

# 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

## SENATE

Wednesday, March 23, 1921.

Senate called to order by Hon. Charles E. Gurney, President pro tempore.

Prayer by Rev. T. J. Winslade of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve for laying the county taxes for 1921.

In the Senate this resolve was passed to be engrossed.

The House adopted House amendment A.

On motion by Mr. Thombs of Penobscot the Senate voted to reconsider the action whereby this resolve was passed to be engrossed. On further motion by the same senator House Amendment A was adopted in concurrence, and the resolve as amended was passed to be engrossed.

From the House: Resolve for laying the county taxes for the year 1922.

In the Senate this bill was passed to be engrossed.

The House adopted House Amendment A.

On motion by Mr. Thombs of Penobscot the Senate voted to reconsider the action whereby this bill was passed to be engrossed. On further motion by the same senator House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.

From the House: An Act to provide for Temperance Day in the public schools of the State of Maine.

In the House this bill was indefinitely postponed.

Mr. FARRINGTON of Kennebec: Mr. President, I yield to the senator from York, Senator Allen.

Mr. ALLEN of York: Mr. President, I move that we concur with the House in the indefinite postponement of the bill.

Mr. FARRINGTON: Mr. President, I move that the motion be laid on the table.

The motion was agreed to.

From the House: An Act to amend the charter of the City of Lewiston relating to the office of the city clerk.

This bill was passed to be engrossed in the Senate.

In the House the bill was indefinitely postponed.

Mr. PARENT of Androscoggin: Mr. President, I move that the Senate insist and ask for a committee on conference.

The motion was agreed to, and the Chair appointed as such committee on the part of the Senate, Messrs. Parent, Clark and Morrill.

Sent down for concurrence.

From the House: An Act to amend Chapter 103 of the Private and Special Laws of 1919, relating to the salary of the clerk of the Lewiston municipal court.

In the House the report of the committee on salaries and fees, ought not to pass, was accepted.

In the Senate, on motion by Mr. Parent of Androscoggin, tabled.

From the House: An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in county offices, as amended by Chapter 214 of the Public Laws of 1914 by adjusting clerk hire for registers of deeds at South Paris.

In the House the report of the committee on salaries and fees, ought not to pass, was accepted.

In the Senate on motion by Mr. Eaton of Oxford, tabled pending acceptance of the report of the committee.

From the House: An Act to amend Chapter 117, Section 40, of the Revised Statutes, relating to the salaries of clerks of courts.

In the House the report of the committee on salaries and fees, ought not to pass, was accepted.

In the Senate, on motion by Mr. Sprague of Piscataquis, tabled.

From the House: An Act to amend Section 11 of Chapter 9 of the Public Laws of 1919, relating to the salary of the stenographer of the Penobscot county superior court.

In the House the report of the committee on salaries and fees, ought not to pass, was accepted.

In the Senate, on motion by Mr. Thombs of Penobscot, tabled.

#### House Bills in First Reading

H. 273. An Act to amend Section 36 of Chapter 53 of the Revised Statutes, relative to Mutual Fire Insurance Companies.

An Act to provide for the jurisdiction of the Public Utilities Commission over certain motor vehicles.

(In the House this bill was indefinitely postponed. In the Senate, on motion by Mr. Folsom of Somerset, tabled.)

House 332. Resolve in favor of C. H. Thompson of Calais for board and lodging of Mary Socktoma, a member of the Passamaquoddy Tribe of Indians, during her illness. (House Amendment A adopted in concurrence.)

House 330. Resolve in favor of R. Lyle Hodgkins for damages sustained in building the state hospital at Bangor. (House Amendment A adopted in concurrence.)

House 331. Resolve in favor of Dr. J. Willis J. Marion of Calais for medical services to Frank Frances, a member of the Passamaquoddy Tribe of Indians, now deceased. (House Amendment A adopted in concurrence.)

House 326. An Act to establish the western Washington municipal court. (House Amendment A adopted in concurrence.)

House 343. An Act relating to the Pennamaquan Power Company.

House 345. An Act to amend Section 35 of Chapter 11 of the Revised Statutes, requiring monthly settlements by tax collectors.

House 346. An Act relating to the licensing of maternity hospitals.

House 347. An Act to amend Section 1 of Chapter 305 of the Private and Special Laws of 1909, relating to the taking of alewives in the town of Surry.

House 348. An Act to amend Section 70 of Chapter 8 of the Revised Statutes, relative to forest fire fighters in the Maine forestry district.

House 341. Resolve repealing Resolve for the maintenance of the Blaine House.

House 334. An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to night fishing in certain waters in Kennebec county.

House 335. An Act to amend Section 74 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to night hunting of skunks and raccoons.

House 327. An Act relating to life insurance for minors and the surrender of such insurance.

House 328. An Act to protect the bee industry of the state of Maine.

House 329. An Act to repeal Chapter 18, of the Resolves of 1917, relating to animal industry.

House 320. Resolve in favor of the Maine state prison for maintenance and current expenses.

House 354. An Act to amend Section 18 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the protection of fish.

Mr. THOMBS of Penobscot: Mr. President, I move that we reconsider the vote whereby we accepted in concurrence the report from the committee on salaries and fees, ought not to pass, on the matter of the clerk hire for the sheriff of Penobscot County.

The motion was agreed to, and on further motion by the same senator the report and bill were tabled.

#### Communication from the Head of a Department

The following communication with accompanying list was received, and on motion by Mr. Thombs of Penobscot, was ordered placed on file without reading:

Department of State  
State of Maine  
Augusta

To the Secretary of the Senate 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 16th, 1921, to March 22nd, 1921, both dates inclusive.

Respectfully submitted,  
(Signed) FRANK W. BALL,  
Secretary of State.

JASPER H. HONE, of Presque Isle, employed as Legislative Counsel and Legislative Agent by the Libby Theater of Fort Fairfield, Ouellette Theater of Van Buren, Presque Isle Opera House of Presque Isle, Dream Theater of Houlton and the Powers Theater of Caribou. The purpose of employment is "To oppose Moving Picture Censorship." Employed March 13, 1921. Date when employment ceases is given as indefinite. Notification of employment filed March 16, 1921.

DANA S. WILLIAMS, of Lewiston, employed to act as Legislative Counsel by Maine & N. H. Theater Company, William F. Carrigan, Assistant Treasurer, Lewiston, Maine. The purpose of employment is "Legislative Counsel to oppose Senate Bill No. 95 Creating a Board of Censors in Moving Picture Films." Employed March 16, 1921. Employment ceases upon adjournment of the Legislature. Notification of employment filed March 16, 1921.

BENJAMIN W. BLANCHARD, of Bangor, employed to act as Legislative Counsel and Legislative Agent by the Management and Owners of the Bijou and Park Theaters of Bangor and the Strand and New Central Theaters of Old Town. The purpose of employ-

ment is "To appear before Legislative Committee of the Eightieth Legislature in opposition to bill purporting to create a Board of Censors for Moving Pictures." Employed March 15, 1921. Employment ceases March 17, 1921. Notification of employment filed March 16, 1921.

J. ALBERT BRACKETT, of 602 Barristers Hall, Boston, Mass., employed to act as Legislative Agent and Legislative Counsel by Black New England Theaters, Inc. The purpose of employment is "To appear before Legislative Committees of the Eightieth Legislature in opposition to a bill there pending purporting to create a Board of Censors of Moving Pictures." Employed March 16, 1921. Employment ceases March 17, 1921. Notification of employment filed March 16, 1921.

EMERY G. WILSON, of Portland, employed to act as Legislative Counsel and Legislative Agent by Portland Theatre Managers Association. The purpose of employment is "To appear in opposition to bill providing censorship and regulation of moving pictures." Employed March 15, 1921. Employment ceases when bill is finally disposed of. Notification of employment filed March 16, 1921.

THOMAS LEIGH, of Augusta, employed to act as Legislative Counsel and Legislative Agent by Maine & New Hampshire Theater's Company of Lewiston. The purpose of employment is "To oppose before Committees of Judiciary and Appropriations an Act Creating a Board of Censors to Pass Upon Moving Picture Films Offered for Public Exhibition in Maine." Employed March 15, 1921. Employment ceases at disposition of Act referred to by the Legislature. Notification of employment filed March 16, 1921.

CYRUS N. BLANCHARD, of Wilton, employed to act as Legislative Counsel and Legislative Agent by W. B. Darton of Portland. The purpose of employment is "To act for W. B. Darton for any matters that may come before the Legisla-

ture that may directly concern him." Employed March 15, 1921. Employment ceases at end of Legislative Session. Notification of employment filed March 16, 1921.

**OSCAR H. DUNBAR**, of Machias, employed to act as Legislative Counsel and Legislative Agent by Alfred S. Black, 142 Berkley St., Boston, Mass. The purpose of employment is "Relating to Act to Provide State Censorship of Motion Pictures." Employed March 17, 1921. Employment ceases when subject matter is disposed of. Notification of employment filed March 17, 1921.

**WILLIAM S. LINNELL**, of Portland, employed to act as Legislative Counsel and Legislative Agent by Burnham & Morrill Company of Portland. The purpose of employment is "To act for and represent Burnham & Morrill Company in all matters directly or indirectly affecting said Burnham & Morrill Company that may be presented to the Legislature of 1921. Employed as regular attorney, specially employed for above purpose March 15, 1921. Employment ceases upon final adjournment of Legislature of 1921. Notification of employment filed March 17, 1921.

**MYER W. EPSTEIN**, of Bangor, employed to act as Legislative Counsel by Graphic Theaters, Inc. of Bangor, Park Theater of Dexter, Chic Theater of Milo and New Star Theater of Dover. The purpose of employment is "To act in matter concerning bill now before the Legislature in regard to Moving Picture Censorship." Employed March 21, 1921. Employment ceases at close of Legislative Session. Notification of employment filed March 21, 1921.

**RAYMOND FELLOWS**, of Bangor, employed to act as Legislative Counsel by Inhabitants of Sangerville. The purpose of employment is to appear before committee at hearing on act authorizing Town of Sangerville to reimburse selectmen." Employed March 21, 1921. Employment ceases on report of

committee. Notification of employment filed March 22, 1921.

**JOHN P. DEERING**, of Saco, employed to act as Legislative Counsel by Chamber of Commerce of Biddeford and Saco. The purpose of employment is "To represent employer at hearing on amendment to Constitution in regard to State Income Tax." Employed March 21, 1921. Employment ceases when work is accomplished. Notification of employment filed March 22, 1921.

**H. B. BRANN**, of Augusta, employed to act as Legislative Counsel by Maine State Federation of Labor. The purpose of employment is "Labor Legislation." Employed March 22, 1921. Employment ceases at close of Legislative Session. Notification of employment filed March 22, 1921.

**WALTER M. SANBORN**, of Augusta, employed to act as Legislative Counsel by Employees of Augusta State Hospital. The purpose of employment is "To appear at Committee Hearings." Employed March 20, 1921. Employment ceases March 31, 1921. Notification of employment filed March 22, 1921.

**J. S. WILLIAMS**, of Guilford, employed to act as Legislative Counsel by Town of Sangerville. The purpose of employment is "To act in matter relative to bill now before Legislature." Employed March 22, 1921. Employment ceases at close of Legislative Session. Notification of employment filed March 22, 1921.

The following bills, petitions, etc., were received and on recommendation of the committee on reference of bills were referred to the following committees:

#### Placed on File

By Mr. Tuttle of Aroostook: Petition of Cora Sharpe of Limestone and nine others in favor of the act to incorporate the Telephone Workers' Union.

By the same senator: Petition of Joseph Hatch of Houlton and 92 oth-

ers in favor of the act to incorporate the Telephone Workers' Union.

**Education**

By Mr. Farrington of Kennebec: Petition of Arthur B. Mason, Jr., and 22 others of Capital Grange, No. 248, in favor of bill establishing State School Fund and providing for distribution of some.

**Inland Fisheries and Game**

By Mr. Putnam of Washington: Remonstrance of V. C. Plummer and 17 other residents of Washington County against the passage of any measure making Sunday an open time for hunting in the County of Washington.

**Judiciary**

By Mr. Sprague of Piscataquis: Remonstrance of Fred S. Campbell, selectman of Sangerville, against House Doc. No. 130, "An Act relative to private and Special Acts in conflict with Public Acts."

By Mr. Thompson of Knox: An Act to amend Section 5 of Chapter 12 of the Revised Statutes, relating to appointment of clerks in Registry of Deeds.

**Legal Affairs**

Mr. Baxter of Sagadahoc: An Act to amend Section 12 of Chapter 4 of the Revised Statutes relating to the election of town officers.

By Mr. Eaton of Oxford: An Act to amend Paragraph 6 of Section 55 of Chapter 91 of the Revised Statutes relating to trustee process.

**Ways and Bridges**

By Mr. Adams of Kennebec: An Act to authorize establishment of danger signals on public ways, and to regulate display of advertisements thereon. (500 copies ordered printed on motion by Mr. Adams of Kennebec.

Mr. THOMBS of Penobscot: Mr. President, I move that the rules be suspended that I may introduce the report of the Taxation Commission created by the 79th Legislature.

The motion was agreed to and the report was introduced.

Mr. THOMBS: Mr. President, I also move that the rules be suspended

that I may introduce the report of the special committee charged with the duty of investigating the desirability of enacting an Act introduced at the 79th Legislature, entitled, "An Act to establish the State University of Maine and providing for its maintenance."

The motion was agreed to and the report was introduced.

On further motion by the same senator the two matters were tabled and 500 copies of each ordered printed.

Mr. THOMBS: Mr. President, I now move that the rules be suspended that I may introduce two resolves covering the expenses of the commission that investigated these matters as contemplated by the act under which they were created.

The motion was agreed to, the resolves were received, and on further motion by the same senator the resolves were referred to the committee on appropriations and financial affairs.

**Bills in First Reading**

S. 32. 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.

S. 146. An Act to amend Chapter 85, Section 1, 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 a better protection of lobsters within certain waters adjacent to Hancock County.

S. 147. An Act to amend Chapter 45 of the Revised Statutes, relating to the lobster industry, together with certain added Acts relating to the lobster industry.

S. 149. An Act to amend Section 10 of Chapter 128 of the Revised Statutes, relating to the unauthorized use of insignia of War Veterans.

**Reports of Committees**

Mr. Babb from the Committee of Agriculture, on communication of F. W. Ball, Secretary of State, transmitting a resolution and bill of the South Dakota Legislature, reported that the same be placed on file.

Mr. Adams from the Committee on Taxation, on An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919 in relation to the assessment of taxes on the estates of soldiers and sailors, reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

Mr. Morison from the committee on Indian Affairs, on Resolve authorizing the Governor and Council to make settlement for flogage damages on Indian Island, Penobscot river, Old Town, reported the same in a new draft under title of "Resolve authorizing the Governor and Council to adjust claims for damages caused by flogage on Indian Island in the Penobscot river," and that the same ought to pass.

Mr. Adams from the committee on Taxation, on An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, relating to the exemption from taxation of the estates of soldiers and sailors (Senate Doc. No. 13), reported that the same ought to pass.

The reports were accepted and the bills tabled for printing under the joint rules.

#### Passed to Be Engrossed

H. 45. An Act to provide for the earlier payment of the annual excise tax by railroad companies, parlor car companies, telephone and telegraph companies and express companies.

H. 298. An Act for the preservation, perpetuation and increase of the forests of the State of Maine.

H. 311. Resolve providing for the improvement of the Maine State prison at Thomaston.

H. 312. An Act to amend Section 22 of Chapter 5 of the Revised Statutes, relative to the compensation of boards of registration.

H. 313. An Act to amend Section 8 of Chapter 325 of the Private and Special Laws of 1897, as amended by Chapter 150 of the Private and Spe-

cial Laws of 1915, and as further amended by Chapter 198 of the Private and Special Laws of 1917, increasing the salary of the recorder of the municipal court of Waterville.

H. 314. An Act to amend Chapter 53, Section 55, Paragraph 5 of the Revised Statutes, relating to insurance on glass.

H. 315. An Act relating to licenses for lightning rod agents.

H. 316. An Act to establish the fiscal year of the State.

H. 317. An Act to extend the charter of the Boothbay Harbor Water District.

H. 318. An Act authorizing towns to elect certain municipal officers by secret ballot.

H. 319. An Act amending Section 33 of Chapter 88 of the Revised Statutes, relating to the giving of counsel by a municipal or police judge.

H. 321. An Act to amend Chapter 117, Section 17, of the Revised Statutes, relating to the salary of the State auditor.

H. 322. An Act to increase the salary of the adjutant general.

#### Passed to Be Enacted

An Act to amend Section 146 of Chapter 16 of the Revised Statutes, as amended, relating to the appropriation for maintenance of normal and training schools.

An Act to amend Sections 4 and 7 of Chapter 95 of the Revised Statutes, as amended by Chapter 192 of the Public Laws of 1917, relating to foreclosure of mortgages.

An Act to amend Chapter 244 of the Private and Special Laws of 1913, entitled "An Act to provide a charter for the city of Gardiner," as amended.

An Act to amend Section 10 of Chapter 93 of the Private and Special Laws of 1878, relating to the Farmington municipal court.

An Act to amend Section 4 of Chapter 214 of the Private and Special Laws of 1915, relative to the town of Lisbon.

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



(Tabled on motion by Mr. Baxter of Sagadahoc, pending passage to be enacted.)

An Act to authorize the American Realty Company to construct and maintain a dam across the Aroostook River in Washburn.

An Act to amend Chapter 497 of the Private and Special Laws of 1901, as amended by Chapter 295 of the Private and Special Laws of 1905, and Chapter 407 of the Private and Special Laws of 1907, and Chapter 136 of the Private and Special Laws of 1909, relating to political caucuses in the City of Bangor.

An Act to amend Section 62 of Chapter 4 of the Revised Statutes, relating to refunding indebtedness by cities and towns and temporary loans.

An Act to amend Section 17 of Chapter 60 and Section 11 of Chapter 61 of the Revised Statutes, relating to the taking of land for public uses."

An Act to amend Section 3 of Chapter 144 of the Revised Statutes, as amended by Chapter 245 of the Public Laws of 1919, relating to the age of commitment to the State School for Boys.

An Act to extend the charter of the Salisbury Cove Water Company.

An Act to incorporate the Hallo-well Water District.

An Act to amend Section 10 of Chapter 25 of the Revised Statutes as amended by Section 3 of Chapter 258, of the Public Laws of 1917, and to amend Section 3 of Chapter 319 of the Public Laws of 1915, as amended by Section 3 of Chapter 304 of the Public Laws of 1917, and by Chapters 162 and 243 of the Public Laws of 1919, providing for the deposit of Surety Bonds or Certified Checks with Bids for State Highway Work or for State and County Aid Bridge Work.

An Act to amend Section 43 of Chapter 2 of the Revised Statutes, relating to the appointment of Dedimus Justices.

#### Finally Passed

Resolve in favor of the State purchasing the alphabetical index of revolutionary pensioners in Maine, and appropriating money for said purpose.

Resolve in favor of Rena Cooley for State Pension.

Resolve in favor of Lena I. Sanborn, an employee of the Board of State Assessors in 1918.

Resolve authorizing the State Land Agent to sell certain lots in the public lot in Dennistown Plantation in Somerset County. (On motion by Mr. Thombs of Penobscot, tabled pending final passage.)

#### Passed to be Enacted (Emergency Measure)

An Act to legalize and make valid the doings of the town of Orono at a Special Meeting of the voters of said town held on August 14, 1920.

This bill carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-six senators voting in the affirmative and none in the negative the bill was passed to be enacted.

Resolve proposing an amendment to Section 5, Article 4, part first, of the Constitution, as amended by the twenty-third amendment, relating to absent voting.

(Tabled on motion by Mr. Garcelon of Androscoggin, pending final passage.)

#### Orders of the Day

The PRESIDENT: The Chair lays before the Senate An Act to establish the Mt. Katahdin State Park, tabled on the motion of Senator Baxter and assigned for today, the pending question being the acceptance of the majority report, ought not to pass.

In the interest of a clear understanding may the Chair be permitted to state that the majority report of the committee on State land and forest preservation "ought not to pass" was signed by Messrs. Emerson and Holt on the part of the Senate, and by Messrs. Viles, Wight, Patterson, Hammond and Small on the part of the House. The minority report, "ought to pass in new draft," was signed by the senator from Sagadahoc, Senator Baxter, and by Messrs. Granville and Winter on the part of the House.

The Chair recognizes the senator from Sagadahoc, Senator Baxter.

Mr. BAXTER of Sagadahoc: Mr. President, fellow Senators, my remarks are going to be extremely brief, because I wish to give ample opportunity before our lunch hour for the opponents of this measure to express themselves.

I suppose that you have all read the new draft of this bill which is now known as Senate Document 136. This is no new matter. Fourteen hundred citizens of the State of Maine, in the city of Bangor, on March 25, 1920, passed the following resolution:

"Whereas there are within the State of Maine large areas of waste, burned over, denuded and unproductive forest lands, which if acquired by the State upon reasonable terms could be used for reforestation, for the establishment of State parks or forest reserves, for the protection of water sheds, or refuges for wild game, for agricultural purposes, or for the establishment of national parks in connection with the United States;

"We believe that the State of Maine should establish the policy of acquiring such of these forest lands as may be suitable for the purposes herein enumerated."

So much for that. My conscience would not permit me to repudiate that resolution. I still have the still, small voice of conscience within me. I am going to raise my feeble voice as the Voice in the wilderness in justification of this new draft. Now I hope that you have all read this new draft very carefully. It leaves in it only the principle of a State park, which has been endorsed not only by the convention referred to but practically by the people, and I would like to call your attention particularly to this phrase which is now incorporated in the new draft: "Whenever money shall hereafter be appropriated by the Legislature or whenever the said Board shall receive gifts of money to carry out the purposes of this act"—this Legislature nor any other need necessarily give one penny to this project; but if there are public subscriptions received for the establishment of this project, it can be started.

There is some question in the minds of some, I find, in regard to the meaning of Section G. Some of those who desire evidently to becloud the issue have raised the question that under Section 6 the Governor and Council could use moneys from the contingent fund to pay the compensation of the trustees. And in order to clear up this mystery I will suggest that the following sentence be added to Section 6, at the end of line 5, page 5: "Out of moneys hereafter appropriated by the Legislature or given to the State for the purposes of this Act."

I believe that we are in duty bound to do something of this kind. I believe it is a constructive measure, and with these objectionable features of the original bill eliminated I cannot see why we cannot conscientiously accept this new draft and proceed under it.

I therefore move, Mr. President, that the minority report with the new draft, with such corrections as I have mentioned, be accepted.

The PRESIDENT: The Chair will state that there is a motion pending, made by Senator Holt, that the majority report be accepted.

Mr. MORRILL of Cumberland: Mr. President, I am informed that in the minority report as it is presented to us, there is the understanding that there is to be no appropriation from this Legislature. It appears that they are trying to retain what I call the sentiment—perhaps somebody else might have a different name for it. I was opposed to it because of the call for \$100,000 in the first place, or for any sum that this Legislature might appropriate. But if we can leave it in such a way that other Legislatures—the next Legislature, for instance—can take it up and go along with it or dismiss it, I do not see that it is a very dangerous proposition. Therefore I am in favor of the minority report.

Mr. EMERSON of Aroostook: Mr. President, I am sorry to feel obliged to disagree with my friend, the Senator from Sagadahoc. I had hoped that we might, during this session, pass a reasonable bill providing for

the establishment of the Mt. Katahdin State Park. That hope has now failed and I am convinced that no bill with the word "Katahdin" written in it could get through either branch of the Legislature.

The bill now before us as it is amended, to my mind is not worth the paper on which it is written, or the breath it would take to defend it, and I hope that the motion of Senator Holt will prevail.

Mr. BABB of Cumberland: Mr. President, I may in what I say expose my ignorance—if I do of course I will learn something and the rest of us may also. If I read my geography correctly, I think that I can see that the head waters of our two largest rivers rise in the neighborhood of Mt. Katahdin, and in view of the fact that there is pending in the federal government a water power bill which tends to take away the control of what is the last natural heritage that we have, it seems to me, if I look at it correctly—and if I do not I would like to be informed—it rather looks to me this way, that if the State can acquire and own property where these rivers have their source, that I, or that you, as a senator or a representative in another state in the Union, would be loath to take away the right of a sovereign state before you would that of an individual or a corporation. Therefore, if I am right in that, I shall vote that the minority report be accepted.

Mr. THOMBS of Penobscot: Mr. President, fellow senators. I will try to be as brief as my genial friend, the senator from Sagadahoc, promised that he would be. I am one of those who are fortunate enough to live day by day almost within the shadow of Mt. Katahdin and always within its sight, and I want to say to you, gentlemen of the Senate, that if any of you have never seen this grand old mountain you have missed, I believe, one of the most magnificent sights in the United States of America.

I love Mt. Katahdin and I am glad that I live where I can occasionally turn my eye to its snow-crowned peak.

Mr. President and senators, in reply to what the gentleman from Sagadahoc

has said about the State convention in Bangor composed of 1400 people, endorsing this project, I have this simply to say and it is the gist of the argument that I desire to advance today in favor of the acceptance of the majority report. Those gentlemen gathered in the convention hall in Bangor about a year ago, were then and there considering State business, and they were talking about the attitude of the State and the State alone. I do not believe that they had in mind there at that time that there would ever be any thought that private capital solicited or unsolicited would ever be received to establish a State park. Gentlemen of the Senate, to show you my good faith in the project, if it were what I believe it ought to be, I want to quote briefly from a description written of that grand old mountain and the inspiration which might come there to those who undertook its ascent, and I want to be sure and give full credit to the writer of the article from which I am quoting, an article appearing in the *Maine Woods*, 1916, published by the Bangor & Aroostook Railroad Company, written by Anna Mildred Thayer, Yonkers, N. Y. And let me say right here, gentlemen, that I believe whenever the time shall come—and I hope it is not far distant—when the State has a State park, you will see from the interest manifested by this lady that its fame will spread far beyond the limits of the State of Maine and attract here tourists—perhaps without number.

And that I may give you, who, perhaps, are not so well acquainted with old Katahdin as some of us who live in that vicinity—that I may convey to you something of its grandeur, I want to quote briefly, because it is put in much better language than I could possibly command. This lady has toiled up this magnificent old mountain and her memory is stirred and she records her feelings in these words:

"What a wonderful experience to gaze off from that great height! All the world seems to live far below you, and it stretches away north, south, east and west, hills and valleys, to the faint blue of the far-distant

mountains that surge upward to meet the sky. Down from the mountain-side flows the green, billowing forest, spreading ever farther and farther, and framing in its soft embrace countless scores of lakes and ponds. They lie scattered as far as the eye can see, from distant Moosehead in the west, to the tiny pools that nestle close at Katahdin's very feet, each one a placid mirror, reflecting the blue sky, and the slowly drifting clouds. A veritable ribbon of silver marks the course of the West Branch, winding its graceful way downward to the lakes. Whichever way you turn fresh beauties greet you; the sunshine warms you as you sit gazing spellbound, and the keen mountain breeze fills your lungs, and thrills you with the very joy of living. All burdens seem to fall away, leaving you glad and strong and uplifted, and inexpressibly calmed by the great peace, and the brooding silence that reign forever on that majestic mountaintop. If we could always keep our mountain-moods how much easier life would be.

It is very hard to turn downward, and go back to your own corner of the world, there to take up once more your own particular task; but if you do not return to the plains of everyday living with renewed strength for the struggle against mean and petty things, and inspired to make at least a small corner of the world a better, happier place to live in, then the message of the mountain has not reached you, and poor indeed is the soul which cannot be touched by the magic spell of Katahdin?

But if it has touched, and thrilled you, you will be the richer for it all your life; and even if you never again return, some uplifting mark must be left upon you who has loved Katahdin enough to struggle upward and stand upon its topmost peak, and there to absorb with eye, and heart and soul, some of the majesty and beauty of that glorious mountain that typifies the nobility, and the sturdy strength of Maine and its people."

Gentlemen, I say to you as one who has been privileged to visit Mt. Katahdin, that this beautiful descrip-

tion and the inspiration that you feel still there is not one whit overdrawn.

Now, gentlemen of the Senate, there are very many reasons to my mind why the minority report ought not to be accepted. There may be other discussion, and I presume various phases of the matter will appeal to each of you. I am quite content this morning to rest my argument upon one phase, and one phase alone of the situation. And, gentlemen, I have said to you that the key note, if such you might term it, of these remarks and upon which I found my argument and ask your consideration for a few moments is upon the matter of its being a State park and nothing else. Gentlemen of the Senate, as a believer and as an admirer of Maine, its magnificent scenery, its wonderful climate, I believe that we should do everything possible to cultivate those natural beauties and endowments, not only for the good of the people of the State of Maine, but that we may welcome to our midst our brothers and sisters of sister states, aye, of foreign countries as well. But to my mind a State park, if it means anything, gentlemen, means an institution which is created by which is cared for and will always be a State park in name and reality. Gentlemen of the Senate, if this were the last opportunity the people of Maine would ever have to gather unto itself this grand pinnacle and natural monument, I should hesitate about taking the position which I have. But I do not need to remind you that the mountain itself is all-enduring. Generations have come and gone, they have looked upon the mountain even as we look upon it today, and there has been no change.

So do not be beguiled by the specious argument that you must act now or your rights are forever foreclosed.

The bill in its new draft contemplates the taking of so small a portion of land that there cannot be much of any change in the years to come. Gentlemen, there are here this morning, I am glad to see, these bright boys and girls from some educational institution, I imagine. We are always glad to have them with

us. But I believe that they have come up here this morning not so much to see the Legislature as they have come here to see the State House. Every one of them, I believe, feels that he and she has an indisputable interest in what we call our State House. Truly they have and we are glad of it. And, gentlemen, that is just the point that I want to make in connection with this matter of the State park. It is designed primarily for the use, for the recreation, for the upbuilding of the health and the pleasure of the citizens of Maine, and I want every person in the State of Maine to feel that he and she is an owner in it because he or she has contributed his or her mite to its purchase. Gentlemen of the Senate, I need not remind you that the same feeling that actuated the widow those many hundred years ago still actuates the feelings of people in the twentieth century. And gentlemen, I am sorry that the matter has come to that state where there is a bill that contemplates conferring upon the trustees of this park the right to take by eminent domain, and then puts upon them the burden of soliciting, or at least the right to receive contributions from those who are able. Mind you, I do not decry or belittle those generous men of means who contribute so generously and loyally to our State institutions and the furtherance of all good works in our State. We would not be without them for they serve an exceedingly useful purpose.

But, gentlemen, if the contributions that they make, and if the contribution that they pour in buy a State park, to my mind it is not a State park; and you and I who may not be able to contribute, or our children, or the children of the hundreds and thousands of fathers and mothers in the State of Maine, if they are ever privileged to cast their eye toward this grand old mountain, or to set foot upon it, will not then feel that it is their park, for the reason that they have unfortunately been deprived of the means of contributing to its purchase.

Gentlemen, as I have said before,

there are other arguments, but I want to leave this phase of the matter with you, inasmuch as this mountain is all-enduring, and the rights of succeeding Legislatures, or generations even, will not be prejudiced by the delay, and inasmuch as I want to have every man, woman and child within the State of Maine when the time comes that this land and mountain are taken and made into a public park—I want them to feel that it is indeed and in truth, as is this grand old State House today a park worthy of the name of the State because every man, woman and child in Maine has contributed indirectly through the medium of the State to its purchase and its preservation.

Mr. SPRAGUE of Piscataquis: Mr. President, I did not intend to say anything in regard to this matter. I assure the Senators that I shall say but a very few words. We have heard a great deal about the beauties of Mount Katahdin, and I agree with everything that has been said. I made efforts of my own in my day to try to write about it, etc. But I am afraid you will all forget that Mount Katahdin is in Piscataquis county, the county where I live, and so is Moosehead lake, every inch of it, and every inch of Mount Kathadin is in Piscataquis county—Moosehead lake, 40 miles long, the largest inland lake in New England is wholly within our county, the county that I have the honor to represent.

Now I am one of the idealists, and I am willing and perfectly willing—I am not ashamed of that word—I am one of the idealists who have always advocated and believed in a State park that will take in Katahdin mountain. And I believe in it today. But this whole movement regarding this park has taken in my opinion a wrong cant. I feel that I cannot conscientiously, as a citizen of Piscataquis county, as a man here representing the sentiment of Piscataquis, that I cannot vote for the minority report; that I must stand by the majority report. I am in full accord and sympathy with Senator Emerson of Aroostook. I had hoped, and I have

done what little I could in my humble way talking with the proponents of the bill and with the opponents, to bring about some compromise so that we could take one step in a reasonable way toward what I believe is ultimately coming, and which ought to come here in the State of Maine some time or other. But I have, like Senator Emerson, become discouraged about it.

Now I am going to talk right out and say just what I mean. The fact is, those land owners—and the Great Northern Paper Company is one of the largest of those land owners, feel aggrieved to have the State say to them: We are going to hold you up. We are going to force you to sell some of your land at some kind of a price to be agreed upon by county commissioners or somebody else. We are going to place that right in our statutes so that we can hold you up any time.

Now there comes the question perhaps the State Park never can be established unless we use the right of eminent domain. I do not know how that will be. But the question before us right here this morning is a very simple one. Are the conditions here in Maine such that under our Constitution public exigencies demand that we exercise the right of eminent domain against the land owners? I do not believe they are. Mr. President, my belief is that we can within a few years have a Katahdin Park, but we will not do it by antagonizing and fighting such institutions as the Great Northern Paper Company. If we do it, we will do it by working in unison with them and co-operating with them. That is the way to get a park.

Now I want, as a representative from Piscataquis county, to explain to you why I have some personal feelings about this matter. It wasn't a great many years ago that the land owners, or a certain part of them, were always opposing what we people in our county—and I live in one of the largest wild land counties in the State—what we believed was a fair, reasonable increase in the taxation of wild lands. They

always maintained a lobby here, fighting us every inch of the way.

Now when these lands went into these great concerns like the Great Northern Paper Company, they adopted immediately a different policy, a broader and more liberal policy. They are willing to pay their taxes. There is no murmuring now. All they want apparently is what is just and fair and equal.

Now, further than that, the Great Northern Paper Company has built something like \$500,000 worth of good auto highways right in the dense wilderness in Piscataquis county. They have pursued that same broad policy which they have about taxation, and they have opened those roads—they don't forbid anybody—the man coming down here to see Maine and putting out his money from New York or Philadelphia can ride up there, and they do every summer. We have the right as citizens to use them. They are open to the public. Now about three years ago we said to the Great Northern Paper Company—our county people and grangers were interested in that county—now we said to the Great Northern Paper Company: Here is a connecting link of your highway system in that wilderness leading by your camps and your storehouses of nine miles, which has not yet been built, from Greenville village to Lily Bay, and it will be of great benefit to our farmers in Piscataquis county if we can have that connecting link in there. They said, "We will co-operate with you. We have wanted it. We can see the necessity of it. But we have not felt yet like building it, but if you people are enough interested we will take hold and co-operate with you." So that corporation paid a little more, as it turned out, than one-third, but the proposition was, the arrangement made, that the corporation, the county of Piscataquis and the town of Greenville should build that road together, which we did. And in the whole history of any attempt to develop northern Piscataquis, up in that wilderness country, in the whole history of it, Mr. President, it is the one instance

where we have attempted to build a new road in an unorganized township, where by employing able counsel the land owners can control the situation,—it is the only instance where a road has been built without opposition before the county commissioners and before the supreme court—because that corporation cooperated with us. Now what is the result? Our farmers in Piscataquis county today can take their auto trucks, go from Dover, from Monson, from Guilford, Sebec, anywhere in that county, drive right up there and in one forenoon they are at the camp storehouses of the Great Northern Paper Company unloading their produce at one of the best markets for farm produce in the whole United States. Now that is how the Great Northern has benefitted us.

Now I say that I could not come over here and vote at present, until I feel that the public exigencies demand more than I can see it now,—vote to antagonize such a corporation as that, that has been of so much benefit to Piscataquis County, to its farmers and to its business men, as has the Great Northern Paper Company. I can say truthfully, I never took a retainer from the Great Northern Paper Company in my life. I certainly haven't any at this time. I wish I had. They are good paymasters. They pay their help from the smallest to the highest well and liberally. It is a good corporation. And representing as I do the county of Piscataquis, which is in such cordial relations with that company as it is, and is in debt to them, as they are, for their broad and liberal policy, I could not sit here the more I thought of it without saying something in reply to what I have heard in the corridors of this house and at the hotels and in other places regarding this matter.

I thank you.

Mr. FARRINGTON of Kennebec: Mr. President, in order to make my position clear when the vote is taken on this matter, I wish to take just a moment of the Senate's time. It has been stated by the Senator

from Sagadahoc that at the Bangor Convention about a year ago, a certain resolution was passed by 1400 voters which had more or less to do with the possible policy of the State along the line of this discussion, and the inference is that that should have some weight with us. A greater convention of citizens of Maine has been in assembly ever since and is in assembly now, and that is the citizenship of Maine, and if I read aright and hear their voice aright, they do not believe it is the time for the State of Maine to take any action on Katahdin Park at this session of the Legislature. And that is my own belief, and that is why when the vote is taken I shall vote to sustain the majority report—not because I have any brief for or against the Great Northern Paper Company—that has nothing whatever to do with my vote in the matter. I do not believe that this is the time for any action and that is why I shall vote to sustain the majority report.

The PRESIDENT: The motion is to accept the majority report.

A viva voce vote was taken and the same being doubted a rising vote was had. Nineteen voting affirmatively and eight in opposition, the motion to accept the majority report was adopted.

Mr. FARRINGTON of Kennebec: Mr. President, I would ask unanimous consent of the Senate at this time to present out of order the report of the committee of conference on the question of the justices' salaries.

Unanimous consent was granted and the Senator presented the report of the committee of conference on the disagreeing action of the two branches of the Legislature, on An Act to amend Section 5 of Chapter 117 of the Revised Statutes, as amended by Chapter 170 of the Public Laws of 1917, relating to the salaries of the justices of the supreme judicial court, reporting that Senate Bill No. 54 be amended by fixing the salaries at \$6000, and to that end that Senate Amendment B attached to this amended bill be adopted.

(Signed) Senators FARRINGTON,  
THOMBS,  
ALLEN  
Representatives SNIPE  
ROBERTS

Mr. FARRINGTON: Mr. President, I move that the report of the conference committee be accepted.

The motion was agreed to.

On further motion by the same senator, under suspension of the rules, the action was reconsidered whereby this bill was passed to be engrossed.

Senate Amendment B was then adopted by a viva voce vote, and the bill as amended was then passed to be engrossed.

Mr. PARENT of Lewiston: Mr. President, I move that we take from the table Resolve in favor of Francois X. Marcotte, tabled by me March 16.

The motion was agreed to, and on further motion by the same senator the report of the committee, ought to pass, was accepted, and the bill was given its first reading.

Mr. PARENT: Mr. President, I move we take from the table House Bill 265, Resolve in favor of Alfred Williams Anthony for services and expenses of police commissioner of the city of Lewiston.

The motion was agreed to, and on further motion by the same senator the bill was given its second reading and passed to be engrossed.

Mr. TUTTLE of Aroostook: Mr. President, I move we taken from the table An Act to incorporate the Maine Mutual Loan Society of Ft. Kent, tabled by me March 15.

The motion was agreed to, and on further motion by the same senator the report of the committee on banks and banking, out not to pass, was accepted.

On motion by Mr. Parent of Androscoggin, Resolve in favor of Ralph W. Crockett, was taken from the table, and on further motion by the same senator the report of the committee, ought to pass, was accepted.

On further motion by the same senator the bill was given its first reading.

On motion by Mr. Clark of Lincoln, An Act to legalize the municipal election of the city of Bangor, was taken from the table.

Mr. CLARK: Mr. President, I now yield to the senator from Penobscot, Senator Gillin.

The PRESIDENT: The Chair will state that the secretary's records show that the bill has been passed as an emergency measure, and subsequently was recalled from the Governor and laid on the table.

Mr. GILLIN of Penobscot: Mr. President, why was it recalled?

The PRESIDENT: The Chair will state that the city solicitor of Bangor, said there was a clerical error that appeared to be rather serious.

Mr. GILLIN: Has it been corrected?

The PRESIDENT: It has not. The Chair is informed that it was received under suspension of the rules and referred to no committee.

Mr. GILLIN: Mr. President, I move that we suspend the rules and reconsider the vote whereby the bill was passed to be enacted.

The motion was agreed to, and on further motion by the same senator the action whereby the bill was passed to be engrossed was reconsidered, and on further motion by the same senator the bill was tabled.

On motion by Mr. Tuttle of Aroostook,

Adjourned until tomorrow morning at ten o'clock.