you, for instance, that there is a long waiting list at Pownal, as I understand, something like 700 feeble-

minded, and I venture to say that if we had marriage laws to prohibit a certain class of people from being married, there would not be more than a third of these that are on the waiting list today. I say to you that it is a necessity, and we are confronting a necessity, and let us act like honest men, and let us act like voters and let us go home to our constituents and to our wives and sweethearts and say to them that "we have protected you and we will continue to protect you in the future." (Applause).

Mr. Chandler of Dover moved for the previous question.

Mr. MAHER of Augusta: I would ask the Chair for the privilege of asking a question for my own information, of the gentleman from Lisbon, Mr. Gerrish.

The SPEAKER: The Chair will state that the gentleman from Augusta may ask his question through the Chair.

Mr. MAHER: Mr. Speaker, I wish to ask the gentleman from Lisbon, Mr. Gerrish, whether or not the bill will accomplish what is desired? That is to say, is this the only term, "active contagious disease?"

The SPEAKER: The gentleman from Lisbon, Mr. Gerrish, hears the question?

Mr. MAHER: Is that the only class of disease reached under this bill, namely, active contagious disease?

Mr. GERRISH: I think so, Mr. Speaker.

The SPEAKER: The answer is in the affirmative.

Mr. MAHER: Is that broad enough? Ought it not to be "communicable," to get down to my point.

The SPEAKER: The gentleman from Augusta, Mr. Maher, inquires whether the bill, as written, is as broad and comprehensive as it would be if the adjective "communicable" were included therein?

Mr. GERRISH: In reply to that, I should answer through the Chair, from a medical point of view, that the word "contagious" would take in everything which it seems to be the purpose of this bill to cover.

The SPEAKER: The previous question has been called for. Is it the pleasure of the House that the previous question be now put?

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

The SPEAKER: The gentleman from Bar Harbor, Mr. Phillips, has called for the yeas and nays. The yeas and nays can only be ordered when one-fifth of the members of the House call for it.

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

The SPEAKER: The question before the House is on the indefinite postponement of House Doc. No. 324. All those who are in favor of the indefinite postponement of the bill, when their names are called will say "yes;" all those opposed, will say "no." The Clerk will call the roll.

YEA—Atherton, Bragdon of Perham, Buzzell, Chadbourne, Dain, Farnsworth, Gardiner, McIlheron, Patterson, Poore, Rounds—11.

NAY—Adams, Audibert, Baker, Barney, Bartlett, Barwise, Bean, Belmore, Belliveau, Bennett, Blanchard, Boothby, Bragdon of Westbrook, Bragdon of Franklin, Brewster of Orland, Brown, Carroll, Carney, Case, Chalmers, Chamberlain, Chandler, Cherry, Clarke, Cordwell, Cole, Conant, Crabtree, Crafts, Cram, Croxford, Daigle, Davis, Dodge, Downing, Downs, Doyle, Dunning, Elmore, Emery, Fagan, Finnell, Forbes, Gagne, Gerrish, Gipson, Granville, Hammond, Harriman, Hayes, Heal, Hinckley, Holley, Houghton, Hunton, Hussey, Jordan, Kerswell, Kimball, Landers, Larrabee, Leighton, Lowe, Luques, Maher, Main, Mason, Masse, Maxwell, McGlauffin, Morneau, Murchie, Murray, Myrick, Nadeau, Newcomb of Scarborough, Newcomb of Fryeburg, Nickerson, O'Connell, Oram, Owen, Peabody, Peaslee, Pennell, Perkins, Phillips of Orrington, Phillips of Bar Harbor, Plummer, Reed, Ricker, Roberts of Vinalhaven, Roberts of Lyman, Rogers of Rockland, Savaeg, Sawyer, Small, Smith of Skowhegan, Smith of Ludlow, Snipe, Spear of Limestone, Spear of Rockport, Teague, Tilden, Thomas of Chesterville, Thomas of South Portland, Towne, Trefethen, Varney of Jonesboro, Varney of Windham, Viles, Wadsworth, Warren, Weeks of Fairfield, Wentworth, Wight, Willard, Williams, Wilson, Wing, Winter, Wiseman, Witham, Wood, Woodruff—124.

ABSENT—Austin, Brewster of Portland, Burns, Chase, Eastman, Hodgkins, Moody, Porter, Rogers of Jonesport, Smith of Waterboro, Story, Twombly, Washburn, Weatherbee, Weeks of Dresden—15.

The SPEAKER: Eleven having voted in the affirmative, and one hundred and twenty-four in the negative, the motion was lost.

On motion by Mr. Hinckley of South Portland, the bill then received its second reading, and on further motion by the same gentlemen, the rules were suspended and the bill received its third reading and was passed to be engrossed.

On motion by Mr. Roberts of Lyman, it was voted to take from the table Senate Document 123, bill, An Act requiring permit for the burning of slash, tabled by that gentleman on March 24, pending passage to be engrossed. The same gentleman offered House Amendment "A" as follows:

**House Amendment "A" to Senate Bill 123**

Section 53 is hereby amended by inserting in the sixth line thereof after the word "road" the following: "or shall dispose of slash and debris caused by cutting in such a manner that inflammable material shall not remain on the ground within fifty feet of the limit of the right of way of a railroad or center of the wrought portion of any plantation, town, city, county, or state road."

The amendment was adopted.

On further motion by Mr. Roberts of Lyman, the bill as amended by House Amendment "A" was passed to be engrossed.

On motion by Mr. Forbes of Paris, it was voted to take from the table House Document No. 377, bill, An Act relative to trial terms of the Supreme Judicial Court. That gentleman offered House Amendment "A" as follows:

**House Amendment "A" to House Document No. 377**

Amend House Document No. 377 by striking out the title of that act, and by substituting for the title the following words: "and to amend Section 51 of Chapter 82 of the Revised Statutes, as amended by Chapters 73, 211 and 227 of the Public Laws of 1917, relating to trial terms of the Supreme Judicial Court."

The SPEAKER: The Chair will inquire whether it is the purpose of the gentleman from Paris (Mr. Forbes), to have this bill printed as amended.

Mr. FORBES: Mr. Speaker, I would take the suggestion of the Chair as to whether it is necessary or not.

The SPEAKER: The Chair will assure the gentleman from Paris and the members of the House that it is very familiar with this amendment and that in its opinion it is not at all necessary to print the same.

The amendment was adopted, and on further motion by Mr. Forbes the bill as amended received its third reading and was passed to be engrossed as amended by House Amendment "A."

On motion by Mr. Bragdon of Perham it was voted to take from the table House Document No. 278, Bill, An Act to provide jurisdiction of Public Utilities Commission over certain motor vehicles, tabled by that gentleman on March 26, pending concurrence. On further motion by the same gentleman, it was voted to concur with the Senate and to join in a committee of conference.

The SPEAKER: The Chair will announce that committee later.

On motion by Mr. Blanchard of Old Town it was voted to take from the table House Document No. 400, bill, An Act relating to workmen's compensation, tabled pending third reading.

Mr. BLANCHARD: I will yield to the gentleman from Portland, Mr. Murray.

Mr. MURRAY of Portland: Mr. Speaker, I wish to offer House amendment "A," and will state in offering the amendment that it is by consent of the joint committee to which the bill was referred. Its only purpose is to leave unchanged the provisions of Section 3 which state that the Act will not apply to employers of five or less workmen.

The SPEAKER: This would leave the minimum number of employees which makes an employer subject to the Workmen's Compensation law five instead of three, as suggested by



the bill. Is it the pleasure of the House to adopt the amendment?

The amendment was adopted and the bill received its third reading, and was passed to be engrossed as amended by House Amendment "A."

On motion by Mr. Dodge of Portland, it was voted to take from the table Senate Document No. 156, Resolve in favor of President and Trustees of Bates College, tabled by that gentleman on March 28, pending second reading. On further motion by the same gentleman, the resolve had its second reading and was passed to be engrossed.

Mr. MAHER of Augusta: Mr. Speaker, I move that we adjourn.

Mr. COLE of Elliot: Mr. Speaker, I rise to make the suggestion through the Chair that if the House intends to adjourn finally one week from Saturday at least, we will have to get busy; and my suggestion is whether a session tomorrow evening might not clean up matters so far as the House is concerned. Of course there can be no afternoon sessions this week, and the printer and the committee on Bills in the Third Reading cannot clear up all the business unless we do something of this kind. It seems to me Mr. Speaker, there ought to be something done this week, and I move that the House meet tomorrow evening to clean up the calendar.

The SPEAKER: The Chair would suggest that it will be safe to leave that until tomorrow.

On motion by Mr. Weeks of Fair-

field it was voted to take from the table House Document No. 333, Bill, An Act relating to ice fishing in China lake, tabled by that gentleman on March 23, pending passage to be engrossed; and on further motion by the same gentleman, the bill was passed to be engrossed.

Mr. HINCKLEY of So. Portland: Mr. Speaker, I move that when we adjourn it be until eight o'clock tonight. That will give the printer one more day.

Mr. McIlheron of Lewiston: Mr. Speaker, I move that we take from the table House Document No. 349, Bill, An Act to establish game sanctuaries, tabled pending passage to be engrossed as amended by House Amendment A; and I yield to Mr. Viles of Augusta.

On motion by Mr. Viles of Augusta, the bill was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Maher of Augusta, it was voted to take from the table House Document No. 170, resolve reimbursing the county of Kennebec, tabled by that gentleman on March 26, pending passage to be engrossed as amended by Senate Amendment A; and on further motion by the same gentleman it was passed to be engrossed as amended by Senate Amendment A in concurrence.

On motion by Mr. Maher of Augusta, Adjourned until nine o'clock tomorrow morning.